To the People of the State of New York:

Among the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence, of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administrations.
By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adversed to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this
propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.
The inference to which we are brought is, that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.
A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. The question resulting is, whether small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations:

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.
It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representatives too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic, -- is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political
faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.

PUBLIUS
6 Pluralism: A Political Perspective

MICHAEL WALZER

Democracy and Nationalism

Most political theorists, from the time of the Greeks onward, have assumed the national or ethnic homogeneity of the communities about which they wrote. Prior to the work of Rousseau, theory was never explicitly nationalist, but the assumption of a common language, history, or religion underlay most of what was said about political practices and institutions. Hence, the only empire systematically defended in the great tradition of political theory was the Christian empire of the Middle Ages: one religious commune, it was argued, made one political community. The religiously mixed empires of ancient and modern times, by contrast, had no theoretical defenders, only publicists and apologists. Political thinking has been dominated by the Greece of Pericles, not of Alexander; by republican Rome, not the Roman empire; by Venice and Holland, not the Europe of the Hapsburgs. Even liberal writers, ready enough to acknowledge a plurality of interests, were strikingly unready for a plurality of cultures. One made one state, the argument of the authors of *The Federalist Papers* (1787–1788) may be taken here to sum up a long tradition of thought. The Americans, John Jay wrote, were a people 'descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs.' Surely a 'band of brethren' so united 'should never be split into a number of unsocial, jealous, and alien sovereignties.'

Jay's description was only very roughly true of America in 1787, and clearly the maxim *One people, one state* has, throughout human history, been honored most often in the breach. Most often, brethren have been divided among alien sovereignties and forced to coexist with strangers under an alien sovereign. National and ethnic pluralism has been the rule, not
the exception. The theoretical preference for cultural unity existed for centuries alongside dynastic and imperial institutions that made for disunity. Only in the late 18th and 19th centuries was the old assumption of homogeneity, reinforced by new democratic commitments, transformed into a practical demand for separation and independence. Underlying that demand were two powerful ideas: first, that free government was only possible under conditions of cultural unity; second, that free individuals would choose if they could live with their own kind, that is, to join political sovereignty to national or ethnic community. No doubt these ideas could be challenged. Marx and his followers emphatically denied that they were true, arguing that conceptions of ‘kind’ were ultimately based on class rather than ethnic distinctions. But the two ideas had the support of a long intellectual tradition, and they happily supported one another. They suggested that democracy and self-determination led to the same political arrangements that their effective exercise required: the replacement of empires by national states.

In practice, this replacement took two very different forms. The new nationalist politics was first of all expressed in the demand for the unification of peoples divided—as were the Germans, Italians, and Slavs—among the old empires and a variety of petty principalities. Nationalist leaders aimed initially at large states and at a broad (pan-German or pan-Slavic) definition of cultural homogeneity. Yugoslavia and Czechoslovakia are products of this first nationalism which, though it entailed the breakup of empires, was still a politics of composition, not of division. The Zionist ‘ingathering’ of Jews from Europe and the Orient has the same character. Roughly similar groups were to be welded together, on the model of the prenationalist unifications of France and Britain.

This early nation-building was hardly a failure, but the clear tendency of nationalism more recently has been to challenge not only the old empires, especially the colonial empires, but also the composite nation-states. Neither the oldest states (France, Britain) nor the newest (Pakistan, Nigeria) have been safe from such challenges. Secession rather than unification is the current theme. International society today is marked by the proliferation of states, so that ‘the majority of the members of the U.N.’, as Eric Hobsbawm has written, ‘is soon likely to consist of the late-twentieth-century (republican) equivalents of Saxe-Coburg-Gotha and Schwarzburg-Sonderhausen.’ Important transformations of the world economy have opened the way for this process: the rules of viability have radically changed since the 19th century. But the process also represents an extraordinary triumph for the principle of self-determination—with the collective self increasingly defined in ways that reflect the actual diversity of mankind.

Confronted with this diversity, every putative nation-state is revealed as an ancient or modern composition. Self-determination looks to be a principle of endless applicability, and the appearance of new states a process of indefinite duration. If the process is to be cut short, it is unlikely to be by denying the principle—for it appears today politically undeniable—but rather by administering it in moderate doses. Thus autonomy may be an alternative to independence, loosening the bonds of the composite state, a way to avoid their fracture. Instead of sovereignty, national and ethnic groups may opt for decentralization, devolution, and federalism; these are not incompatible with self-determination, and they may be especially appropriate for groups of people who share some but not all of the characteristics of a distinct historical community who retain a strong territorial base. Whether composite states can survive as federations is by no means certain, but it is unlikely that they can survive in any other way—not, at least, if they remain committed (even if only formally) to democratic government or to some sort of social egalitarianism.

Democracy and equality have proven to be the great solvents. In the old empires, the elites of conquered nations tended to assimilate to the dominant culture. They sent their children to be educated by their conquerors; they learned an alien language; they came to see their own culture as parochial and inferior. But ordinary men and women did not assimilate, and when they were mobilized, first for economic and then for political activity, they turned out to have deep national and ethnic loyalties. Mobilization made for conflict, not only with the dominant groups, but also with other submerged peoples. For centuries, perhaps, different nations had lived in peace, side by side, under imperial rule. Now that they had to rule themselves, they found that they could do so (peacefully) only among themselves, adjusting political lines to cultural boundaries.

So the assumptions of the theoretical tradition have proven true. Self-government has tended to produce relatively homogeneous communities and has been fully successful only within such communities. The great exception to this rule is the United States. At the same time, the Marxist argument, the most significant challenge to traditional wisdom, has proven wrong. Nowhere have class loyalties overridden the commitment to national and ethnic groups. Today, the Soviet Union resembles nothing so much as the empire of the Romanovs: a multinational state held together chiefly by force. Conceivably, if the ‘national question’ were ever solved, if the existence and continued development of historical communities were guaranteed (as Lenin argued they should be), new patterns of alliance and cooperation might emerge. But for the moment, it must be said that politics follows nationality, wherever politics is free. Pluralism in the strong sense—One state, many peoples—is possible only under tyrannical regimes.
American Exceptionalism

Except in the United States. Here too, of course, there are conquered and incorporated peoples—Indian tribes, Mexicans—who stood in the path of American expansion, and there are forcibly transported peoples—the blacks—brought to this country as slaves and subjected to a harsh and continuous repression. But the pluralist system within which these groups have only recently begun to organize and act is not primarily the product of their experience. Today, the United States can only be understood as a multiracial society. But the minority races were politically impotent and socially invisible during much of the time when American pluralism was taking shape—and the shape it took was not determined by their presence or by their repression.

In contrast to the Old World, where pluralism had its origins in conquest and dynastic alliance, pluralism in the New World originated in individual and familial migration. The largest part of the U.S. population was formed by the addition of individuals, one by one, filtered through the great port cities. Though the boundaries of the new country, like those of every other country, were determined by war and diplomacy, it was immigration that determined the character of its inhabitants—and falsified John Jay’s account of their unity. The United States was not an empire; its pluralism was that of an immigrant society, and that means that nationality and ethnicity never acquired a stable territorial base. Different peoples gathered in different parts of the country, but they did so by individual choice, clustering for company, with no special tie to the land on which they lived. The Old World call for self-determination had no resonance here: the immigrants (except for the black slaves) had come voluntarily and did not have to be forced to stay (indeed, many of them returned home each year), nor did groups of immigrants have any basis for or any reason for secession. The only significant secessionist movement in U.S. history, though it involved a region with a distinctive culture, did not draw upon nationalist passions of the sort that have figured in European wars.

But if the immigrants became Americans one by one as they arrived and settled, they did so only in a political sense: they became U.S. citizens. In other respects, culturally, religiously, even for a time linguistically, they remained Germans and Swedes, Poles, Jews, and Italians. With regard to the first immigrants, the Anglo-Americans, politics still followed national identity: because they were one people, they made one state. But with the newer immigrants, the process was reversed. Because they were citizens of one state—so it was commonly thought—they would become one people. Nationality would follow politics, as it presumably had in earlier times, when the peoples of the modern world were first formed. For a while, however, perhaps for a long while, the United States would be a country composed of many peoples, sharing residence and citizenship only, without a common history or culture.

In such circumstances, the only emotion that made for unity was patriotism. Hence the efforts of the late 19th and early 20th centuries to intensify patriotic feeling, to make a religion out of citizenship. "The voting booth is the temple of American institutions," Supreme Court Justice David Brewer wrote in 1900. "No single tribe or family is chosen to watch the sacred fires burning on its altars... Each of us is a priest." The rise of ethnic political machines and bloc voting, however, must have made the temple seem disturbingly like a sectarian conventicle. Few people believed politics to be a sufficient ground for national unity. Patriotism was essentially a holding action, while the country waited for the stronger solidarity of nationalism. Whether the process of Americanization was described as a gradual assimilation to Anglo-American culture or as the creation of an essentially new culture in the crucible of citizenship, its outcome was thought to be both necessary and inevitable: the immigrants would one day constitute a single people. This was the deeper meaning that the slogan From many, one (E pluribus unum) took on in the context of mass immigration. The only alternatives, as the history of the Old World taught, were divisiveness, turmoil, and repression.

The fear of divisiveness, or simply of difference, periodically generated outbursts of anti-immigrant feeling among the first immigrants and their descendants. Restraint of all further immigration was one goal of these 'nativist' campaigns; the second goal was a more rapid Americanization of the 'foreigners' already here. But what did Americanization entail? Many of the foreigners were already naturalized citizens. Now they were to be naturalized again, not politically but culturally. It is worth distinguishing this second naturalization from superficially similar campaigns in the old European empires. Russification, for example, was also a cultural program, but it was aimed at intact and rooted communities, at nations that, with the exception of the Jews, were established on lands they had occupied for many centuries. None of the peoples who were to be Russified could have been trusted with citizenship in a free Russia. Given the chance, they would have opted for secession and independence. That was why Russification was so critical: political means were required to overcome national differences. And the use of those means produced the predictable democratic response that politics should follow nationality, not oppose it. In the United States, by contrast, Americanization was aimed at peoples far more susceptible to cultural change, for they were not only uprooted; they had uprooted themselves. Whatever the pressures that had driven them to the
New World, they had chosen to come, while others like themselves, in their own families, had chosen to remain. And as a reward for their choice, the immigrants had been offered citizenship, a gift that many eagerly accepted. Though nativists feared or pretended to fear the politics of the newcomers, the fact is that the men and women who were to be Americanized were already, many of them, patriotic Americans.

Because of these differences, the response of the immigrants to cultural naturalization was very different from that of their counterparts in the Old World. They were in many cases acquiescent, ready to make themselves over, even as the nativists asked. This was especially true in the area of language: there has been no long-term or successful effort to maintain the original language of the newcomers as anything more than a second language in the United States. The vitality of Spanish in the Southwest today, though it probably results from the continued large-scale influx of Mexican immigrants, suggests a possible exception to this rule. If these immigrants do not distribute themselves around the country, as other groups have done, a state like New Mexico might provide the first arena for sustained linguistic conflict in the United States. Until now, however, in a country where many languages are spoken, there has been remarkably little conflict. English is and has always been acknowledged as the public language of the American republic, and no one has tried to make any other language the basis for regional autonomy or secession. When the immigrants did resist Americanization, struggling to hold on to old identities and old customs, their resistance took a new form. It was not a demand that politics follow nationality, but rather that politics be separated from nationality—as it was already separated from religion. It was not a demand for national liberation, but for ethnic pluralism.

The Practice of Pluralism

As a general intellectual tendency, pluralism in the early 20th century was above all a reaction against the doctrine of sovereignty. In its different forms—syndicalist, guild socialist, regionalist, autonomist—it was directed against the growing power and the far-reaching claims of the modern state. But ethnic pluralism as it developed in the United States cannot plausibly be characterized as an antistate ideology. Its advocates did not challenge the authority of the federal government; they did not defend states' rights; they were not drawn to any of the forms of European corporatism. Their central assertion was that U.S. politics, as it was, did not require cultural homogeneity; it rested securely enough on democratic citizenship. What had previously been understood as a temporary condition was now described as if it might be permanent. The United States was, and could safely remain, a country composed of many peoples, a 'nation of nationalities,' as Horace Kallen called it. Indeed, this was the destiny of America: to maintain the diversity of the Old World in a single state, without persecution or repression. Not only From many, one, but also Within one, many.

Marxism was the first major challenge to the traditional argument for national homogeneity; ethnic pluralism is the second. Although the early pluralists were by no means radicals, and never advocated social transformation, there is a certain sense in which their denial of conventional wisdom goes deeper than that of the Marxists. For the Marxist argument suggests that the future socialist state (before it withers away) will rest upon the firm base of proletarian unity. And like each previous ruling class, the proletariat is expected to produce a hegemonic culture, of which political life would be merely one expression. Pluralists, on the other hand, imagined a state unsupported by either unity or hegemony. No doubt, they were naïve not to recognize the existence of a single economic system and then of a culture reflecting dominant economic values. But their argument is far-reaching and important even if it is taken to hold only that in addition to this common culture, overlaying it, radically diversifying its impact, there is a world of ethnic multiplicity. The effect on the theory of the state is roughly the same with or without the economic understanding: politics must still create the (national) unity it was once thought merely to mirror. And it must create unity without denying or repressing multiplicity.

The early pluralist writers—thinkers like Horace Kallen and Randolph Bourne, popularizers like Louis Adamic—did not produce a fully satisfying account of this creative process or of the ultimately desirable relation between the political one and the cultural many. Their arguments rarely advanced much beyond glowing description and polemical assertion. Drawing heavily upon 19th-century romanticism, they insisted upon the intrinsic value of human difference and, more plausibly and importantly, upon the deep need of human beings for historically and communally structured forms of life. Every kind of regimentation, every kind of uniformity was alien to them. They were the self-appointed guardians of a society of groups, a society resting upon stable families (despite the disruptions of the immigrant experience), tied into, bearing, and transmitting powerful cultural traditions. At the same time, their politics was little more than an unexamined liberalism. Freedom for individuals, they were certain, was all that was necessary to uphold group identification and ethnic flourishing. They had surprisingly little to say about how the different groups were to be held together in a single political order, what citizenship might mean in a pluralist society, whether state power should ever be used on behalf of groups, or what social activities should be assigned to or left to groups. The
practical meaning of ethnic pluralism has been hammered out, is still being hammered out, in the various arenas of political and social life. Little theoretical justification exists for any particular outcome.

The best way to understand pluralism, then, is to look at what its protagonists have done or tried to do. Ethnic self-assertion in the United States has been the functional equivalent of national liberation in other parts of the world. What are the actual functions that it serves? There are three that seem critically important. First of all, the defense of ethnicity against cultural naturalization: Kallen's pluralism, worked out in a period of heightened nativist agitation and political persecution (see his *Culture and Democracy in the United States*, 1924), is primarily concerned with upholding the rights of the new immigrants, as individuals, to form themselves into cultural communities and maintain their foreign ways. Kallen joins the early-20th-century American kulturkampf as the advocate of cultural permissiveness. Train citizens, but leave nationality alone! The argument, so far as it is developed, is largely negative in character, and so it fits easily into the liberal paradigm. But Kallen is convinced that the chief product of a liberal society will not be individual selfhood but collective identity. Here surely he was right, or at least partly right. How many private wars, parallel to his intellectual campaign, have been fought on behalf of such identities—in schools, bureaucracies, corporations—against the pressures of Americanization! Most often, when individual men and women insist on 'being themselves,' they are in fact defending a self they share with others. Sometimes, of course, they succumb and learn to conform to standardized versions of New World behavior. Or they wait, frightened and passive, for organizational support: a league against defamation, a committee for advancement, and so on. When such organizations go to work, the pluralist form of the struggle is plain to see, even if legal and moral arguments continue to focus on individual rights.

The second function of ethnic assertiveness is more positive in character: the celebration of this or that identity. Celebration is critical to every national and ethnic movement because both foreign conquest and immigration to foreign lands work, though in different ways, to undermine communal confidence. Immigration involves a conscious rejection of the old country and then, often, of oneself as a product of the old country. A new land requires a new life, new ways of life. But in learning the new ways, the immigrant is slow, awkward, a greenhorn, quickly outpaced by his own children. He is likely to feel inferior, and his children are likely to confirm the feeling. But this sense of inferiority, so painful to him, is also a disaster for them. It cuts them adrift in a world where they are never likely to feel entirely at home. At some point, among themselves, or among their children (the second American generation), a process of recovery begins.

Ethnic celebration is a feature of that process. It has a general and a particular form: the celebration of diversity itself and then of the history and culture of a particular group. The first of these, it should be stressed, would be meaningless without the second, for the first is abstract and the second concrete. Pluralism has in itself no powers of survival; it depends upon energy, enthusiasm, commitment within the component groups; it cannot outlast the particularity of cultures and creeds. From the standpoint of the liberal state, particularity is a matter of individual choice, and pluralism nothing more than toleration. From the standpoint of the individual, it is probably something else, for men and women mostly 'choose' the culture and creed to which they were born—even if, after conquest and immigration, they have to be born again.

The third function of ethnic assertiveness is to build and sustain the reborn community—to create institutions, gain control of resources, and provide educational and welfare services. As with nation-building, this is hard work, but there is a difficulty peculiar to ethnic groups in a pluralist society: such groups do not have coercive authority over their members. Indeed, they do not have members in the same way that the state has citizens; they have no guaranteed population. Though they are historical communities, they must function as if they were voluntary associations. They must make ethnicity a cause, like prohibition or universal suffrage; they must persuade people to 'ethnicize' rather than Americanize themselves. The advocates of religious ethnicity—German Lutherans, Irish Catholics, Jews, and so on—have probably been most successful in doing this. But any group that hopes to survive must commit itself to the same pattern of activity—winning support, raising money, building schools, community centers, and old-age homes.

On the basis of some decades of experience, one can reasonably argue that ethnic pluralism is entirely compatible with the existence of a unified republic. Kallen would have said that it is simply the expression of democracy in the sphere of culture. It is, however, an unexpected expression: the American republic is very different from that described, for example, by Montesquieu and Rousseau. It lacks the intense political fellowship, the commitment to public affairs, that they thought necessary. 'The better the constitution of a state is,' wrote Rousseau, 'the more do public affairs encroach on private in the minds of the citizens. Private affairs are even of much less importance, because the aggregate of the common happiness furnishes a greater proportion of that of each individual, so that there is less for him to seek in particular cares.' This is an unlikely description unless ethnic culture and religious belief are closely interwoven with political activity (as Rousseau insisted they should be). It certainly misses the reality of the American republic, where both have been firmly relegated to the
private sphere. The emotional life of U.S. citizens is lived mostly in private—which is not to say in solitude, but in groups considerably smaller than the community of all citizens. Americans are communal in their private affairs, individualist in their politics. Society is a collection of groups; the state is an organization of individual citizens. And society and state, though they constantly interact, are formally distinct. For support and comfort and a sense of belonging, men and women look to their groups; for freedom and mobility, they look to the state.

Still, democratic participation does bring group members into the political arena where they are likely to discover common interests. Why has this not caused radical divisiveness, as in the European empires? It certainly has made for conflict, sometimes of a frightening sort, but always within limits set by the nonterritorial and socially indeterminate character of the immigrant communities and by the sharp divorce of state and ethnicity. No single group can hope to capture the state and turn it into a nation-state. Members of the group are citizens only as Americans, not as Germans, Italians, Irishmen, or Jews. Politics forces them into alliances and coalitions; and democratic politics, because it recognizes each citizen as the equal of every other, without regard to ethnicity, fosters a unity of individuals alongside the diversity of groups. American Indians and blacks have mostly been excluded from this unity, and it is not yet clear on what terms they will be brought in. But political life is in principle open, and this openness has served to diffuse the most radical forms of ethnic competition. The result has not been a weak political order: quite the contrary. Though it has not inspired heated commitment, though politics has not become a mass religion, the republic has been remarkably stable, and state power has grown steadily over time.

Toward Corporatism?

The growth of state power sets the stage for a new kind of pluralist politics. With increasing effect, the state does for all its citizens what the various groups do or try to do for their own adherents. It defends their rights, not only against foreign invasion and domestic violence, but also against persecution, harassment, libel, and discrimination. It celebrates their collective (American) history, establishing national holidays; building monuments, memorials, and museums; supplying educational materials. It acts to sustain their communal life, collecting taxes and providing a host of welfare services. The modern state nationalizes communal activity, and the more energetically it does this, the more taxes it collects, the more services it provides, the harder it becomes for groups to act on their own. State welfare undercuts private philanthropy, much of which was organized within ethnic communities; it makes it harder to sustain private and parochial schools; it erodes the strength of cultural institutions.

All this is justified, and more than justified, by the fact that the various groups were radically unequal in strength and in their ability to provide services for their adherents. Moreover, the social coverage of the ethnic communities was uneven and incomplete. Many Americans never looked for services from any particular group, but turned instead to the state. It is not the case that state officials invaded the spheres of welfare and culture; they were invited in by disadvantaged or hardpressed or assimilated citizens. But now, it is said, pluralism cannot survive unless ethnic groups, as well as individuals, share directly in the benefits of state power. Once again, politics must follow ethnicity, recognizing and supporting communal structures.

What does this mean? First, that the state should defend collective as well as individual rights; second, that the state should expand its official celebrations, to include not only its own history but the history of all the peoples that make up the American people, third, that tax money should be fed into the ethnic communities to help in the financing of bilingual and bicultural education, and of group-oriented welfare services. And if all this is to be done, and fairly done, then it is necessary also that ethnic groups be given, as a matter of right, some sort of representation within the state agencies that do it.

These are far-reaching claims. They have not received, any more than the earlier pluralism did, a clear theoretical statement. They are the stuff of public pronouncements and political agitation. Their full significance is unclear, but the world they point to is a corporatist world, where ethnic groups no longer organize themselves like voluntary associations but have instead some political standing and some legal rights. There is, however, a major difficulty here: groups cannot be assigned rights unless they are first assigned members. There has to be a fixed population with procedures for choosing representatives before there can be representatives acting officially on behalf of that population. But ethnic groups in the United States do not have, and never have had, fixed populations (American Indian tribes are a partial exception). Historically, corporatist arrangements have only been worked out for groups that do. In fact, they have only been worked out when the fixity was guaranteed by a rigid dualism, that is, when two communities were locked into a single state: Flemings and Walloons in Belgium, Greeks and Turks in Cyprus, Christians and Muslims in Lebanon. In such cases, people not identified with one community are virtually certain to be identified with the other. The residual category of intermarried couples and aliens will be small, especially if the two communities
are anciently established and territorially based. Problems of identification are likely to arise only in the capital city. (Other sorts of problems arise more generally; these examples hardly invite emulation.)

America's immigrant communities have a radically different character. Each of them has a center of active participants, some of them men and women who have been 'born-again,' and a much larger periphery of individuals and families who are little more than occasional recipients of services generated at the center. They are communities without boundaries, shading off into a residual mass of people who think of themselves simply as Americans. Borders and border guards are among the first products of a successful national liberation movement, but ethnic assertiveness has no similar outcome. There is no way for the various groups to prevent or regulate individual crossings. Nor can the state do this without the most radical coercion of individuals. It cannot fix the population of the groups unless it forces each citizen to choose an ethnic identity and establishes rigid distinctions among the different identities, of a sort that pluralism by itself has not produced.

It is possible, however, to guarantee representation to ethnic groups without requiring the groups to organize and choose their own spokesmen. The alternative to internal choice is a quota system. Thus, Supreme Court appointments might be constrained by a set of quotas: a certain number of blacks, Jews, Irish and Italian Catholics, and so on, must be serving at any given time. But these men and women would stand in no political relationship to their groups; they would not be responsible agents; nor would they be bound to speak for the interests of their ethnic or religious fellows. They would represent simply by being black (Jewish, Irish) and being there, and the Court would be a representative body in the sense that it reflected the pluralism of the larger society in its own membership. It would not matter whether these members came from the center or the periphery of the groups, or whether the groups had clearly defined boundaries, a rich inner life, and so on.

This kind of representation depends only upon external (bureaucratic rather than political) processes, and so it can readily be extended to society at large. Quotas are easy to use in admitting candidates to colleges and professional schools and in hiring them for any sort of employment. Such candidates are not elected but selected, though here, too, there must be a fixed population from which selections can be made. In practice, efforts to identify populations and make quotas possible have been undertaken, with state support, only for oppressed groups. Men and women, marked out as victims or as the children and heirs of victims, have been assigned a right to certain advantages in the selection process; otherwise, it is said, they would not be present at all in schools, professions, and businesses. This is not the

place to consider the merits of such a procedure. But it is important to point out that selection by quota functions largely to provide a kind of escape from group life for people whose identity has become a trap. Its chief purpose is to give opportunities to individuals, not a voice to groups. It serves to enhance the wealth of individuals, not necessarily the resources of the ethnic community. The community is strengthened, to be sure, if newly trained men and women return to work among its members, but only a small minority do that. Mostly, they serve, if they serve at all, as role models for other upwardly mobile men and women. When weak and hitherto passive groups mobilize themselves in order to win a place in the quota system, they do so for the sake of that mobility, and are likely to have no further raison d'être once it is achieved.

Considered more generally, there is a certain tension between quota systems and ethnic pluralism, for the administrators of any such system are bound to refuse to recognize differences among the groups. They come by their numbers through simple mathematical calculations. It would be intolerable for them to make judgements as to the character of quality of the different cultures. The tendency of their work, then, is to reproduce within every group to which quotas are applied the same educational and employment patterns. Justice is a function of the identity of the patterns among groups rather than of life chances among individuals. But it is clear that ethnic pluralism by itself would not generate any such identity. Historically specific cultures necessarily produce historically specific patterns of interest and work. This is not to say that pluralism necessarily militates against egalitarian principles, since equality might well take the form (socialists have always expected it to take the form) of roughly equal recompense for different kinds of work. It is not implausible to imagine a heterogeneous but egalitarian society: the heterogeneity, cultural and private; the equality, economic and political. Quotas point, by contrast, toward group uniformity, not individual equality. Though it would be necessary for individuals to identify themselves (or to be identified) as group members in order to receive the benefits of a quota system, these identifications would progressively lose their communal significance. The homogenization of the groups would open the way for the assimilation of their members into a prevailing or evolving national culture.

**State and Ethnicity**

The state can intervene in two basic ways to structure group life. It can encourage or require the groups to organize themselves in corporatist fashion, assigning a political role to the corporations in the state apparatus. This
is the autonomist strategy, the nearest thing to national liberation that is possible under conditions of multiethnictiy. The effect of autonomy would be to intensify and institutionalize cultural difference. Alternatively, the state can act to reduce differences among groups by establishing uniform or symmetrical achievement standards for their members. Each group would be represented, though not through any form of collective action, in roughly equal proportions in every area of political, social, and economic life. This is the integrationist strategy: it can be applied in a limited and compensatory way to particular (oppressed) groups or more generally to all groups. Applied generally, its effect would be to repress every sort of cultural specificity, turning ethnic identity into an administrative classification.

What the state cannot do is to reproduce politically the pluralist pattern that the immigrants and their children have spontaneously generated, for that pattern is inherently fluid and indeterminate. Its existence depends upon keeping apart what nation-state and corporatist theory bring together: a state organized coercively to protect rights, a society organized on volunteerist principles to advance interests (including cultural and religious interests). State officials provide a framework within which groups can flourish but cannot guarantee their flourishing, or even their survival. The only way to provide such guarantees would be to introduce coercion into the social world, transforming the groups into something like their Old World originals and denying the whole experience of immigration, individualism, and communal rebirth. Nothing like this would appear to be on the American agenda.

The survival and flourishing of the groups depends largely upon the vitality of their centers. If that vitality cannot be sustained, pluralism will prove to be a temporary phenomenon, a way station on the road to American nationalism. The early pluralists may have been naïve in their calm assurance that ethnic vitality would have an enduring life. But they were surely right to insist that it should not artifically be kept alive, any more than it should be repressed, by state power. On the other hand, there is an argument to be made, against the early pluralists, in favor of providing some sorts of public support for ethnic activity. It is an argument familiar from economic analysis, having to do with the character of ethnicity as a collective good.

Individual mobility is the special value but also the characteristic weakness of American pluralism. It makes for loose relations between center and periphery; it generates a world without boundaries. In that world, the vitality of the center is tested by its ability to hold on to peripheral men and women and to shape their self-images and their convictions. These men and women, in turn, live off the strength of the center, which they do not have to pay for either in time or money. They are religious and cultural freeloaders, their lives enhanced by a community they do not actively support and by an identity they need not themselves cultivate. There is no way to change them for what they receive from the center, except when they receive specific sorts of material help. But their most important gain may be nothing more than a certain sense of pride, an aura of ethnicity, otherwise unavailable. Nor is there anything unjust in their freeloding. The people at the center are not being exploited; they want to hold the periphery. Freeloding of this sort is probably inevitable in a free society.

But so long as it exists—that is, so long as ethnicity is experienced as a collective good by large numbers of people—it probably makes sense to permit collective money, taxpayers’ money, to seep though the state/ethnic group (state/church) barrier. This is especially important when taxes constitute a significant portion of the national wealth and when the state has undertaken, on behalf of all its citizens, to organize education and welfare. It can be done in a variety of ways, through tax exemptions and rebates, subsidies, matching grants, certificate plans, and so on. The precise mechanisms do not matter, once it is understood that they must stop short of a corporatist system, requiring no particular form of ethnic organization and no administrative classification of members. A rough fairness is the distribution of funds is probably ensured by the normal workings of democratic politics in a heterogeneous society. Ticket-balancing and coalition-building will provide ethnic groups with a kind of informal representation in the allocative process. Democratic politics can be remarkably accommodating to groups, so long as it has to deal only with individuals: voters, candidates, welfare recipients, taxpayers, criminals, all without official ethnic tags. And the accommodation need not be bitterly divisive, though it is sure to generate conflict. Ethnic citizens can be remarkably loyal to a state that protects and fosters private communal life, if that is seen to be equitably done.

The question still remains whether this kind of equity, adapted to the needs of immigrant communities, can successfully be extended to the racial minorities now asserting their own group claims. Racism is the great barrier to a fully developed pluralism and as long as it exists American Indians and blacks, and perhaps Mexican Americans as well, will be tempted by (and torn between) the anti-pluralist alternatives of corporate division and state-sponsored unification. It would be presumptuous to insist that these options are foolish or unwarranted so long as opportunities for group organization and cultural expression are not equally available to all Americans. A state committed to pluralism, however, cannot do anything more than see to it that those opportunities are available, not that they are used, and it can only do that by ensuring that all citizens, without reference to their
groups, share equally, or roughly equally, in the resources of American life.

Beyond that, distributive justice among groups is bound to be relative to the vitality of their centers and of their committed members. Short of corporatism, the state cannot help groups unable or unwilling to help themselves. It cannot save them from ultimate Americanization. Indeed, it works so as to permit individual escape (assimilation and intermarriage) as well as collective commitment. The primary function of the state, and of politics generally, is to do justice to individuals, and in a pluralist society ethnicity is simply one of the background conditions of this effort. Ethnic identification gives meaning to the lives of many men and women, but it has nothing to do with their standing as citizens. This distinction seems worth defending, even if it makes for a world in which there are no guarantees of meaning. In a culturally homogeneous society the government can foster a particular identity, deliberately merging culture and politics. This the U.S. government cannot do. Pluralism is thus still an experiment, still to be tested against the long-term historical and theoretical power of the nation-state.

7 Together in Difference: Transforming the Logic of Group Political Conflict

IRIS MARION YOUNG

William J. Wilson, among others, has forcefully argued that race-focused political movements and policies to improve the lives of poor people of colour are misplaced. Race-focused explanations of black and Hispanic poverty divert attention from the structural changes in the US economy that account primarily for the unemployment and social isolation experienced by rapidly growing numbers of inner city Americans. Race-focused policies such as affirmative action, moreover, have benefited only already better off blacks, and fueled resentment among middle class and working class whites. The problems of poor people, whether white or black, male or female, are best addressed, he argues, through a strong class based analysis of their causes and the promotion of universal public programmes of economic restructuring and redistribution.¹

Group focused movements and policy proposals, these arguments suggest, only continue resentment and have little chance of success. The more privileged white, male, able-bodied, suburban sectors of this society will not identify with economic and social programmes that they associate with blacks, or women, or Spanish speakers or blind people. Only a broad coalition of Americans uniting behind a programme of universal material benefits to which all citizens have potential access can receive the widespread political support necessary to reverse the 1980s retreat of the state from directing resources to meet needs—programmes such as national health service, family allowance, job training and public works, housing construction and infrastructure revitalisation.

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The Rights of Minority Cultures

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the Solution of
Popular Government

Mary Parker Follett

Forewords by
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Introduction by Kevin Mattson

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Contents

Publisher's Note ix

Foreword by Benjamin R. Barber: Mary Parker Follett as Democratic Hero xiii

Foreword by Jane Mansbridge: Mary Parker Follett: Feminist and Negotiator xvii

Introduction by Kevin Mattson: Reading Follett xxix

THE NEW STATE

PART I

THE GROUP PRINCIPLE

I. THE GROUP AND THE NEW PSYCHOLOGY 19

II. THE GROUP PROCESS: THE COLLECTIVE IDEA 24

III. THE GROUP PROCESS: THE COLLECTIVE IDEA (continued) 33

IV. THE GROUP PROCESS: THE COLLECTIVE FEELING 44

V. THE GROUP PROCESS: THE COLLECTIVE WILL 48

VI. THE UNITY OF THE SOCIAL PROCESS 50

VII. THE INDIVIDUAL 60

VIII. WHO IS THE FREE MAN? 69

IX. THE NEW INDIVIDUALISM 73

X. SOCIETY 75

XI. THE SELF-AND-OThERS ILLUSION 79
XII. The Crowd Fallacy .......... 85
XIII. The Secret of Progress ........ 93
XIV. The Group Principle at Work ...... 105
XV. From Contract to Community ....... 122

PART II
THE TRADITIONAL DEMOCRACY

XVI. Democracy not “Liberty” and “Equality”: Our Political Dualism ........ 137
XVII. Democracy not the Majority: Our Political Fallacy ........ 142
XVIII. Democracy not the Crowd: Our Popular Delusion ........ 148
XIX. The True Democracy .......... 156
XX. The Growth of Democracy in America ....... 162
XXI. After Direct Government — What? ........ 174

PART III
GROUP ORGANIZATION DEMOCRACY’S METHOD

1. THE NEIGHBORHOOD GROUP

XXII. Neighborhood Needs the Basis of Politics 189
XXIII. An Integrated Neighborhood ........ 204
XXIV. Neighborhood Organization vs. Party Organization: The Will of the People 216
XXV. Neighborhood Organization vs. Party Organization: Leaders or Bosses? 227
XXVI. Neighborhood Organization vs. Party Organization: A Responsible Neighborhood 232
XXVII. From Neighborhood to Nation: The Unifying State ........ 245

2. THE OCCUPATIONAL GROUP

XXVIII. Political Pluralism ........ 258
XXIX. Political Pluralism and Sovereignty ........ 271
XXX. Political Pluralism and Functionalism: The Service State vs. The “Sovereign State” 288
XXXI. Political Pluralism and the True Federal State ........ 296
XXXII. Political Pluralism (concluded) ........ 311
XXXIII. Increasing Recognition of the Occupational Group ........ 320

PART IV
THE DUAL ASPECT OF THE GROUP:
A UNION OF INDIVIDUALS, AN INDIVIDUAL IN A LARGER UNION

XXXIV. The Moral State and Creative Citizenship ........ 333
XXXV. The World State ........ 344

APPENDIX
The Training for the New Democracy ........ 363

Index ........ 375
THE NEW STATE

INTRODUCTION

O UR political life is stagnating, capital and labor are virtually at war, the nations of Europe are at one another's throats — because we have not yet learned how to live together. The twentieth century must find a new principle of association. Crowd philosophy, crowd government, crowd patriotism must go. The herd is no longer sufficient to enfold us.

Group organization is to be the new method in politics, the basis of our future industrial system, the foundation of international order. Group organization will create the new world we are now blindly feeling after, for creative force comes from the group, creative power is evolved through the activity of the group life.

We talk about the evils of democracy. We have not yet tried democracy. Party or "interests" govern us with some fiction of the "consent of the governed" which we say means democracy. We have not even a conception of what democracy means. That conception is yet to be forged out of the crude ore of life.

We talk about the tragedy of individualism. The individual we do not yet know, for we have no methods to release the powers of the individual. Our particularism — our laissez-faire, our every-man-for-his-own-interests — has little to do with true individualism, that is, with the individual as consciously responsible for the life from which he draws his breath and to which he contributes his all.
Politics do not need to be “purified.” This thought is leading us astray. Politics must be vitalized by a new method. “Representative government,” party organization, majority rule, with all their excrescences, are dead-wood. In their stead must appear the organization of non-partisan groups for the begetting, the bringing into being, of common ideas, a common purpose and a collective will.

Government by the people must be more than the phrase. We are told — The people should do this, the people should do that, the people must be given control of foreign policy, etc. etc. But all this is wholly useless unless we provide the procedure within which the people can do this or that. What does the “sovereign will” of the people amount to unless it has some way of operating? Or have we any “sovereign will?” There is little yet that is practical in “practical politics.”

But method must not connote mechanics to any mind. Many of us are more interested in the mechanism of life than in anything else. We keep on putting pennies in the slot from sheer delight in seeing something come out at the other end. All this must change. Machines, forms, images, moulds — all must be broken up and the way prepared for our plastic life to find plastic expression. The principle of democracy may be the underlying unity of men, the method of democracy must be that which allows the quickest response of our daily life to the common faith of men.

