PROGRAMME

The Final Oral Examination
for the Degree of

DOCTOR OF PHILOSOPHY
(LAW)

Jared Giesbrecht
2008 Queen’s University JD
2004 University of Lethbridge BA
2002 Prairie Bible College BA

“Back to the Rough Ground: Towards a Conservative Theory of Democracy”

June 20th, 2013
4:00 pm PST
Social Sciences and Math building, room A144

Supervisory Committee:
Jeremy Webber, Faculty of Law, UVic (Supervisor)
Dr. R. Michael M’Gonigle, Faculty of Law, UVic (Member)
Dr. James Tully, Department of Political Science, UVic (Outside Member)

External Examiner:
Dr. Martin Krygier, Faculty of Law, University of New South Wales

Chair of Oral Examination:
Dr. Chris Lalonde, Department of Psychology, UVic
Abstract

This work seeks to recover the critical spirit of conservatism and re-emphasize its goal of stability and resilience in society. I will argue that we should strive to view ourselves as deeply dependent and persistently vulnerable beings rather than free, equal, and rational individuals. An understanding of ourselves as embodied and interconnected patternings-in-the-world – res ecologia – will allow us to better recognize a diffuse violence at work in the modern world. I consider the nature of causation and suggest that the internal stability of res ecologia, when disrupted, should be a primary concern when considering the nature of violence and domination. I then invite us to understand the violence and domination arising in modern liberal societies – protocritic modulations – as abstract standardization that ensures efficient synchronization between individuated or atomized actors. Further, I suggest that the rapid modulations of this kind of protocritic domination disrupt the structural causation within and between res ecologia. In chapter five, I begin to show how this kind of violence and domination is manifest in and through the tradition of liberalism by tracing out a shared, underlying dualistic logic that simultaneously individuates and totalizes. In chapter six, I turn to the role of reason in creating freedom and legitimizing violence. Reason is seen to be contributing to both freedom and domination depending upon whether or not it creates resilience within society that resists standardizations. In chapter seven, I argue that the
only way to effectively counter the excessive violence within the dualistic logic of liberalism is to cultivate an ethic of mutual support and restraint that invests society with stability and resilience. Finally, I conclude by contending that a resilient society requires intermediate structures and civil enterprises to instill tradition and reciprocal responsibilities in interdependent familial, socio-economic, and religious life.

**Awards, Scholarships, Fellowships**

2010-2013  Joseph Armand Bombardier/Canadian Graduate Scholarship – Social Science and Humanities Research Council of Canada (SSHRC)
2009-2010  University of Victoria Fellowship
2008-2009  Law Foundation of BC Graduate Scholarship