

## Writing on a Slant: The Construction and Critique of Liberalism

In a warm room, as I recall, without books,  
without admirers, but there you are for them,  
resting your brow on your palm,  
you will write about us on a slant.

Joseph Brodsky  
(trans. Roberta Reeder)

From the perspective of many theorists who have spent the past quarter-century criticizing the weaknesses and failures of liberal conceptions of justice and law, the resurgence in the popularity of political and economic liberalism after the events in central and eastern Europe since 1989 must seem strangely ironic. The demise of socialist regimes in these regions has been accompanied by what some writers have hailed as a 'liberal revolution,' with the adoption in many of these countries of a market economy, protection of civil liberties, and democratic styles of governance.<sup>1</sup> Attempts have been made to revive liberalism in other contexts as well, including Nancy Rosenblum's reconstruction of a neo-romantic tradition, in which personal and aesthetic experiences are used to recast liberal political theory.<sup>2</sup> These changes have occurred despite a deep sense of disaffection among some academics, including some academic lawyers, with both the ideas and practices of contemporary liberalism.<sup>3</sup> The *bête noire* of writers who work in the vein of critical legal studies has been liberalism, whether in its classical or revisionist forms. This is not to say that these radical critics, who view themselves on the political left, do not also object to the conservative thinking that has gained ascendancy in a number of Western democracies since the start