Are we capable of a new method? Can the inventive faculty of the American people be extended from mechanical things to political organization? There is no use denying that we are at a crisis in our history. Whether that crisis is to abound in acute moments which will largely wreck us, or whether we are going to be wise enough to make the necessary political and social ad-

justments — that is the crucial question which faces America to-day.

Representative government has failed. It has failed because it was not a method by which men could govern themselves. Direct government is now being proposed. But direct government will never succeed if (1) it is operated from within the party organization as at present, or (2) if it consists merely in counting all the votes in all the ballot-boxes. Ballot-box democracy is what this book is written to oppose.

No government will be successful, no government will endure, which does not rest on the individual, and no government has yet found the individual. Up to the present moment we have never seen the individual. Yet the search for him has been the whole long striving of our Anglo-Saxon history. We sought him through the method of representation and failed to find him. We sought to reach him by extending the suffrage to every man and then to every woman and yet he eludes us. Direct government now seeks the individual; but as we have not found him by sending more men to the ballot-box, so we shall not find him by sending men more often to the ballot-box. Are our constitutional conventions to sit and congratulate themselves on their progressive ideas while they are condemning us to a new form of our old particularism? The ballot-box! How completely that has failed men, how completely it will fail women. Direct government as at present generally understood is a mere phantom of democracy. Democracy is not a sum in addition. Democracy is not brute numbers; it is a genuine union of true individuals. The question before the American people to-day is — How is that genuine union to be attained, how is the true individual to be discovered? The party has always ignored him; it wants merely a crowd, a preponderance
of votes. The early reform associations had the same aim. Both wanted voters not men. It makes little difference whether we follow the boss or follow the good government associations, this is all herd life — "following the lead" — democracy means a wholly different kind of existence. To follow means to murder the individual, means to kill the only force in the world which can make the Perfect Society — democracy depends upon the creative power of every man.

We find the true man only through group organization. The potentialities of the individual remain potentialities until they are released by group life. Man discovers his true nature, gains his true freedom only through the group. Group organization must be the new method of politics because the modes by which the individual can be brought forth and made effective are the modes of practical politics.

But who is the individual we have been seeking, who is the individual we are to find within the group? Certainly not the particularist individual. Every man to count as one? That was once our slogan. Now we have relegated it to a mechanical age. To-day we see that every man must count for infinitely more than one because he is not part of a whole, a cog in a machine, not even an organ in an organism, but from one point of view the whole itself. A man said to me the other day, "That is not democracy, that is mysticism." But why mysticism? It is our daily life as lived from hour to hour. We join with one group of men at work, with another at play, another in our civic committee, another in our art club. [Man's life is one of manifold relatings.] His vote at the polls must express not his particularist self, but the whole complex of his related life, must express as much of the whole as these multiple relations have brought into existence for him, through him. I find my expression of the whole-idea, the whole-will, through my group life. The group must always dictate the modes of activity for the individual. We must put clearly before us the true individual with his infinite relations, expressing his infinite relations, as the centre of politics, as the meaning of democracy. The first purpose of genuine politics is to make the vote of every man express the All at his special coign of outlook. In every man is the potentiality of such expression. To call it forth is the aim of all training, the end sought by all modes of real living.

Thus group organization releases us from the domination of mere numbers. Thus democracy transcends time and space, it can never be understood except as a spiritual force. Majority rule rests on numbers; democracy rests on the well-grounded assumption that society is neither a collection of units nor an organism but a network of human relations. Democracy is not worked out at the polling-booths; it is the bringing forth of a genuine collective will, one to which every single being must contribute the whole of his complex life, as one which every single being must express the whole of at one point. Thus the essence of democracy is creating. The technique of democracy is group organization. Many men despise politics because they see that politics manipulate, but make nothing. If politics are to be the highest activity of man, as they should be, they must be clearly understood as creative.

What is there inherent in the group which gives it creative power? The activity which produces the true individual is at the same time interweaving him and others into a real whole. A genuine whole has creative force. Does this seem "mystical?" The power of our corporations depends upon this capability of men to interknit themselves into such genuine relations that
a new personality is thereby evolved. This is the “real personality” of modern legal theory. Are our company directors and corporation lawyers usually mystics?

The seeing of self as, with all other selves, creating, demands a new attitude and a new activity in man. The fallacy of self-and-others fades away and there is only self-in-and-through-others, only others so firmly rooted in the self and so fruitfully growing there that sundering is impossible. We must now enter upon modes of living commensurate with this thought.

What American politics need to-day is positive principles. We do not want to “regulate” our trusts, to “restrain” our bosses. The measure of our progress is never what we give up, but what we add. It may be necessary to prune the garden, but we do not make a pile of the dead branches and take our guests to see them as evidence of the flourishing state of the garden.

The group organization movement means the substitution of intention for accident, of organized purpose for scattered desire. It rests on the solid assumption that this is a man-made not a machine-made world, that men and women are capable of constructing their own life, and that not upon socialism or any rule or any order or any plan or any utopia can we rest our hearts, but only on the force of a united and creative citizenship.

We are asking for group organization in order to leap at once from the region of theory, of which Americans are so fond, to a practical scheme of living. We hear a good deal of academic talk about “the functioning of the social mind”; what does it all amount to? We have no social mind yet, so we have no functioning of the social mind. We want the directive force of consciously integrated thought and will. All our ideas of conscious self-determination lead us to a new method: it is not merely that we must be allowed to govern our-
INTRODUCTION

Yet if our present state is taken from us and we are left with our multiple group life, we are at once confronted with many questions. Shall the new state be based on occupational groups or neighborhood groups? Shall they form a unifying or a plural state? Shall the group or the individual be the basis of politics? The pluralist gives us the group as the unit of politics, but most of the group theories of politics are as entirely particularistic as the old "individualistic" theories; our particularism is merely transferred from the individual to the group.

Pluralism is the most vital trend in political thought to-day, but there are many dangers lurking in pluralism as at present understood. The pluralists apotheosize the group; the average American, on the other hand, is afraid of the group because he thinks of it chiefly in the form of corporation and trust. Both make the same mistake: both isolate the group. The group in relation must be the object of our study if that study is to be fruitful for politics. The pluralists have pointed out diversity but no pluralist has yet answered satisfactorily the question to which we must find an answer—What is to be done with this diversity?

Some of the pluralists tend to lose the individual in the group; others, to abandon the state for the group. But the individual, the group, the state—they are all there to be reckoned with—we cannot ignore or minimize any one. The relation of individual to group, of group to group, of individual and group to state—the part that labor is to have in the new state—these are the questions to the consideration of which this book is directed.

This book makes no attempt, however, to construct the new state, only to offer certain suggestions. But before the details of a new order are even hinted at, we must look far enough within for our practical suggestions to have value. In Part I we shall try to find the fundamental principles which must underlie the new state; in Part II we shall see how far they are expressed in present political forms; in Part III we shall consider how they can be expressed. When they are fully expressed, then we shall have the true Federal State, then we shall see appearing the World State.

To sum up this Introduction: The immediate problem of political science is to discover the method of self-government. Industrial democracy, the self-government of smaller nations, the "sovereignty" of an International League, our own political power,—how are these to be attained? Not by being "granted" or "conferred." Genuine control, power, authority are always a growth. Self-government is a psychological process. It is with that psychological process that this book is largely concerned. To free the way for that process is the task of practical politics.

New surges of life are pounding at circumference and centre; we must open the way for their entrance and onflow. To-day the individual is submerged, smothered, choked by the crowd fallacy, the herd theory. Free him from these, release his energies, and he with all other Freemen will work out quick, flexible, constantly changing forms which shall respond sensitively to every need.

Under our present system, social and economic changes necessary because of changing social and economic conditions cannot be brought about. The first reform needed in our political practice is to find some method by which the government shall continuously represent the people. No state can endure unless the political bond is being forever forged anew. The organization of men in small local groups gives opportunity for this continuous political activity which ceaselessly creates the state. Our government forms cannot be fossils from
INTRODUCTION

a dead age, but must be sensitive, mobile channels for the quick and quickening soul of the individual to flow to those larger confluences which finally bring forth the state. Thus every man is the state at every moment, whether in daily toil or social intercourse, and thus the state itself, leading a myriad-membered life, is expressing itself as truly in its humblest citizen as in its supreme assembly.

The principle of modern politics, the principle of creative citizenship, must predominantly and preeminently embody itself and be acknowledged by every human being. Then will "practical politics" be for the first time practical.

A few words of explanation seem necessary. I have no bibliography simply because any list of references which I could give would necessarily be a partial one since much of this book has come by wireless. Besides all that is being written definitely of a new state, the air to-day is full of the tentative, the partial, the fragmentary thought, the isolated flash of insight from some genius, all of which is being turned to the solution of those problems which, from our waking to our sleeping, face us with their urgent demand. I am here trying to show the need of a wide and systematic study of these problems, not pretending to be able to solve them. Much interweaving of thought will be necessary before the form of the new state appears to us.

Moreover, I have not traced the strands of thought which have led us to our present ideas. That does not mean that I do not recognize the slow building up of these ideas or all our indebtedness to the thinkers of the past. I speak of principles as "new" which we all know were familiar to Aristotle or Kant and are new to-day only in their application.
stand the sources of human motives, and then to free their channels so that these elemental springs of human activity (the fundamental instincts of man) shall not be dammed but flow forth in normal fashion, for normal man is constructive. A few years ago, for instance, we were satisfied merely to condemn sabotage and repudiation of law; now we are trying to discover the cause of this deviation from the normal in order to see if it can be removed. This necessity for the understanding of the nature and vital needs of men has not yet reached full self-consciousness, but appears in diverse forms: as the investigation of the I. W. W., as a study of “Human Nature in Politics,” an examination of “The Great Society,” as child-study, as Y. M. C. A. efforts to nourish all sides of men at the front, etc. etc. To-day the new psychology speaks in many voices. Soon we may hope for some unified formulation of all this varied and scattered utterance. Soon we may hope also that the connection will be made between this aspect of contemporary psychology and the group psychology upon which this book is mainly founded.

I wish to add my reason for giving quotations from many writers whose names I have not cited. This has been chiefly because often the sentence or phrase quoted taken away from all context does not give a fair idea of the writer’s complete thought, and I have used it not in an attempt to refute these writers, but merely as illustrating certain tendencies to which we are all more or less subject at present. Many of the writers with whom I have disagreed in some particular have been in the main my teachers and guides.

A certain amount of repetition has seemed necessary in order to look at the same idea from a number of angles and to make different applications of the same principle.

From a few friends I have received much help. My thanks are especially due to my teacher and counsellor of many years, Miss Anna Boynton Thompson, who went over the first copy of the manuscript with me and gave to it the most careful consideration and criticism, offering constantly invaluable suggestion and advice; to her unflagging and most generous help the final form owes more than I can quite express. The inception of the book is due to my friends and fellow-workers, Mrs. Louis Brandeis, Mrs. Richard Cabot and Mr. Arthur Woodworth, as also much of its thought to the stimulus of “group” discussion with them. Mrs. Charles W. Mixter, Professor Albert Bushnell Hart, Professor H. A. Overstreet, Professor W. Ernest Hocking and Mr. Roscoe Pound have read the manuscript in full or in part and have given me many valuable suggestions. I owe to my friend, Miss Isobel L. Briggs, daily help, advice and encouragement in the development of the book, and the revision of manuscript and proofs.

1 See William McDougall, Social Psychology.
THE GROUP AND THE NEW PSYCHOLOGY

POLITICS must have a technique based on an understanding of the laws of association, that is, based on a new and progressive social psychology. Politics alone should not escape all the modern tendency of scientific method, of analysis, of efficiency engineering. The study of democracy has been based largely on the study of institutions; it should be based on the study of how men behave together. We have to deal, not with institutions, or any mechanical thing, or with abstract ideas, or “man,” or anything but just men, ordinary men. The importance of the new psychology is that it acknowledges man as the centre and shaper of his universe. In his nature all institutions are latent and perforce must be adapted to this nature. Man not things must be the starting point of the future.

But man in association, for no man lives to himself. And we must understand further that the laws of association are the laws of the group. We have long been trying to understand the relation of the individual to society; we are only just beginning to see that there is no “individual,” that there is no “society.” It is not strange, therefore, that our efforts have gone astray, that our thinking yields small returns for politics. The old psychology was based on the isolated individual as the unit, on the assumption that a man thinks, feels and judges independently. Now that we know that there is no such thing as a separate ego, that individuals are created by reciprocal interplay, our whole study of psychology is being transformed.
Likewise there is no "society" thought of vaguely as the mass of people we see around us. I am always in relation not to "society" but to some concrete group. When do we ever as a matter of fact think of "society"? Are we not always thinking of our part in our board of directors or college faculty, in the dinner party last night, in our football team, our club, our political party, our trade-union, our church? Practically "society" is for every one of us a number of groups. The recognition of this constitutes a new step in sociology analogous to the contribution William James made in regard to the individual. James brought to popular recognition the truth that since man is a complex of experiences there are many selves in each one. So society as a complex of groups includes many social minds. The craving we have for union is satisfied by group life, groups and groups, groups ever widening, ever unifying, but always groups. We sometimes say that man is spiritually dependent upon society; what we are referring to is his psychic relation to his groups. The vital relation of the individual to the world is through his groups; they are the potent factors in shaping our lives.

Hence social psychology cannot be the application of the old individual psychology to a number of people. A few years ago I went to a lecture on "Social Psychology," as the subject was announced. Not a word was said except on the nervous systems and other aspects of individual psychology, but at the last moment the lecturer told us that had there been time he would have applied what he had said to social conditions! It reminded me of our old acquaintance Silas Wegg who, when he wanted to know something about Chinese metaphysics, first looked up China in the encyclopedia and then metaphysics and put them together. The new psychology must take people with their inheritance, their "tendencies," their environment, and then focus its attention on their interrelatings. The most careful laboratory work must be done to discover the conditions which make these interrelatings possible, which make these interrelatings fruitful.

Some writers make "socially minded" tendencies on the part of individuals the subject of social psychology, but such tendencies belong still to the field of individual psychology. A social action is not an individual initiative with social application. Neither is social psychology the determination of how far social factors determine the individual consciousness. Social psychology must concern itself primarily with the interaction of minds.

Early psychology was based on the study of the individual; early sociology was based on the study of society. But there is no such thing as the "individual," there is no such thing as "society"; there is only the group and the group-unit—the social individual. Social psychology must begin with an intensive study of the group, of the selective processes which go on within it, the differentiated reactions, the likenesses and unlikenesses, and the spiritual energy which unites them.

The acceptance and the living of the new psychology will do away with all the progeny of particularistic psychology: consent of the governed, majority rule, external leadership, industrial wars, national wars etc. From the analysis of the group must come an understanding of collective thought and collective feeling, of the common will and concerted activity, of the true nature of free-

1 The old definition of the word social has been a tremendous drug on politics. Social policies are not policies for the good of the people but policies created by the people, etc. etc. We read in the work of a continental sociologist, "When a social will is born in the brain of a man," but a social will never is born in the brain of a man.
dom, the illusion of self-and-others, the essential unity of men, the real meaning of patriotism, and the whole secret of progress and of life as a genuine interpenetration which produces true community.

All thinking men are demanding a new state. The question is—What form shall that state take? No one of us will be able to give an answer until we have studied men in association and have discovered the laws of association. This has not been done yet, but already we can see that a political science which is not based on a knowledge of the laws of association gained by a study of the group will soon seem the crudest kind of quackery.

Syndicalism, in reaction to the so-called "metaphysical" foundation of politics, is based on "objective rights," on function, on its conception of modes of association which shall emphasize the object of the associated and not the relation of the associated to one another. The new psychology goes a step further and sees these as one, but how can any of these things be discussed abstractly? Must we not first study men in association? Young men in the hum of actual life, practical politicians, the members of constitutional conventions, labor leaders—all these must base their work on the principles of group psychology.

The fundamental reason for the study of group psychology is that no one can give us democracy, we must learn democracy. To be a democrat is not to decide on a certain form of human association, it is to learn how to live with other men. The whole labor movement is being kept back by people not knowing how to live together much more than by any deliberate refusal to grant justice. The trouble with syndicalism is that its success depends on group action and we know almost nothing of the laws of the group.

I have used group in this book with the meaning of men associating under the law of interpenetration as opposed to the law of the crowd—suggestion and imitation. This may be considered an arbitrary definition, but of course I do not care about the names, I only want to emphasize the fact that men meet under two different sets of laws. Social psychology may include both group psychology and crowd psychology, but of these two group psychology is much the more important. For a good many years now we have been dominated by the crowd school, by the school which taught that people met together are governed by suggestion and imitation, and less notice has been taken of all the interplay which is the real social process that we have in a group but not in a crowd. How men behave in crowds, and the relation of the crowd conception of politics to democracy, will be considered in later chapters. While I recognize that men are more often at present under the laws of the crowd than of the group, I believe that progress depends on the group, and, therefore, that the group should be the basis of a progressive social psychology. The group process contains the secret of collective life, it is the key to democracy, it is the master lesson for every individual to learn, it is our chief hope for the political, the social, the international life of the future.1

1 This is essentially the process by which sovereignty is created. Therefore chapters II–VI on The Group Process are the basis of the conception of sovereignty given in Part III and of the relation of that conception to the politics of reconstruction.
PART III

GROUP ORGANIZATION DEMOCRACY'S METHOD

1. THE NEIGHBORHOOD GROUP
2. THE OCCUPATIONAL GROUP
THE NEIGHBORHOOD GROUP

XXII

NEIGHBORHOOD NEEDS THE BASIS OF POLITICS

POLITICS are changing in character: shall the change be without plan or method, or is this the guiding moment?

We are at a critical hour in our history. We have long thought of politics as entirely outside our daily life manipulated by those set apart for the purpose. The methods by which the party platform is constructed are not those which put into it the real issues before the public; the tendency is to put in what will elect candidates or to cover up the real issues by generalities. But just so long as we separate politics and our daily life, just so long shall we have all our present evils. Politics can no longer be an extra-activity of the American people, they must be a means of satisfying our actual wants.

We are now beginning to recognize more and more clearly that the work we do, the conditions of that work, the houses in which we live, the water we drink, the food we eat, the opportunities for bringing up our children, that in fact the whole area of our daily life should constitute politics. There is no line where the life of the home ends and the life of the city begins. There is no wall between my private life and my public life. A man I know tells me that he "wouldn't touch politics with a ten-foot pole," but how can he help touching politics? He may not like the party game, but politics shape the life he leads from hour to hour. When this is once under-
stood no question in history will seem more astonishing than the one so often reiterated in these days, "Should woman be given a place in politics?" Woman is in politics; no power under the sun can put her out.

Politics then must satisfy the needs of the people. What are the needs of the people? Nobody knows. We know the supposed needs of certain classes, of certain "interests"; these can never be woven into the needs of the people. Further back we must go, down into the actual life from which all these needs spring, down into the daily, hourly living with all its innumerable cross currents, with all its longings and heart-burnings, with its envies and jealousies perhaps, with its unsatisfied desires, its embryonic aspirations, and its power, manifest or latent, for endeavor and accomplishment. The needs of the people are not now articulate: they loom out of the darkness, vague, big, portentously big, but dumb because of the separation of men. To open up this hinterland of our life the cross currents now burrowing under ground must come to the surface and be openly acknowledged.

We work, we spend most of our waking hours working for some one of whose life we know nothing, who knows nothing of us; we pay rent to a landlord whom we never see or see only once a month, and yet our home is our most precious possession; we have a doctor who is with us in the crucial moments of birth and death, but whom we ordinarily do not meet; we buy our food, our clothes, our fuel, of automatons for the selling of food, clothes and fuel. We know all these people in their occupational capacity, not as men like ourselves with hearts like ours, desires like ours, hopes like ours. And this isolation from those who minister to our lives, to whose lives we minister, does not bring us any nearer to our neighbors in their isolation. For every two or three of us think ourselves a little better than every other two or three, and this becomes a dead wall of separation, of misunderstanding, of antagonism. How can we do away with this artificial separation which is the dry-rot of our life? First we must realize that each has something to give. Every man comes to us with a golden gift in his heart. Do we dare, therefore, avoid any man? If I stay by myself on my little self-made pedestal, I narrow myself down to my own personal equation of error. If I go to all my neighbors, my own life increases in multiple measure. The aim of each of us should be to live in the lives of all. Those fringes which connect my life with the life of every other human being in the world are the inlets by which the central forces flow into me. I am a worse lawyer, a worse teacher, a worse doctor if I do not know these wider contacts. Let us seek then those bonds which unite us with every other life. Then do we find reality, only in union, never in isolation.

But it must be a significant union, never a mere coming together. How we waste immeasurable force in much of our social life in a mere tossing of the ball, on the merest externality and travesty of a common life which we do not penetrate for the secret at its heart. The quest of life and the meaning of life is reality. We may flit on the surface as gnats in the sunlight, but in each of us, however overlaid, is the hunger and thirst for realness, for substance. We must plunge down to find our treasure. The core of a worthy associated life is the call of reality to reality, the calling and answering and the bringing it forth from the depths forever more and more. To go to meet our fellows is to go out and let the winds of Heaven blow upon us — we throw ourselves open to every breath and current which spring from this meeting of life's vital forces.

Some of us are looking for the remedy for our fatal
isolation in a worthy and purposeful neighborhood life. Our proposal is that people should organize themselves into neighborhood groups to express their daily life, to bring to the surface the needs, desires and aspirations of that life, that these needs should become the substance of politics, and that these neighborhood groups should become the recognized political unit.

Let us consider some of the advantages of the neighborhood group. First, it makes possible the association of neighbors, which means fuller acquaintance and a more real understanding. The task of creation from electrons up is putting self in relation. Is man the only one who refuses this task? I do not know my next-door neighbor! One of the most unfortunate circumstances of our large towns is that we expect concerted action from people who are strangers to one another. So mere acquaintance is the first essential. This will lead inevitably to friendly feeling. The story is told of some American official who begged not to be introduced to a political enemy, for he said he could not hate anyone with whom he became acquainted. We certainly do feel more kindly to the people we actually see. It is what has been called “the pungent sense of effective reality.” Neighborhood organization will substitute confidence for suspicion—a great gain.

Moreover, neighborhood organization gives opportunity for constant and regular intercourse. We are indeed far more interested in humanity than ever before. Look at what we are studying: social psychology, social economics, social medicine and hygiene, social ethics etc. But people must socialize their lives by practice, not by study. Until we begin to acquire the habit of a social life no theory of a social life will do us any good. It is a mistake to think that such abstractions as unity, brotherhood etc. are as self-evident to our wills as to our intellect. I learn my duty to my friends not by reading essays on friendship, but by living my life with my friends and learning by experience the obligations friendship demands. Just so must I learn my relation to society by coming into contact with a wide range of experiences, of people, by cultivating and deepening my sympathy and whole understanding of life.

When we have come together and got acquainted with one another, then we shall have an opportunity for learning the rules of the game—the game of association which is the game of life. Certain organizations have sprung up since 1914 with the avowed object of fighting war with love. If only we knew how to love! I am ready to say to you this minute, “I love my neighbors.” But all that I mean by it is that I have a vague feeling of kindliness towards them. I have no idea how to do the actual deed. I shall offend against the law of love within an hour. The love of our fellow-men to be effective must be the love evolved from some actual group relation. We talk of fellowship; we, puny separatists bristling with a thousand unharmonized traits, with our assertive particularist consciousness, think that all we have to do is to decide on fellowship as a delightful idea. But fellowship will be the slowest thing on earth to create. An eager longing for it may help, but it can come into being as a genuine part of our life only through a deep understanding of what it really means.

Yet association is the impulse at the core of our being. The whole social process is that of association, individual with individual, group with group. Progress from one point of view is a continuously widening of the area of association. Our modern civilization has simply overlaid and falsified this primary instinct of life. But this is rapidly changing. The most striking characteristic of the present day is that people are doing more things
together: they are coming together as never before in labor organizations, in co-operative societies, in consumers' leagues, in associations of employers and employed, in municipal movements, for national purposes, etc. etc. We have the Men's City Club, the Women's City Club; professional societies are multiplying over night. The explanation sometimes given for this present tendency towards union is that we are beginning to see the material advantages of co-operation, but the root of the thing is far from utilitarian advantage. Our happiness, our sense of living at all, is directly dependent on our joining with others. We are lost, exiled, imprisoned until we feel the joy of union.

I believe that the realization of oneness which will come to us with a fuller sense of democracy, with a deeper sense of our common life, is going to be the substitute for what men now get in war. Some psychologists tell us that fighting is one of the fundamental instincts, and that if we do not have war we shall have all the dangers of thwarted instinct. But the lure of war is neither the instinct of hate nor the love of fighting; it is the joining of one with another in a common purpose. "And the heart of a people beat with one desire." Many men have gone joyfully to war because it gave them fellowship. I said to some one that I thought the reason war was still popular in spite of all its horrors was because of our lack of imagination, we simply could not realize war. "No," said the man I spoke to, "I know war, I know its horrors, and the reason that in spite of it all men like war is because there we are doing something all together. That is its exhilaration and why we can't give it up. We come home and each leads his separate life and it seems tame and uninteresting merely on that account, the deadly separateness of our ordinary life."

When we want a substitute for war, therefore, we need not seek for a substitute for fighting or for hating; we must find some way of making ourselves feel at one with some portion of our fellow-creatures. If the essential characteristic of war is doing things together, let us begin to do things together in peace. Yet not an artificial doing things together, we could so easily fall into that, but an entire reorganization of life so that the doing things together shall be the natural way—the way we shall all want to do things.

But mere association is not enough. We need more than the "collective life," the mere "getting-together," so much talked of in these days; our getting together must be made effective, must exercise our minds and wills as well as our emotions, must serve the great ends of a great life. Neighborhood organization gives all an opportunity to learn the technique of association.

A further advantage of neighborhood organization is that as a member of a neighborhood group we get a fuller and more varied life than as a member of any other kind of a group we can find, no matter how big our city or how complex or comprehensive its interests. This statement sounds paradoxical—it will seem to many like saying that the smaller is greater than the larger. Let us examine this statement therefore and see if perhaps in this case the smaller is not greater than the larger. Why is the neighborhood group better for us than the selected group? Why are provincial people more interesting than cosmopolitan, that is, if provincial people have taken advantage of their opportunities? Because cosmopolitan people are all alike—that has been the aim of their existence and they have accomplished it. The man who knows the "best" society of Petrograd, Paris, London and New York, and that only, is a narrow man because the ideals and standards of
the “best” society of London, Paris and New York are the same. He knows life across but not down — it is a horizontal civilization instead of a vertical one, with all the lack of depth and height of everything horizontal. This man has always been among the same kind of people, his life has not been enlarged and enriched by the friction of ideas and ideals which comes from the meeting of people of different opportunities and different tastes and different standards. But this is just what we may have in a neighborhood group — different education, different interests, different standards. Think of the doctor, the man who runs the factory, the organist and choir leader, the grocer, the minister, the watchmaker, the school-teacher, all living within a few blocks of one another.

On the other hand consider how different it is when we choose the constituents of our group — then we choose those who are the same as ourselves in some particular. We have the authors’ club, the social workers’ club, the artists’ club, the actors’ society, the business men’s club, the business women’s club, the teachers’ club etc. The satisfaction and contentment that comes with sameness indicates a meagre personality. I go to the medical association to meet doctors, I go to my neighborhood club to meet men. It is just because my next door neighbor has never been to college that he is good for me. The stenographer may come to see that her life is really richer from getting the factory girl’s point of view.  

In a neighborhood group you have the stimulus and the bracing effect of many different experiences and ideals. And in this infinite variety which touches you on every side, you have a life which enriches and en-

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1 This movement to form societies based on our occupations is of course, although usually unconscious, part of the whole syndicalist movement, and as such has real advantages which will be taken up later.

larges and fecundates; this is the true soil of human development — just because you have here a natural and not an artificial group, the members find all that is necessary in order to grow into that whole which is true community living.

Many young men and women think as they come to the teeming cities that there they are to find the fuller life they have longed for, but often the larger our world the narrower we become, for we cannot face the vague largeness, and so we join a clique of people as nearly like ourselves as we can find.

In so far, therefore, as neighborhoods are the result of some selective process, they are not so good for our purpose. The Italian colony or the Syrian colony does not give us the best material for group organization, neither does any occupational segregation like the stock-yard district of Chicago. (This is an argument against the industrial colonies which are spreading.) In a more or less mixed neighborhood, people of different nationalities or different classes come together easily and naturally on the ground of many common interests: the school, recreational opportunities, the placing of their children in industry, hygiene, housing etc. Race and class prejudices are broken down by working together for intimate objects.

Whenever I speak of neighborhood organization to my friends, those who disagree with me at once become violent on the subject. I have never understood why it inflames them more easily than other topics. They immediately take it for granted that I am proposing to shut them up tight in their neighborhoods and seal them hermetically; they assume that I mean to substitute the neighborhood for every other contact. They tell me of the pettiness of neighborhood life, and I have to listen to stories of neighborhood iniquities ranging
from small gossip to determined boycotting. Intolerance and narrowness thrive in the neighborhood group they say; in the wider group they do not. But I am not proposing to substitute the neighborhood group for others, yet even so I should like to say a word for the neighborhood.

We may like some selected group better than the company of our neighbors, but such a group is no "broader" necessarily, because it draws from all over the city, than a local one. You can have narrow interests as well as narrow spaces. Neighbors may, it is true, discuss the comings and goings of the family down the street, but I have heard people who are not neighbors discuss equally trivial subjects. But supposing that non-neighborhood groups are less petty in the sense of less personal in their conversation, they are often also less real, and this is an important point. If I dress in my best clothes and go to another part of the city and take all my best class of conversation with me, I don't know that it does me any good if I am the same person who in my every-day clothes goes in next door and talks slander. What I mean is that the only place in the world where we can change ourselves is on that level where we are real. And what is forgotten by my friends who think neighborhood life trivial is that (according to their own argument) it is the same people who talk gossip in their neighborhoods who are impersonal and noble in another part of the city.

Moreover, if we are happier away from our neighborhood it would be well for us to analyze the cause — there may be a worthy reason, there may not. Is it perhaps that one does not get as much consideration there as one thinks one's due? Have we perhaps, led by our vanity, been drawn to those groups where we get the most consideration? My neighbors may not think much of me because I paint pictures, knowing that my back yard is dirty, but my artist friends who like my color do not know or care about my back yard. My neighbors may feel no admiring awe of my scientific researches knowing that I am not the first in the house of a neighbor in trouble.

You may reply, “But this is not my case. I am one of the most esteemed people in my neighborhood and one of the lowest in the City Club, but I prefer the latter just because of that: there is room for me to aspire there, but where I am leading what is there for me to grow toward, how can I expand in such an atmosphere?” But I should say that this also might be a case of vanity: possibly these people prefer the City Club because they do not like to think they have found their place in life in what they consider an inferior group; it flatters them more to think that they belong to a superior group even if they occupy the lowest place there. But the final word to be said is I think that this kind of seeking implies always the attitude of getting, almost as bad as the attitude of conferring. It is extremely salutary to take our place in a neighborhood group.

Then, too, that does not always do us most good which we enjoy most, as we are not always progressing most when thrills go up and down our spine. We may have a selected group feeling “good,” but that is not going to make us good. That very homogeneity which we nestle down into and in which we find all the comfort of a down pillow, does not provide the differences in which alone we can grow. We must know the finer enjoyment of recognized diversity.

It must be noted, however, that while it is not proposed that the neighborhood association be substituted for other forms of association — trade-union, church societies, fraternal societies, local improvement leagues,
cooperative societies, men's clubs, women's clubs etc.—yet the hope is that it shall not be one more association merely, but that it shall be the means of coördinating and translating into community values other local groups. The neighborhood association might become a very mechanical affair if we were all to go there every evening and go nowhere else. It must not with its professed attempt to give a richer life cut off the variety and spontaneity we now have.

But the trouble now is that we have so much unreloted variety, so much unutilized spontaneity. The small merchant of a neighborhood meets with the other small dealers for business purposes, he goes to church on Sundays, he gets his social intercourse at his lodge or club, but where and when does he consider any possible integration of these into channels for community life? At his political rally, to be sure, he meets his neighbors irrespective of business or church or social lines, but there he comes under party domination. A free, full community life lived within the sustaining and nourishing power of the community bond, lived for community ends, is almost unknown now. This will not come by substituting the neighborhood group for other groups, not even by using it as a clearing-house, but by using it as a medium for interpretation and unofficial integration.

There should be as much spontaneous association as the vitality of the neighborhood makes possible, but other groups may perhaps find their significance and coördination through the neighborhood association. If a men’s or women’s club is of no use to the community it should not exist; if it is of use, it must find out of what use, how related to all other organizations, how through and with them related to the whole community. The lawyers' club, the teachers’ club, the trade association or the union—these can have little influence on their community until they discover their relation to the community through and in one another. I have seen many examples of this. If the neighborhood group is to be the political unit, it must learn how to gather up into significant community expression these more partial expressions of individual wants.

It is sometimes said that the force of the neighborhood bond is lessening now-a-days with the ease of communication, but this is true only for the wealthy. The poor cannot afford constantly to be paying the ten-cent carfare necessary to leave and return to their homes, nor the more well-to-do of the suburbs the twenty or twenty-five cents it costs them to go to the city and back. The fluctuating population of neighborhoods may be an argument against getting all we should like out of the neighborhood bond, but at the same time it makes it all the more necessary that some organization should be ready at hand to assimilate the new-comers and give them an opportunity of sharing in civic life as an integral, responsible part of that life. Moreover a neighborhood has common traditions and memories which persist and influence even although the personnel changes.

To sum up: whether we want the exhilaration of a fuller life or whether we want to find the unities which will make for peace and order, for justice and for righteousness, it would be wise to turn back to the neighborhood group and there begin the a b c of a constructive brotherhood of man. We must recognize that too much congeniality makes for narrowness, and that the harmonizing, not the ignoring, of our differences leads us to the truth. Neighborhood organization gives us the best opportunity we have yet discovered of finding the unity underneath all our differences, the real bond between them—of living the consciously creative life.
We can never reform American politics from above, by reform associations, by charters and schemes of government. Our political forms will have no vitality unless our political life is so organized that it shall be based primarily and fundamentally on spontaneous association. "Government is a social contact," was found in the examination papers of a student in a near-by college. He was nearer the truth than he knew. Political progress must be by local communities. Our municipal life will be just as strong as the strength of its parts. We shall never know how to be one of a nation until we are one of a neighborhood. And what better training for world organization can each man receive than for neighbors to live together not as detached individuals but as a true community, for no League of Nations will be successful which regards France and Germany, England and Russia as separatist units of a world-union.

Those who are working for particular reforms to be accomplished immediately will not be interested in neighborhood organization; only those will be interested who think that it is far more important for us to find the right method of attacking all our problems than to solve any one. We who believe in neighborhood organization believe that the neighborhood group is a more significant unit to identify ourselves with than any we have hitherto known in cities. People have been getting together in churches, in fraternal societies, in political parties, in industrial and commercial associations, but now in addition to these partial groups communities are to get together as communities.

The neighborhood organization movement is not waiting for ideal institutions, or perfect men, but is finding whatever creative forces there are within a community and taking these and building the future with them. The neighborhood organization movement is a protest against both utopias on the one hand and a mechanized humanity on the other. It consists of the process of building always with the best we have, and its chief problem is to discover the methods by which the best we have can be brought to the surface. Neighborhood organization gives us a method which will revolutionize politics.
HOW can the will of the people be the sovereign power of the state? There must be two changes in our state: first, the state must be the actual integration of living, local groups, thereby finding ways of dealing directly with its individual members. Secondly, other groups than neighborhood groups must be represented in the state: the ever-increasing multiple group life of to-day must be recognized and given a responsible place in politics.¹

First, every neighborhood must be organized; the neighborhood groups must then be integrated, through larger intermediary groups, into a true state. Neither our cities nor our states can ever be properly administered until representatives from neighborhood groups meet to discuss and thereby to correlate the needs of all parts of the city, of all parts of the state. Social workers and medical experts have a conference on tuberculosis, social workers and educational experts have a conference on industrial education. We must now develop the methods by which the citizens also are represented at these conferences. We must go beyond this (for certain organizations, as the National Settlement Conference at least, do already have neighborhood representation), and develop the methods by which regular meetings of representatives from neighborhood organizations meet to discuss all city and state prob-

¹ This point will be taken up in ch. XXXIII.
lems. Further still, we must give official recognition to such gatherings, we must make them a regular part of government. The neighborhood must be actually, not theoretically, an integral part of city, of state, of nation.

When Massachusetts is thus organized, the neighborhood groups and intermediary, or district, groups should send representatives to city council and state legislature. The Senate might be composed of experts—experts in education, in housing, in sanitation etc.\(^1\) The neighborhood and district centres would receive reports from their representatives to city council and state legislature and take measures on these reports. They should also be required to send regular reports up to their representative bodies. We should have a definitely organized and strongly articulated network of personal interest and representative reporting. Then the state legislature must devise ways of dealing not only with the district group but with the neighborhood groups through the district group, and thus with every individual in the commonwealth. The nation too must have a real connection with every little neighborhood centre through state and district bodies.\(^2\)

America at war has found a way of getting word from Washington to the smallest local units. The Council of National Defense has a “Section of Co-operation with States.” This is connected with a State Council of Defense in every state. In most cases the State Council is connected with County Councils, and these often with councils in cities and towns. Beyond this the Council of National Defense has recently (February, 1918) recommended the extension of county organization by the creation of Community Councils in every school district. Its official statement opens with this sentence: “The first nine months of the war have shown the vital importance of developing an official nationwide organization reaching into the smallest communities to mobilize and make available the efforts of the whole people for the prosecution of the war.” And it goes on to say that the government must have such close contact with small units that personal relation with all the citizens is possible.

President Wilson in endorsing this step, said, “[This is an] advance of vital significance. It will, I believe, result when thoroughly carried out in welding the nation together as no nation of great size has ever been welded before. . . . It is only by extending your organization to small communities that every citizen of the state can be reached.”

Thus when the government found that it must provide means to its hands for keeping constantly in touch with the whole membership of the nation, it planned to do this by the encouragement and fostering of neighborhood organization. The nation is now seeking the individual through neighborhood groups. It is using the School Centres (it recommends the schoolhouse as the best centre for community organization) for the teaching of Food and Fuel Conservation, for Liberty Loan and Red Cross work, for recruiting for the army, for enlisting workers for war industries, for teaching the necessity and methods of increasing the food supply, for plans to relieve transportation by co-operative ship-

\(^1\) Or perhaps the Senate might represent the occupational group (see ch. XXXIII). Or perhaps the experts mentioned above might be representatives from occupational groups.

\(^2\) In North Carolina the recently organized State Bureau of Community Service—made up of the administrators of the Department of Agriculture, the Board of Health, the Normal and Industrial College and the Farmers’ Union, with the State Superintendent of Public Instruction as its central executive—is making its immediate work the development of local community organization which shall be directly articulated with a unified state organization.
ments and deliveries, for patriotic education etc. This "patriotic education" has an interesting side. In a country which is even nominally a democracy you cannot win a war without explaining your aims and your policy and carrying your people with you step by step. If beyond this the country wishes to be really a democracy, the neighborhood groups must have a share in forming the aims and the policy.

Of course one would always prefer this to be a movement from below up rather than from above down, but it is not impossible for the two movements to go on at the same time, as they are in fact doing now with the rapid development of spontaneous local organization. There were Community Councils in existence in fact if not in name before the recommendation of the Council of National Defense. Through these non-partisan councils not only national policy can be explained and spread throughout the country, but also what one locality thinks out that is good can be reported to Washington and thus handed on to other sections of the country. It is a plan for sending the news backwards and forwards from individual to nation, from nation to individual, and it is also a plan for correlating the problems of the local community with the problems of the nation and of cooperating nations.

But why should we be more efficiently organized for war than for peace? Is our proverbial carelessness to be pricked into effectiveness only by emergency calls? Is the only motive you can offer us for efficiency — to win? Or, if that is an instinctive desire, can we not change the goal and be as eager to win other things as war?

I speak of the new state as resting upon integrated neighborhood groups. While the changes necessary to bring this about would have to be planned and authorized by constitutional conventions, its psychological basis would be: (1) the fact that we are ready for membership in a larger group only by experience first in the smaller group, and (2) the natural tendency for a real group to seek other groups. Let us look at this second point.

We have seen the process of the single group evolving. But contemporaneously a thousand other unities are a-making. Every group once become conscious of itself instinctively seeks other groups with which to unite to form a larger whole. Alone it cannot be effective. As individual progress depends upon the degree of inter-penetration, so group progress depends upon the inter-penetration of group and group. For convenience I speak of each group as a whole, but from a philosophical point of view there is no whole, only an infinite striving for wholeness, only the principle of wholeness forever leading us on.

This is the social law: the law which connects neighborhood with neighborhood. The reason we want neighborhood organization is not to keep people within their neighborhoods but to get them out. The movement for neighborhood organization is a deliberate effort to get people to identify themselves actually, not sentimentally, with a larger and larger collective unit than the neighborhood. We may be able through our neigh-

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1 The Community Council, however, is not to duplicate other organizations but first to coordinate all existing agencies before planning new activities.

2 And spontaneously many towns and villages turned to the schoolhouse as the natural centre of its war services.
neighborhood group to learn the social process, to learn to evolve the social will, but the question before us is whether we have enough political genius to apply this method to city organization, national organization, and international organization. City must join with city, state with state, actually, not through party. Finally nation must join with nation.

The recommendation of the Council of National Defense which has been mentioned above would repay careful reading for the indications which one finds in it of the double purpose of neighborhood organization. It is definitely stated that the importance of the Community Council is in: (1) initiating work to meet its own war needs; and (2) in making all its local resources available for the nation. And again it is stated that: (1) in a democracy local emergencies can best be met by local action; and (2) that each local district should feel the duty of bearing its full share of the national burden.

Thus our national government clearly sees and specifically states that neighborhood organization is both for the neighborhood and for the nation: that it looks in, it looks out. Thus that which we are coming to understand as the true social process receives practical recognition in government policy.

I have said that neighborhood must join with neighborhood to form the state. This joining of neighborhood and neighborhood can be done neither directly nor imaginatively. It cannot be done directly: representation is necessary not only because the numbers would be too great for all neighborhoods to meet together, but because even if it were physically possible we should have created a crowd not a society. Theoretically when you have large numbers you get a big, composite consciousness made up of infinite kinds of fitting together of infinite kinds of individuals, but practically this varied and multiplied fitting together is not possible beyond a certain number. There must be representatives from the smallest units to the larger and larger, up to the federal state.

Secondly, neighborhoods cannot join with neighborhoods through the imagination alone. Various people have asserted that now we have large cities and solidarity cannot come by actual acquaintance, it must be got by appropriate appeals to the imagination, by having, for instance, courses of lectures to tell one part of a city about another part. But this alone will never be successful. Real solidarity will never be accomplished except by beginning somewhere the joining of one small group with another. We are told too that the uneducated man cannot think beyond his particular section of the universe. We can teach him to think beyond his particular section of the universe by actually making him participate in other sections through connecting his section with others. We are capable of being faithful to large groups as well as small, to complex groups as well as simple, to our city, to our nation, but this can be effected only by a certain process, and that process, while it may begin by a stimulation of the imagination, must, if it is going to bring forth results in real life, be a matter of actual experience. Only by actual union, not by appeals to the imagination, can the various and varied neighborhood groups be made the constituents of a sound, normal, unpartisan city life. Then being a member of a neighborhood group will mean at the same time being a member and a responsible member of the state.

I have spoken of the psychological tendency for group to seek group. Moreover, it is not possible to isolate yourself in your local group because few local needs can be met without joining with other localities, which have
these same needs, in order to secure city or state action. We cannot get municipal regulation for the dance-hall in our neighborhood without joining with other neighborhoods which want the same thing and securing municipal regulation for all city dance-halls. If we want better housing laws, grants for industrial education, we join with other groups who want these things and become the state. And even if some need seems purely local, the method of satisfying it ought not to be for the South End to pull as hard as it can for a new ward building, say, while the North End is also pulling as hard as it can for a new ward building, and the winner of such tug-of-war to get the appropriation. If the South End wants a new ward building it should understand how much money is available for ward buildings, and if only enough for one this year, consider where it is most needed. Probably, whatever the evidence, it will be decided that it is most needed in the South End, but a step will be taken towards a different kind of decision in the future.

And we join not only to secure city and state but also federal action. If we want a river or harbor appropriation, we go to Congress. And if such demands are supplied at present on the log-rolling basis, we can only hope that this will not always be so. When group organization has vitalized our whole political life, there may then be some chance that log-rolling will be repudiated.

And we do not stop even at Washington. Immigration is a national and international problem, but the immigrant may live next door to you, and thus the immigration question becomes one of nearest concern. This intricate interweaving of our life allows no man to live to himself or to his neighborhood.

Then when neighborhood joins with neighborhood all the lessons learned in the simple group must be practised in the complex one. As the group lesson includes not only my responsibility to my group but my responsibility for my group, so I learn not only my duty to my neighborhood but that I am responsible for my neighborhood. Also it is seen that as the individuals of a group are interdependent, so the various groups are interdependent, and the problem is to understand just in what way they are interdependent and how they can be adjusted to one another. The process of the joining of several groups into a larger whole is exactly the same as the joining of individuals to form a group—a reciprocal interaction and correlation.

The usual notion is that our neighborhood association is to evolve an idea, a plan, and then when we go to represent it at a meeting of neighborhood associations from different parts of the city that we are to try to push through the plan of action decided on by our own local group. If we do not do this, we are not supposed to be loyal. But we are certainly to do nothing of the kind. We are to try to evolve the collective idea which shall represent the new group, that is, the various neighborhood associations all acting together. We are told that we must not sacrifice the interests of the particular group we represent. No, but also we must not try to make its interests prevail against those of others. Its real interests are the interests of the whole.

And then when we have learned to be truly citizens of Boston, we must discover how Boston and other cities, how cities and the rural communities can join. And so on and so on. At last the “real” state appears. We are pragmatists because we do not want to unite with the state imaginatively, we want to be the state; we want to actualize and feel our way every moment, let every group open the way for a larger group, let every circumference become the centre of a new circumference...
ence. My neighborhood group opens the path to the State.

But neighborhoods cooperating actively with the city government is not to-day a dream. Marcus M. Marks, President of the Borough of Manhattan, New York City, in 1914 divided Manhattan into sixteen neighborhoods, and appointed for each a neighborhood commission composed of business men, professional men, mechanics, clerks etc. — a thoroughly representative body chosen irrespective of party lines. Mr. Marks’ avowed object was to obtain a knowledge of the needs of his constituents, to form connecting links between neighborhoods and the city government. And these bodies need not exist dormant until their advice is asked. Sections 1 and 2 of the Rules and Regulations read:

“1. The Commissions shall recommend, or suggest, to the Borough President, for his consideration and advice, matters which, in their opinion will be of benefit to their districts and to the City.

“2. The Commissions shall receive from the Borough President suggestions or recommendations for their consideration as to matters affecting their districts, and report back their conclusions with respect thereto.”

Moreover, beyond the recommendations of the Commission, the cooperation of the whole neighborhood is sought. “Whenever the commissions are in doubt as to the policy they desire to advocate and wish to further sound the sentiment of their localities, meetings similar to town-meetings are held, usually in the local school-house.” The “neighborhoods” of Manhattan have cooperated with the city government in such matters as bus franchise, markets, location of tracks, floating baths, pavement construction, sewerage etc. One of the results of this plan, Mr. Marks tells us, is that many types of improvement which were formerly opposed, such as sewerage construction by the owners of abutting property, now receive the support of the citizens because there is opportunity for them to understand fully the needs of the situation and even to employ their own expert if they wish.

The chairmen of the twelve Neighborhood Commissions form a body called the Manhattan Commission. This meets to confer with the President on matters affecting the interests of the entire borough.¹

This plan, while not yet ideal, particularly in so far as the commissions are appointed from above, is most interesting to all those who are looking towards neighborhood organization as the basis of the new state.

To summarize: neighborhood groups join with other neighborhood groups to form the city — then only shall we understand what it is to be the city; neighborhood groups join with other neighborhood groups to form the state — then only shall we understand what it is to be the state. We do not begin with a unified state which delegates authority; we begin with the neighborhood group and create the state ourselves. Thus is the state built up through the intimate intertwining of all.

But this is not a crude and external federalism. We have not transferred the unit of democracy from the individual to the group. It is the individual man who must feel himself the unit of city government, of state government: he has not delegated his responsibility to

¹ I have taken this account from the official report. I have been told by New York people that these commissions have shown few signs of life. This does not, however, seem to me to detract from the value of the plan as a suggestion, or as indication of what is seen to be advisable if not yet wholly practicable. The New York charter provides for Local Improvement Boards as connecting links with the central government, but these I am told have shown no life whatever.
his neighborhood group; he has direct relation with larger wholes. I have no medieval idea of mediate articulation, of individuals forming groups and groups forming the nation. Mechanical federalism we have long outgrown. The members of the nation are to be individuals, not groups. The movement for neighborhood organization is from one point of view a movement to give the individual political effectiveness—it is an individualistic not a collectivistic movement, paradoxical as this may seem to superficial thinking. But, as the whole structure of government must rest on the individual, it must have its roots within that place where you can get nearest to him, and where his latent powers can best be freed and actualized—his local group.

What are we ultimately seeking through neighborhood organization? To find the individual. But let no one think that the movement for neighborhood organization is a new movement. Our neighborhood organization, we are often told, had its origin in the New England town-meeting. Yes, and far beyond that in the early institutions of our English ancestors. That our national life must be grounded in the daily, intimate life of all men is the teaching of the whole long stream of English history.

We have seen that the increasing activity of the state, its social policies and social legislation, demands the activity of every man. We have seen in considering direct government that the activity of every man is not enough if we mean merely his activity at the polling booths. With the inclusion of all men and women (practically accomplished) in the suffrage, with the rapidly increasing acceptance of direct government, the extensive work of the democratic impulse has ended. Now the intensive work of democracy must begin. The great historic task of the Anglo-Saxon people has been to find wise and reasoned forms for the expression of individual responsibility, has been so to bulwark the rights of the individual as to provide at the same time for the unity and stability of the state. They have done this externally by making the machinery of representative government. We want to-day to do it spiritually, to direct the spiritual currents in their flow and interflow so that we have not only the external interpenetration—choosing representatives etc.—but the deeper interpenetration which shows the minds and needs and wants of all men.

We can satisfy our wants only by a genuine union and communion of all, only in the friendly outpouring of heart to heart. We have come to the time when we see that the machinery of government can be useful to us only so far as it is a living thing: the souls of men are the stones of Heaven, the life of every man must contribute fundamentally to the growth of the state. So the world spirit seeks freedom and finds it in a more and more perfect union of true individuals. The relation of neighbors one to another must be integrated into the substance of the state. Politics must take democracy from its external expression of representation to the expression of that inner meaning hidden in the intermingling of all men. This is our part to-day—thus shall we take our place in the great task of our race. Our political life began in the small group, but it has taken us long to evolve our relation to a national life, and meanwhile much of the significance and richness of the local life has been lost. Back now to the local unit we must go with all that we have accumulated, to find in and through that our complete realization. Back we must go to this small primary unit if we would understand the meaning of democracy, if we would get the fruits of democracy. As Voltaire said, "The spirit of France is the candle of Europe," so must the spirit of the neighborhood be the candle of the nation.
All that I have written has been based on the assumption of the unifying state. Moreover I have spoken of neighborhood organization as if it were possible to take it for granted that the neighborhood group is to be the basis of the new state. The truth of both these assumptions is denied by some of our most able thinkers.

The unified state is now discredited in many quarters. Syndicalists, guild socialists, some of the Liberals in England, some of the advocates of occupational representation in America, and a growing school of writers who might be called political pluralists are throwing the burden of much proof upon the state, and are proposing group organization as the next step in political method. To some the idea of the state is abhorrent. One writer says, "The last hundred years marked in all countries the beginning of the dissolution of the State and of the resurrection of corporate life [trade unions etc.]. . . . In the face of this growth of syndicalism in every direction, . . . it is no longer venturesome to assert that the State is dead."

Others like to keep the word "state" but differ much as to the position it is to occupy in the new order: to some it seems to be merely a kind of mucilage to keep the various groups together; with others the state is to hold the ring while different groups fight out their differences. Still other thinkers, while seeing the open door to scepticism in regard to the state, are nevertheless not ready to pass through, but, preserving the instinct and the reverence for the unity of the state, propose as the most immediate object of our study how the unity can be brought about, what is to be the true and perfect bond of union between the multiple groups of our modern life. All these thinkers, differing widely as they do, yet may be roughly classed together as the upholders of a multiple group organization as the basis for a new state.

This movement is partly a reaction against an atomistic sovereignty, the so-called theory of "subjective" rights, a "senseless" geographical representation, a much berated parliamentary system, and partly the wish to give industrial workers a larger share in the control of industry and in government.

The opposition to "numerical representation" has been growing for some time. We were told thirty years ago by Le Prins that vocational representation is "the way out of the domination of the majority," that the vocational group is the "natural" group "spontaneously generated in the womb of a nation." Twenty-five years ago Benoist said that the state must recognize private associations: universities, chambers of commerce, professional associations, societies of agriculture, syndicates of workmen — "en un mot tout ce qui a corps et vie dans la nation." If the state is to correspond to reality, it must recognize, Benoist insisted, all this group life, all these interests, within it. Moreover, he urged, with our present pulverized suffrage, with sovereignty divided among millions, we are in a state of anarchy; only group representation will save us from "la force stupide de nombre." M. Léon Duguit has given us a so-called "objective" theory of law which means for many people a new conception of the state.
Many say that it is absurd for representation to be based on the mere chance of residence as is the case when the geographical district is the unit. The territorial principle is going, we are told, and that of similar occupational interests will take its place. Again some people are suggesting that both principles should be recognized in our government: that one house in Parliament represent geographical areas, the other occupations.¹ No one has yet, however, made any proposal of this kind definite enough to serve as a basis of discussion.

Syndicalism demands the abolition of the “state” while—through its organization of the syndicate of workers, the union of syndicates of the same town or region and the federation of these unions—it erects a system of its own controlled entirely by the workers. Syndicalism has gained many adherents lately because of the present reaction against socialism. People do not want the Servile State and, therefore, many think they do not want any state.

In England a new school is arising which is equally opposed to syndicalism and to the bureaucracy of state socialism. Or rather it takes half of each. Guild socialism believes in state ownership of the means of production, but that the control of each industry or “guild”—appointment of officers, hours and conditions of work etc.—should be vested in the membership of the industry. The syndicalists throw over the state entirely, the guild socialists believe in the “co-management” of the state. There are to be two sets of machinery side by side but quite distinct: that based on the occupational group will be concerned with economic considerations, the other with “political” considerations, the first culmi-

¹ Léon Duguit, Graham Wallis, Arthur Christensen, Norman Angell, etc.

⁵⁰° "Guild Socialism," edited by A. R. Orage, gives in some detail this systematic plan already familiar to readers of the New Age. A later book of the same school "Authority, Liberty and Function," by Ramiro de Maeztu, concerns itself less with detail and more with the philosophical basis of the new order. The value of this book consists in its emphasis on the functional principle.²

Mr. Ernest Barker of Oxford, although he formulates no definite system, is a political pluralist.

John Neville Figgis makes an important contribution to pluralism,³ and although he has a case to plead for the church, he is equally emphatic that all the local groups which really make our life should be fostered and given an increased authority.

In America vocational representation has many distinguished advocates, among them Professor Felix Adler and Professor H. A. Overstreet. Mr. Herbert Croly, who has given profound thought to the trend of democracy, advocates giving increased power and legal recognition to the powerful groups growing up within the state.

¹ The fatal flaw of guild socialism is this separation of economics and politics. First, the interests of citizenship and guild-membership are not distinct; secondly, in any proper system of occupational representation every one should be included—vocational representation should not be trade representation; third, as long as you call the affairs of the guilds “material,” and say that the politics of the state should be purified of financial interests, you burn every bridge which might make a unity of financial interests and sound state policy. Guild socialism, however, because it is a carefully worked out plan for the control of industry by those who take part in it, is one of the most well worth considering of the proposals at present before us.


³ See especially "Churches in the Modern State" and "Studies in Political Thought from Gerson to Grotius."
Mr. Harold Laski is a pronounced political pluralist, especially in his emphasis on the advantage of multiple, varied and freely developing groups for the enrichment and enhancement of our whole life. Mr. Laski's book, "Studies in the Problem of Sovereignty," is one of the most thought-stimulating bits of modern political writing: it does away with the fetich of the abstract state—it is above all an attempt to look at things as they are rather than as we imagine them to be; it shows that states are not supreme by striking examples of organizations within the state claiming and winning the right to refuse obedience to the state; it sees the strength and the variety of our group life to-day as a significant fact for political method; it is a recognition, to an extent, of the group principle—it sees that sovereignty is not in people as a mass; it pleads for a revivification of local life, and finally it shows us, implicitly, not only that we need to-day a new state, but that the new state must be a great moral force.\(^1\)

Perhaps the most interesting contribution of the pluralists is their clear showing that "a single unitary state with a single sovereignty" is not true to the facts of life to-day. Mr. Barker says, "Every state is something of a federal society and contains different national groups, different churches, different economic organizations, each exercising its measure of control over its members." The following instances are cited to show the present tendency of different groups to claim autonomy:

1. Religious groups are claiming rights as groups. Many churchmen would like to establish the autonomy of the church. It is impossible to have undenominational instruction in the schools of England because of the claims of the church.

2. There is a political movement towards the recognition of national groups. The state in England is passing Home Rule Acts and Welsh Disestablishment Acts to meet the claims of national groups. "All Europe is convulsed with a struggle of which one object is a regrouping of men in ways which will fulfil national ideals."

3. "The Trade-Unions claim to be free groups." "Trade-unions have recovered from Parliament more than they have lost in the courts."

Let us consider the arguments of the pluralist school, as they form the most interesting, the most suggestive and the most important theory of politics now before us. It seems to me that there are four weaknesses in the pluralist school\(^1\) which must be corrected before we can take from them the torch to light us on our political way: (1) some of the pluralists ostensibly found their books on pragmatic philosophy and yet in their inability to reconcile the distributive and collective they do not accept the latest teachings of pragmatism, for pragmatism does not end with a distributive pluralism, (2) the movement is in part a reaction to a misunderstood Hegel-}

\(^1\) It must be understood that all I say does not apply to all the pluralists. For the sake of brevity I consider them as a school although they differ widely. Moreover, for convenience I am using the word pluralist roughly and in a sense inaccurately to include all those who are advocating a multiple group organization as the basis of a new state. Most of those agree in making the group rather than the individual the unit of politics, in their support of group "rights," the "consent" of the group, the "balance" of groups, and in their belief that "rights" should be based on function. But syndicalists and guild socialists are not strictly pluralists since they build up a system based on the occupational group; yet the name is not wholly inapplicable, for, since the guild socialists base their state on balancing groups, that state cannot be called a unified state. It is too early yet to speak of this school with entire accuracy, and in fact there is no "school."

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\(^1\) See also Mr. Laski's articles: "The Personality of Associations," Harv. Law Rev. 29, 404–426, and "Early History of the Corporation in England," Harv. Law Rev.: 30, 561–586. This is the kind of work which is breaking the way for a new conception of politics.
ianism, (3) many of the pluralists are professed followers of medieval doctrine, (4) their thinking is not based on a scientific study of the group, which weakens the force of their theories of "objective" rights and sovereignty, much as these latter are an advance on our old theories of "subjective" rights and a sovereignty based on an atomistic conception of society.

First, the underlying problem of pluralism and pragmatism is, as James proclaims, the relation of "collective" and "distributive." The problem of to-day, we all agree, is the discovery of the kind of federalism which will make the parts live fully in the whole, the whole live fully in the parts. But this is the central problem of philosophy which has stirred the ages. The heart of James' difficulty was just this: how can many consciousnesses be at the same time one consciousness? How can the same identical fact experience itself so diversely? How can you be the absolute and the individual? It is the old, old struggle which has enmeshed so many, which some of our philosophers have transcended by the deeper intuitions, sure that life is a continuous flow and not spasmodic appearance, disappearance and reappearance. James struggled long with this problem, but the outcome was sure. His spirit could not be bound by intellectualistic logic, the logic of identity. He was finally forced to adopt a higher form of rationality. He gave up conceptualistic logic "fairly, squarely and irrevocably," and knew by deepest inner testimony that "states of consciousness can separate and combine themselves freely and keep their own identity unchanged while forming parts of simultaneous fields of experience of wider scope." James always saw the strung-along universe, but he also saw the unifying principle which is working towards its goal. "That secret," he tells us, "of a continuous life which the universe knows by heart and acts on every instant cannot be a contradiction incarnate. . . . Our intelligence must keep on speaking terms with the universe."

When James found that the "all-form" and the "each-forms" are not incompatible, he found the secret of federalism. It is our task to work out in practical politics this speculative truth which the great philosophers have presented to us. The words absolute and individual veil it to us, but substitute state and individual and the problem comes down to the plane of our actual working everyday life. It may be interesting to read philosophy, but the thrilling thing for every man of us to do is to make it come true. We may be heartened by our sojourns on Sinai, but no man may live his life in the clouds. And what does pragmatism mean if not just this? We can only, as James told us again and again, understand the collective and distributive by living. Life is the true revealer: I can never understand the whole by reason, only when the heart-beat of the whole throbs through me as the pulse of my own being.

If we in our neighborhood group live James' philosophy of the compounding of consciousness, if we obey the true doctrine, that each individual is not only himself but the state—for the fulness of life overflows—then will the perfect form of federalism appear and express itself, for then we have the spirit of federalism creating its own form. Political philosophers talk of the state, but there is no state until we make it. It is pure theory. We, every man and woman to-day, must create his small group first, and then, through its compounding with other groups, it ascends from stage to stage until the federal state appears. Thus do we understand by actual living how collective experiences can claim identity with their constituent parts, how "your experience and mine
can be members of a world-experience.” In our neighbor­hood groups we claim identity with the whole collective will, at that point we are the collective will.

Unless multiple sovereignty can mean ascending rather than parallel groups it will leave out the deepest truth which philosophy has brought us. But surely the politi­cal pluralists who are open admirers of James will refuse with him to stay enmeshed in sterile intellectualism, in the narrow and emasculated logic of identity. Con­fessedly disciples of James, will they not carry their discip­leship a step further? Have they not with James a wish for a world that does not fall into “discontinuous pieces,” for “a higher denomination than that distributed, strung-along and flowing sort of reality which we finite beings [now] swim in”? Their groups must be the state each at its separate point. When they see this truth clearly, then the leadership to which their insight entitles them will be theirs.

I have said that the political pluralists are fighting a misunderstood Hegelianism. Do they adopt the crudely popular conception of the Hegelian state as something “above and beyond” men, as a separate entity virtually independent of men? Such a conception is fundamen­tally wrong and wholly against the spirit of Hegel. As James found collective experience not independent of distributive experience, as he reconciled the two through the “compounding of consciousness,” so Hegel’s related parts received their meaning only in the conception of total relativity. The soul of Hegelianism is total relativity, but this is the essence of the compounding of consciousness. As for James the related parts and their relations appear simultaneously and with equal reality, so in Hegel’s total relativity: the members of the state in their right relation to one another appear in all the different degrees of reality together as one whole total relativity — never sundered, never warring against the true Self, the Whole.

But there is the real Hegel and the Hegel who mis­applied his own doctrine, who preached the absolutism of a Prussian State. Green and Bosanquet in measure more or less full taught the true Hegelian doctrine. But for a number of years the false leadings of Hegel have been uppermost in people’s minds, and there has been a reaction to their teaching due to the panic we all feel at the mere thought of an absolute monarch and an irresponsible state. The present behavior of Prussia of course tends to increase the panic, and the fashion of jeering at Hegel and his “misguided” followers is wide­spread. But while many English writers are raging against Hegelianism, at the same time the English are pouring out in unstinted measure themselves and their substance to establish on earth Hegel’s absolute in the actual form of an International League!

The political pluralists whom we are now considering, believing that a collective and distributive sovereignty cannot exist together, throw overboard collective sover­eignty. When they accept the compounding of con­sciousness taught by their own master, James, then they will see that true Hegelianism finds its actualized form in federalism.

Perhaps they would be able to do this sooner if they could rid themselves of the Middle Ages! Many of the political pluralists deliberately announce that they are accepting medieval doctrine.

In the Middle Ages the group was the political unit. The medieval man was always the member of a group — of the guild in the town, of the manor in the country. But this was followed by the theory of the individual not as a member of a group but as a member of a nation, and we have always considered this on the whole an
advance step. When, therefore, the separate groups are again proposed as the political units, we are going back to a political theory which we have long outgrown and which obviously cramps the individual. It is true that the individual as the basis of government has remained an empty theory. The man with political power has been the rich and strong man. There has been little chance for the individual as an individual to become a force in the state. In reaction against such selfish autocracy people propose a return to the Middle Ages. This is not the solution. Now is the critical moment. If we imitate the Middle Ages and adopt political pluralism we lose our chance to invent our own forms for our larger ideas.

Again, balancing groups were loosely held together by what has been called a federal bond. Therefore we are to look to the medieval empire for inspiration in forming the modern state. But the union of church and guild, boroughs and shires of the Middle Ages seems to me neither to bear much resemblance to a modern federal state nor to approach the ideal federal state. And if we learn anything from medieval decentralization — guild and church and commune — it is that political and economic power cannot be separated.

Much as we owe the Middle Ages, have we not progressed since then? Are our insights, our ideals, our purposes at all the same? Medieval theory, it is true, had the conception of the living group, and this had a large influence on legal theory.\(^1\) Also medieval theory struggled from first to last to reconcile its notion of individual freedom,\(^2\) the patent fact of manifold groups, and the growing notion of a sovereign state. Our problem it is true is the same to-day, but the Middle Ages hold more warnings than lessons for us. While there was much that was good about the medieval guilds, we certainly do not want to go back to all the weaknesses of medieval cities: the jealousies of the guilds, their selfishness, the unsatisfactory compromises between them, the impossibility of sufficient agreement either to maintain internal order or to pursue successful outside relations.

The Middle Ages had not worked out any form by which the parts could be related to the whole without the result either of despotism of the more powerful parts or anarchy of all the parts. Moreover, in the Middle Ages it was true on the whole that your relation to your class separated you from other classes: you could not belong to many groups at once. Status was the basis of the Middle Ages. This is exactly the tendency we must avoid in any plan for the direct representation of industrial workers in the state.

Is our modern life entirely barren of ideas with which to meet its own problems? Must twentieth century thought with all the richness which our intricately complex life has woven into it try to force itself into the embryonic moulds of the Middle Ages?

The most serious error, however, of the political pluralists is one we are all making: we have not begun a scientific study of group psychology. No one yet knows enough of the laws of associated life to have the proper foundations for political thinking. The pluralists apotheosize the group but do not study the group. They talk of sovereignty without seeking the source of sovereignty.

In the next three chapters I shall consider what the recent recognition of the group, meagre as it is at present,
teaches us in regard to pluralism. Pluralism is the dominant thought to-day in philosophy, in politics, in economics, in jurisprudence, in sociology, in many schemes of social reorganization proposed by social workers, therefore we must consider it carefully — what it holds for us, what it must guard against.
POLITICAL PLURALISM AND THE TRUE FEDERAL STATE

In the last two chapters I have taken up the two fundamental laws of life—the law of interpenetration and the law of multiples. (1) Sovereignty, we have seen, is the power generated within the group—dependent on the principle of interpenetration. (2) Man joins many groups—in order to express his multiple nature. These two principles give us federalism.

Let us, before considering the conception of federalism in detail, sum up in a few sentences what has already been said of these two principles. The fundamental truth of life we have seen is self-perpetuating activity—activity so regnant, so omnipresent, so all-embracing, that it banishes even the conception of anything static from the world of being. Conscious evolution means that we must discover the essential principle of this activity and see that it is at work in the humblest of its modes, the smallest group or meeting of even two or three. The new psychology has brought to political science the recognition of interpenetration and the “compounding of consciousness” as the very condition of all life. Our political methods must conform to life’s methods. We must understand and follow the laws of association that the state may appear, that our own little purposes may be fulfilled. Little purposes? Is there any great and small? The humblest man and the price of his daily loaf—is this a small matter—it hangs upon the whole world situation to-day. In order that the needs of the humblest shall be satisfied, or in order that world purposes shall be fulfilled—it matters not which—this principle of “compounding” must be fully recognized and embodied in our political methods. It is this vital intermingling which creates the real individual and knits men into the myriad relations of life. We win through life our individuality, it is not presented to us at the beginning to be exploited as we will. We win a multiple individuality through our manifold relations. In the workings of this dual law are rooted all of social and political progress, all the hope and the potency of human evolution.

Only the federal state can express this dual principle of existence—the compounding and the multiple compounding. It is an incomplete understanding of this dual law which is responsible for the mistaken interpretation of federalism held by some of the pluralists: a conception which includes the false doctrines of division of power, the idea that the group not the individual should be the unit of the state, the old consent of governed theory, an almost discarded particularism (group rights), and the worn-out balance theory.

The distributive sovereignty school assumes that the essential, the basic part of federalism is the division of power between the central and separate parts: while the parts may be considered as ceding power to the central state, or the central state may be considered as granting power to the parts, yet in one form or another federalism means a divided sovereignty. Esmein says definitely, “L’Etat fédéral... fractionne la souveraineté. . . .” No, it should unite sovereignty. There should be no absolute division of power or conferring of power. The activity of whole and parts should be one.

In spite of all our American doctrines of the end of the eighteenth century, in spite of our whole history of states-

1 Quoted by Duguit.
right theory and sentiment, the division of sovereignty is not the main fact of the United States government. From 1789 to 1861 the idea of a divided sovereignty—that the United States was a voluntary agreement between free, sovereign and independent states, that authority was "divided" between nation and states—dictated the history of the United States. The war of 1861 was fought (some of the pluralists seem not to know) to settle this question. The two ideas of federalism came to a death grapple in our Civil War and the true doctrine triumphed. That war decided that the United States was not a delegated affair, that it had a "real" existence, and that it was sovereign, yet not sovereign over the states as an external party, for it is composed of the states, but sovereign over itself, merely over itself. You have not to be a mystic to understand this but only an American. Those who see in a federal union a mere league with rights and powers granted to a central government, those who see in a federal union a balancing of sovereign powers, do not understand true federalism. When we enumerate the powers of the states as distinct from the powers of our national government, some people regard this distinction as a dividing line between nation and states, but the true "federalist" is always seeing the relation of these powers to those of the central government. There are no absolute divisions in a true federal union.

Do we then want a central government which shall override the parts until they become practically non-existent? The moment federalism attempts to transcend the parts it has become vitiated. Our Civil War was not, as some writers assert, the blow to states-rights and the victory of centralization. We shall yet, I believe, show that it was a victory for true federalism. The United States is neither to ignore the states, transcend the states, nor to balance the states, it is to be the states in their united capacity.

Of course it is true that many Americans do think of our government as a division of powers between central and local authority, therefore there is as a matter of fact much balancing of interests. But as far as we are doing this at Washington it is exactly what we must get rid of. The first lesson for every member of a federal government to learn is that the interests of the different parts, or the interests of the whole and the interests of the parts, are never to be pitted against each other. As far as the United States represents an interpenetration of thought and feeling and interest and will, it is carrying out the aims of federalism.

We have not indeed a true federalism in the United States to-day; we are now learning the lesson of federalism. Some one must analyze for us the difference between centralization and true federalism, which is neither nationalization, states-rights, nor balance, and then we must work for true federalism. For the federal government to attempt to do that which the states should do, or perhaps even are doing, means loss of force, and loss of education-by-experience for the states. On the other hand, not to see when federal action means at the same time local development and national strength, means a serious retarding of our growth. It is equally true that when the states attempt what the federal gov-

1 Duguit says that the United States confers the rights of a state on a territory. No, it recognizes that which already exists.
government alone should undertake, the consequence is general muddle.

And it is by no means a question only of what the federal government should do and what it should not do. It is a question of the way of doing. It is a question of guiding, where necessary, without losing local initiative or local responsibility. It is a question of so framing measures that true federation, not centralization, be obtained. Recently, even before the war, the tendency has been towards increased federal action and federal control, as seen, for instance, in the control of railroad transportation, of vocational education etc. The latter is an excellent example of the possibility of central action being true federal and not nationalized action. The federal government upon application from a state grants to that state an amount for vocational education equal to what the state itself will appropriate. The administration of the fund rests with the state. The federal government thus makes no assumptions. It recognizes existing facts. And it does not impose something from without. The state must understand its needs, must know how those needs can best be satisfied; it must take responsibility. The experience of one state joins with the experience of other states to form a collective experience.

As we watch federalism being worked out in actual practice at Washington, we see in that practice the necessity of a distinction which has been emphasized throughout this book as the contribution of contemporary psychology to politics: nationalization is the Hegelian reconciliation, true federalism is the integration of present psychology. This means a genuine integration of the interests of all the parts. If our present tendency is towards nationalization, we must learn the difference between that and federalism and change it into the latter. We need a new order of statesmen in the world to-day — for our nation, for our international league — those who understand federalism.

But I have been talking of federalism as the integration of parts (the states). We should remember also, and this is of the greatest importance, that the United States is not only to be the states in their united capacity, but it is to be all the men and women of the United States in their united capacity. This it seems difficult for many Europeans to understand; it breaks across their traditional conception of federalism which has been a league, a confederation of “sovereign” parts, not a true federal state. We of Massachusetts feel ourselves not first children of Massachusetts and then through Massachusetts of the United States. We belong directly to the United States not merely through Massachusetts. True federalism means that the individual, not the group, is the unit. A true federal government acts directly on its citizens, not merely through the groups.

America has not led the world in democracy through methods of representation, social legislation, ballot laws or industrial organization. She has been surpassed by other countries in all of these. She leads the world in democracy because through federalism she is working out the secret of the universe actively. Multiple citizenship in its spontaneous unifying is the foundation of the new state. Federalism and democracy go together, you do not decide to have one or the other as your fancy may be. We did not establish federalism in the United States, we are growing federalism. Cohesion imposed upon us externally will lack in significance and duration. Federalism must live through: (1) the reality of the group, (2) the expanding group, (3) the ascending group or unifying process.

The federal state is the unifying state. The political
pluralists, following James, use the "trailing and" argument to prove that we can never have a unified state, that there is always something which never gets included. I should use it to prove that we can and must have a unifying state, that this "and" is the very unifying principle. The "trailing and" is the deepest truth of psychology. It is because of this "and" that our goal must always be the unified state — the unified state to be attained through the federal form. Our spirit is true is by nature federal, but this means not infinite unrelation but infinite possibility of relation, not infinite strung-alongness but infinite seeking for the unifying of the strung-alongness. I forever discover undeveloped powers. This is the glory of our exhaustless nature. We are the expression of the principle of endless growth, of endless appearing, and democracy must, therefore, so shape its forms as to allow for the manifestation of each new appearing. I grow possibilities; new opportunities should always be arising to meet these new possibilities.

Then through group and group and ascending group I actualize more and more. The "trailing and" is man's task for ever and ever — to drag in more spirit, more knowledge, more harmony. Federalism is the only possible form for the state because it leaves room for the new forces which are coming through these spiritual "ands," for the myriad centres of life which must be forever springing up, group after group, within a vital state. Our impulse is at one and the same time to develop self and to transcend self. It is this ever transcending self which needs the federal state. The federal

state is not a unified state, I agree, but it is a unifying state, not a "strung-along" state.

Thus it is the federal state which expresses the two fundamental principles of life — the compounding of consciousness and the endless appearings of new forces.

I have said that the pluralists' mistaken interpretation of federalism includes the particularist notions of "consent" and "rights" and "balance," and that all these come from a false conception of sovereignty. What does the new psychology teach us of "consent"? Power is generated within the true group not by one or several assuming authority and the others "consenting," but solely by the process of intermingling. Only by the same method can the true state be grown.

If divorce is to be allowed between the state and this group or that, what are the grounds on which it is to be granted? Will incompatibility be sufficient? Are the manufacturing north and agricultural south of Ireland incompatible? Does a certain trade association want, like Nora, a "larger life"? The pluralists open the gates to too much. They wish to throw open the doors of the state to labor: yes, they are right, but let them beware what veiled shapes may slip between those open portals. Labor must indeed be included in the state, it is our most immediate task, but let us ponder well the method.

The pluralists assume that the unified state must always claim authority over "other groups." But as he who expresses the unity of my group has no authority over me but is simply the symbol and the organ of the group, so that group which expresses the unity of all groups — that is, the state — should have no authority as a separate group, but only so far as it gathers up into

1 "The word 'and' trails along after every sentence. Something always escapes. . . . The pluralistic world is thus more like a federal republic than like an empire or a kingdom." "A Pluralistic Universe," 321-322.

1 When they say that the passion for unity is the urge for a dominant One, they think of the dominant One as outside.
itself the whole meaning of these constituent groups. Just here is the crux of the disagreement between the upholders of the pluralistic and of the true monistic state: the former think of the other groups as "coextensive" or "complementary" to the state — the state is one of the groups to which we owe obedience; to the latter they and all individuals are the constituents of the state. I do not wish to confuse the issue between facts of the present and the sovereignty which I hope we can grow. But I wish to make a distinction between sovereignty and his hopes for the future, between the sovereignty postulated by the lawyers (he says you can never find in a community any one will which is certain of obedience) and the sovereignty of the more inclusive group is evolved — that is the only kind of state sovereignty which we can recognize as legitimate. (See ch. XXIX on "Political Pluralism and Sovereignty.")

1 One of the pluralists says, "I cannot see that ... sovereignty is the unique property of any one association." No, not sovereignty over "others," but sovereignty always belongs to any genuine group; as groups join to form another real group, the sovereignty of the more inclusive group is evolved — that is the only kind of state sovereignty which we can recognize as legitimate. (See ch. XXIX on "Political Pluralism and Sovereignty.")

2 See ch. XV.

3 Mr. Laski is an exception to many writers on "consent." When he speaks of consent he is referring only to the actual facts of to-day. Denying the sovereignty postulated by the lawyers (he says you can never find in a community any one will which is certain of obedience), he shows that as a matter of fact the state sovereignty we have now rests on consent. I do not wish to confuse the issue between facts of the present and hopes for the future, but I wish to make a distinction between the "sovereignty" of the present and the sovereignty which I hope we can grow. This distinction is implicit in Mr. Laski's book, but it is lacking in much of the writing on the "consent of the governed."

PLURALISM AND TRUE FEDERALISM

federal bond a compact. The state resting on a numerical basis, composed of an aggregate of individuals, gives way only to a state still resting on a numerical basis although composed now of groups instead of individuals. As in the old days the individuals were to be "free," now the groups are to be "independent." These new particularists are as zealous and as jealous for the group as any nineteenth-century "individualist" was for the individual. Mr. Barker, who warns us, it is true, against inherent rights which are not adjusted to other inherent rights, nevertheless says, "If we are individualists now, we are corporate individualists. Our individuals are becoming groups. We no longer write Man vs. the State but The Group vs. the State." But does Mr. Barker really think it progress to write Group vs. the State? If the principle of individual vs. the state is wrong, what difference does it make whether that individual is one man or a group of men? In so far as these rights are based on function, we have an advance in political theory; in so far as we can talk of group vs. the state, we are held in the thralls of another form of social atomism. It is the pluralists themselves who are always saying, when they oppose crowd-sovereignty, that atomism means anarchy. Agreed, but atomism in any form, of groups as well as individuals, means anarchy, and this they do not always seem to realize.

Mr. Barker speaks of the present tendency "to restrict the activity of the state in order to safeguard the rights of the groups." Many pluralists and syndicalists are afraid of the state because for them the old dualism is
unsolvable. But as I have tried to show in the chapter on “Our Political Dualism” that the rights of the state and the citizen are never, ideally, incompatible, so now we should understand that our present task is to develop those political forms within which rights of group and state can be approaching coincidence.

As long as we settle down within any one group, we are in danger of the old particularism. Many a trade-unionist succumbs to this danger. Love of a group will not get us out of particularism. We can have egoism of the group as well as egoism of the individual. Indeed the group may have all the evils of the individual—aggrandizement of self, exploitation of others etc. Nothing will get us out of particularism but the constant recognition that any whole is always the element of a larger whole. Group life has two meanings, one as important as the other: (1) it looks in to its own integrated, coördinated activity, (2) it sees that activity in relation to other activities, in relation to a larger whole of which it is a part. The group which does not look out deteriorates into caste. The group which thinks only of itself is a menace to society; the group which looks to its manifold relations is part of social progress. President Wilson as head of a national group has just as clear a duty to other national groups as to his own country.

Particularism of the individual is dead, in theory if not in practice. Let us not now fall into the specious error of clinging to our particularism while changing its name from individual to group.

The outcome of group particularism is the balance of power theory, perhaps the most pernicious part of the pluralists’ doctrine. The pluralist state is to be composed of sovereign groups. What is their life to be? They are to be left alone to fight, to compete, or, word most favored by this school, to balance. With de Maetzu the balance of power is confessedly the corner-stone of the new state. “The dilemma which would make us choose between the State and anarchy is false. There is another alternative, that of plurality and the balance of powers, not merely within the nation but in the family of nations.”

But whenever you have balance in your premise, you have anarchy in your conclusion.

The weakness of the reasoning involved in the balance of power argument has been exposed in so much of the war literature of the last three years, which has exploded the balance of power theory between nations, that little further criticism is needed here. Unity must be our aim to-day. When you have not unity, you have balance or struggle or domination—of one over others. The nations of Europe refuse domination, aim at balance, and war is the result.

It seems curious that these two movements should be going on side by side: that we are giving up the idea of the balance of nations, that we are refusing to think any longer in terms of “sovereign” nations, and yet at the same time an increasing number of men should be advocating balancing, “sovereign” groups within nations. The pluralists object to unity, but unity and plurality are surely not incompatible. The true monistic state is merely the multiple state working out its own unity from infinite diversity. But the unifying state shows us what to do with that diversity. What advantage is that diversity if it is to be always “competing,” “fighting,” “balancing”? Only in the unifying state do we get the full advantage of diversity where it is gathered up into significance and pointed action.

The practical outcome of the balance theory will be

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1 This is perhaps a remnant of the nineteenth-century myth that competition is the mode of progress.
first antagonistic interests, then jealous interests, then competing interests, then dominating interests—a fatal climax.

The trouble with the balance theory is that by the time the representatives of the balancing groups meet, it is too late to expect agreement. The chief objection to pluralism is, perhaps, that it is usually merely a scheme of representation, that its advocates are usually talking of the kind of roof they want before they have laid the foundation stones. No theory of the state can have vitality which is merely a plan of representation. The new state must rest on a new conception of living, on a true understanding of the vital modes of association. The reason why occupational representation must bring balance and competition is because the integrating of differences, the essential social process, does not take place far enough back in our life. If Parliaments are composed of various groups or interests, the unification of these interests has to take place in Parliament. But then it is too late. The ideas of the different groups must mingle earlier than Parliament. We must go further back than our legislatures for the necessary unifying. We do not want legislatures full of opposing interests. The ideas of the groups become too crystallized by the time their representatives get to the Parliament, in fact they have often hardened into prejudices. Moreover, the representatives could not go against their constituencies, they would be pledged to specific measures. The different groups would come together each to try to prevail, not to go through the only genuine democratic process, that of trying to integrate their ideas and interests.

When the desire to prevail is once keenly upon us, we behave very differently than when our object is the seeking of truth. Suppose I am the representative in Congress of a group or a party. A bill is under consideration. I see a weakness in that bill; if I point it out some one else may see a remedy for it and the bill may be immensely improved. But do I do this? Certainly not. I am so afraid of the bill being lost if I show any weakness in it that I keep this insight to myself and my country loses just so much. I cannot believe that occupational representation will foster truth seeking or truth speaking. It seems to me quite a case of the frying pan into the fire. Compromise and swapping will be the order in Parliaments based solely on the vocational principle. The different interests must fight it out in Parliament. This is fundamentally against democracy because it is against the psychological foundation of democracy, the fundamental law of association. Democracy depends on the blending, not the balancing, of interests and thoughts and wills. Occupational representation assumes that you secure the interests of the whole by securing the interests of every class, the old particularist fallacy transferred to the group.

Moreover, it is often assumed that because the occupational group is composed of men of similar interests we shall have agreement in the occupational group; it is taken for granted that in these economic groups the agreement of opinion necessary for voting will be automatic. But do poets or carpenters or photographers think alike on more than a very few questions? What we must do is to get behind these electoral methods to some fundamental method which shall produce agreement. Moreover, if the Cabinet were made up of these warring elements, administration would be almost impossible. Lloyd-George's Cabinet at present is hampered by too much "difference." I have throughout, to be sure, been advocating the compounding of difference as the secret of politics, but the compounding must begin further back in our life than Parliaments or Cabinets.
And if you had group representation in England would not the Cabinet be made up of the most powerful of the groups, and would not a fear of defeat at any particular time mean overtures to enough of the other groups to make success in the Cabinet? And would not an entirely improper amount of power drift to the Premier under these circumstances? Have we any leaders who would, could any one trust himself to, guide the British Cabinet for the best interests of Great Britain under such conditions as these?

To sum up: a true federalism cannot rest on balance or group-rights or consent. Authority, obedience, liberty, can never be understood without an understanding of the group process. Some of the advocates of guild socialism oppose function to authority and liberty, but we can have function and liberty and authority: authority of the whole through the liberty of all by means of the functions of each. These three are inescapably united. A genuine group, a small or large group, association or state, has the right to the obedience of its members. No group should be sovereign over another group. The only right the state has to authority over "other" groups is as far as those groups are constituent parts of the state. All groups are not constituent parts of the state to-day, as the pluralists clearly see. Possibly or probably all groups never will be, but such perpetually self-actualizing unity should be the process. Groups are sovereign over themselves, but in their relation to the state they are interdependent groups, each recognizing the claims of every other. Our multiple group life is the fact we have to reckon with; unity is the aim of all our seeking. And with this unity will appear a sovereignty spontaneously and joyfully acknowledged. In true federalism, voided of division and balance, lies such sovereignty.

XXXII

POLITICAL PLURALISM (CONCLUDED)

I

HAVE spoken of the endeavor of the pluralist school to look at things as they are as one of its excellencies. But a progressive political science must also decide what it is aiming at. It is no logical argument against a sovereign state to say that we have not one at present, or that our present particularistic states are not successful. Proof of actual plural sovereignty does not constitute an argument against the ideal of unified or rather a unifying sovereignty. The question is do we want a unifying state? And if so, how can we set about getting it?

The old theory of the monistic state indeed tended to make the state absolute. The pluralists are justified in their fear of a unified state when they conceive it as a monster which has swallowed up everything within sight. It reminds one of the nursery rhyme of one's childhood:

Algy met a bear
The bear was bulgy
The bulge was Algy.

The pluralists say that the monistic state absorbs its members. (This is a word used by many writers). But the ideal unified state is not all-absorptive; it is all-inclusive—a very different matter: we are not, individual or group, to be absorbed into a whole, we are to be constituent members of the whole. I am speaking throughout of the ideal unified state, which I call a unifying state.

1 See p. 39, note.
Moral pluralism and political consensus

JOSHUA COHEN

The idea of normative consensus plays a central role in John Rawls's theory of justice. In a well-ordered society, he says, "everyone has a similar sense of justice and in this respect a well-ordered society is homogeneous." But is a consensus on fundamental norms of justice a realistic and attractive prospect for a morally pluralistic society?

Rawls says little about this question in *A Theory of Justice*. Although he is closely attentive there to the diversity of interests and of conceptions of good among citizens in a well-ordered society, he is generally inattentive to the pluralism of moral conceptions that can be expected when expressive and associative liberties are protected. As a consequence, he does not consider the possibility that this pluralism might either exclude or yield to the question by turning it into mere compromise. Moreover, since the argument in *A Theory of Justice* that justice as fairness is a realistic conception — in particular, the case for the stability of a just society — depends on the idea that a just society features a consensus on principles of justice, the inattention to moral pluralism renders the force of that argument uncertain. So justice as fairness may be, after all, unrealistic and utopian.

To address these concerns and show that the case for justice as fairness can be restated under more realistic assumptions, Rawls recently introduced the idea of an overlapping consensus and, corresponding to this idea, a condition on the acceptability of a conception of justice that I refer to as the "pluralistic consensus test." A society features an overlapping consensus on norms of justice if and only if it is a morally pluralistic society with a consensus on norms of justice in which citizens holding the different moralities that win adherents and persist over time in the society each support the consensual norms as the correct account of justice. Norms of justice satisfy the pluralistic consensus test if and only if those norms could provide the focus of an overlapping consensus in a society regulated by those norms and operating under favorable conditions. A conception of justice that would not be so supported by at least some of the moral doctrines that persist within a society regulated by it, and so could not be the focus of an overlapping consensus, fails to meet the pluralistic consensus test and is, to this extent, unreasonable.

Why unreasonable? Why (if at all) should requirements of justice be realistic? "Because ought implies can" will not do as an answer, because the question concerns justice, not what ought to be done, all things considered. Judgments about what ought to be done, all things considered, must, of course, be sensitive to all sorts of practical matters, since issues of practicality plainly are among the things to be considered. The question is what sorts of constraints on realizability are constitutive of ideal justice. And in matters of justice, realism is an uncertain good. By accepting the "demands" of realism, we may be led to build an accommodation to unhappy, grim, and even hideous facts of political life into the foundations of political justification and into fundamental principles of justice themselves.

Focusing this general concern about the demands of realism on the pluralistic consensus test, one might say that in aiming for a conception of justice that could realistically be supported by a pluralistic consensus one in fact undercuts the attraction of the conception that results. Consider the following elaboration of this objection:

The pluralistic consensus test asks us to evaluate a conception of justice in part by asking whether we can realistically expect the conception to be supported as the correct account of justice by the diverse moralities in a well-ordered society. But why should we be concerned with such support? In fact, requiring it forces an accommodation to power at the foundations of a theory of justice — to the power of those who believe the false and spurn the good. Accommodation to power is commonly prudent and often recommended by our all-things-considered judgments about the application of moral ideals to the facts of life. We give money to the thief who threatens our life; we let the rich get richer if that is what's needed to get them to invest; we pay the lion's share of the surplus to the greedy if that is necessary to motivate them to use their talents for the common good (at least in the first case we don't call it "justice"). And we often frame our political arguments and proposals to win broad acceptance, if that is what we must do to keep those who don't believe the true and love the good from making life worse for those of us who do. But adjustments designed to build support do not define ideal justice. To suppose otherwise would be to permit the facts of power to fix the content of the fundamental requirements of justice, thus undercutting their attraction as basic requirements.Philosophers, above all, should resist the confusion of justice with accommodation and a moral ideal with a consensus on principles that accommodate the power of thieves, pirates, and benighted souls. Because if philosophers are not good for that, then just what are they good for?
Responding to this objection, Rawls argues that consensus on justice is both a realistic and an attractive prospect for a morally pluralistic society, and that subjecting conceptions of justice to the pluralistic consensus test is not tantamount to substituting mere compromise for genuine moral consensus and through that substitution advancing an account of justice that is “political in the wrong way” (p. 234). 8

I agree with Rawls’s main contentions, and my aim here is to explore the problem itself, to discuss some surrounding issues, and to clarify the grounds of agreement. After some initial points of clarification, I offer a generic statement of the problem of moral consensus and pluralism. Then I discuss some historical background, linking the problem of pluralism, realism, and moral consensus to a line of argument extending from Rousseau through Hegel to Marx. Next I discuss and criticize one source of concern about imposing constraints of realism and in particular the pluralistic consensus test on a conception of justice — that the constraint of realism undermines a substantively egalitarian conception of justice. Although this discussion does not address the concern about pluralism and realism in its most generic form, I include it because I suspect that the energy surrounding the debate about pluralism and political consensus derives importantly from alleged implications of the debate for matters of equality. Finally, I argue in more general terms that the pluralistic consensus condition does not fail prey to the objection I have sketched here. The argument turns on understanding what Rawls calls “the fact of pluralism” (p. 235) in a certain way. In particular, I distinguish the fact of pluralism from the fact of reasonable pluralism and, drawing on this distinction, I suggest that in aiming to find a conception of justice that meets the pluralistic consensus test, we are not simply adjusting ideals to the facts of life and to moral pluralism as one such fact. Instead we are acknowledging the scope of practical reason. Put otherwise, in aiming to find a conception of justice that meets the pluralistic consensus test we are not accommodating justice to an unfavorable condition of human life, since, as the idea of reasonable pluralism shows, we ought not to count moral pluralism itself among the unfavorable conditions.

The place of consensus

Before getting to these issues, I need to clarify one remark I made earlier. I said that a conception of justice that fails to meet the pluralistic consensus test is, to this extent, unreasonable. The phrase “to this extent” is meant to indicate the place of the pluralistic consensus test in an account of justice and in particular its role in the two-stage strategy of argument that Rawls sketches in “The Domain of the Political.”

Rawls emphasizes that the idea of an overlapping consensus and the pluralistic consensus test come into play at the second stage of a two-part argument for a conception of justice. The aim of the first stage is, roughly, to show that the content of a conception is attractive — that it organizes a set of fundamental political values in a plausible way. The aim of the second stage is to determine whether a conception of justice that is in other respects attractive is also realistic — in particular, that it is stable. Showing that it is stable consists in part in showing that it satisfies the pluralistic consensus test: that different people, brought up within and attracted to different traditions of moral thought might each affirm the conception as the correct account of justice.

But how, more precisely, are we to understand the relationship between the results of the first stage and the argument at the second? What would follow if there were problems at the second stage? Three possibilities suggest themselves: (1) It is necessary that the correct account of justice satisfy the pluralistic consensus test; (2) satisfying the test is not necessary though it does provide some support for a conception of justice; or (3) satisfying the test is a desideratum that has no bearing on the correctness of an account of justice. In case (3), the pluralistic consensus test might be interpreted as a condition on the all-things-considered reasonableness of a conception of justice or perhaps as a test of the legitimacy of the exercise of state power, not as a condition on the justice of the institutions through which that power is exercised. On this interpretation if the best understanding of justice failed to satisfy the pluralistic consensus test even under favorable conditions, we ought to conclude that there is an unhappy divergence between justice and legitimacy — that even under the best conditions we can realistically hope for it will be illegitimate to secure justice — but not that we should revise our conception of justice.

Interpretation (3) may be suggested by Rawls’s emphasis (p. 234) on the importance of separating the two stages of argument, and so distinguishing questions of justice from issues about the course of the world. But it is, in fact, ruled out by the description of the conclusions of the first stage as “provisionally on hand” (p. 246) and the remark that the argument is “not complete” until the case for stability has been presented (p. 245, n. 27). I am not sure which of the other two views Rawls means to endorse. But for the purposes of this essay, I will assume that (2) is right, that satisfying the pluralistic consensus condition does count in favor of the correctness of a conception of justice, and that while
failure to meet it is not a sufficient reason for rejecting a conception, it would provide some reason to modify a view to bring it into conformity with that test.

**Consensus and moral pluralism**

Pluralism takes a variety of forms, and so there are correspondingly a variety of ways that it might raise troubles for consensus and social unity. To state the specific problem of pluralism and consensus that I will be considering here, I first need to fix some terminology. Following Rawls, then, I will say that a “well-ordered society” is a society in which it is common knowledge that the members share an understanding of justice and a willingness to act on that understanding. A well-ordered society, that is, features a restricted but important moral consensus. The moral consensus is restricted in that it extends only to certain basic constitutional values and principles and norms of distributive justice, and not to all aspects of the conduct of life. Despite this limitation, the consensus that defines a well-ordered society is a genuinely moral consensus. For the norms and ideals on which there is consensus play a reason-giving and authoritative role in the deliberation and choices of individual citizens.9

At the same time, a well-ordered society may be morally pluralistic in that members may have conflicting views about the fundamental norms and ideals that ought to guide conduct in life more generally. In a morally pluralistic society, the members hold different theories about what is valuable and worth doing. Thus understood, moral pluralism is to be distinguished both from cultural pluralism – the existence of groups of people within a single society who share distinct histories and ways of life, and a common identity as members of a group – and from organizational pluralism – the existence of a plurality of organized groups pursuing distinctive interests or ideals. These forms of pluralism are distinct phenomena, and less plausibly understood as a matter of people holding different theories. So the discussion here of moral pluralism and consensus is limited and does not naturally translate into an account of consensus and either cultural or organizational pluralism.

Moving now from terminology to substance: a moral consensus on political fundamentals is a fundamental good for at least three reasons. First, for any conception of justice, the likelihood that social order will stably conform to the conception is increased by the existence of a moral consensus on it.10

Second, the existence of a moral consensus supports a variety of specific values of considerable importance. It increases social trust and harmony, supports social peace, reduces the complexity of decision making, encourages a willingness to cooperate and so reduces the costs of monitoring and enforcement, and – assuming the consensus is reflected in public debate and decisions – reduces alienation from public choices because citizens embrace the norms and ideals that guide those choices.

Third, a consensus on norms of justice provides a way to reconcile the ideal of an association whose members are self-governing with an acknowledgment of the central role of social and political arrangements in shaping the self-conceptions of citizens, constraining their actions, channeling their choices, and determining the outcomes of those choices.11 For when a consensus on norms and values underlies and explains collective decisions, citizens whose lives are governed by those decisions might nonetheless be said to be self-governing because each endorses the considerations that produce the decisions as genuinely moral reasons and affirms their implementation.12

But not just any consensus is attractive, as is indicated by reflection on these reasons themselves. If, for example, a moral consensus is attractive because it provides a way to make the idea of free association consistent with the unavoidable chains of political connection, then the consensus must be a free moral consensus and not simply a form of enforced homogeneity. A free consensus is a consensus arrived at under conditions that ensure the possibility of individual reflection and public deliberation – conditions in which, for instance, expressive and associative liberties are protected.

It is at just this point that a minimal condition of realism appears to undermine either the possibility of consensus or at least its attractions as an ideal. For the assurance of expressive and associative liberties – an assurance that is necessary if the consensus is to be free and attractive – will also produce moral, religious, and philosophical pluralism.13 But can a genuine moral consensus survive this “fact of pluralism” (p. 235)? Or does an insistence on consensus under conditions of pluralism in effect turn political philosophy into a search for a political compromise among people who disagree?

**Historical excursus**

These concerns about the pluralistic consensus condition ought to have a familiar ring. Earlier I mentioned the problem of reconciling self-government with the chains of political connection. Rousseau identified this problem, and thought it could be solved if social order were regulated by a consensual understanding of the common good – a “general
will.” Rousseau’s solution is commonly rejected on the ground that it is inattentive to differences among people and to the diversity of human interests and ideals. In the face of that diversity, according to the objection, consensus on the common good can only be achieved through the unattractive combination of a sectarian conception of virtue and those who do not share that conception, enforced subordination and homogeneity in the name of freedom.

Hegel’s response to Rousseau was more complex. He agreed that freedom could be reconciled with the chains of political connection, and applauded the notion of a general will as the way to achieve that reconciliation. But he also appreciated the force of the critique of Rousseau that I just sketched. His conclusion was that it was necessary to reformulate the classical idea of a political community organized around a moral consensus in light of the modern distinction between the unity of political society and the diversity of civil society. This distinction shapes Hegel’s own political conception in three important ways:

1. He endorsed a fundamental distinction between civic diversity and political unity, associating that distinction with the differentiation between two spheres of social life. While the civil sphere would feature a diversity of aims and ideals and a range of individual and group activism organized around those aims and ideals, the political sphere would be organized around a set of values that both claim authority over individual concerns and are alleged to lie within the diverse aspirations of civil life and to provide their common ground.

2. His distinction between political unity and civic diversity is associated with an acceptance of substantially egalitarian forms of civic diversity, as though an acceptance of that distinction and of a social sphere in which people pursue diverse aims itself brings egalitarian implications in its wake.

3. Concerned to affirm the unity of the state in the face of the tendencies to social fragmentation that might follow from civic diversity, he defended a strong, highly centralized, executive-dominated constitutional monarchy, featuring a corporatist form of representation and special political rights for the landed class.

At least since Marx, critics of Hegel have objected that some or all of these gestures at reinterpreting the ideal of political unity in the face of civic diversity represent unwanted accommodations to de facto power in the formulation of basic political ideals. Marx, for example, objected to all three. Putting Hegel’s favored form of state to the side, these allegations of “accommodation” raise two questions that are relevant for our purposes here.

First, does the reformulation of the ideal of consensual political unity with an eye to respecting the diversity of civil society itself represent an objectionable accommodation? Do we find unacceptable accommodation in Hegel’s reformulation of the ideal of political society to accommodate the diversity of aspirations characteristic of civil society or in Rawls’s broadly parallel idea that a reasonable conception of justice should be supportable by an overlapping consensus?

Second, does the affirmation of moral diversity lead to an accommodation of social and economic privilege? A Theory of Justice defended an egalitarian liberalism that departed from Hegel’s accommodation to inegalitarian forms of civic diversity. Does this egalitarianism survive the gesture at realism reflected in the pluralistic consensus condition? Put otherwise: The pluralistic consensus condition presumably restricts the content of norms of justice in some way. More demanding norms are less plausibly the object of agreement than less demanding norms. So does the importance of accommodating moral diversity lead to a thinner conception of justice that lacks the critical egalitarian dimension of Rawls’s earlier position?

Because an affirmative answer to the second question would fuel an affirmative answer to the first, I will begin with diversity and equality.

The case of equality

A number of commentators on Rawls’s recent work have noted that the many reformulations of his views about political justification have not yet been matched by similar revisions in the substance of the theory. My impression is that lots of people now think that Rawls’s recent discussions of political justification – with their emphasis on the importance of realism, on the practical nature of political philosophy, and on the associated idea of an overlapping consensus – do require a shift in the substance of his theory of justice, and in particular a shift in an inegalitarian direction.

The reasoning goes something like this: “Rawls recognizes the utopianism of his earlier conception of a well-ordered society. So he now recommends that political justification proceed by identifying the common ground among the diverse moralities and conceptions of justice in our own society. But if we follow that recommendation, we will certainly not find support for the specifically egalitarian aspects of Theory of Justice, since there is (to put it mildly) considerable contemporary controversy about egalitarian political views.”

This account of the idea of an overlapping consensus, with its emphasis on locating common ground among current political views, is mis-
taken in several ways. Once we see where it goes wrong we shall see as well that the concern for realism expressed in the pluralistic consensus test has none of the alleged implications. To make this case, I will begin with a sketch of the egalitarian content of the theory and the strategy of argument for it, and then proceed to a discussion of the objection.

The egalitarian content of *A Theory of Justice* is encapsulated in three requirements: the fair value of political liberty, fair equality of opportunity, and the maximin criterion of distributive equity. These three conditions, which are meant to sever the distribution of advantage from social background and natural difference, represent substantively egalitarian interpretations of more formal and less controversial norms of equal liberty, equal opportunity, and the common good. A contention common to egalitarian liberal political conceptions generally, and advanced in *A Theory of Justice* in particular, is that we are led to these substantively egalitarian interpretations by considering the justification of the more formal and less controversial political norms.

The basic strategy of argument for this contention is familiar, and proceeds by *bootstrapping*. Thus, associated with the more formal requirements of equal liberties and assurances of opportunity is a conception of the properties of human beings that are important for the purposes of political justification. That conception of persons supposes that the relevant features are not race, color, cultural creed, sex, religion, and the like. The relevant features are certain potentialities (moral powers) – for example, the capacity to govern one’s conduct and to revise one’s aspirations – rather than the determinate form in which those potentialities are realized. The rationale for the protection of liberties and formal opportunity, for example, lies in part in the importance of assuring favorable conditions for the realization of the basic potentialities. But – and here is the where the bootstrapping comes in – once we acknowledge the need for favorable conditions for realizing the basic potentialities, we are naturally led from the more formal to the more substantively egalitarian requirements since the latter more fully elaborate the range of favorable conditions.

With this quick sketch as background, I can now state more precisely the concern already noted about the idea of an overlapping consensus. The intuitive objection was that the need to confine fundamental political justification to considerations that lie on common ground would undercut the egalitarian components and result in an unacceptable accommodation to power in the formulation of principles. Is this right? Does the requirement of proceeding on common ground deprive us of the argumentative resources necessary for the bootstrapping argument for an egalitarian form of liberalism?

**Common ground**

To see why the answer is no, it is important to note first that the bootstrap argument for the egalitarian view is itself meant to proceed on common ground shared by different moral conceptions in a well-ordered society governed by it. That may seem puzzling, since the conception of potentialities as morally fundamental may strike some as peculiarly Kantian. But the contention of the argument (which I am not evaluating here) is that those ideas will seem attractive for the purposes of political argument to anyone who considers how best to defend the liberties, formal norms of equal opportunity, and the requirement that public powers be exercised for the common good.

Noting this draws attention to a first feature of the notion of an overlapping consensus that is important in assessing the objection. What lies in the intersection of different moral conceptions is not simply a set of policies or a system of norms within which political conflict and competition proceed. Nor is it simply a determinate set of moral principles. Instead, the consensus extends to a view of persons, of the importance of fairness and other political values, of what counts as an advantage, and of which practices are paradigmatically evil (e.g., slavery, religious intolerance, and racial discrimination). In short, what lies at the intersection of different views is a (restricted) terrain on which moral and political argument can be conducted, and not simply a fixed and determinate set of substantive points of political agreement.

To show, then, that an egalitarian conception of justice meets the pluralistic consensus test, one needs to show that the bootstrap argument succeeds and that the terrain on which that argument proceeds could itself be the focus of an overlapping consensus in a society governed by it. One need not deny the obvious fact of disagreement on egalitarian political ideals or the only slightly less obvious fact that such disagreement is likely to persist even under favorable conditions.

**Contemporary support**

When the case for an egalitarian conception of justice is understood as a bootstrap argument and the common ground is understood in the way that I just sketched, it is not so obvious that an appeal to a wide range of *contemporary* political views will fail to support the substantively egalitarian aspects of the conception. For we do not require de facto agreement on substantively egalitarian norms, but only that the reasoning supporting those norms proceed on common ground. That is, we require that the egalitarian features represent a reasonable extension of
what people do agree to – that they "extend the range of some existing consensus" by bringing the best justification of certain fundamental points of agreement to bear on unsettled and controversial matters. That contention is not so implausible, because – as I noted earlier – the bootstrap argument for the egalitarian ideals proceeds principally by reference to points of agreement about the value of the liberties and certain formal requirements of equality.

Role of overlapping consensus

While the contention that the resources for defending an egalitarian political conception are implicit in current understandings may not, then, be entirely implausible, it should not be identified with the thesis that an egalitarian liberal political conception can meet the pluralistic consensus test. That test does not require that we rummage through the political culture searching for underlying points of agreement among the views expressed in it. Rummaging may serve an important function, and I will say a word about it below. But the pluralistic consensus test does not itself command a search for de facto points of agreement at all, and so the failure to find any would not undercut the force of an egalitarian conception of justice.

Instead it formulates a test on the reasonableness of a political conception that is in other respects attractive. The test is this: Consider a proposed conception of justice in operation, and then consider whether the principles, ideals, and terms of argument that figure in it provide moral reasons within the views that could be expected to arise among those who live in a society governed by it. Bringing this to bear on the issue of egalitarian liberalism, then, we are to imagine a society regulated by such a conception and existing across several generations. In such a society, we can reasonably expect moral diversity. We also can expect widespread agreement on the fundamental value of the liberties and on at least formal understandings of equality. But then, if there is such agreement and if the bootstrap argument has any force, the diverse moral understandings would each still have the resources necessary for supporting the substantively egalitarian conception as the correct conception of justice.

I have, of course, not tried to defend the bootstrap argument here. Instead, I have only argued that the pluralistic consensus test does not undercut the force (whatever its magnitude may be) of that argument. The acknowledgment of diversity underscored by the notion of an overlapping consensus does not undercut the critique of privilege contained in the egalitarian aspects of egalitarian liberalism.

Contemporary support, again

I have been emphasizing that the pluralistic consensus test does not itself require a search for implicit points of agreement in current moral views. Nonetheless the existence of such points might have a certain indirect relevance to justification. For, given that the deliberative liberties now receive some protection, it seems implausible to suppose that the full range of existing moral views simply represent accommodations to current and historical injustices, and would not continue to have some hold under just conditions. So it would be surprising if we could not already find the resources available in current moral understandings for defending a view of justice that we would also be able to defend under more favorable conditions. And if the pluralistic consensus test is acceptable, then there is also some rationale for taking current points of agreement seriously.

But it must be emphasized that when we understand the rationale for an examination of current points of agreement this way, we are not letting anything about justification turn on the mere fact of current consensus. In fact, it is never the case – not in the sense to current understandings of value, and not in the requirement of overlapping consensus – that de facto agreement itself plays a role in justification.

With this last point I have begun to tread on the issues of the next section and so shall move directly to them.

Realism and reason

Now we come to the first of the issues about accommodation that I noted earlier: Does the pluralistic consensus test represent an unwanted accommodation to power? I begin my discussion of this question with some distinctions that will play an essential role in my (negative) answer.

Reasonable pluralism

Rawls refers to the fact that the deliberative liberties produce diversity as "the fact of pluralism." I think that this terminology may be misleading because "fact" puts the emphasis in the wrong place. To explain why, I need first to introduce the idea of reasonable pluralism.

The idea of reasonable pluralism is that there are distinct understandings of value, each of which is fully reasonable (pp. 235–8). An understanding of value is fully reasonable just in case its adherents are stably disposed to affirm it as they acquire new information and subject it to
critical reflection.\textsuperscript{27} The contention that there are a plurality of such understandings is suggested by the absence of convergence in reflection on issues of value, which leaves disagreements, for example, about the value of choice, welfare, and self-actualization; about the value of contemplative and practical lives; about the value of devotions to friends and lovers as distinct from more diffuse concerns about abstract others; and about the values of poetic expression and political engagement.

What we ought to suppose about the truth of our beliefs about any subject matter, evaluative or otherwise, in the face of such an apparently "irresoluble rivalry" of reasonable alternative views is an open philosophical question.\textsuperscript{28} But among the rationally acceptable answers to this question is that it is permissible, even with full awareness of the fact of reflective divergence, to take the sectarian route of affirming one's own view, that is, believing it as a matter of faith. And since believing is believing true, a rationally permissible (though not mandatory) response to an apparently irresoluble rivalry of evaluative conceptions is to affirm that one's own view contains the whole truth, while the truths in other views are simply the subsets of those views that intersect with one's own. This being one of the options, and the option that creates the most trouble for the pluralistic consensus test, I will frame the rest of my discussion so that it is consistent with it.

These remarks about reasonable pluralism suggest two different ways to understand the fact of pluralism:

\textit{The simple fact of pluralism:} The protection of the deliberative liberties will result in moral pluralism.

\textit{The fact of reasonable pluralism:} The protection of the deliberative liberties will result in moral pluralism, and some of the moral conceptions will fall within the set of fully reasonable conceptions.

The reasonable pluralism interpretation does make a factual claim. The asserted fact, however, is not simply that the protection of deliberative liberties will result in a plurality of conceptions of value but, further, that a number of those conceptions will be reasonable, and permissibly taken by their adherents to be true.

\textit{The reasonable pluralism explanation}

Consider now a conception of justice that we wish to subject to the pluralistic consensus test. We imagine a society regulated by that conception and in which the condition of reasonable pluralism obtains. The pluralistic consensus test requires that the values and principles used to authorize the exercise of power by the state must be restricted to those that are compelling to the different reasonable moral views adhered to in the society. Consider some people - call them "us" (or "we") - who hold one such view, and think that others believe what is false about the domain of value. Should we think that the pluralistic consensus test, which prevents us from relying on the whole truth in authorizing the use of power, is simply an accommodation to the de facto power of those others? It depends, and what it depends on is clarified by the distinction between simple and reasonable pluralism.

Suppose that we are impressed by the lack of reflective convergence in understandings of value, that we acknowledge the idea of reasonable pluralism, and at the same time embrace (not unreasonably) the sectarian view that our moral views are true. Because these are consistent positions, our sectarianism does not require that we condemn as unreasonable everyone who believes what we take to be false. And this provides a rationale for formulating a conception of justice that is confined to considerations that they take to be moral reasons as well.

In particular, when we restrict ourselves in political argument to the subset of moral considerations that others who have reasonable views accept as well, we are doing three things. First, we are advancing considerations that we take to be genuine moral reasons; the adherents of each of the views that supports the overlapping consensus hold that \textit{nothing but the truth} lies in the overlapping consensus.

Second, in restricting ourselves to a subset of the true moral reasons - appealing to nothing but the truth, though not to the whole truth - we are not simply acknowledging that those who believe the false and spurn the good have the power to make their voices heard, or to make our lives miserable if we fail to heed those voices. Instead, we are acknowledging that their views are not unreasonable, even if they do believe what is false. In short, we are moved not by their power, but by an acknowledgment that they are reasonable.

Third, we are taking cognizance of a peculiarity in insisting on the whole (sectarian) truth in the face of our acknowledgment of the idea of reasonable pluralism. For suppose we acknowledge it, and affirm the divergence of moralities under reflection. Then we must see that if we were to appeal to the whole truth, that appeal would be, from the standpoint of others who we take to be reasonable, indistinguishable from simply appealing to what we believe. But we already acknowledge that the mere appeal to what we believe carries no force in justification.\textsuperscript{29}

Suppose, for example, we believe that welfare is the sole ultimate good, and we understand that view to imply that choice is not an independent final value. In the course of political argument, we affirm:
It is true that welfare is the sole ultimate good." Now others ought not to suppose that what we mean is equally well captured by "We believe that welfare is the sole ultimate good." The indistinguishability at issue is not semantical. The point, rather, is that if others accept the idea of reasonable pluralism, then they notice what we also notice, namely, that what lies between our taking our views to be reasonable (about which there may be no disagreement) and our taking them to be true (about which there is disagreement) is not a further reason, but simply our (rationally permissible) belief in those views. Because there is nothing else that lies in between, an appeal to the whole truth will seem indistinguishable from an appeal to what we believe.

The simple-fact explanation

Following the reasonable pluralism interpretation, then, when we restrict ourselves to common ground in face of the fact of diversity, we are acknowledging that reason does not mandate a single moral view and then are refraining from imposing ourselves on others who are prepared to be reasonable. This account of whom we need to accommodate turns on our willingness to acknowledge that some people with whom we fundamentally disagree are not unreasonable. That is why we are not simply accommodating principles to power when we are concerned to ensure that the conception of justice is acceptable to them as well. This explanation of the pluralistic consensus test might be clarified by contrasting it with another explanation, which is suggested by some of Rawls's remarks, but which is not persuasive.

As I indicated at the outset, Rawls emphasizes the importance of realism in the formulation of reasonable ideals. And he suggests that when we confine ourselves to considerations that are reasons for others as well, we are simply adjusting to certain general facts about the social world. Here the emphasis is on the need to be realistic, to find common ground because disagreement is a basic fact of life under free conditions.

To see why this explanation of the need to accommodate diversity is not right, notice that it is a plausible general fact that there will always be people with unreasonable views. But the fact that there are some people with unreasonable views does not require that we adjust our conception of justice so that it can be supported by an overlapping consensus that will appeal to them. While we need to take the fact of disagreement into account in some way in deciding what to do, the pluralistic consensus condition is certainly not the only way to do that and is not mandated by the recognition that there are and will always be such people. Furthermore, if we did embrace the requirement that a conception of justice be able to bring everyone on board - that it restrict itself to reasons embraced by all understandings of value - then it is hard to see what the response would be to the objection that the requirement of an overlapping consensus simply forces an accommodation to power.

The problem with this explanation is that it makes too much of the de facto diversity highlighted in the simple-fact interpretation. The first explanation - which draws essentially on the idea of reasonable pluralism - does not deny the relevance of the fact that under conditions of deliberative liberty there will be diversity. But the response to that fact is not undiscriminating, and in particular is controlled by the distinction between reasonable and unreasonable understandings of value.

Ensuring that a conception of justice fits the fact of diversity under conditions of deliberative liberty is not, then, an unacceptable accommodation to power. But the reason that it is acceptable is not because diversity is a fact of life, as the simple-fact interpretation of pluralism states, and because adjustment to general and unalterable facts of social life is always to be distinguished from accommodation to power. Instead, that adjustment is reasonable because some forms of diversity are the natural consequence of the free exercise of practical reason. Once we agree that they are, we will not be inclined to count moral diversity among the unfavorable facts of human life, nor to confuse a concern to find a conception of justice consistent with it with a willingness to compromise justice in the face of the course of the world.

Exclusion

Answering the charge of unwarranted accommodation, then, commits us to the view that we need not accommodate the unreasonable. Indeed, given the explanation for this view, if we did accommodate the unreasonable in the formulation of fundamental principles, then we would be unacceptably adjusting principles to de facto power.

But this brings me to a different concern about power and political consensus: that the promise of consensus is associated with the practice of arbitrary exclusion. In view of the problem of securing general agreement on anything, claims to speak on behalf of all of the reasonable depend, it will be argued, on drawing arbitrary boundaries around the community of the reasonable. So the charge is that any appeal to the ideal of consensus in fact rests on the power to exclude, exercised in this case through the pretense of discovering that some people are unreasonable.

In the case at hand, the exclusion is of a special kind. It does not amount to a deprivation of liberties or of what are conventionally
understood to be the advantages of social cooperation. Instead, exclusion lies in the fact that the arguments used to justify the exercise of power depend on norms, values, and ideals that are rejected by some people whose views will as a consequence not belong to an overlapping consensus. Although this does not violate the ideal of consensus, which requires that justification proceed by reference to reasons located on the common ground occupied by all who are prepared to listen to reason, it is exclusion all the same. And it is of a troublesome form. Its implication is that some people will reject the values, ideals, principles, and norms that serve, at the most fundamental level, to justify the exercise of power over them.

These are extremely important and complicated matters, not least because the charge of unreasonableness is commonly a ponderous way to express simple disagreement, or, in the distinctively American political idiom, a thinly disguised signal that one’s opponents are poor, or female, or black. But as important as these issues are, I must be very brief here, and intend my comments only as a way to mark out certain issues for further examination and to introduce some doubts about the alleged arbitrariness of characterizations of views as unreasonable.

Consider, then, some views that might end up being excluded in this way, in particular those that would deny the protection of liberties on the basis of the doctrine that “outside the church there is no salvation.” Rawls discusses this case, and states that it is “unreasonable” to use public powers to enforce this doctrine. I agree. But it is important to distinguish two ways that such enforcement might be unreasonable. Distinguishing them will help illustrate what is involved in exclusion on the grounds of unreasonableness.

The first case is presented by a “rationalist fundamentalist.” This is the person who denies the idea of reasonable pluralism, affirming instead that it lies within the competence of reason to know that salvation is the supreme value, that there is a single path to salvation, that there is no salvation among the damned, and therefore that liberty of conscience is to be condemned. This is not a common view, if only because it claims for reason territory usually reserved for faith. But if someone were to advance it, then one ought to say that they are simply mistaken. Even if these views are all rationally permissible, reason surely does not mandate them, and in insisting that it does they are not acknowledging the facts.

This response will not do in the second case. These are the nonrationalist fundamentalists who accept the limited competence of reason, but deny that reason is controlling in the authorization to use power. By contrast with the rationalist fundamentalists, they agree that an appre-

Conclusions

I noted earlier that the problems addressed in Rawls’s essay – the reasonableness of the ideal of a consensual order and of the pluralistic consensus condition – echo a set of concerns familiar from Hegel’s political philosophy and critical discussion of it. Returning now to these concerns, what conclusions about them can we draw from the discussion here?

First, in A Theory of Justice Rawls proposed a formulation of the distinction between political and civil society and a conception of justice that was meant to accommodate that distinction without carrying the egalitarian implications that some have thought intrinsic to it. Whatever the merits of that earlier defense of egalitarian liberalism, the pluralistic consensus condition does nothing to weaken it.

Second, Hegel thought that an account of the ideal of a consensual polity suited to modern conditions needed to accommodate the diversity of values and attachments characteristic of civil society. While Hegel emphasized that the universal–particular distinction and its institutionalization in the separation of civil and political spheres is a distinguishing feature of modern societies, he did not suppose it to be simply a brute fact about post-Reformation Europe. Instead, his rationalism led him to suppose that this peculiarity represented a historically situated discovery
about the operation of practical reason. In accommodating the diverse institutionalized in civil society, then, political philosophy was not simply accommodating the bare fact that people differ in aims and aspirations. Instead, it was acknowledging the diverse prompting of practical reason itself, even as it sought to find within that diversity the seeds of the set of common values underlying political society. In short, some form of civil-political society distinction is an unavoidable aspect of any attractive ideal, once we see the scope and competence of practical reason. In a Hegelian Doppelsatz: We need to accommodate the ideal to the real because the real manifests the ideal.

Rawls's talk about the fact of pluralism, the role of the Reformation in prompting acknowledgment of that fact, and the need for an overlapping consensus can be taken in this same spirit. If we accept the idea of reasonable pluralism, then moral diversity is not simply a bare fact, even a bare general fact about human nature, but, rather, indicates something about the operation and powers of practical reason. With this account of diversity, we have a response to the contention that accommodating different understandings of value in the formulation of basic moral principles for the political domain is tantamount to supposing that justice commands that we turn our money over to thieves. The response is that we are accommodating basic principles not to the reality of power but, rather, to the way that social reality reveals the powers of practical reason.\textsuperscript{34}

\textbf{Notes}


3 Rawls is concerned with forms of diversity that extend beyond the domain of morality, for example, to religious and philosophical matters. Nothing turns on the limitation that I adopt here.

4 The ideal of consensus may, of course, be unrealistic in other ways as well.

5 I return to the issue of favorable conditions later.

6 I explain the point of the phrase “to this extent” later.

7 The objection extrapolates on some points made by Jerry Cohen in a conversation about Rawls's difference principle.

8 All references to “The Domain of the Political” are included parenthetically within the text. Page numbers refer to the \textit{New York University Law Review} edition cited in note 1.

9 I identify moral reasons by their functional role in individual deliberation and choice, not their content. There may be content restrictions as well, but I think that the functional role characterization captures a central aspect of ordinary usage and in any case suffices for my purposes here.

10 See Rawls’s “third general fact,” p. 235.


12 We also need to add that everyone believes with good reason that the decisions express the values.

13 This is what Rawls calls the “first general fact.” See pp. 234–5.


15 See \textit{Philosophy of Right}, paragraph 261, where Hegel says that the state is both an “external necessity” with respect to the family and civil society, and “the end immanent within them.”

16 Hegel did acknowledge the need to regulate property in the name of the general welfare, and to avoid certain extreme cases of poverty (see \textit{Philosophy of Right}, paragraphs 234–48). But his view does not appear to counterbalance the regulation of economic activity with an eye to ensuring that the final distribution of resources is not determined by differences of social background and natural ability.


18 This impression was confirmed by conversations at the conference at which I presented the first draft of these comments. See also the concerns about the “abstraction, vagueness, and conservativism” of Rawls’s later work expressed in Thomas Pogge’s \textit{Realizing Rawls} (Ithaca, N.Y.: Cornell University Press, 1989), p. 4.


21 The attribution to Kant in particular of the idea that abstract human potentialities are morally fundamental is also off the mark historically. That idea plays a central role in Rousseau’s view, and is also suggested in Locke’s theory of natural law. The variations on this general theme are complex, as is the evolution of the idea; fortunately these details are not relevant here.

22 Robert Dahl, for example, emphasizes the importance of “underlying consensus on policy” and on the basic rules of political competition in \textit{A Preface...
25 One reason for referring to a fact of pluralism is to distinguish the view that we need to accommodate the diversity of values that follows on the protection of the liberties from the view that that diversity should be accommodated because it is a good thing in itself. Nothing that I say is meant to challenge the propriety of this usage.
26 My discussion of reasonable pluralism is in agreement with Rawls’s account of the “burdens of reason” (pp. 235–8). The point of the discussion is largely to indicate the special importance of those burdens, as distinct from the other general facts that Rawls discusses (pp. 234–5), in explaining the pluralistic consensus test and in responding to objections to it.
27 I take this formulation from Mark Johnston.
28 See, for example, W.V.O. Quine, Pursuit of Truth (Cambridge, Mass.: Harvard University Press, 1990), pp. 98–101, from whom I take the phrase “irresoluble rivalry,” and the term “separatist” as it is used in the next sentence.
29 For elaboration of this point, see Thomas Nagel, “Moral Conflict and Political Legitimacy,” Philosophy and Public Affairs 16, no. 3 (Summer 1987): 215–40. Joseph Raz has criticized Nagel’s point, suggesting that it rests on an untenable distinction between the position of the speaker who advances a justification, and the listener to whom it is addressed. See his “Facing Diversity: The Case of Epistemic Abstinence,” Philosophy and Public Affairs 19, no. 1 (Winter 1990): 37–9. I am not persuaded by Raz’s contention. He is right that the positions of speaker and listener are parallel. But taking up the point of view of the person to whom a justification is addressed is simply a heuristic for understanding the limited force of an argument that appeals to the whole truth. So far from undermining Nagel’s point, the parallelism is essential to drawing the right conclusions from the use of the heuristic.
30 I am indebted to Uday Mehta for many discussions of these issues. For discussion of a variety of different strategies of exclusion, see his “Liberal Strategies of Exclusion,” Politics and Society 18, no. 4 (December 1990): 427–54.
31 It is an analog to “creation science,” operating in the domain of salvation. The proper response is the same in both cases.
32 I am not confident that Hegel held the view I attribute to him in this paragraph. It does fit with and make sense out of various pieces of his view, including his account of the relationship between civil society and the state, his conception of the role of reason in history, and his views about the rationality of modern social arrangements. But he does not state it anywhere in the way that I put it here. If I am wrong in thinking that he held it, nothing else in the article would need to change.
33 See Philosophy of Right, paragraph 261.
34 I thank Michael Hardimon, John Rawls, Tim Scanlon, and Judith Thomson for very helpful comments on earlier drafts of this essay.
The idea of democracy

Edited by

DAVID COPP, JEAN HAMPTON, and JOHN E. ROEMER
The idea of public reason, as I understand it, belongs to a conception of a well-ordered constitutional democratic society. The form and content of this reason—the way it is understood by citizens and how it interprets their political relationship—are part of the idea of democracy itself. This is because a basic feature of democracy is the fact of reasonable pluralism—the fact that a plurality of conflicting reasonable comprehensive doctrines, religious, philosophical, and moral, is the normal result of its culture of free institutions.

1. See my book Political Liberalism (New York: Columbia University Press, paperback edition, 1996), lecture VI, sec. 8.5. References to Political Liberalism are given by lecture and section; page numbers are also provided unless the reference refers to an entire lecture, section, or subsection. Note that the 1996 paperback edition of Political Liberalism contains a new second introduction which, among other things, tries to make clearer certain aspects of political liberalism. Section 5 of this introduction, on pp. I-lvii, discusses the idea of public reason and sketches several changes I now make in affirming this idea. These are all followed and elaborated in what is presented here and are important to a complete understanding of the argument. Note also that the pagination of the paperback edition is the same as in the original.

2. I shall use the term "doctrine" for comprehensive views of all kinds and the term "conception" for a political conception and its component parts, such as the conception of the person as citizen. The term "idea" is used as a general term and may refer to either as the context determines.

3. Of course, every society also contains numerous unreasonable doctrines. Yet in this essay I am concerned with an ideal normative conception of democratic government, that is, with the conduct of its reasonable citizens and the principles they follow, assuming them to be dominant and controlling. How far unreasonable doctrines are active and tolerated is to be determined by the principles of justice and the kinds of actions they permit. See Section 7.2.
Citizens realize that they cannot reach agreement or even approach mutual understanding on the basis of their irreconcilable comprehensive doctrines. In view of this, they need to consider what kinds of reasons they may reasonably give one another when fundamental political questions are at stake. I propose that in public reason comprehensive doctrines of truth or right be replaced by an idea of the politically reasonable addressed to citizens as citizens.4

Central to the idea of public reason is that it neither criticizes nor attacks any comprehensive doctrine, religious or nonreligious, except insofar as that doctrine is incompatible with the essentials of public reason and a democratic polity. The basic requirement is that a reasonable doctrine accepts a constitutional democratic regime and its companion idea of legitimate law. While democratic societies will differ in the specific doctrines that are influential and active within them—as they differ in the western democracies of Europe, the United States, Israel, and India—finding a suitable idea of public reason is a concern that faces them all.

1. The Idea of Public Reason

1. The idea of public reason specifies at the deepest level the basic moral and political values that are to determine a constitutional democratic government's relation to its citizens and their relation to one another. In short, it concerns how the political relation is to be understood. Those who reject constitutional democracy with its criterion of reciprocity will of course reject the very idea of public reason. For them the political relation may be that of friend or foe, to those of a particular religious or secular community or those who are not; or it may be a relentless struggle to win the world for the whole truth. Political liberalism does not engage those who think this way. The zeal to embody the whole truth in politics is incompatible with an idea of public reason that belongs with democratic citizenship.

The idea of public reason has a definite structure, and if one or more of its aspects are ignored it can seem implausible, as it does when applied to the background culture.6 It has five different aspects: (1) the fundamental political questions to which it applies; (2) the persons to whom it applies (government officials and candidates for public office); (3) its content as given by a family of reasonable political conceptions of justice; (4) the application of these conceptions in discussions of coercive norms to be enacted in the form of legitimate law for a democratic people; and (5) citizens' checking that the principles derived from their conceptions of justice satisfy the criterion of reciprocity.

Moreover, such reason is public in three ways as the reason of free and equal citizens, it is the reason of the public; its subject is the public good concerning questions of fundamental political justice, which questions are of two kinds, constitutional essentials and matters of basic justice; and its nature and content are public, being expressed in public reasoning by a family of reasonable conceptions of political justice reasonably thought to satisfy the criterion of reciprocity.

It is imperative to realize that the idea of public reason does not apply to all political discussions of fundamental questions, but only to discussions of those questions in what I refer to as the public political forum.8 This forum may be divided into three parts: the discourse of judges in their decisions, and especially of the judges of a supreme court; the discourse of government officials, especially chief executives and legislators; and finally, the discourse of candidates for public office and their campaign managers, especially in their public oratory, party platforms, and political statements.9 We need this three-part division because, as I note later, the idea of public reason does not apply in the same way in these three cases and elsewhere.10 In discussing what I call the wide view of public political culture,11 we shall see that the idea of public

7. These questions are described in Political Liberalism, lecture VI, sec. 5, pp. 227–230. Constitutional essentials concern questions about what political rights and liberties, say, may reasonably be included in a written constitution, when assuming the constitution may be interpreted by a supreme court, or some similar body. Matters of basic justice relate to the basic structure of society and so would concern questions of basic economic and social justice and other things not covered by a constitution.

8. There is no settled meaning of this term. The one I use is not I think peculiar; often writers on this topic use terms that do not distinguish the parts of public discussion, for example, such terms as "the public square," "the public forum," and the like. I follow Kent Greenawalt in thinking a finer division is necessary. See Kent Greenawalt, Religious Convictions and Political Choice (Oxford: Oxford University Press, 1988), pp. 226–227 (describing, for example, the differences between a religious leader's preaching or promoting a pro-life organization and leading a major political movement or running for political office).

9. Here we face the question of where to draw the line between candidates and those who manage their campaigns and other politically engaged citizens generally. We settle this matter by making candidates and those who run their campaigns responsible for what is said and done on the candidates' behalf.

10. Often writers on this topic use terms that do not distinguish the parts of public discussion, for example, such terms as "the public square," "the public forum," and the like. I follow Kent Greenawalt in thinking a finer division is necessary. See Kent Greenawalt, Religious Convictions and Political Choice (Oxford: Oxford University Press, 1988), pp. 226–227 (describing, for example, the differences between a religious leader's preaching or promoting a pro-life organization and leading a major political movement or running for political office).

11. See Section 4.
reason applies more strictly to judges than to others, but that the requirements of public justification for that reason are always the same.

Distinct and separate from this three-part public political forum is what I call the background culture. This is the culture of civil society. In a democracy, this culture is not, of course, guided by any one central idea or principle, whether political or religious. Its many and diverse agencies and associations with their internal life reside within a framework of law that ensures the familiar liberties of thought and speech, and the right of free association. The idea of public reason does not apply to the background culture with its many forms of nonpublic reason nor to media of any kind. Sometimes those who appear to reject the idea of public reason actually mean to assert the need for full and open discussion in the background culture. With this political liberalism fully agrees.

Finally, distinct from the idea of public reason, as set out by the five features above, is the ideal of public reason. This ideal is realized, or satisfied, whenever judges, legislators, chief executives, and other government officials, as well as candidates for public office, act from and follow the idea of public reason and explain to other citizens their reasons for supporting fundamental political positions in terms of the political conception of justice they regard as the most reasonable. In this way they fulfill what I shall call their duty of civility to one another and to other citizens. Hence, whether judges, legislators, and chief executives act from and follow public reason is continually shown in their speech and conduct on a daily basis.

How though is the ideal of public reason realized by citizens who are not government officials? In a representative government citizens vote for representatives—chief executives, legislators, and the like—and not for particular laws (except at a state or local level when they may vote directly on referenda questions, which are rarely fundamental questions). To answer this question, we say that ideally citizens are to think of themselves as if they were legislators and ask themselves what statutes, supported by what reasons satisfying the criterion of reciprocity, they would think it most reasonable to enact. When firm and widespread, the disposition of citizens to view themselves as ideal legislators, and to repudiate government officials and candidates for public office who violate public reason, is one of the political and social roots of democracy, and is vital to its enduring strength and vigor. Thus citizens fulfill their duty of civility and support the idea of public reason by doing what they can to hold government officials to it. This duty, like other political rights and duties, is an intrinsically moral duty. I emphasize that it is not a legal duty, for in that case it would be incompatible with freedom of speech.

2. I now turn to a discussion of what I have labeled the third, fourth, and fifth aspects of public reason. The idea of public reason arises from a conception of democratic citizenship in a constitutional democracy. This fundamental political relation of citizenship has two special features: first, it is a relation of citizens within the basic structure of society, a structure we enter only by birth and exit only by death; and second, it is a relation of free and equal citizens who exercise ultimate political power as a collective body. These two features immediately give rise to the question of how, when constitutional essentials and matters of basic justice are at stake, citizens so related can be bound to honor the structure of their constitutional democratic regime and abide by the statutes and laws enacted under it. The fact of reasonable plural-

13. The background culture includes, then, the culture of churches and associations of all kinds, and institutions of learning at all levels, especially universities and professional schools, scientific and other societies. In addition, the nonpublic political culture mediates between the public political culture and the background culture. This comprises media—properly so-named—of all kinds: newspapers, reviews and magazines, television and radio, and much else. Compare these divisions with Habermas's account of the public sphere. See Political Liberalism, lecture IX, sec. 1.3, p. 382 n. 13.
15. See David Hollenbach, S.J., "Civil Society: Beyond the Public-Private Dichotomy," The Responsive Community, 5 (Winter 1994–1995): 15. For example, he says: "Conversation and argument about the common good will not occur initially in the legislature or in the political sphere (narrowly conceived as the domain in which interests and power are adjudicated). Rather it will develop freely in those components of civil society that are the primary bearers of cultural meaning and value—universities, religious communities, the world of arts, and serious journalism. It can occur wherever thoughtful men and women bring their beliefs on the meaning of the good life into intelligent and critical encounter with understandings of this good held by other peoples with other traditions. In short, it occurs wherever education about and serious inquiry into the meaning of the good life takes place" (ibid., p. 22).
17. See also Section 4.2.
18. See Political Liberalism, lecture I, sec. 2.1, p. 12. For concerns about exiting only by death, see ibid., lecture IV, sec. 1.2, p. 136 n. 4.
Political liberalism is purely political, although political values are intrinsically moral, whereas Gutmann and Thompson's account is more general and seems to honor their duty of civility.

To answer this question we say: Citizens are reasonable when, viewing one another as free and equal in a system of social cooperation over generations, they are prepared to offer one another fair terms of cooperation according to what they consider the most reasonable conception of political justice; and when they agree to act on those terms, even at the cost of their own interests in particular situations, provided that other citizens also accept those terms. The criterion of reciprocity requires that when those terms are proposed as the most reasonable terms of fair cooperation, those proposing them must also think it at least reasonable for others to accept them, as free and equal citizens, and not as dominated or manipulated, or under the pressure of an inferior political or social position. Citizens will of course differ as to which conceptions of political justice they think the most reasonable, but they will agree that all are reasonable, even if barely so.

Thus when, on a constitutional essential or matter of basic justice, all appropriate government officials act from and follow public reason, and when all reasonable citizens think of themselves ideally as if they were legislators following public reason, the legal enactment expressing the opinion of the majority is legitimate law. It may not be thought the most reasonable, or the most appropriate, by each, but it is politically (morally) binding on him or her as a citizen and is to be accepted as such. Each thinks that all have spoken and voted at least reasonably, and therefore all have followed public reason and honored their duty of civility.

Hence the idea of political legitimacy based on the criterion of reciprocity says: Our exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions—were we to state them as government officials—are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons. This criterion applies on two levels: one is to the constitutional structure itself; the other is to particular statutes and laws enacted in accordance with that structure. To be reasonable, political conceptions must justify only constitutions that satisfy this principle.

To make more explicit the role of the criterion of reciprocity as expressed in public reason, note that its role is to specify the nature of the political relation in a constitutional democratic regime as one of civic friendship. For this criterion, when government officers act from it in their public reasoning and other citizens support it, shapes the form of their fundamental institutions. For example—I cite an easy case—if we argue that the religious liberty of some citizens is to be denied, we must give them reasons they can not only understand—as Servetus could understand why Calvin wanted to burn him at the stake—but reasons we might reasonably expect that they, as free and equal citizens, might reasonably also accept. The criterion of reciprocity is normally violated whenever basic liberties are denied. For what reasons can both satisfy the criterion of reciprocity and justify denying to some persons religious liberty, holding others as slaves, imposing a property qualification on the right to vote, or denying the right of suffrage to women?

Since the idea of public reason specifies the deepest level the basic political values and specifies how the political relation is to be understood, those who believe that fundamental political questions should be decided by what they regard as the best reasons according to their own idea of the whole truth—including their religious or secular comprehensive doctrine—and not by reasons that might be shared by all citizens as free and equal, will of course reject the idea of public reason. Political liberalism views this insistence on the whole truth in politics as incompatible with democratic citizenship and the idea of legitimate law.

3. Democracy has a long history, from its beginning in classical Greece down to the present day, and there are many different ideas of democracy. Here I am concerned only with a well-ordered constitutional democracy—a term I used at the outset—understood also as a deliberative democracy. The definitive idea for deliberative democracy is the idea of deliberation itself.

19. The idea of reciprocity has an important place in Amy Gutmann and Dennis Thompson, Democracy and Disagreement (Cambridge, Mass.: Harvard University Press, 1996), chs. 1–2 and passim. However, the meaning and setting of our views are not the same. Public reason in political liberalism is purely political, although political values are intrinsically moral, whereas Gutmann and Thompson's account is more general and seems to work from a comprehensive doctrine.

20. For a useful historical survey see David Held, Models of Democracy, 2d ed. (Stanford: Stanford University Press, 1997). Held's numerous models cover the period from the ancient polis to the present time, and he concludes by asking what democracy should mean today. In between he considers the several forms of classical republicanism and classical liberalism, as well as Schumpeter's conception of competitive elite democracy. Some figures discussed include Plato and Aristotle; Marsilius of Padua and Machiavelli; Hobbes and Madison; Bentham, James Mill, and John Stuart Mill; Marx with socialism and communism. These are paired with schematized models of the characteristic institutions and their roles.
When citizens deliberate, they exchange views and debate their supporting reasons concerning public political questions. They suppose that their political opinions may be revised by discussion with other citizens; and therefore these opinions are not simply a fixed outcome of their existing private or nonpolitical interests. It is at this point that public reason is crucial, for it characterizes such citizens' reasoning concerning constitutional essentials and matters of basic justice. While I cannot fully discuss the nature of deliberative democracy here, I note a few key points to indicate the wider place and role of public reason.

There are three essential elements of deliberative democracy. One is an idea of public reason, although not all such ideas are the same. A second is a framework of constitutional democratic institutions that specifies the setting for deliberative legislative bodies. The third is the knowledge and desire on the part of citizens generally to follow public reason and to realize its ideal in their political conduct. Immediate implications of these essentials are the public financing of elections, and the providing for public occasions of orderly and serious discussion of fundamental questions and issues of public policy. Public deliberation must be made possible, recognized as a basic feature of democracy, and set free from the curse of money. Otherwise politics is dominated by corporate and other organized interests who through large contributions to campaigns distort if not preclude public discussion and deliberation.

Deliberative democracy also recognizes that without widespread education in the basic aspects of constitutional democratic government for all citizens, and without a public informed about pressing problems, crucial political and social decisions simply cannot be made. Even should farsighted political leaders wish to make sound changes and reforms, they cannot convince a misinformed and cynical public to accept and follow them. For example, there are sensible proposals for what should be done regarding the alleged coming crisis in Social Security: slow down the growth of benefits levels, gradually raise the retirement age, impose limits on expensive terminal medical care that prolongs life for only a few weeks or days, and finally, raise taxes now, rather than face large increases later. But as things are, those who follow the "great game of politics" know that none of these sensible proposals will be accepted. The same story can be told about the importance of support for international institutions (such as the United Nations), foreign aid properly spent, and concern for human rights at home and abroad. In constant pursuit of money to finance campaigns, the political system is simply unable to function. Its deliberative powers are paralyzed.

2. The Content of Public Reason

1. A citizen engages in public reason, then, when he or she deliberates within a framework of what he or she sincerely regards as the most reasonable political conception of justice, a conception that expresses political values that others, as free and equal citizens might also reasonably be expected reasonably to endorse. Each of us must have principles and guidelines to which we appeal in such a way that this criterion is satisfied. I have proposed that one way to identify those political principles and guidelines is to show that they would be agreed to in what in Political Liberalism is called the original position. Others will think that different ways to identify these principles are more reasonable.

Thus, the content of public reason is given by a family of political conceptions of justice, and not by a single one. There are many liberalisms and related views, and therefore many forms of public reason specified by a family of reasonable political conceptions. Of these, justice as fairness, whatever its merits, is but one. The limiting feature of these forms is the criterion of reciprocity, viewed as applied between free and equal citizens, themselves seen as reasonable and rational. Three main features characterize these conceptions:

First, a list of certain basic rights, liberties, and opportunities (such as those familiar from constitutional regimes);


Second, an assignment of special priority to those rights, liberties, and opportunities, especially with respect to the claims of the general good and perfectionist values; and

Third, measures ensuring for all citizens adequate all-purpose means to make effective use of their freedoms.25

Each of these liberalisms endorses the underlying ideas of citizens as free and equal persons and of society as a fair system of cooperation over time. Yet since these ideas can be interpreted in various ways, we get different formulations of the principles of justice and different contents of public reason. Political conceptions differ also in how they order, or balance, political principles and values even when they specify the same ones. I assume also that these liberalisms contain substantive principles of justice, and hence cover more than procedural justice. They are required to specify the religious liberties and freedoms of artistic expression of equal citizens, as well as substantive ideas of fairness involving fair opportunity and ensuring adequate all-purpose means, and much else.26

Political liberalism, then, does not try to fix public reason once and for all in the form of one favored political conception of justice.27 That would not be a sensible approach. For instance, political liberalism also admits Habermas’s discourse conception of legitimacy (sometimes said to be radically democratic rather than liberal),28 as well as Catholic views of the common good and solidarity when they are expressed in terms of political values.29 Even if relatively few conceptions come to dominate over time, and one conception even appears to have a special central place, the forms of permissible public reason are always several. Moreover, new variations may be proposed from time to time and older ones may cease to be represented. It is important that this be so; otherwise the claims of groups or interests arising from social change might be repressed and fail to gain their appropriate political voice.30

2. We must distinguish public reason from what is sometimes referred to as secular reason and secular values. These are not the same as public reason. For I define secular reason as reasoning in terms of comprehensive nonreligious doctrines. Such doctrines and values are much too broad to serve the purposes of public reason. Political values are not moral doctrines, however available or accessible these may be to our reason and common sense reflection. Moral doctrines are on a level with religion and first philosophy. By contrast, liberal political principles and values, although intrinsically moral values, are specified by liberal political conceptions of justice.

(p. 113). She has previously considered Arendt’s agonistic conception, as Benhabib calls it, and that of political liberalism. But I find it hard to distinguish her view from that of a form of political liberalism and public reason, since it turns out that she means by the public sphere what Habermas does, namely what Political Liberalism calls the background culture of civil society in which the ideal of public reason does not apply. Hence political liberalism is not limiting in the way she thinks. Also, Benhabib does not try to show, so far as I can see, that certain principles of right and justice belonging to the content of public reason could not be interpreted to deal with the problems raised by the women’s movement. I doubt that this can be done. The same holds for Benhabib’s earlier remarks in Seyla Benhabib, “Liberal Dialogue versus a Critical Theory of Discursive Legitimation,” in Liberalism and the Moral Life, ed. Nancy Rosenblum (Cambridge, Mass.: Harvard University Press, 1989), pp. 143, 154–156, in which the problems of the women’s movement were discussed in a similar way.


31. See note 2 for my definition of “doctrine.”
and fall under the category of the political. These political conceptions have three features:

First, their principles apply to basic political and social institutions (the basic structure of society);

Second, they can be presented independently from comprehensive doctrines of any kind (although they may, of course, be supported by a reasonable overlapping consensus of such doctrines); and

Finally, they can be worked out from fundamental ideas seen as implicit in the public political culture of a constitutional regime, such as the conceptions of citizens as free and equal persons, and of society as a fair system of cooperation.

Thus, the content of public reason is given by the principles and values of the family of liberal political conceptions of justice meeting these conditions. To engage in public reason is to appeal to one of these political conceptions—to their ideals and principles, standards and values—when debating fundamental political questions. This requirement still allows us to introduce into political discussion at any time our comprehensive doctrine, religious or nonreligious, provided that, in due course, we give properly public reasons to support the principles and policies our comprehensive doctrine is said to support. I refer to this requirement as the proviso, and consider it in detail below. 32

A feature of public reasoning, then, is that it proceeds entirely within a political conception of justice. Examples of political values include those mentioned in the preamble to the United States Constitution: a more perfect union, justice, domestic tranquillity, the common defense, the general welfare, and the blessings of liberty for ourselves and our posterity. These include under them other values: so, for example, under justice we also have equal basic liberties, equality of opportunity, ideals concerning the distribution of income and taxation, and much else.

The political values of public reason are distinct from other values in that they are realized in and characterize political institutions. This does not mean that analogous values cannot characterize other social forms. The values of effectiveness and efficiency may characterize the social organization of teams and clubs, as well as the political institutions of the basic structure of society. But a value is properly political only when the social form is itself political: when it is realized,

say, in parts of the basic structure and its political and social institutions. It follows that many political conceptions are nonliberal, including those of aristocracy and corporate oligarchy, and of autocracy and dictatorship. All of these fall within the category of the political. 33 We, however, are concerned only with those political conceptions that are reasonable for a constitutional democratic regime, and as the preceding paragraphs make clear, these are the ideals and principles expressed by reasonable liberal political conceptions.

3. Another essential feature of public reason is that its political conceptions should be complete. This means that each conception should express principles, standards, and ideals, along with guidelines of inquiry, such that the values specified by it can be suitably ordered or otherwise united so that those values alone give a reasonable answer to all, or to nearly all, questions involving constitutional essentials and matters of basic justice. Here the ordering of values is made in the light of their structure and features within the political conception itself, and not primarily from how they occur within citizens' comprehensive doctrines. Political values are not to be ordered by viewing them separately and detached from one another or from any definite context. They are not puppets manipulated from behind the scenes by comprehensive doctrines. 34 The ordering is not distorted by those doctrines provided that public reason sees the ordering as reasonable. And public reason can indeed see an ordering of political values as reasonable (or unreasonable), since institutional structures are open to view and mistakes and gaps within the political ordering will become exposed. Thus, we may be confident that the ordering of political values is not distorted by particular reasonable comprehensive doctrines. (I emphasize that the only criterion of distortion is that the ordering of political values be itself unreasonable.)

The significance of completeness lies in the fact that unless a political conception is complete, it is not an adequate framework of thought in the light of which the discussion of fundamental political questions can be carried out. 35 What we

32. See Section 4.

33. Here see Political Liberalism, lecture IX, sec. 1.1, pp. 374–375.

34. This thought I owe to Peter de Marneffe.

35. Note here that different political conceptions of justice will represent different interpretations of the constitutional essentials and matters of basic justice. There are also different interpretations of the same conception, since its concepts and values may be taken in different ways. There is not, then, a sharp line between where a political conception ends and its interpretation begins, nor need there be. All the same, a conception greatly limits its possible interpretations; otherwise discussion and argument could not proceed. For example, a constitution declaring the freedom of religion, including the freedom to affirm no religion, along with the separation of church and state, may appear to leave open the question whether church schools may receive
cannot do in public reason is to proceed directly from our comprehensive doctrine, or a part thereof, to one or several political principles and values, and the particular institutions they support. Instead, we are required first to work to the basic ideas of a complete political conception and from there to elaborate its principles and ideals, and to use the arguments they provide. Otherwise public reason allows arguments that are too immediate and fragmentary.

4. I now note several examples of political principles and values to illustrate the more specific content of public reason, and particularly the various ways in which the criterion of reciprocity is both applicable and subject to violation.

(a) As a first example, consider the value of autonomy. It may take two forms: one is political autonomy, the legal independence and assured integrity of citizens and their sharing equally with others in the exercise of political power; the other is purely moral and characterizes a certain way of life and reflection, critically examining our deepest ends and ideals, as in Mill’s ideal of individuality. Whatever we may think of autonomy as a purely moral value, it fails to satisfy, given reasonable pluralism, the constraint of reciprocity, as many citizens, for example, those holding certain religious doctrines, may reject it. Thus moral autonomy is not a political value, whereas political autonomy is.

(b) As a second example, consider the familiar story of the Good Samaritan. Are the values appealed to properly political values and not simply religious or philosophical values? While the wide view of public political culture allows us, in making a proposal, to introduce the Gospel story, public reason requires us to justify our proposal in terms of proper political values.

(c) As a third example, consider appeals to desert in discussing the fair distribution of income: people are wont to say that ideally distribution should be in accordance with desert. What sense of desert do they have in mind? Do they mean that persons in various offices should have the requisite qualifica-

4. Of course, I don’t attempt to decide the question here, since we are concerned only with the kinds of reasons and considerations that public reasoning involves.

39. See Section 2.2.

40. See Robert Audi, “The Place of Religious Argument in a Free and Democratic Society,” San Diego Law Review, 30 (1993): 677. Here Audi defines a secular reason as follows: “A secular reason is roughly one whose normative force does not evidentially depend on the existence of God or on theological considerations, or on the pronouncements of a person or institution qua religious authority” (p. 692). This definition is ambiguous between secular reasons in the sense of a nonreligious comprehensive doctrine and in the sense of a purely political conception within the content of public reason. Depending on which is meant, Audi’s view that secular reasons must also be given along with religious reasons might have a role similar to what I call the proviso in Section 4.1.
think of any argument that is reflective and critical, publicly intelligible and rational, as a secular argument; and they discuss various such arguments for considering, say, homosexual relations unworthy or degrading.\footnote{1} Of course, some of these arguments may be reflective and rational secular ones (as so defined). Nevertheless, a central feature of political liberalism is that it views all such arguments the same way it views religious ones, and therefore these secular philosophical doctrines do not provide public reasons. Secular concepts and reasoning of this kind belong to first philosophy and moral doctrine, and fall outside of the domain of the political.

Thus, in considering whether to make homosexual relations between citizens criminal offenses, the question is not whether those relations are precluded by a worthy idea of full human good as characterized by a sound philosophical and nonreligious view, nor whether those of religious faith regard it as sin, but primarily whether legislative statutes forbidding those relations infringe the civil rights of free and equal democratic citizens.\footnote{2} This question calls for a reasonable political conception of justice specifying those civil rights, which are always a matter of constitutional essentials.

3. Religion and Public Reason in Democracy

1. Before examining the idea of the wide view of public political culture, we ask: How is it possible for those holding religious doctrines, some based on religious authority, for example, the Church or the Bible, to hold at the same time a reasonable political conception that supports a reasonable constitutional democratic regime? Can these doctrines still be compatible for the right reasons with a liberal political conception? To attain this compatibility, it is not sufficient that these doctrines accept a democratic government merely as a modus vivendi. Referring to citizens holding religious doctrines as citizens of faith, we ask: How is it possible for citizens of faith to be wholehearted members of a democratic society who endorse society’s intrinsic political ideals and values and do not simply acquiesce in the balance of political and social forces? Expressed more sharply: How is it possible—or is it—for those of faith, as well as the nonreligious (secular), to endorse a constitutional regime even when their comprehensive doctrines may not prosper under it, and indeed may decline? This last question brings out anew the significance of the idea of legitimacy and public reason’s role in determining legitimate law.

To clarify the question, consider two examples. The first is that of Catholics and Protestants in the sixteenth and seventeenth centuries when the principle of toleration was honored only as a modus vivendi.\footnote{3} This meant that should either party fully gain its way it would impose its own religious doctrine as the sole admissible faith. A society in which many faiths all share this attitude and assume that for the indefinite future their relative numbers will stay roughly the same might well have a constitution resembling that of the United States, fully protecting the religious liberties of sharply divided religions more or less equal in political power. The constitution is, as it were, honored as a pact to maintain civil peace.\footnote{4} In this society political issues might be discussed in terms of political ideas and values so as not to open religious conflict and arouse sectarian hostility. The role of public reason here serves merely to quiet divisiveness and encourage social stability. However, in this case we do not have stability for the right reasons, that is, as secured by a firm allegiance to a democratic society’s political (moral) ideals and values.

Nor again do we have stability for the right reasons in the second example—a democratic society where citizens accept as political (moral) principles the substantive constitutional clauses that ensure religious, political, and civil liberties, when their allegiance to these constitutional principles is so limited that none is willing to see his or her religious or nonreligious doctrine losing ground in influence and numbers, and such citizens are prepared to resist or to disobey laws that they think undermine their positions. And they do this even though the full range of religious and other liberties is always maintained and the doctrine in question is completely secure. Here again democracy is accepted conditionally and not for the right reasons.

What these examples have in common is that society is divided into separate groups, each of which has its own fundamental interest distinct from and opposed to the interests of the other groups and for which it is prepared to resist or to violate legitimate democratic law. In the first example, it is the interest of a religion in establishing its hegemony, while in the second, it is the doctrine’s fundamental interest in maintaining a certain degree of success and influence for its own view, either religious or nonreligious. While a constitu-

\footnote{1}{See the discussion by Michael Perry of John Finnis’s argument, which denies that such relations are compatible with human good. Religion in Politics: Constitutional and Moral Perspectives (Oxford: Oxford University Press, 1997), ch. 3, pp. 85–86.}


\footnote{3}{See Political Liberalism, lecture IV, sec. 3.4, p. 148.}

\footnote{4}{See Kent Greenawalt’s example of the society of Diverse Fervent Believers in Greenawalt, Private Consciences and Public Reasons, pp. 16–18, 21–22.}
An Islamic justification and support for constitutionalism is important and relevant for Muslims. With the constitutional principle of equality before the law, An-Na'im writes:

Non-Muslims may have their own secular or other justifications. As long as all are agreed on the constitutionalism is necessary for realizing the just and good society prescribed by the Qur'an. An-Na'im says that Shari'a supports constitutional democracy (ibid., pp. 69-100).

In particular, the earlier Mecca interpretation of Shari'a supports equality of men and women, and complete freedom of choice in matters of faith and religion, both of which are in accordance with the constitutional principle of equality before the law. An-Na'im believes that Muslims should follow the earlier Mecca period in interpreting Shari'a. So interpreted, he considers the superior Mecca teachings and principles were rejected in favor of the more realistic and practical (in a seventh-century historical context) Medina teachings because society was not yet ready for their implementation. Now that historical conditions have changed, An-Na'im claims that Muslims should follow the earlier Mecca period in interpreting Shari'a. So interpreted, he says that Shari'a supports constitutional democracy (ibid., pp. 69-100).

In contrast, the earlier Medina teachings and principles were based on the teachings of the later Medina period of Muhammad, whereas the teachings of the earlier Mecca period of Muhammad are the eternal and fundamental message of Islam. An-Na'im claims that the Mecca teachings and principles were rejected in favor of the more realistic and practical (in a seventh-century historical context) Medina teachings because society was not yet ready for their implementation. Now that historical conditions have changed, An-Na'im believes that Muslims should follow the earlier Mecca period in interpreting Shari'a. So interpreted, he says that Shari'a supports constitutional democracy (ibid., pp. 69-100).

The basic idea of An-Na'im's interpretation, following the late Sudanese author Mahmoud Mohamed Taha, is that the traditional understanding of Shari'a has been based on the traditional interpretation of Shari'a, which for Muslims is divine law. For his interpretation to be accepted by Muslims, it must be presented as the correct and superior interpretation of Shari'a. This is a perfect example of overlapping consensus. The basic idea of An-Na'im's interpretation, following the late Sudanese author Ustadh Bilgrami for informing me of An-Na'im's work. I also owe thanks to Roy Mottahedeh for valuable discussion.

46. An example of how a religion may do this is the following. Abdullahi Ahmed An-Na'im, in his book Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law (Syracuse: Syracuse University Press, 1990), pp. 52–57, introduces the idea of reconsidering the concepts of Islamic law. The idea of reconsidering the traditional interpretation of Shari'a, which for Muslims is divine law. For his interpretation to be accepted by Muslims, it must be presented as the correct and superior interpretation of Shari'a. The basic idea of An-Na'im's interpretation, following the late Sudanese author Ustadh Bilgrami for informing me of An-Na'im's work. I also owe thanks to Roy Mottahedeh for valuable discussion.

47. See Section 4.3.
48. See Political Liberalism, lecture I, sec. 2.3, pp. 13–14 (contrasting public political culture with background culture).
Obviously, many questions may be raised about how to satisfy the proviso. One is: when does it need to be satisfied? On the same day or some later day? Also, on whom does the obligation to honor it fall? It is important that it be clear and established that the proviso is to be appropriately satisfied in good faith. Yet the details about how to satisfy this proviso must be worked out in practice and cannot feasibly be governed by a clear family of rules given in advance. How they work out is determined by the nature of the public political culture and calls for good sense and understanding. It is important also to observe that the introduction into public political culture of religious and secular doctrines, provided the proviso is met, does not change the nature and content of justification in public reason itself. This justification is still given in terms of a family of reasonable political conceptions of justice. However, there are no restrictions or requirements on how religious or secular doctrines are themselves to be expressed; these doctrines need not, for example, be by some standards logically correct, or open to rational appraisal, or evidentially supportable. Whether they are or not is a matter to be decided by those presenting them, and how they want what they say to be taken. They will normally have practical reasons for wanting to make their views acceptable to a broader audience.

2. Citizens’ mutual knowledge of one another’s religious and nonreligious doctrines expressed in the wide view of public political culture recognizes that the roots of democratic citizens’ allegiance to their political conceptions lie in their respective comprehensive doctrines, both religious and nonreligious. In this way citizens’ allegiance to the democratic ideal of public reason is strengthened for the right reasons. We may think of the reasonable comprehensive doctrines that support society’s reasonable political conceptions as those conceptions’ vital social basis, giving them enduring strength and vigor. When these doctrines accept the proviso and only then come into political debate, the commitment to constitutional democracy is publicly manifested.

Made aware of this commitment, government officials and citizens are more willing to honor the duty of civility, and their following the ideal of public reason helps foster the kind of society that ideal exemplifies. These benefits of the mutual knowledge of citizens’ recognizing one another’s reasonable comprehensive doctrines bring out a positive ground for introducing such doctrines, which is not merely a defensive ground, as if their intrusion into public discussion were inevitable in any case.

Consider, for example, a highly contested political issue—the issue of public support for church schools. Those on different sides are likely to come to doubt one another’s allegiance to basic constitutional and political values. It is wise, then, for all sides to introduce their comprehensive doctrines, whether religious or secular, so as to open the way for them to explain to one another how their views do indeed support those basic political values. Consider also the Abolitionists and those in the Civil Rights Movement. The proviso was fulfilled in their cases, however much they emphasized the religious roots of their doctrines, because these doctrines supported basic constitutional values—as they themselves asserted—and so supported reasonable conceptions of political justice.

3. Public reasoning aims for public justification. We appeal to political conceptions of justice, and to ascertainable evidence and facts open to public view, in order to reach conclusions about what we think are the most reasonable.

religious freedom was not honored and cherished. Thus, political liberalism agrees with David Hollenbach, S.J., when he writes: “Not the least important of [the transformations brought about by Aquinas] was his insistence that the political life of a people is not the highest realization of the good of which they are capable—an insight that lies at the root of constitutional theories of limited government. And though the Church resisted the liberal discovery of modern freedoms through much of the modern period, liberalism has been transforming Catholicism once again through the last half of our own century. The memory of these events in social and intellectual history as well as the experience of the Catholic Church since the Second Vatican Council leads me to hope that communities holding different visions of the good life can get somewhere if they are willing to risk conversation and argument about these visions.” David Hollenbach, “Contexts of the Political Role of Religion: Civil Society and Culture,” San Diego Law Review, 30 (1993): 891. While a conception of public reason must recognize the significance of these social roots of constitutional democracy and note how they strengthen its vital institutions, it need not itself undertake a study of these matters. For the need to consider this point, I am indebted to Paul Weithman.


54. See ibid., lecture VI, sec. 8.3, pp. 249–251. I do not know whether the Abolitionists and King thought of themselves as fulfilling the purpose of the proviso. But whether they did nor not, they could have. And had they known and accepted the idea of public reason, they would have. I thank Paul Weithman for this point.
able political institutions and policies. Public justification is not simply valid reasoning, but argument addressed to others: it proceeds correctly from premises we accept and think others could reasonably accept to conclusions we think they could also reasonably accept. This meets the duty of civility, since in due course the proviso is satisfied.

There are two other forms of discourse that may also be mentioned, though neither expresses a form of public reasoning. One is declaration: here we each declare our own comprehensive doctrine, religious or nonreligious. This we do not expect others to share. Rather, each of us shows how, from our own doctrines, we can and do endorse a reasonable public political conception of justice with its principles and ideals. The aim of doing this is to declare to others who affirm different comprehensive doctrines that we also each endorse a reasonable political conception belonging to the family of reasonable such conceptions. On the wide view, citizens of faith who cite the Gospel parable of the Good Samaritan do not stop there, but go on to give a public justification for this parable’s conclusions in terms of political values. In this way citizens who hold different doctrines are reassured, and this strengthens the ties of civic friendship.

The second form is conjecture, defined thus: we argue from what we believe, or conjecture, are other people’s basic doctrines, religious or secular, and try to show them that, despite what they might think, they can still endorse a reasonable political conception that can provide a basis for public reasons. The ideal of public reason is thereby strengthened. However, it is important that conjecture be sincere and not manipulative. We must openly explain our intentions and state that we do not assert the premises from which we argue, but that we proceed as we do to clear up what we take to be a misunderstanding on others’ part, and perhaps equally on ours.

55. Luke 10:29–37. It is easy to see how the Gospel story could be used to support the imperfect moral duty of mutual aid, as found, say, in Kant’s fourth example in the Grundlegung. See Immanuel Kant, Groundwork for the Metaphysics of Morals, Ak. 4:423, in Practical Philosophy, trans. Mary Gregor (Cambridge: Cambridge University Press, 1996). To formulate a suitable example in terms of political values only, consider a variant of the difference principle or of some other analogous idea. The principle could be seen as giving a special concern for the poor, as in the Catholic social doctrine. See A Theory of Justice, sec. 13 (defining the difference principle).

56. For the relevance of this form of discourse, I am indebted to discussion with Charles Larmore.

57. I will mention another form of discourse that I call “witnessing”: it typically occurs in an ideal, politically well-ordered, and fully just society in which all votes are the result of citizens’ voting in accordance with their most reasonable conception of political justice. Nevertheless, it may happen that some citizens feel they must express their principled dissent from existing institutions, policies, or enacted legislation. I assume that Quakers accept constitutional democracy and abide by its legitimate law, yet at the same time may reasonably express the religious basis of their pacifism. (The parallel case of Catholic opposition to abortion is mentioned in Section 6.1.) Yet witnessing differs from civil disobedience in that it does not appeal to principles and values of a (liberal) political conception of justice. While on the whole these citizens endorse reasonable political conceptions of justice supporting a constitutional democratic society, in this case they nevertheless feel they must not only let other citizens know the deep basis of their strong opposition but must also bear witness to their faith by doing so. At the same time, those bearing witness accept the idea of public reason. While they may think the outcome of a vote on which all reasonable citizens have conscientiously followed public reason to be incorrect or not true, they nevertheless recognize it as legitimate law and accept the obligation not to violate it. In such a society there is strictly speaking no case for civil disobedience and conscientious refusal. The latter requires what I have called a nearly just, but not fully just, society. See A Theory of Justice, sec. 55.


5. On the Family as Part of the Basic Structure

1. To illustrate further the use and scope of public reason, I shall now consider a range of questions about a single institution, the family. I do this by using a particular political conception of justice and looking at the role that it assigns to the family in the basic structure of society. Since the content of public reason is determined by all the reasonable political conceptions that satisfy the criterion of reciprocity, the range of questions about the family covered by this political conception will indicate the ample space for debate and argument comprehended by public reason as a whole.

The family is part of the basic structure, since one of its main roles is to be the basis of the orderly production and reproduction of society and its culture from one generation to the next. Political society is always regarded as a scheme of social cooperation over time indefinitely; the idea of a future time when its affairs are to be concluded and society disbanded is foreign to the conception of political society. Thus, reproductive labor is socially necessary
labor. Accepting this, a central role of the family is to arrange in a reasonable and effective way the raising of and caring for children, ensuring their moral development and education into the wider culture. 59 Citizens must have a sense of justice and the political virtues that support political and social institutions. The family must ensure the nurturing and development of such citizens in appropriate numbers to maintain an enduring society. 60

These requirements limit all arrangements of the basic structure, including efforts to achieve equality of opportunity. The family imposes constraints on ways in which this goal can be achieved, and the principles of justice are stated to try to take these constraints into account. I cannot pursue these complexities here, but assume that as children we grow up in a small intimate group in which elders (normally parents) have a certain moral and social authority.

2. In order for public reason to apply to the family, it must be seen, in part at least, as a matter for political justice. It may be thought that this is not so, that the principles of justice do not apply to the family and hence those principles do not secure equal justice for women and their children. 61 This is a misconception. It may arise as follows: the primary subject of political justice is the basic structure of society understood as the arrangement of society’s main institutions into a unified system of social cooperation over time. The principles of political justice are to apply directly to this structure, but are not to apply directly to the internal life of the many associations within it, the family among them. Thus, some may think that if those principles do not apply directly to the internal life of families, they cannot ensure equal justice for wives along with their husbands.

Much the same question arises in regard to all associations, whether they be churches or universities, professional or scientific associations, business firms or labor unions. The family is not peculiar in this respect. To illustrate: it is clear that liberal principles of political justice do not require ecclesiastical governance to be democratic. Bishops and cardinals need not be elected; nor need the benefits attached to a church’s hierarchy of offices satisfy a specified distributive principle, certainly not the difference principle. 62 This shows how the principles of political justice do not apply to the internal life of a church, nor is it desirable, or consistent with liberty of conscience or freedom of association, that they should.

On the other hand, the principles of political justice do impose certain essential constraints that bear on ecclesiastical governance. Churches cannot practice effective intolerance, since, as the principles of justice require, public law does not recognize heresy and apostasy as crimes, and members of churches are always at liberty to leave their faith. Thus, although the principles of justice do not apply directly to the internal life of churches, they do protect the rights and liberties of their members by the constraints to which all churches and associations are subject. This is not to deny that there are appropriate conceptions of justice that do apply directly to most if not all associations and groups, as well as to various kinds of relationships among individuals. Yet these conceptions of justice are not political conceptions. In each case, what is the appropriate conception is a separate and additional question, to be considered anew in each particular instance, given the nature and role of the relevant association, group, or relation.

Now consider the family. Here the idea is the same: political principles do not apply directly to its internal life, but they do impose essential constraints on the family as an institution and so guarantee the basic rights and liberties, and the freedom and opportunities, of all its members. This they do, as I have said, by specifying the basic rights of equal citizens who are the members of families. The family as part of the basic structure cannot violate these freedoms. Since wives are equally citizens with their husbands, they have all the same basic rights, liberties, and opportunities as their husbands; and this, together with the correct application of the other principles of justice, suffices to secure their equality and independence.

To put the case another way, we distinguish between the point of view of people as citizens and their point of view as members of families and of other associations. 63 As citizens we have reasons to impose the constraints specified by the political principles of justice on associations; while as members of associations we have reasons for limiting those constraints so that they leave room for a free and flourishing internal life appropriate to the association in question. Here again we see the need for the division of labor between different

59. See A Theory of Justice, secs. 70–76 (discussing the stages of moral development and their relevance to justice as fairness).

60. However, no particular form of the family (monogamous, heterosexual, or otherwise) is required by a political conception of justice so long as the family is arranged to fulfill these tasks effectively and doesn’t run afoul of other political values. Note that this observation sets the way in which justice as fairness deals with the question of gay and lesbian rights and duties, and how they affect the family. If these rights and duties are consistent with orderly family life and the education of children, they are, ceteris paribus, fully admissible.

61. See Okin, Justice, Gender, and the Family, pp. 90–93.

62. The difference principle is defined in A Theory of Justice, sec. 13.

kinds of principles. We wouldn't want political principles of justice—including principles of distributive justice—to apply directly to the internal life of the family.

These principles do not inform us how to raise our children, and we are not required to treat our children in accordance with political principles. Here those principles are out of place. Surely parents must follow some conception of justice (or fairness) and due respect with regard to their children, but, within certain limits, this is not for political principles to prescribe. Clearly the prohibition of abuse and neglect of children, and much else, will, as constraints, be a vital part of family law. But at some point society has to rely on the natural affection and goodwill of the mature family members.64

Just as the principles of justice require that wives have all the rights of citizens, the principles of justice impose constraints on the family on behalf of children who as society's future citizens have basic rights as such. A long and historic injustice to women is that they have borne, and continue to bear, an unjust share of the task of raising, nurturing, and caring for their children. When they are even further disadvantaged by the laws regulating divorce, this burden makes them highly vulnerable. These injustices bear harshly not only on women but also on their children; and they tend to undermine children's capacity to acquire the political virtues required of future citizens in a viable democratic society. Mill held that the family in his day was a school for male despotism: it inculcated habits of thought and ways of feeling and conduct incompatible with democracy.65 If so, the principles of justice enjoining a reasonable constitutional democratic society can plainly be invoked to reform the family.

3. More generally, when political liberalism distinguishes between political justice that applies to the basic structure and other conceptions of justice that apply to the various associations within that structure, it does not regard the political and the nonpolitical domains as two separate, disconnected spaces, each governed solely by its own distinct principles. Even if the basic structure alone is the primary subject of justice, the principles of justice still put essential restrictions on the family and all other associations. The adult members of families and other associations are equal citizens first; that is their basic position. No institution or association in which they are involved can violate their rights as citizens.

64. Michael Sandel supposes the two principles of justice as fairness to hold generally for associations, including families. See Michael J. Sandel, Liberalism and the Limits of Justice (Cambridge: Cambridge University Press, 1982), pp. 30–34.

A domain so-called, or a sphere of life, is not, then, something already given apart from political conceptions of justice. A domain is not a kind of space, or place, but rather is simply the result, or upshot, of how the principles of political justice are applied, directly to the basic structure and indirectly to the associations within it. The principles defining the equal basic liberties and opportunities of citizens always hold in and through all so-called domains. The equal rights of women and the basic rights of their children as future citizens are inalienable and protect them wherever they are. Gender distinctions limiting those rights and liberties are excluded.66 So the spheres of the political and the public of the nonpublic and the private, fall out from the content and application of the conception of justice and its principles. If the so-called private sphere is alleged to be a space exempt from justice, then there is no such thing.

The basic structure is a single social system, each part of which may influence the rest. Its basic principles of political justice specify all its main parts and its basic rights reach throughout. The family is only one part (though a major part) of the system that produces a social division of labor based on gender over time. Some have argued that discrimination against women in the marketplace is the key to the historical gendered division of labor in the family. The resulting wage differences between the genders make it economically sensible that mothers spend more time with their children than fathers do. On the other hand, some believe that the family itself is the linchpin67 of gender injustice. However, a liberal conception of justice may have to allow for some traditional gendered division of labor within families—assume, say, that this division is based on religion—provided it is fully voluntary and does not result from or lead to injustice. To say that this division of labor is in this case fully voluntary means that it is adopted by people on the basis of their religion, which from a political point of view is voluntary,68 and not because various

67. This is Okin's term. See Okin, Justice, Gender and the Family, pp. 6, 14, 170.
68. On this point, see Rawls, Political Liberalism, lecture VI, sec. 3.2, pp. 221–222. Whether it is properly voluntary, and if so, under what conditions, is a disputed question. Briefly, the question involves the distinction between the reasonable and the rational explained thus: an action is voluntary in one sense, but it may not be voluntary in another. It may be voluntary in the sense of rational: doing the rational thing in the circumstances even when these involve unfair conditions; or an action may be voluntary in the sense of reasonable: doing the rational thing when all the surrounding conditions are also fair. Clearly the text interprets "voluntary" in the second sense: affirming one's religion is voluntary when all of the surrounding conditions are reasonable, or fair. In these remarks I have assumed that the subjective conditions of voluntariness (whatever they may be) are present and have only noted the objective ones. A full discussion would lead us far afield.
other forms of discrimination elsewhere in the social system make it rational and less costly for husband and wife to follow a gendered division of labor in the family.

Some want a society in which division of labor by gender is reduced to a minimum. But for political liberalism, this cannot mean that such division is forbidden. One cannot propose that equal division of labor in the family be simply mandated, or its absence in some way penalized at law for those who do not adopt it. This is ruled out because the division of labor in question is connected with basic liberties, including the freedom of religion. Thus, to try to minimize gendered division of labor means, in political liberalism, to try to reach a social condition in which the remaining division of labor is voluntary. This allows in principle that considerable gendered division of labor may persist. It is only involuntary division of labor that is to be reduced to zero.

Hence the family is a crucial case for seeing whether the single system—the basic structure—affords equal justice to both men and women. If the gendered division of labor in the family is indeed fully voluntary, then there is reason to think that the single system realizes fair equality of opportunity for both genders.

4. Since a democracy aims for full equality for all its citizens, and so of women, it must include arrangements to achieve it. If a basic, if not the main, cause of women’s inequality is their greater share in the bearing, nurturing, and caring for children in the traditional division of labor within the family, steps need to be taken either to equalize their share, or to compensate them for it. How best to do this in particular historical conditions is not for political philosophy to decide. But a now common proposal is that as a norm or guideline, the law should count a wife’s work in raising children (when she bears that burden as is still common) as entitling her to an equal share in the income that her husband earns during their marriage. Should there be a divorce, she should have an equal share in the increased value of the family’s assets during that time.

Any departure from this norm would require a special and clear justification. It seems intolerably unjust that a husband may depart the family taking his earning power with him and leaving his wife and children far less advantaged than before. Forced to fend for themselves, their economic position is often precarious. A society that permits this does not care about women, much less about their equality, or even about their children, who are its future.

The crucial question may be what precisely is covered by gender-structured institutions. How are their lines drawn? If we say the gender system includes whatever social arrangements adversely affect the equal basic liberties and opportunities of women, as well as those of their children as future citizens, then surely that system is subject to critique by the principles of justice. The question then becomes whether the fulfillment of these principles suffices to remedy the gender system’s faults. The remedy depends in part on social theory and human psychology, and much else. It cannot be settled by a conception of justice alone.

In concluding these remarks on the family, I should say that I have not tried to argue fully for particular conclusions. Rather, to repeat, I have simply wanted to illustrate how a political conception of justice and its ordering of political values apply to a single institution of the basic structure and can cover many (if not all) of its various aspects. As I have said, these values are given an order within the particular political conception to which they are attached. Among these values are the freedom and equality of women, the equality of children as future citizens, the freedom of religion, and finally, the value of the family in securing the orderly production and reproduction of society and of its culture from one generation to the next. These values provide public reasons for all citizens. So much is claimed not only for justice as fairness but for any reasonable political conception.

6. Questions about Public Reason

I now turn to various questions and doubts about the idea of public reason and try to allay them.

First, it may be objected that the idea of public reason would unreasonably limit the topics and considerations available for political argument and debate, and that we should adopt instead what we may call the open view with no constraints. I now discuss two examples to rebut this objection.

(a) One reason for thinking public reason is too restrictive is to suppose that it mistakenly tries to settle political questions in advance. To explain this objection, let’s consider the question of school prayer. It might be thought that a liberal position on this question would deny its admissibility in public schools. But why so? We have to consider all the political values that can be invoked to settle this question and on which side the decisive reasons fall. The
famous debate in 1784–1785 between Patrick Henry and James Madison over the establishment of the Anglican Church in Virginia and involving religion in the schools was argued almost entirely by reference to political values alone. Henry’s argument for establishment was based on the view that “Christian knowledge hath a natural tendency to correct the morals of men, restrain their vices, and preserve the peace of society, which cannot be effected without a competent provision for learned teachers.” Henry did not seem to argue for Christian knowledge as good in itself but rather as an effective way to achieve basic political values, namely, the good and peaceable conduct of citizens. Thus, I take him to mean by “vices,” at least in part, those actions contrary to the political virtues found in political liberalism, and expressed by other conceptions of democracy.

Leaving aside the obvious difficulty of whether prayers can be composed that satisfy all the needed restrictions of political justice, Madison’s objections to Henry’s bill turned largely on whether religious establishment was necessary to support orderly civil society. He concluded it was not. Madison’s objections depended also on the historical effects of establishment both on society and on the integrity of religion itself. He was acquainted with the prosperity of colonies that had no establishment, notably Pennsylvania; he cited the strength of early Christianity in opposition to the hostile Roman Empire, and the corruption of past establishments. With some care, many if not all of these arguments can be expressed in terms of the political values of public reason.

Of special interest in the example of school prayer is that it brings out that the idea of public reason is not a view about specific political institutions or policies. Rather, it is a view about the kind of reasons on which citizens are to rest their political cases in making their political justifications to one another when they support laws and policies that invoke the coercive powers of government concerning fundamental political questions. Also of special interest in this example is that it serves to emphasize that the principles that support the separation of church and state should be such that they can be affirmed by all free and equal citizens, given the fact of reasonable pluralism.

The reasons for the separation of church and state are these, among others: It protects religion from the state and the state from religion; it protects citizens from their churches and citizens from one another. It is a mistake to say that political liberalism is an individualist political conception, since its aim is the protection of the various interests in liberty, both associational and individual. And it is also a grave error to think that the separation of church and state is primarily for the protection of secular culture; of course it does protect that culture, but no more so than it protects all religions. The vitality and wide acceptance of religion in America is often commented upon, as if it were a sign of the peculiar virtue of the American people. Perhaps so, but it may also be connected with the fact that in this country the various religions have been protected by the First Amendment from the state, and none has been able to dominate and suppress the other religions by the capture and use of state power. While some have no doubt entertained that aim since the

71. See Thomas J. Curry, The First Freedoms: Church and State in America to the Passage of the First Amendment (Oxford: Oxford University Press, 1986), pp. 139–148. The quoted language, which appears on p. 140, is from the preamble to the proposed “Bill Establishing a Provision for Teachers of the Christian Religion” (1784). Note that the popular Patrick Henry also provided the most serious opposition to Jefferson’s “Bill for Establishing Religious Freedom” (1779), which won out when reintroduced in the Virginia Assembly in 1786. Curry, The First Freedoms, p. 146. 72. For a discussion of these virtues, see Political Liberalism, lecture V, sec. 5.4, pp. 194–195. 73. See James Madison, Memorial and Remonstrance (1785), in The Mind of the Founders, ed. Marvin Meyers (Indianapolis: Bobbs-Merrill, 1973), pp. 8–16. Paragraph 6 refers to the vigor of early Christianity in opposition to the empire, while paragraphs 7 and 11 refer to the mutually corrupting influence of past establishments on both religion and state. In the correspondence between Madison and William Bradford of Pennsylvania, whom he met at Princeton (College of New Jersey), the freedom and prosperity of Pennsylvania without an establishment are praised and celebrated. See The Papers of James Madison, vol. 1, ed. William T. Hutchinson and William E. Rachal (Chicago: University of Chicago Press, 1962). See especially Madison’s letters of 1 December 1773, ibid., pp. 100–101; 24 January 1774, ibid., pp. 104–106; and 1 April 1774, ibid., pp. 111–113. A letter of Bradford’s to Madison, 4 March 1774, refers to liberty as the genius of Pennsylvania; ibid., p. 109. Madison’s arguments were similar to those of Tocqueville that I mention below. See also Curry, The First Freedoms, pp. 142–148.
early days of the Republic, it has not been seriously tried. Indeed, Tocqueville thought that among the main causes of the strength of democracy in this country was the separation of church and state. Political liberalism agrees with many other liberal views in accepting this proposition. Some citizens of faith have felt that this separation is hostile to religion and have sought to change it. In doing this I believe they fail to grasp a main cause of the strength of religion in this country and, as Tocqueville says, seem ready to jeopardize it for temporary gains in political power.


76. Alexis de Tocqueville, Democracy in America, vol. 1, ed. J. P. Mayer, trans. George Lawrence (New York: Perennial Library, 1988), pp. 294–301. In discussing "The Main Causes That Make Religion Powerful in America," Tocqueville says that the Catholic priests "all thought the main reason for the quiet sway of religion over their country was the complete separation of church and state. I have no hesitation in stating that throughout my stay in America I met nobody, lay or cleric, who did not agree about that" (p. 295). He continues: "There have been religions intimately linked to earthly governments, dominating men's souls both by terror and by faith; but when a religion makes such an alliance, I am not afraid to say that it makes the same mistake as any man might; it sacrifices the future for the present, and by gaining a power to which it has no claim, it risks its legitimate authority.... Hence religion cannot share the material strength of the rulers without being burdened with some of the animosity roused against them" (p. 297). He remarks that these observations apply all the more to a democratic country, for in that case when religion seeks political power it will attach itself to a particular party and be burdened by hostility to it (p. 298). Referring to the cause of the decline of religion in Europe, he concludes, "I am profoundly convinced that this accidental and particular cause is the close union of politics and religion.... European Christianity has allowed itself to be intimately united with the powers of the world" (pp. 300–301). Political liberalism accepts Tocqueville's view and sees it as explaining, so far as possible, the basis of peace among comprehensive doctrines both religious and secular.

77. In this it agrees with Locke, Montesquieu, and Constant; Kant, Hegel, and Mill.

78. I take this term from Philip Quinn. The idea appears in Rawls, Political Liberalism, lecture VI, sec. 7.1–2, pp. 240–241.

in some sense may indeed happen, not only in moral and political reasoning but in all forms of reasoning, including science and common sense. Nevertheless, this is irrelevant. The relevant comparison is to those situations in which legislators enacting laws and judges deciding cases must make decisions. Here some political rule of action must be laid down and all must be able reasonably to endorse the process by which a decision is reached. Recall that public reason sees the office of citizen with its duty of civility as analogous to that of judge with its duty of deciding cases. Just as judges are to decide cases by legal grounds of precedent, recognized canons of statutory interpretation, and other relevant grounds, so citizens are to reason by public reason and to be guided by the criterion of reciprocity, whenever constitutional essentials and matters of basic justice are at stake.

Thus, when there seems to be a stand-off, that is, when legal arguments seem evenly balanced on both sides, judges cannot resolve the case simply by appealing to their own political views. To do that is for judges to violate their duty. The same holds with public reason: if, when stand-offs occur, citizens simply invoke grounding reasons of their comprehensive views, the principle of reciprocity is violated. From the point of view of public reason, citizens must vote for the ordering of political values they sincerely think the most reasonable. Otherwise they fail to exercise political power in ways that satisfy the criterion of reciprocity.

In particular, when hotly disputed questions, such as that of abortion, arise which may lead to a stand-off between different political conceptions, citizens must vote on the question according to their complete ordering of political values. Indeed, this is a normal case: unanimity of views is not to be expected.

79. I use the term "grounding reasons" since many who might appeal to these reasons view them as the proper grounds, or the true basis—religious, philosophical, or moral—of the ideals and principles of public reasons and political conceptions of justice.

80. Some have quite naturally read the footnote in Political Liberalism, lecture VI, sec. 7.2, pp. 243–244, as an argument for the right to abortion in the first trimester. I do not intend it to be one. (It does express my opinion, but my opinion is not an argument.) I was in error in leaving it in doubt whether the aim of the footnote was only to illustrate and confirm the following statement in the text to which the footnote is attached: "The only comprehensive doctrines that run afool of public reason are those that cannot support a reasonable balance [or ordering] of political values [on the issue]." To try to explain what I meant, I used three political values (of course, there are more) for the troubled issue of the right to abortion to which it might seem improbable that political values could apply at all. I believe a more detailed interpretation of those values may, when properly developed in public reason, yield a reasonable argument. I don't say the most reasonable or decisive argument; I don't know what that would be, or even if it exists. (For an example of such a more detailed interpretation, see Judith Jarvis Thomson, "Abortion,"
Reasonable political conceptions of justice do not always lead to the same conclusion;\textsuperscript{81} nor do citizens holding the same conception always agree on particular issues. Yet the outcome of the vote, as I said before, is to be seen as legitimate provided all government officials, supported by other reasonable citizens, of a reasonably just constitutional regime sincerely vote in accordance with the idea of public reason. This doesn’t mean the outcome is true or correct, but that it is reasonable and legitimate law, binding on citizens by the majority principle.

Some may, of course, reject a legitimate decision, as Roman Catholics may reject a decision to grant a right to abortion. They may present an argument in public reason for denying it and fail to win a majority.\textsuperscript{82} But they need not themselves exercise the right to abortion. They can recognize the right as belonging to legitimate law enacted in accordance with legitimate political institutions and public reason, and therefore not resist it with force. Forceful resistance is unreasonable: it would mean attempting to impose by force their own comprehensive doctrine that a majority of other citizens who follow public reason, not unreasonably, do not accept. Certainly Catholics may, in line with public reason, continue to argue against the right to abortion. Reasoning is not closed once and for all in public reason any more than it is closed in any form of reasoning. Moreover, that the Catholic Church’s nonpublic reason requires its members to follow its doctrine is perfectly consistent with their also honoring public reason.\textsuperscript{83}

I do not discuss the question of abortion in itself since my concern is not with that question but rather to stress that political liberalism does not hold that the ideal of public reason should always lead to a general agreement of views, nor is it a fault that it does not. Citizens learn and profit from debate and argument, and when their arguments follow public reason, they instruct society’s political culture and deepen their understanding of one another even when agreement cannot be reached.

\textsuperscript{2} Some of the considerations underlying the stand-off objection lead to a more general objection to public reason, namely, that the content of the family of reasonable political conceptions of justice on which it is based is itself much too narrow. This objection insists that we should always present what we think are true or grounding reasons for our views. That is, the objection insists, we are bound to express the true, or the right, as seen from our comprehensive doctrines.

However, as I said at the beginning, in public reason ideas of truth or right based on comprehensive doctrines are replaced by an idea of the politically reasonable addressed to citizens as citizens. This step is necessary to establish a basis of political reasoning that all can share as free and equal citizens. Since we are seeking public justifications for political and social institutions—for the basic structure of a political and social world—we think of persons as citizens. This assigns to each person the same basic political position. In giving reasons to all citizens we don’t view persons as socially situated or otherwise rooted, that is, as being in this or that social class, or in this or that property and income group, or as having this or that comprehensive doctrine. Nor are we appealing to each person’s or each group’s interests, though at some point we must take these interests into account. Rather, we think of persons as reasonable and rational, as free and equal citizens, with the two moral powers\textsuperscript{84} and having, at any given mo-

\textsuperscript{81} See Political Liberalism, lecture VI, sec. 7.1, pp. 240–241.

\textsuperscript{82} For such an argument see Cardinal Joseph Bernardin, "The Consistent Ethic: What Sort of Framework?" Origins, 16 (October 30, 1986): 347–350. The idea of public order presented by the Cardinal includes these three political values: public peace, essential protections of human rights, and the commonly accepted standards of moral behavior in a community of law. Further, he grants that not all moral imperatives are to be translated into prohibitive civil statutes and thinks it essential to the political and social order to protect human life and basic human rights. The denial of the right to abortion he hopes to justify on the basis of those three values. I don’t, of course, assess his argument here, except to say that it is clearly cast in some form of public reason. Whether it is itself reasonable or not, or more reasonable than the arguments on the other side, is another matter. As with any form of reasoning in public reason, the reasoning may be fallacious or mistaken.

\textsuperscript{83} As far as I can see, this view is similar to Father John Courtney Murray’s position about the stand the Church should take in regard to contraception in We Hold These Truths: Catholic Reflections on the American Proposition (New York: Sheed and Ward, 1960), pp. 157–158. See also Mario Cuomo’s lecture on abortion in his Notre Dame Lecture of 1984, in More Than Words: The Speeches of Mario Cuomo (New York: St. Martins, 1993), pp. 32–51. I am indebted to Leslie Griffin and Paul Weithman for discussion and clarification about points involved in this and the preceding footnote and for acquainting me with Father Murray’s view.

\textsuperscript{84} These two powers, the capacity for a conception of justice and the capacity for a conception of the good, are discussed in Political Liberalism. See especially lecture I, sec. 3.2, p. 19; lecture II, sec. 7.1, p. 81; lecture III, sec. 3.3, pp. 103–104; lecture III, sec. 4.1, p. 108.
ment, a determinate conception of the good, which may change over time. These features of citizens are implicit in their taking part in a fair system of social cooperation and seeking and presenting public justifications for their judgments on fundamental political questions.

I emphasize that this idea of public reason is fully compatible with the many forms of nonpublic reason. These belong to the internal life of the many associations in civil society, and they are not of course all the same; different nonpublic reasons of different religious associations shared by their members are not those of scientific societies. Since we seek a shareable public basis of justification for all citizens in society, giving justifications to particular persons and groups here and there until all are covered fails to do this. To speak of all persons in society is still too broad, unless we suppose that they are in their nature basically the same. In political philosophy one role of ideas about our nature has been to think of people in a standard, or canonical, fashion so that they might all accept the same kind of reasons. In political liberalism, however, we try to avoid natural or psychological views of this kind, as well as theological or secular doctrines. Accounts of human nature we put aside and rely on a political conception of persons as citizens instead.

As I have stressed throughout, it is central to political liberalism that free and equal citizens affirm both a comprehensive doctrine and a political conception. However, the relation between a comprehensive doctrine and its accompanying political conception is easily misunderstood.

When political liberalism speaks of a reasonable overlapping consensus of comprehensive doctrines, it means that all of these doctrines, both religious and nonreligious, support a political conception of justice underwriting a constitutional democratic society whose principles, ideals, and standards satisfy the criterion of reciprocity. Thus, all reasonable doctrines affirm such a society with its corresponding political institutions: equal basic rights and liberties for all citizens, including liberty of conscience and the freedom of religion. On the other hand, comprehensive doctrines that cannot support such a democratic society are not reasonable. Their principles and ideals do not satisfy the criterion of reciprocity, and in various ways they fail to establish the equal basic liberties. As examples, consider the many fundamentalist religious doctrines, the doctrine of the divine right of monarchs and the various forms of aristocracy, and, not to be overlooked, the many instances of autocracy and dictatorship.

Moreover, a true judgment in a reasonable comprehensive doctrine never conflicts with a reasonable judgment in its related political conception. A reasonable judgment of the political conception must still be confirmed as true, or right, by the comprehensive doctrine. It is, of course, up to citizens themselves to affirm, revise, or change their comprehensive doctrines. Their doctrines may override or count for naught the political values of a constitutional democratic society. But then the citizens cannot claim that such doctrines are reasonable. Since the criterion of reciprocity is an essential ingredient specifying public reason and its content, political liberalism rejects as unreasonable all such doctrines.

In a reasonable comprehensive doctrine, in particular a religious one, the ranking of values may not be what we might expect. Thus, suppose we call transcendent such values as salvation and eternal life—the Visio Dei. This value, let’s say, is higher, or superior to, the reasonable political values of a constitutional democratic society. These are worldly values and therefore on a different, and as it were lower, plane than those transcendent values. It doesn’t follow, however, that these lower yet reasonable values are overridden by the transcendent values of the religious doctrine. In fact, a reasonable comprehensive doctrine is one in which they are not overridden; it is the unreasonable doctrines in which reasonable political values are overridden. This is a consequence of the idea of the politically reasonable as set out in political liberalism. Recall that it was said: In endorsing a constitutional democratic regime, a religious doctrine may say that such are the limits God sets to our liberty.

A further misunderstanding alleges that an argument in public reason could not side with Lincoln against Douglas in their debates of 1858. But why not? Certainly they were debating fundamental political principles about the rights.

85. Ibid., lecture VI, sec. 4, pp. 223–227.
86. Sometimes the term “normalize” is used in this connection. For example, persons have certain fundamental interests of a religious or philosophical kind; or else certain basic needs of a natural kind. Again, they may have a certain typical pattern of self-realization. A Thomist will say that we always desire above all else, even if unknown to ourselves, the Visio Dei; a Platonist will say that we strive for a vision of the good; a Marxist will say that we aim for self-realization as species-beings.
87. The idea of such a consensus is discussed at various places in Political Liberalism. See especially lecture IV, and consult the index.
88. See ibid., p. xviii (paperback edition).
89. See Section 3.2. It is sometimes asked why political liberalism puts such a high value on political values, as if one could only do that by assessing those values in comparison with transcendent values. But this comparison political liberalism does not make, nor does it need to make, as is observed in the text.
and wrongs of slavery. Since the rejection of slavery is a clear case of securing the constitutional essential of the equal basic liberties, surely Lincoln's view was reasonable (even if not the most reasonable), while Douglas's was not. Therefore, Lincoln's view is supported by any reasonable comprehensive doctrine. It is no surprise, then, that his view is in line with the religious doctrines of the Abolitionists and the Civil Rights Movement. What could be a better example to illustrate the force of public reason in political life?" 

"A third general objection is that the idea of public reason is unnecessary and serves no purpose in a well-established constitutional democracy. Its limits and constraints are useful primarily when a society is sharply divided and contains many hostile religious associations and secular groups, each striving to become the controlling political force. In the political societies of the European democracies and the United States these worries, so the objection goes, are idle.

However, this objection is incorrect and sociologically faulty. For without citizens' allegiance to public reason and their honoring the duty of civility, divisions and hostilities between doctrines are bound to assert themselves, should they not already exist. Harmony and concord among doctrines and a people's affirming public reason are unhappily not a permanent condition of social life. Rather, harmony and concord depend on the vitality of the public political culture and on citizens' being devoted to and realizing the ideal of public reason. Citizens could easily fall into bitterness and resentment, once they no longer see the point of affirming an ideal of public reason and come to ignore it.

To return to where we began in this section: I do not know how to prove that public reason is not too restrictive, or whether its forms are properly described. I suspect it cannot be done. Yet this is not a serious problem if, as I believe, the large majority of cases fit the framework of public reason, and the cases that do not fit all have special features that both enable us to understand why they should cause difficulty and show us how to cope with them as they arise. This prompts the general questions of whether there are examples of important cases of constitutional essentials and basic justice that do not fit the framework of public reason, and if so, why they cause difficulty. In this paper I do not pursue these questions.

7. Conclusion

1. Throughout, I have been concerned with a torturing question in the contemporary world, namely: Can democracy and comprehensive doctrines, religious or nonreligious, be compatible? And if so, how? At the moment a number of conflicts between religion and democracy raise this question. To answer it political liberalism makes the distinction between a self-standing political conception of justice and a comprehensive doctrine. A religious doctrine resting on the authority of the Church or the Bible is not, of course, a liberal comprehensive doctrine: its leading religious and moral values are not those, say, of Kant or Mill. Nevertheless, it may endorse a constitutional democratic society and recognize its public reason. Here it is basic that public reason is a political idea and belongs to the category of the political. Its content is given by the family of (liberal) political conceptions of justice satisfying the criterion of reciprocity. It does not trespass upon religious beliefs and injunctions insofar as these are consistent with the essential constitutional liberties, including the freedom of religion and liberty of conscience. There is, or need be, no war between religion and democracy. In this respect political liberalism is sharply different from and rejects Enlightenment Liberalism, which historically attacked orthodox Christianity.

The conflicts between democracy and reasonable religious doctrines and among reasonable religious doctrines themselves are greatly mitigated and contained within the bounds of reasonable principles of justice in a constitutional democratic society. This mitigation is due to the idea of toleration, and I have distinguished between two such ideas. One is purely political, being expressed in terms of the rights and duties protecting religious liberty in accordance with a reasonable political conception of justice. The other is not

91. Perhaps some think that a political conception is not a matter of (moral) right and wrong. If so, that is a mistake and is simply false. Political conceptions of justice are themselves intrinsically moral ideas, as I have stressed from the outset. As such they are a kind of normative value. On the other hand, some may think that the relevant political conceptions are determined by how a people actually establish their existing institutions—the political given, as it were, by politics. Viewed in this light, the prevalence of slavery in 1858 implies that Lincoln's criticisms of it were moral, a matter of right and wrong, and certainly not a matter of politics. To say that the political is determined by a people's politics may be a possible use of the term "political." But then it ceases to be a normative idea, and it is no longer part of public reason. We must hold fast to the idea of the political as a fundamental category and covering political conceptions of justice as intrinsic moral values.
purely political but expressed from within a religious or a nonreligious doctrine. However, a reasonable judgment of the political conception must still be confirmed as true, or right, by a reasonable comprehensive doctrine. 94 I assume, then, that a reasonable comprehensive doctrine accepts some form of the political argument for toleration. Of course, citizens may think that the grounding reasons for toleration and for the other elements of a constitutional democratic society are not political but rather are to be found in their religious or nonreligious doctrines. And these reasons, they may well say, are the true or the right reasons; and they may see the political reasons as superficial, the grounding ones as deep. Yet there is no conflict here, but simply concordant judgments made within political conceptions of justice on the one hand, and within comprehensive doctrines on the other.

There are limits, however, to reconciliation by public reason. Three main kinds of conflicts set citizens at odds: those deriving from irreconcilable comprehensive doctrines; those deriving from differences in status, class position, or occupation, or from differences in ethnicity, gender, or race; and finally, those deriving from the burdens of judgment. 95 Political liberalism concerns primarily the first kind of conflict. It holds that even though our comprehensive doctrines are irreconcilable and cannot be compromised, nevertheless citizens who affirm reasonable doctrines may share reasons of another kind, namely, public reasons given in terms of political conceptions of justice. I also believe that such a society can resolve the second kind of conflict, which deals with conflicts between citizens’ fundamental interests—political, economic, and social. For once we accept reasonable principles of justice and recognize them to be reasonable (even if not the most reasonable), and know, or reasonably believe, that our political and social institutions satisfy them, the second kind of conflict need not arise, or arise so forcefully. Political liberalism does not explicitly consider these conflicts but leaves them to be considered by justice as fairness, or by some other reasonable conception of political justice.

(4) Others who affirm reasonable doctrines different from ours are, we grant, reasonable also, and certainly not for that reason unreasonable. (5) In going beyond recognizing the reasonableness of a doctrine and affirming our belief in it, we are not being unreasonable. (6) Reasonable persons think it unreasonable to use political power, should they possess it, to repress other doctrines that are reasonable yet different from their own.

94. See Section 6.3.

95. These burdens are discussed in Political Liberalism, lecture II, sec. 2. Roughly, they are sources or causes of reasonable disagreement between reasonable and rational persons. They involve balancing the weight of different kinds of evidence and kinds of values, and the like, and they affect both theoretical and practical judgments.

Finally, conflicts arising from the burdens of judgment always exist and limit the extent of possible agreement.

2. Reasonable comprehensive doctrines do not reject the essentials of a constitutional democratic polity. 96 Moreover, reasonable persons are characterized in two ways: First, they stand ready to offer fair terms of social cooperation between equals, and they abide by these terms if others do also, even should it be to their advantage not to; 97 second, reasonable persons recognize and accept the consequences of the burdens of judgment, which leads to the idea of reasonable toleration in a democratic society. 98 Finally we come to the idea of legitimate law, which reasonable citizens understand to apply to the general structure of political authority. 99 They know that in political life unanimity can rarely if ever be expected, so a reasonable democratic constitution must include majority or other plurality voting procedures in order to reach decisions. 100

The idea of the politically reasonable is sufficient unto itself for the purposes of public reason when basic political questions are at stake. Of course, fundamentalist religious doctrines and autocratic and dictatorial rulers will reject the ideas of public reason and deliberative democracy. They will say that democracy leads to a culture contrary to their religion, or denies the values that only autocratic or dictatorial rule can secure. 101 They assert that the religiously true, or the philosophically true, overrides the politically reasonable. We simply say that such a doctrine is politically unreasonable. Within political liberalism nothing more need be said.

I noted in the beginning 102 the fact that every actual society, however dominant and controlling its reasonable citizens may be, will normally contain numerous unreasonable doctrines that are not compatible with a democratic society—either certain religious doctrines, such as fundamentalist religions, or certain nonreligious (secular) doctrines, such as those of autocracy and dictatorship, of which our century offers hideous examples. How far unreasonable doctrines may be active and are to be tolerated in a constitutional democratic regime does not present a new and different question, despite the fact that in

96. Ibid., p. xviii.
97. Ibid., lecture II, sec. 1.1, pp. 49–50.
98. Ibid., lecture II, secs. 2–3.4, pp. 54–62.
99. Ibid., lecture IV, secs. 1.2–3, pp. 135–137.
100. Ibid., lecture IX, sec. 2.1, p. 393.
101. Observe that neither the religious objection to democracy nor the autocratic one could be made by public reasoning.
102. See note 3.
this account of public reason we have focused on the idea of the reasonable and the role of reasonable citizens. There is not one account of tolerance for reasonable doctrines and another for unreasonable ones. Both cases are settled by the appropriate political principles of justice and the conduct those principles permit. Unreasonable doctrines are a threat to democratic institutions, since it is impossible for them to abide by a constitutional regime except as a modus vivendi. Their existence sets a limit to the aim of fully realizing a reasonable democratic society with its ideal of public reason and the idea of legitimate law. This fact is not a defect or failure of the idea of public reason, but rather it indicates that there are limits to what public reason can accomplish. It does not diminish the great value and importance of attempting to realize that ideal to the fullest extent possible.

3. I end by pointing out the fundamental difference between A Theory of Justice and Political Liberalism. The first explicitly attempts to develop from the idea of the social contract, represented by Locke, Rousseau, and Kant, a theory of justice that is no longer open to objections often thought fatal to it, and that proves superior to the long dominant tradition of utilitarianism. A Theory of Justice hopes to present the structural features of such a theory so as to make it the best approximation to our considered judgments of justice and hence to give the most appropriate moral basis for a democratic society. Furthermore, justice as fairness is presented there as a comprehensive liberal doctrine (although the term “comprehensive doctrine” is not used in the book) in which all the members of its well-ordered society affirm that same doctrine. This kind of well-ordered society contradicts the fact of reasonable pluralism and hence Political Liberalism regards that society as impossible.

Thus, Political Liberalism considers a different question, namely: How is it possible for those affirming a comprehensive doctrine, religious or nonreligious, and in particular doctrines based on religious authority, such as the Church or the Bible, also to hold a reasonable political conception of justice that supports a constitutional democratic society? The political conceptions are seen as both liberal and self-standing and not as comprehensive, whereas the religious doctrines may be comprehensive but not liberal. The two books are asymmetrical, though both have an idea of public reason. In the first, public reason is given by a comprehensive liberal doctrine, while in the second, public reason is a way of reasoning about political values shared by free and equal citizens that does not trespass on citizens’ comprehensive doctrines so long as those doctrines are consistent with a democratic polity. Thus, the well-ordered constitutional democratic society of Political Liberalism is one in which the dominant and controlling citizens affirm and act from irreconcilable yet reasonable comprehensive doctrines. These doctrines in turn support reasonable political conceptions—although not necessarily the most reasonable—which specify the basic rights, liberties, and opportunities of citizens in society’s basic structure.

103. See A Theory of Justice, sec. 35 (on toleration of the intolerant); Political Liberalism, lecture V, sec. 6.2, pp. 197–199.
THE PURSUIT OF THE IDEAL

I

There are, in my view, two factors that, above all others, have shaped human history in this century. One is the development of the natural sciences and technology, certainly the greatest success story of our time – to this, great and mounting attention has been paid from all quarters. The other, without doubt, consists in the great ideological storms that have altered the lives of virtually all mankind: the Russian Revolution and its aftermath – totalitarian tyrannies of both right and left and the explosions of nationalism, racism, and, in places, of religious bigotry, which, interestingly enough, not one among the most perceptive social thinkers of the nineteenth century had ever predicted.

When our descendants, in two or three centuries’ time (if mankind survives until then), come to look at our age, it is these two phenomena that will, I think, be held to be the outstanding characteristics of our century, the most demanding of explanation and analysis. But it is as well to realise that these great movements began with ideas in people’s heads: ideas about what relations between men have been, are, might be, and should be; and to realise how they came to be transformed in the name of a vision of some supreme goal in the minds of the leaders, above all of the prophets with armies at their backs. Such ideas are the substance of ethics. Ethical thought consists of the systematic examination of the relations of human beings to each other, the conceptions, interests and ideals from which human ways of treating one another spring, and the systems of value on which
The Pursuit of the Ideal

such ends of life are based. These beliefs about how life should be lived, what men and women should be and do, are objects of moral inquiry; and when applied to groups and nations, and, indeed, mankind as a whole, are called political philosophy, which is but ethics applied to society.

If we are to hope to understand the often violent world in which we live (and unless we try to understand it, we cannot expect to be able to act rationally in it and on it), we cannot confine our attention to the great impersonal forces, natural and man-made, which act upon us. The goals and motives that guide human action must be looked at in the light of all that we know and understand; their roots and growth, their essence, and above all their validity, must be critically examined with every intellectual resource that we have. This urgent need, apart from the intrinsic value of the discovery of truth about human relationships, makes ethics a field of primary importance. Only barbarians are not curious about where they come from, how they came to be where they are, where they appear to be going, whether they wish to go there, and if so, why, and if not, why not.

The study of the variety of ideas about the views of life that embody such values and such ends is something that I have spent forty years of my long life in trying to make clear to myself. I should like to say something about how I came to become absorbed by this topic, and particularly about a turning-point which altered my thoughts about the heart of it. This will, to some degree, inevitably turn out to be somewhat autobiographical - for this I offer my apologies, but I do not know how else to give an account of it.

II

When I was young I read *War and Peace* by Tolstoy, much too early. The real impact on me of this great novel came only later, together with that of other Russian writers, both novelists and social thinkers, of the mid-nineteenth century. These writers did much to shape my outlook. It seemed to me, and still does, that the purpose of these writers was not principally to give realistic accounts of the lives and relationships to one another of individuals or social groups or classes, not psychological or social analysis for its own sake - although, of course, the best of them achieved precisely this, incomparably. Their approach seemed to me essentially moral: they were concerned most deeply with what was responsible for injustice, oppression, falsity in human relations, imprisonment whether by stone walls or conformism - unprotesting submission to man-made yokes - moral blindness, egoism, cruelty, humiliation, servility, poverty, helplessness, bitter indignation, despair, on the part of so many. In short, they were concerned with the nature of these experiences and their roots in the human condition; the condition of Russia in the first place, but, by implication, of all mankind. And conversely they wished to know what would bring about the opposite of this, a reign of truth, love, honesty, justice, security, personal relations based on the possibility of human dignity, decency, independence, freedom, spiritual fulfilment.

Some, like Tolstoy, found this in the outlook of simple people, unspoiled by civilisation; like Rousseau, he wished to believe that the moral universe of peasants was not unlike that of children, not distorted by the conventions and institutions of civilisation, which sprang from human vices - greed, egoism, spiritual blindness; that the world could be saved if only men saw the truth that lay at their feet; if they but looked, it was to be found in the Christian gospels, the Sermon on the Mount. Others among these Russians put their faith in scientific rationalism, or in social and political revolution founded on a true theory of historical change. Others again looked for answers in the teachings of the Orthodox theology, or in liberal western democracy, or in a return to ancient Slav values, obscured by the reforms of Peter the Great and his successors.

What was common to all these outlooks was the belief that
The Pursuit of the Ideal

solutions to the central problems existed, that one could discover them, and, with sufficient selfless effort, realise them on earth. They all believed that the essence of human beings was to be able to choose how to live: societies could be transformed in the light of true ideals believed in with enough fervour and dedication. If, like Tolstoy, they sometimes thought that man was not truly free but determined by factors outside his control, they knew well enough, as he did, that if freedom was an illusion it was one without which one could not live or think. None of this was part of my school curriculum, which consisted of Greek and Latin authors, but it remained with me.

When I became a student at the University of Oxford, I began to read the works of the great philosophers, and found that the major figures, especially in the field of ethical and political thought, believed this too. Socrates thought that if certainty could be established in our knowledge of the external world by rational methods (had not Anaxagoras arrived at the truth that the moon was many times larger than the Peloponnesian, however small it looked in the sky?) the same methods would surely yield equal certainty in the field of human behaviour – how to live, what to be. This could be achieved by rational argument. Plato thought that an elite of sages who arrived at such certainty should be given the power of governing others intellectually less well endowed, in obedience to patterns dictated by the correct solutions to personal and social problems. The Stoics thought that the attainment of these solutions was in the power of any man who set himself to live according to reason. Jews, Christians, Muslims (I knew too little about Buddhism) believed that the true answers had been revealed by God to his chosen prophets and saints, and accepted the interpretation of these revealed truths by qualified teachers and the traditions to which they belonged.

The rationalists of the seventeenth century thought that the answers could be found by a species of metaphysical insight, a special application of the light of reason with which all men were endowed. The empiricists of the eighteenth century, impressed by the vast new realms of knowledge opened by the natural sciences based on mathematical techniques, which had driven out so much error, superstition, dogmatic nonsense, asked themselves, like Socrates, why the same methods should not succeed in establishing similar irrefutable laws in the realm of human affairs. With the new methods discovered by natural science, order could be introduced into the social sphere as well – uniformities could be observed, hypotheses formulated and tested by experiment; laws could be based on them, and then laws in specific regions of experience could be seen to be entailed by wider laws; and these in turn to be entailed by still wider laws, and so on upwards, until a great harmonious system, connected by unbreakable logical links and capable of being formulated in precise – that is, mathematical – terms, could be established.

The rational reorganisation of society would put an end to spiritual and intellectual confusion, the reign of prejudice and superstition, blind obedience to unexamined dogmas, and the stupidities and cruelties of the oppressive regimes which such intellectual darkness bred and promoted. All that was wanted was the identification of the principal human needs and discovery of the means of satisfying them. This would create the happy, free, just, virtuous, harmonious world which Condorcet so movingly predicted in his prison cell in 1794. This view lay at the basis of all progressive thought in the nineteenth century, and was at the heart of much of the critical empiricism which I imbibed in Oxford as a student.

III

At some point I realised that what all these views had in common was a Platonic ideal: in the first place that, as in the sciences, all genuine questions must have one true answer and one only, all the rest being necessarily errors; in the second place, that there must be a dependable path towards the
discovery of these truths; in the third place, that the true answers, when found, must necessarily be compatible with one another and form a single whole, for one truth cannot be incompatible with another — that we knew a priori. This kind of omniscience was the solution of the cosmic jigsaw puzzle. In the case of morals, we could then conceive what the perfect life must be, founded as it would be on a correct understanding of the rules that governed the universe.

True, we might never get to this condition of perfect knowledge — we may be too feeble-witted, or too weak or corrupt or sinful, to achieve this. The obstacles, both intellectual and those of external nature, may be too many. Moreover, opinions, as I said, had widely differed about the right path to pursue — some found it in churches, some in laboratories; some believed in intuition, others in experiment, or in mystical visions, or in mathematical calculation. But even if we could not ourselves reach these true answers, or indeed, the final system that interweaves them all, the answers must exist — else the questions were not real. The answers must be known to someone: perhaps Adam in Paradise knew; perhaps we shall only reach them at the end of days; if men cannot know them, perhaps the angels know; and if not the angels, then God knows. These timeless truths must in principle be knowable.

Some nineteenth-century thinkers — Hegel, Marx — thought it was not quite so simple. There were no timeless truths. There was historical development, continuous change; human horizons altered with each new step in the evolutionary ladder; history was a drama with many acts; it was moved by conflicts of forces in the realms of both ideas and reality, sometimes called dialectical, which took the form of wars, revolutions, violent upheavals of nations, classes, cultures, movements. Yet after inevitable setbacks, failures, relapses, returns to barbarism, Condorcet's dream would come true. The drama would have a happy ending — man's reason had achieved triumphs in the past, it could not be held back for ever. Men would no longer be victims of nature or of their own largely irrational societies:

reason would triumph; universal harmonious cooperation, true history, would at last begin.

For if this was not so, do the ideas of progress, of history, have any meaning? Is there not a movement, however tortuous, from ignorance to knowledge, from mythical thought and childish fantasies to perception of reality face to face, to knowledge of true goals, true values as well as truths of fact? Can history be a mere purposeless succession of events, caused by a mixture of material factors and the play of random selection, a tale full of sound and fury signifying nothing? This was unthinkable. The day would dawn when men and women would take their lives in their own hands and not be self-seeking beings or the playthings of blind forces that they did not understand. It was, at the very least, not impossible to conceive what such an earthly paradise could be; and if conceivable we could, at any rate, try to march towards it. That has been at the centre of ethical thought from the Greeks to the Christian visionaries of the Middle Ages, from Renaissance to progressive thought in the last century; and indeed, is believed by many to this day.

IV

At a certain stage in my reading, I naturally met with the principal works of Machiavelli. They made a deep and lasting impression upon me, and shook my earlier faith. I derived from them not the most obvious teachings — on how to acquire and retain political power, or by what force or guile rulers must act if they are to regenerate their societies, or protect themselves and their states from enemies within or without, or what the principal qualities of rulers on the one hand, and of citizens on the other, must be, if their states are to flourish — but something else. Machiavelli was not a historicist: he thought it possible to restore something like the Roman Republic or Rome of the early Principate. He believed that to do this one needed a ruling class of brave, resourceful, intelligent, gifted men who knew
how to seize opportunities and use them, and citizens who were adequately protected, patriotic, proud of their state, epitomes of manly, pagan virtues. That is how Rome rose to power and conquered the world, and it is the absence of this kind of wisdom and vitality and courage in adversity, of the qualities of both lions and foxes, that in the end brought it down. Decadent states were conquered by vigorous invaders who retained these virtues.

But Machiavelli also sets, side by side with this, the notion of Christian virtues — humility, acceptance of suffering, unworldliness, the hope of salvation in an afterlife — and he remarks that if, as he plainly himself favours, a state of a Roman type is to be established, these qualities will not promote it: those who live by the precepts of Christian morality are bound to be trampled on by the ruthless pursuit of power by men who alone can re-create and dominate the republic which he wants to see. He does not condemn Christian virtues. He merely points out that the two moralities are incompatible, and he does not recognise any overarching criterion whereby we are enabled to decide the right life for men. The combination of virtù and Christian values is for him an impossibility. He simply leaves you to choose — he knows which he himself prefers.

The idea that this planted in my mind was the realisation, which came as something of a shock, that not all the supreme values pursued by mankind now and in the past were necessarily compatible with one another. It undermined my earlier assumption, based on the philosophia perennis, that there could be no conflict between true ends, true answers to the central problems of life.

Then I came across Giambattista Vico's Scienza nuova. Scarcely anyone in Oxford had then heard of Vico, but there was one philosopher, Robin Collingwood, who had translated Croce's book on Vico, and he urged me to read it. This opened my eyes to something new. Vico seemed to be concerned with the succession of human cultures — every society had, for him, its own vision of reality, of the world in which it lived, and of itself and of its relations to its own past, to nature, to what it strove for. This vision of a society is conveyed by everything that its members do and think and feel — expressed and embodied in the kinds of words, the forms of language that they use, the images, the metaphors, the forms of worship, the institutions that they generate, which embody and convey their image of reality and of their place in it; by which they live. These visions differ with each successive social whole — each has its own gifts, values, modes of creation, incommensurable with one another: each must be understood in its own terms — understood, not necessarily evaluated.

The Homeric Greeks, the master class, Vico tells us, were cruel, barbarous, mean, oppressive to the weak; but they created the Iliad and the Odyssey, something we cannot do in our more enlightened day. Their great creative masterpieces belong to them, and once the vision of the world changes, the possibility of that type of creation disappears also. We, for our part, have our sciences, our thinkers, our poets, but there is no ladder of ascent from the ancients to the moderns. If this is so, it must be absurd to say that Racine is a better poet than Sophocles, that Bach is a rudimentary Beethoven, that, let us say, the Impressionist painters are the peak to which the painters of Florence aspired but did not reach. The values of these cultures are different, and they are not necessarily compatible with one another. Voltaire, who thought that the values and ideals of the enlightened exceptions in a sea of darkness — of classical Athens, of Florence of the Renaissance, of France in the grand siècle and of his own time — were almost identical, was mistaken. Machiavelli's Rome did not, in fact, exist. For Vico there is a plurality of civilisations (repetitive cycles of them, but that is unimportant), each with its own unique pattern.

1 Voltaire's conception of enlightenment as being identical in essentials wherever it is attained seems to lead to the inescapable conclusion that, in his view, Byron would have been happy at table with Confucius, and Sophocles would have felt completely at ease in quattrocento Florence, and Seneca in the salon of Madame du Deffand or at the court of Frederick the Great.
Machiavelli conveyed the idea of two incompatible outlooks; and here were societies the cultures of which were shaped by values, not means to ends but ultimate ends, ends in themselves, which differed, not in all respects — for they were all human — but in some profound, irreconcilable ways, not combinable in any final synthesis.

After this I naturally turned to the German eighteenth-century thinker Johann Gottfried Herder. Vico thought of a succession of civilisations, Herder went further and compared national cultures in many lands and periods, and held that every society had what he called its own centre of gravity, which differed from that of others. If, as he wished, we are to understand Scandinavian sagas or the poetry of the Bible, we must not apply to them the aesthetic criteria of the critics of eighteenth-century Paris. The ways in which men live, think, feel, speak to one another, the clothes they wear, the songs they sing, the gods they worship, the food they eat, the assumptions, customs, habits which are intrinsic to them — it is this that creates communities, each of which has its own 'life-style'. Communities may resemble each other in many respects, but the Greeks differ from Lutheran Germans, the Chinese differ from both; what they strive after and what they fear or worship are scarcely ever similar.

This view has been called cultural or moral relativism — this is what that great scholar, my friend Arnaldo Momigliano, whom I greatly admired, supposed both about Vico and about Herder. He was mistaken. It is not relativism. Members of one culture can, by the force of imaginative insight, understand (what Vico called entrare) the values, the ideals, the forms of life of another culture or society, even those remote in time or space. They may find these values unacceptable, but if they open their minds sufficiently they can grasp how one might be a full human being, with whom one could communicate, and at the same time live in the light of values widely different from one's own, but which nevertheless one can see to be values, ends of life, by the realisation of which men could be fulfilled.

'I prefer coffee, you prefer champagne. We have different tastes. There is no more to be said.' That is relativism. But Herder's view, and Vico's, is not that: it is what I should describe as pluralism — that is, the conception that there are many different ends that men may seek and still be fully rational, fully men, capable of understanding each other and sympathising and deriving light from each other, as we derive it from reading Plato or the novels of medieval Japan — worlds, outlooks, very remote from our own. Of course, if we did not have any values in common with these distant figures, each civilisation would be enclosed in its own impenetrable bubble, and we could not understand them at all; this is what Spengler's typology amounts to. Intercommunication between cultures in time and space is only possible because what makes men human is common to them, and acts as a bridge between them. But our values are ours, and theirs are theirs. We are free to criticise the values of other cultures, to condemn them, but we cannot pretend not to understand them at all, or to regard them simply as subjective, the products of creatures in different circumstances with different tastes from our own, which do not speak to us at all.

There is a world of objective values. By this I mean those ends that men pursue for their own sakes, to which other things are means. I am not blind to what the Greeks valued — their values may not be mine, but I can grasp what it would be like to live by their light, I can admire and respect them, and even imagine myself as pursuing them, although I do not — and do not wish to, and perhaps could not if I wished. Forms of life differ. Ends, moral principles, are many. But not infinitely many: they must be within the human horizon. If they are not, then they are outside the human sphere. If I find men who worship trees, not because they are symbols of fertility or because they are divine, with a mysterious life and powers of their own, or because this grove is sacred to Athena — but only because they are made of wood; and if when I ask them why they worship wood they say 'Because it is wood' and give no other answer; then I do not
The Pursuit of the Ideal

know what they mean. If they are human, they are not beings with whom I can communicate — there is a real barrier. They are not human for me. I cannot even call their values subjective if I cannot conceive what it would be like to pursue such a life.

What is clear is that values can clash — that is why civilisations are incompatible. They can be incompatible between cultures, or groups in the same culture, or between you and me. You believe in always telling the truth, no matter what; I do not, because I believe that it can sometimes be too painful and too destructive. We can discuss each other's point of view, we can try to reach common ground, but in the end what you pursue may not be reconcilable with the ends to which I find that I have dedicated my life. Values may easily clash within the breast of a single individual; and it does not follow that, if they do, some must be true and others false. Justice, rigorous justice, is for some people an absolute value, but it is not compatible with what may be no less ultimate values for them — mercy, compassion — as arises in concrete cases.

Both liberty and equality are among the primary goals pursued by human beings through many centuries; but total liberty for wolves is death to the lambs, total liberty of the powerful, the gifted, is not compatible with the rights to a decent existence of the weak and the less gifted. An artist, in order to create a masterpiece, may lead a life which plunges his family into misery and squalor to which he is indifferent. We may condemn him and declare that the masterpiece should be sacrificed to human needs, or we may take his side — but both attitudes embody values which for some men or women are ultimate, and which are intelligible to us all if we have any sympathy or imagination or understanding of human beings. Equality may demand the restraint of the liberty of those who wish to dominate; liberty — without some modicum of which there is no choice and therefore no possibility of remaining human as we understand the word — may have to be curtailed in order to make room for social welfare, to feed the hungry, to clothe the naked, to shelter the homeless, to leave room for the liberty of others, to allow justice or fairness to be exercised.

Antigone is faced with a dilemma to which Sophocles implies one solution, Sartre offers the opposite, while Hegel proposes 'sublimation' on to some higher level — poor comfort to those who are agonised by dilemmas of this kind. Spontaneity, a marvellous human quality, is not compatible with capacity for organised planning, for the nice calculation of what and how much and where — on which the welfare of society may largely depend. We are all aware of the agonising alternatives in the recent past. Should a man resist a monstrous tyranny at all costs, at the expense of the lives of his parents or his children? Should children be tortured to extract information about dangerous traitors or criminals?

These collisions of values are of the essence of what they are and what we are. If we are told that these contradictions will be solved in some perfect world in which all good things can be harmonised in principle, then we must answer, to those who say this, that the meanings they attach to the names which for us denote the conflicting values are not ours. We must say that the world in which what we see as incompatible values are not in conflict is a world altogether beyond our ken; that principles which are harmonised in this other world are not the principles with which, in our daily lives, we are acquainted; if they are transformed, it is into conceptions not known to us on earth. But it is on earth that we live, and it is here that we must believe and act.

The notion of the perfect whole, the ultimate solution, in which all good things coexist, seems to me to be not merely unattainable — that is a truism — but conceptually incoherent; I do not know what is meant by a harmony of this kind. Some among the Great Goods cannot live together. That is a conceptual truth. We are doomed to choose, and every choice may entail an irreparable loss. Happy are those who live under a discipline which they accept without question, who freely obey the orders of leaders, spiritual or temporal, whose word is fully
accepted as unbreakable law; or those who have, by their own methods, arrived at clear and unshakeable convictions about what to do and what to be that brook no possible doubt. I can only say that those who rest on such comfortable beds of dogma are victims of forms of self-induced myopia, blinkers that may make for contentment, but not for understanding of what it is to be human.

V

So much for the theoretical objection, a fatal one, it seems to me, to the notion of the perfect state as the proper goal of our endeavours. But there is in addition a more practical socio-psychological obstacle to this, an obstacle that may be put to those whose simple faith, by which humanity has been nourished for so long, is resistant to philosophical arguments of any kind. It is true that some problems can be solved, some ills cured, in both the individual and social life. We can save men from hunger or misery or injustice, we can rescue men from slavery or imprisonment, and do good — all men have a basic sense of good and evil, no matter what cultures they belong to; but any study of society shows that every solution creates a new situation which breeds its own new needs and problems, new demands. The children have obtained what their parents and grandparents longed for — greater freedom, greater material welfare, a juster society; but the old ills are forgotten, and the children face new problems, brought about by the very solutions of the old ones, and these, even if they can in turn be solved, generate new situations, and with them new requirements — and so on, for ever — and unpredictably.

We cannot legislate for the unknown consequences of consequences of consequences. Marxists tell us that once the fight is won and true history has begun, the new problems that may arise will generate their own solutions, which can be peacefully realised by the united powers of harmonious, classless society.

This seems to me a piece of metaphysical optimism for which there is no evidence in historical experience. In a society in which the same goals are universally accepted, problems can be only of means, all soluble by technological methods. That is a society in which the inner life of man, the moral and spiritual and aesthetic imagination, no longer speaks at all. Is it for this that men and women should be destroyed or societies enslaved? Utopias have their value — nothing so wonderfully expands the imaginative horizons of human potentialities — but as guides to conduct they can prove literally fatal. Heraclitus was right, things cannot stand still.

So I conclude that the very notion of a final solution is not only impracticable but, if I am right, and some values cannot but clash, incoherent also. The possibility of a final solution — even if we forget the terrible sense that these words acquired in Hitler's day — turns out to be an illusion; and a very dangerous one. For if one really believes that such a solution is possible, then surely no cost would be too high to obtain it: to make mankind just and happy and creative and harmonious for ever — what could be too high a price to pay for that? To make such an omelette, there is surely no limit to the number of eggs that should be broken — that was the faith of Lenin, of Trotsky, of Mao, for all I know of Pol Pot. Since I know the only true path to the ultimate solution of the problems of society, I know which way to drive the human caravan; and since you are ignorant of what I know, you cannot be allowed to have liberty of choice even within the narrowest limits, if the goal is to be reached. You declare that a given policy will make you happier, or freer, or give you room to breathe; but I know that you are mistaken, I know what you need, what all men need; and if there is resistance based on ignorance or malevolence, then it must be broken and hundreds of thousands may have to perish to make millions happy for all time. What choice have we, who have the knowledge, but to be willing to sacrifice them all?

Some armed prophets seek to save mankind, and some only their own race because of its superior attributes, but whichever
The Pursuit of the Ideal

the motive, the millions slaughtered in wars or revolutions — gas chambers, gulag, genocide, all the monstrosities for which our century will be remembered — are the price men must pay for the felicity of future generations. If your desire to save mankind is serious, you must harden your heart, and not reckon the cost.

The answer to this was given more than a century ago by the Russian radical Alexander Herzen. In his essay From the Other Shore, which is in effect an obituary notice of the revolutions of 1848, he said that a new form of human sacrifice had arisen in his time — of living human beings on the altars of abstractions — nation, church, party, class, progress, the forces of history — these have all been invoked in his day and in ours: if these demand the slaughter of living human beings, they must be satisfied. These are his words:

If progress is the goal, for whom are we working? Who is this Moloch who, as the toilers approach him, instead of rewarding them, draws back; and as a consolation to the exhausted and doomed multitudes, shouting 'morituri te salutant', can only give the . . . mocking answer that after their death all will be beautiful on earth. Do you truly wish to condemn the human beings alive today to the sad role . . . of wretched galley slaves who, up to their knees in mud, drag a barge . . . with . . . 'progress in the future' upon its flag? . . . a goal which is infinitely remote is no goal, only . . . a deception; a goal must be closer — at the very least the labourer's wage, or pleasure in work performed.

The one thing that we may be sure of is the reality of the sacrifice, the dying and the dead. But the ideal for the sake of which they die remains unrealised. The eggs are broken, and the habit of breaking them grows, but the omelette remains invisible. Sacrifices for short-term goals, coercion, if men's plight is desperate enough and truly requires such measures, may be justified. But holocausts for the sake of distant goals, that is a cruel mockery of all that men hold dear, now and at all times.

If the old perennial belief in the possibility of realising ultimate harmony is a fallacy, and the positions of the thinkers I have appealed to — Machiavelli, Vico, Herder, Herzen — are valid, then, if we allow that Great Goods can collide, that some of them cannot live together, even though others can — in short, that one cannot have everything, in principle as well as in practice — and if human creativity may depend upon a variety of mutually exclusive choices: then, as Chernyshevsky and Lenin once asked, ‘What is to be done?’ How do we choose between possibilities? What and how much must we sacrifice to what? There is, it seems to me, no clear reply. But the collisions, even if they cannot be avoided, can be softened. Claims can be balanced, compromises can be reached: in concrete situations not every claim is of equal force — so much liberty and so much equality; so much for sharp moral condemnation, and so much for understanding a given human situation; so much for the full force of the law, and so much for the prerogative of mercy; for feeding the hungry, clothing the naked, healing the sick, sheltering the homeless. Priorities, never final and absolute, must be established.

The first public obligation is to avoid extremes of suffering. Revolutions, wars, assassinations, extreme measures may in desperate situations be required. But history teaches us that their consequences are seldom what is anticipated; there is no guarantee, not even, at times, a high enough probability, that such acts will lead to improvement. We may take the risk of drastic action, in personal life or in public policy, but we must always be aware, never forget, that we may be mistaken, that certainty about the effect of such measures invariably leads to unavoidable suffering of the innocent. So we must engage in what are called trade-offs — rules, values, principles must yield to each other in varying degrees in specific situations. Utilitarian solutions are sometimes wrong, but, I suspect, more often beneficent. The best that can be done, as a general rule, is to
maintain a precarious equilibrium that will prevent the occurrence of desperate situations, of intolerable choices — that is the first requirement for a decent society; one that we can always strive for, in the light of the limited range of our knowledge, and even of our imperfect understanding of individuals and societies. A certain humility in these matters is very necessary.

This may seem a very flat answer, not the kind of thing that the idealistic young would wish, if need be, to fight and suffer for, in the cause of a new and nobler society. And, of course, we must not dramatise the incompatibility of values — there is a great deal of broad agreement among people in different societies over long stretches of time about what is right and wrong, good and evil. Of course traditions, outlooks, attitudes may legitimately differ; general principles may cut across too much human need. The concrete situation is almost everything. There is no escape: we must decide as we decide; moral risk cannot, at times, be avoided. All we can ask for is that none of the relevant factors be ignored, that the purposes we seek to realise should be seen as elements in a total form of life, which can be enhanced or damaged by decisions.

But, in the end, it is not a matter of purely subjective judgement: it is dictated by the forms of life of the society to which one belongs, a society among other societies, with values held in common, whether or not they are in conflict, by the majority of mankind throughout recorded history. There are, if not universal values, at any rate a minimum without which societies could scarcely survive. Few today would wish to defend slavery or ritual murder or Nazi gas chambers or the torture of human beings for the sake of pleasure or profit or even political good — or the duty of children to denounce their parents, which the French and Russian revolutions demanded, or mindless killing. There is no justification for compromise on this. But on the other hand, the search for perfection does seem to me a recipe for bloodshed, no better even if it is demanded by the sincerest of idealists, the purest of heart. No more rigorous moralist than Immanuel Kant has ever lived, but even he said, in a moment of illumination, 'Out of the crooked timber of humanity no straight thing was ever made.' To force people into the neat uniforms demanded by dogmatically believed-in schemes is almost always the road to inhumanity. We can only do what we can: but that we must do, against difficulties.

Of course social or political collisions will take place; the mere conflict of positive values alone makes this unavoidable. Yet they can, I believe, be minimised by promoting and preserving an uneasy equilibrium, which is constantly threatened and in constant need of repair — that alone, I repeat, is the precondition for decent societies and morally acceptable behaviour, otherwise we are bound to lose our way. A little dull as a solution, you will say? Not the stuff of which calls to heroic action by inspired leaders are made? Yet if there is some truth in this view, perhaps that is sufficient. An eminent American philosopher of our day once said, 'There is no a priori reason for supposing that the truth, when it is discovered, will necessarily prove interesting.' It may be enough if it is truth, or even an approximation to it; consequently I do not feel apologetic for advancing this. Truth, said Tolstoy, 'has been, is and will be beautiful'. I do not know if this is so in the realm of ethics, but it seems to me near enough to what most of us wish to believe not to be too lightly set aside.
Isaiah Berlin

The Crooked Timber of Humanity

Chapters in the History of Ideas

Edited by Henry Hardy

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PHILOSOPHICAL ESSAYS

ISAIAH BERLIN

Edited by
Henry Hardy
With an Introduction by
Bernard Williams

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CONCEPTS AND CATEGORIES


I am greatly indebted to Bernard Williams, who not only wrote the introduction to this volume, but also played a crucial role in persuading Isaiah Berlin that these philosophical essays were well worth reprinting. Without his support this volume would not have appeared. Isaiah Berlin himself has been unflaggingly courteous, good-humoured and informative in response both to my persistent general advocacy of the whole project, which he continues to regard with considerable scepticism, especially in the case of the present volume, and to my often over-meticulous prods into points of detail. Pat Utechin, his secretary, who has also made the index, has been an indispensable source of help and encouragement at all stages, and Kate Bath has kindly double-checked the proofs.

HENRY HARDY

January 1978

1 The Presidential Address for the 1963–4 Session. The publication of this address had a typographical influence, which still persists, on the Aristotelian Society’s Proceedings. Until 1964 their contents page listed the titles of articles in the usual way, without quotation marks. But from then onwards these titles all appear with quotation marks added. Evidently the 1964 compositor, not realising that the title in question – the first in that year’s list of contents – was a quotation from Swinburne, took the inverted commas as a new general directive on setting style.

Introduction

Bernard Williams 1978

Isaiah Berlin is most widely known for his writings in political theory and the history of ideas, but he worked first in general philosophy, and contributed to the discussion of those issues in the theory of knowledge and the theory of meaning which preoccupied the more radical among the young philosophers at Oxford in the late 1930s. The medium was in good part personal discussion, particularly within a group including Stuart Hampshire, A. J. (now Sir Alfred) Ayer, the late J. L. Austin, and others.1 In this selection from Berlin’s more purely philosophical writings, the three papers which represent that earliest period of his concerns (only one of them written actually pre-war) involve the reader in a double displacement from what those philosophical conversations must have been like. The transition from dialectic to document is one thing – something that many philosophers of many schools have found problematical. Another thing is the transition from Berlin in person to Berlin in print.

It has been said that the kind of philosophical activity engaged in then by Berlin and his friends, like the ‘linguistic philosophy’ of the 40s and 50s which it helped to form, was essentially conversational and resisted publication. So far as the real point of the activity was concerned, as opposed to a certain manner, this has probably been exaggerated. Among ‘analytical’ or ‘linguistic’ philosophers, only Wittgenstein had an understanding of the nature of philosophy which (like that of Socrates) meant that something essential to the subject itself was lost in the transition to print. Nothing that Austin (for one) believed about the subject would have precluded him from writing a textbook, even, and Ayer has not declined to do so. The present

CONCEPTS AND CATEGORIES

papers can, and surely do, preserve the point of those philosophical enquiries.

The second transition, however, from Berlin in discussion to Berlin in print, involves losses which are clear and determinate, even if they are hard to describe. The decorum of a journal article must attenuate that sense, which Berlin uniquely conveys, that no abstract or analytical point exists out of all connection with historical, personal, thought: that every thought belongs not just somewhere, but to someone, and is at home in a context of other thoughts, a context which is not purely formally prescribed. Thoughts are present to Berlin not just, or primarily, as systematic possibilities, but as historically and psychologically actual, and as something to be known and understood in these concrete terms. This is one thing, besides a courteous nature, that makes Berlin a less than ruthless controversialist — a highly developed sensibility for what it is to be the other party, to see the world in that different way.

The agenda of philosophy for the group to which Berlin belonged before the war was set, in some part, by logical positivism. They were concerned with the conditions of sentences having a meaning, and with the connections between meaning and verification, where verification was construed in terms of sense-perception. Positivism both regarded natural science as the paradigm of knowledge, and took a strictly empiricist view of science, seeing scientific theory in operationalist terms as a mere compendium and generator of actual and possible observations. This set of ideas does not leave very much room for the historical imagination, nor for insight. It is hardly surprising that Berlin was never a positivist. But, seriously interested in philosophy at a time when philosophy’s most pressing questions came from a positivist direction, he produced work which did not merely reject positivism programmatically, but argued its issues in its own kind of terms. Two essays in the present book are of this kind: ‘Verification’, and ‘Empirical Propositions and Hypothetical Statements’. Both express a deep resistance to the operationalist ideas of positivism, which held that the meaning of our statements about reality is given directly by our procedures for finding out about it. Against this general conception, Berlin affirms that our understanding of reality already includes the conception of it as existing independently of us and our understanding; so that our reflection on what we mean when we characterise that reality cannot accommodate the positivist idea that truths about reality should be equivalent to truths about us.

xii

INTRODUCTION

This unacceptably idealist equivalence, as Berlin detects it to be, gets no better (as the positivists hoped) if categorical truths about reality are treated as equivalent to hypothetical truths about us (or about other possible observers). This was the manoeuvre of phenomenalism, which was par excellence the positivist theory of the external world. Phenomenalism tried to analyse all statements about the material world into statements about actual or possible experiences. Statements about observed objects were, under analysis, at least partly categorical: they recorded the actual observations. Statements about unobserved objects, on the other hand, were, when analysed, entirely hypothetical. But this conjunction of claims, as Berlin points out, cannot possibly be correct: the difference between what happens to be observed and what remains unobserved cannot possibly issue in a difference of logical form.

So, more generally, when Berlin takes up the question of a proposition’s referring to an object presently unobserved, his line of argument can be seen as striking at the mixture of epistemology and logic which has marked the empiricist tradition. (The eventual consequences of rejecting the empiricist’s epistemological notions of reference are radical, and are at the present time a major preoccupation of the philosophy of language.) One further thing that particularly comes across from Berlin’s opposition to verificationism is a powerful sense (not shared by all philosophers) of the reality of the past, something which his metaphysical opinions join the whole body of his work in affirming.

Berlin did not accept positivism’s view of meaning and knowledge, nor — above all — its view of philosophy itself as having the modest roles, up to its final retirement, of secretary to science and obituarist of metaphysics. His historical sense made him sceptical even of the more generous conception of philosophy held by post-positivist linguistic philosophy, which gave it the open-ended task of carefully and imaginatively charting the uses and implications of ordinary language, and diagnosing in those terms the origins of philosophical perplexity. Berlin claims, in ‘The Purpose of Philosophy’ and again in ‘Does Political Theory Still Exist?’, a larger task for it, in terms of an account, more perhaps in the spirit of Collingwood than of any analytical philosopher, of various models or presuppositions which men have brought to their experience, and which have helped, indeed, to form that experience. The understanding of these models, and the self-understanding of our own, are offered as one task of philosophy, and they imply others: for if the story of these various models gives a
correct account of the constitution of human experience in different eras and cultural situations, then there are genuine questions about the objectivity of what is, at any given time or place, regarded as knowledge. The questions are not new, and have been explicit and pressing since (at the latest) Hegel. Linguistic philosophy had not much to say about questions of that sort and turned to other things; but the questions did not go away, or even change very much while neglected.

They can be pressed, in fact, even against natural science. Berlin has not himself done so, and indeed the one thing in these two essays that bears something of a positivist stamp is the account of science implied by his division between questions that are determinately answerable and those that are not, and the division, again, of the answerable questions into the empirical and the formal. But the activity of paradigms and models which Berlin invokes outside these domesticated areas can be detected in the development of natural science itself, as many present philosophers of science insist. Some of these philosophers, significantly, are committed to believing about scientific theories that they cannot properly be understood except in terms of their history — something which Berlin himself believes about anything that he finds really interesting.

Berlin himself has applied his concern with the role of models and presuppositions rather to the human sciences, insisting also, in ‘The Concept of Scientific History’ and elsewhere, on the peculiarity of those sciences in having a subject-matter which is of the same nature as the investigator. This feature of them, in Berlin’s view, both permits and requires from the investigator a special insightful kind of understanding, not applicable to any other kind of subject-matter. This is of course the capacity which he vouches for those — Vico and Herder first among them — who have insisted that past ages, remote cultures, saw the world through different eyes from us and that an effort of identification is needed if their view is to be in any way recaptured. It is also a capacity which Berlin himself notably displays. It applies not only to understanding across time, but also to the very different outlooks, structures of understanding and preconception, which different kinds of thinkers can bring to the world in the same period.

These various structures or models, whether across time or contemporary, inevitably raise problems of relativism: whether there is any basis on which one such view can be seen as better, more adequate, in any absolute sense, than another. Berlin offers, so far as I know, no general theoretical critique of relativism, but he is certainly resistant to it — and he has a special reason to be so, in so far as his own account of human action and its intelligibility itself implies the falsehood of some ideologies and models of life which have been influential in the past and still remain so. In “From Hope and Fear Set Free” Berlin examines metaphysical questions about human freedom (questions which come before those issues of social and political freedom which he has discussed elsewhere), in connection with a very interesting and searching question, whether knowledge always liberates. He wants to stress the vast effect there would be on ordinary notions of action, purpose, praise, blame, regret, and so forth, if we really believed in a deterministic theory to the effect that our actions are the strict causal product of earlier states of affairs, stretching indefinitely back. The ‘reconciling’ hypothesis of self-determination, that we are free if among the causes of our action is our own choice, even though that choice itself be caused, Berlin joins Epicurus in finding not good enough, a form of ‘semi-slavery’. Berlin does not himself argue directly against determinism, nor is it his denial of the reconciling strategy, his insistence that the conceptual and moral costs of believing in determinism would be enormous, intended as an argument in terrae vis against accepting determinism. But the principle of self-determination he sees as definitely mistaken, and the images of liberation that go with it, to that extent flawed: absolutely flawed, not merely relatively to another set of presuppositions. Indeed one suspects that he not only hopes but believes that determinism is false, and that the whole loaf of anti-determinist freedom which the libertarian craves is actually available.

In the account that he gives of philosophy, more than one sort of question is excluded from the realm of the determinately answerable. Among them are questions of value; and the fact that they should be so excluded, and that they should be, in that context, partly assimilated to questions of philosophy, are both facts characteristic of Berlin’s outlook. That questions of value should be partly assimilated to questions of philosophy reminds us of the broad scope that Berlin gives philosophy. It also warns us that the reason why value questions are in his view ultimately contestable is not that they are ‘subjective’, or that their answers are merely expressions of opposed attitudes. Indeed, to read Berlin’s discussions of conflicts between values in the context of a debate about subjectivism is to mislocate them and to miss their special force. The debate about subjectivism is characteristically concerned with conflicts of values between persons or societies (‘Who is
CONCEPTS AND CATEGORIES

right?). What above all concerns Berlin, on the other hand, is the tension between conflicting values in one consciousness.

Again and again, in these essays and elsewhere, Berlin warns us against the deep error of supposing that all goods, all virtues, all ideals are compatible, and that what is desirable can ultimately be united into a harmonious whole without loss. This is not the platitude that in an imperfect world not all the things we recognise as good are in practice compatible. It is rather that we have no coherent conception of a world without loss, that goods conflict by their very nature, and that there can be no incontestable scheme for harmonising them. There can, of course, be errors or limitations in thinking about values, whether in the particular case or in a more systematic way. For one thing, there can be the errors of omission and simplification, of succumbing to the illusion that one value can override all others and restructure everything. For Berlin, this is certainly a cardinal error, and it is in a special sense an absolute one — for it offends against something that is absolutely true about values. Yet the historical picture which Berlin also offers, the account of the different models of man and the world deployed at different times and in different societies, tells us also that it is the case — indeed, must be the case, in that Hegelian sense of ‘must’ which Berlin has so helpfully refused to dismiss — that not all values can be equally present to all outlooks. Moreover, intense consciousness of the plurality of values and of their conflict is itself a historical phenomenon, a feature of some ages (for instance, ours) rather than others. One thing, indeed, which can give us an insight into the point or claim of a certain value, its possible hold on our sentiments, is sympathetic understanding of a society which respected it with less pluralistic competition than it receives in ours.

The pluralism of values that Berlin advances is not just an application to ethics and political theory of the general anti-reductionist, anti-simplifying attitude in philosophy which he advances in the essay ‘Logical Translation’ (an essay which expresses very clearly some of the concerns of Oxford philosophy at that time). That general attitude appropriately gives way in the face of the demands of explanatory theory: it is obvious, indeed, that it has to give way in the face of theory, and the question in philosophy is how far explanation requires theory —a question to which present practice gives a much more positive answer than did the Oxford philosophy of the 50s. But the question in ethics, whether we should abandon the claims of some value which has force with us — abandon, for instance, considerations of loyalty or justice in

INTRODUCTION

the interests of general utility or benevolence — can hardly be a matter of explanatory theory. Philosophers have insisted, and still insist, that we encounter here the demands of another kind of theory, moral theory, which aims to systematise and simplify our moral opinions. But they rarely even try to answer a real question: what authority are theoretical tidiness or simplicity supposed to have against the force of concerns which one actually finds important? That question has no obvious answer, even after one has conceded considerable power (more, perhaps, than Berlin himself would concede) to philosophical theory in general.

It may be that there are no, or few, purely theoretical pressures to reduce the conflicts in our value-system. Berlin will say that there is a pressure to not reducing them, towards remaining conscious of these conflicts and not trying to eliminate them on more than a piecemeal basis: that pressure is the respect for truth. To deny the conflicts, indeed to try to resolve them systematically and once for all, would be to offend against something absolutely true about values. But then how are we to take the fact, already mentioned, that a high level of such conflict, and the consciousness of that, is a mark of some forms of life and some societies rather than others? Among the forms of life that support that kind of consciousness, a prominent position is needless to say occupied by the liberal society; and Berlin deploys the pluralism of values in defence of liberalism.

His defence of the liberal society is supported by the pluralism of values, I think, in more than one way. There is the obvious point that if there are many and competing genuine values, then the greater the extent to which a society tends to be single-valued, the more genuine values it neglects or suppresses. More, to this extent, must mean better. The point has strength even if we grant the important qualification that not all values can be pluralistically combined, and that some become very pale in too much pluralistic company. There are logical, psychological and sociological limits on what range of values an individual can seriously respect in one life, or one society respect in the lives of various of its citizens. (This is one thing that is being said by people who deny that liberal equality, for instance, is real equality — a point raised by the form that Berlin gives to equality in his discussion of it as one value among others.)

But there is a different kind of consideration, that the consciousness of the plurality of competing values is itself a good, as constituting knowledge of an absolute and fundamental truth. This is a good which,
in the name of honesty, or truthfulness, or courage, may be urged
against someone who recommends simplification of our values not,
perhaps, as a theoretical necessity, but as a practical improvement.
Here Berlin — in the last analysis, as thinkers of a rather different
tendency put it — finds value in knowledge and true understanding
themselves, and regards it as itself an argument for the liberal society
that that society expresses more than any other does a true understanding of
the pluralistic nature of values.

But what is that true understanding? What truth is it that is known
to someone who recognises the ultimate plurality of values? In philo-
sophical abstraction, it will be that there are such values, and, put in
that blank way, it can be taken to speak for an objective order of values
which some forms of consciousness (notably the liberal form) are better
than others at recognising. But that way of putting it is very blank
indeed. It is more characteristic of Berlin's outlook, and more illumina-
ting in itself, to say that one who properly recognises the plurality of
values is one who understands the deep and creative role that these
various values can play in human life. In that perspective, the correctness
of the liberal consciousness is better expressed, not so much in terms of
truth — that it recognises the values which indeed there are — but in
terms of truthfulness. It is prepared to try to build a life round the
recognition that these different values do each have a real and intelligible
human significance, and are not just errors, misdirections or poor ex-
pressions of human nature. To try to build life in any other way would
now be an evasion, of something which by now we understand to be
true. What we understand is a truth about human nature as it has been
revealed — revealed in the only way in which it could be revealed,
historically. The truthfulness that is required is a truthfulness to that
historical experience of human nature.

We can see, then, that in Berlin's central conception of values and,
connectedly, of humanity, there is an implicit appeal, once more, to
historical understanding. We can perhaps see, too, how the develop-
ment of his thought from general theory of knowledge to the history of ideas
and the philosophy of history was not merely a change of interest; and
that his complex sense of history is as deeply involved in his philosophy,
even in its more abstract applications, as it is, very evidently, in his other
writings, and in his life.

BERNARD WILLIAMS

The Purpose of Philosophy

What is the subject-matter of philosophy? There is no universally
accepted answer to this question. Opinions differ, from those who
regard it as contemplation of all time and all existence — the queen of
the sciences — the keystone of the entire arch of human knowledge — to
those who wish to dismiss it as a pseudo-science exploiting verbal
confusions, a symptom of intellectual immaturity, due to be consigned
together with theology and other speculative disciplines to the museum of
curious antiquities, as astrology and alchemy have long ago been
relegated by the victorious march of the natural sciences.

Perhaps the best way of approaching this topic is to ask, what consti-
tutes the field of other disciplines? How do we demarcate the province
of, say, chemistry or history or anthropology? Here it seems clear that
subjects or fields of study are determined by the kind of questions to
which they have been invented to provide the answers. The questions
themselves are intelligible if, and only if, we know where to look for
the answers.

If you ask someone an ordinary question, say 'Where is my coat?',
'Why was Mr Kennedy elected President of the United States?', 'What
is the Soviet system of criminal law?', he would normally know how to
set about finding an answer. We may not know the answers ourselves,
but we know that in the case of the question about the coat, the proper
procedure is to look on the chair, in the cupboard, etc. In the case of Mr
Kennedy's election or the Soviet system of law we consult writings or
specialists for the kind of empirical evidence which leads to the relevant
conclusions and renders them, if not certain, at any rate probable.

In other words, we know where to look for the answer; we know what
makes some answers plausible and others not. What makes this type of
question intelligible in the first place is that we think that the answer can
be discovered by empirical means, that is, by orderly observation or
experiment, or methods compounded of these, namely those of common
sense or the natural sciences. There is another class of questions where
we are no less clear about the proper route by which the answers are to
be sought, namely the formal disciplines: mathematics, for example,
difference to the estimation of acts of violence; there are similarly psychological differences in the dispositions underlying the two kinds of acts, even if it is unclear how deep those differences may, in many cases, go (an unclarity which itself makes some people unduly nervous about the legitimacy of official violence). If that is right, then (iv) will fail, and the disobliging conclusion will not follow from the argument, even granted the truth of (i) and the platitudinous truth of (ii). At least, it will be enough to prevent its following with full generality. But while we may certainly agree that (iv) is not exceptionlessly true, it is quite plausible to claim that there are acts, particularly perhaps of unstructured violence, for which (iv) really does hold true, but which nevertheless would be justified under (i). To suppose that there could be no such acts, to suppose in particular that if an act is such that (iv) applies to it, then it must not be justified, would be, it seems to me, to take a highly unrealistic view either of politics, or of the possible psychology of agents who will do that act.

In this case, attention turns to (iii); (iii) seems to me false, and more interestingly so than (iv). If so, then there is perhaps a larger class of arguments which have some currency in moral discussion which will have to be abandoned or given extra help, as that one should be a vegetarian unless one would be prepared to work in an abattoir, or that one should not accept experimentation on animals unless one were prepared to conduct it (assuming that one had the skills) oneself. However it may be with those cases, at any rate our understanding of honesty and decency in politicians should be modified by reflection on (iii). The consideration that they should not order something unless they were prepared to do it themselves should be counterweighted with the consideration that if they were prepared to do it themselves, they might be far too willing to order it.

5 Conflicts of values

Isaiah Berlin has always insisted that there is a plurality of values which can conflict with one another, and which are not reducible to one another; consequently, that we cannot conceive of a situation in which it was true both that all value-conflict had been eliminated, and that there had been no loss of value on the way. To have insisted on these truths is one of the conspicuous services that Berlin has rendered to a sound and humane conception of social thought.

In Berlin's own thought, these truths are associated with the foundations of liberalism.1 The history of that movement itself shows1 that the consequences of these views need not be quietist or conservative. Yet while this has been so, there does remain a problem about the relation of this kind of pluralism to action, a problem at least for a modern, developed, and relatively liberal society. Even there, it is of course true that the business of reaffirming and defending the plurality of values is itself a political task, one to which Berlin's writings make a permanent contribution. But more is needed, if the pluralist is not to spend too much of his time as a rueful spectator of political change which is itself powered by forces which either have nothing to do with values at all, or else express value-claims more exclusive than the pluralist himself would admit.

There does not exist much adequate philosophy on the question of how a pluralistic theory of values might be combined with, indeed issue in, radical social action. The conditions of there being any such philosophy are certainly complex and at present unclear. But we shall be able to see how, if at all, they might be satisfied only if we understand better than we do now what it is for values to be plural, conflicting and irreducible. That means understanding, in particular, their conflicts, since it is precisely their conflicts which systematisers

1 I have speculated about the form of that association in my introduction to Berlin's collection of philosophical papers, Concepts and Categories (London, 1978).
(at the limit, reductionists) seek to overcome, while pluralists of the Berlin spirit regard the conflicts as both ineliminable and not resoluble without remainder. These remarks will be concerned with the subject of conflict.

It is in fact a large subject — larger than might be suggested by the literature, which has typically tended to regard value-conflict, except perhaps in the most contingent and superficial connections, as a pathology of social and moral thought, and as something to be overcome, whether by theorising, as in the tradition of analytical philosophy and its ancestors, or by an historical process, as in Hegelian and Marxist interpretations. It is my view, as it is Berlin's, that value-conflict is not necessarily pathological at all, but something necessarily involved in human values, and to be taken as central by an adequate understanding of them. I also think, though Berlin may not, that where conflict needs to be overcome, this 'need' is not of a purely logical character, nor a requirement of pure rationality, but rather a kind of social or personal need; the pressure of which will be felt in some historical circumstances rather than others.

The type of conflict that will concern us is one-party conflict; and we will take that as one-person conflict. (There are of course one-party conflicts where the party is not one person, as with policy disagreements within a firm or other such agency, but for present purposes these can be regarded as special cases of two- (or more) party conflict in the context of agreed procedures or objectives.) Philosophical inquiry which is primarily concerned with epistemological or semantic issues of objectivity naturally concentrates on two-party conflict, where the problem is that of resolving disagreement, and it is assumed that the parties have each their own harmonious set of value-beliefs. Accompanying that, usually, is an assumption that, whatever may turn out to be the case with two-party conflicts, at any rate one-person conflict must be capable of being rationally resolved. At the very least, the theory of rational behaviour must make it an undisputed aim of the rational agent to reduce conflict in his personal set of values to the minimum. This assumption is characteristically made even by those who do not think that interpersonal conflicts of value necessarily admit of rational resolution.

The assumption is in fact unreasonable. For those, moreover, who combine it with scepticism about rationally resolving interpersonal conflict, it is doubly unreasonable, since some one-person conflicts of values are expressions of a complex inheritance of values, from different social sources, and what we experience in ourselves as a conflict is something which could have been, and perhaps was, expressed as a conflict between two societies, or between two historical states of one society. The same point also comes out in the opposite direction. A characteristic dispute about values in society, such as some issue of equality against freedom, is not one most typically enacted by a body of single-minded egalitarians confronting a body of equally single-minded libertarians, but is rather a conflict which one person, equipped with a more generous range of human values, could find enacted in himself.

It is worth taking first, if briefly, the type of one-person conflict which has in fact been most studied — the so-called conflict of obligations. This is the area of the conflict of values which is most directly linked to reasons for action. As such, it is not entirely typical, but it does present some useful considerations. In particular, it reveals some ways in which conflict is not necessarily pathological, even though it is real conflict and both the obligations which are parties to the conflict actually exist and actually apply to the situation.

Such cases are basically different from those others, themselves very familiar, in which conflict is only apparent, and there are not in fact two conflicting obligations at all. For example, suppose an agent promises his father to support, after the father's death, a certain charity, but he later finds himself short of money and cannot both support the charity and, let us say, make some provision for his own children which he feels he should make. One resolution of the problem which could be available is that he had reason in good faith to think that it was a tacit but understood condition on the promise that it applied only if there were enough money left after such things as providing for his children. Whether this thought was sound would of course be a matter of historical fact and judgement — it would not become sound just because it resolved the difficulty. But if it is sound, then there is no conflict at all. One of the obligations has evaporated.

There is a temptation, helped by the ambiguous terminology of 'prima facie obligations', to take this relatively painless kind of case as the pattern for the resolution of a conflict of obligations. The evident fact that there is at most one of the two things which, all things considered, I should do, is taken to be equivalent to the idea that, all things considered, there is only one obligation. But this is a mistake. There are certainly two obligations in a real case of this kind, though one may outweigh the other. The one that outweighs has greater
stringency, but the one that is outweighed also possesses some stringency, and this is expressed in what, by way of compensation, I may have to do for the parties who are disadvantaged by its being outweighed; whether I have merely to explain and apologise, or whether I have to engage further in some more substantial reparatory action. (Those who rely heavily on ‘ought implies can’ in these connections should consider why – particularly if the conflict of obligations was not my fault – I should have to do any of these things.)

The fact, on the other hand, that one obligation was genuinely outweighed by the other is expressed in the consideration that the disadvantaged party has no justified complaint about what I chose to do. They may have some complaint about my compensatory activity, or lack of it, but if the obligation was indeed outweighed, then they have no justified complaint about my not having done what I was obliged to them to do, except perhaps to the extent that the conflict of obligations was my own fault.

In another, and more drastic, kind of case, however, which might be called the ‘tragic’ kind, an agent can justifiably think that whatever he does will be wrong: that there are conflicting moral requirements, and that neither of them succeeds in overriding or outweighing the other. In this case, though it can actually emerge from deliberation that one of the courses of action is the one that, all things considered, one had better take, it is, and it remains, true that each of the courses of action is morally required, and at a level which means that, whatever he does, the agent will have reason to feel regret at the deepest level. If, in such a case, we do not necessarily say that the victims have a justified complaint, it is because such cases can lie beyond complaint, as they can lie also beyond any adequate compensatory action.

I shall not raise here any questions of detail about the logic of such situations. The present point is that it must be a mistake to suppose that what we have here is a case of logical inconsistency, such that the agent could not be justified or rational in thinking that each of these moral requirements applied to him. This is to misplace the source of the agent’s trouble, in suggesting that what is wrong is his thought about the moral situation, whereas what is wrong lies in his situation itself – something which may or may not be his fault. Someone might argue on larger metaphysical grounds that it was impossible that any agent should meet such a situation; but, if there were such an argument, it would have to yield a metaphysical impossibility, or, in some way, a moral impossibility, and not a proof that the judgements involved in such a situation were contradictory. There is a substantial and interesting question: ‘What would have to be true of the world and of an agent that it should be impossible for him to be in a situation where whatever he did was wrong?’ I doubt in fact that there is anything that could produce such a guarantee short of the existence of a rather interventionist God, or else the total reduction of moral life to rules of efficient behaviour – two extremes which precisely leave out the actual location of moral experience. But it is at any rate a real question, and it would not be a real question if the correct thing to say were that nothing has to be true of the agent or of the world for this to be so, because it is guaranteed by the logic of moral expressions.

In this, as elsewhere in these areas, logical and semantic theory has to be responsive to experience, and to what a reflective agent feels that he needs to say. At the same time, it is of course true that such experiences need interpretation in terms of general ideas about the status of moral thought – for instance, with regard to issues of objectivity. It is notable that insofar as it is features of our moral experience that draw us towards ideas of the objectivity of ethics, the experience of moral conflict is precisely one that conveys most strongly such an idea. That there is nothing that one decently, honourably, or adequately can do seems a kind of truth as firmly independent of the will and inclination as anything in morality. Indeed it is independent of the will and inclination, but it does not follow that it is independent of what one is, nor that these impressions represent an order of things independent of oneself.

Conflicts of obligation are peculiar in presenting a conflict between determinately specified actions, while the tragic ones among them are further peculiar in lying beyond the ordinary routes of moral thought. Very many of our conflicts, however, including those that have most interested Berlin, are at a level where interpretation in action is less determinate or immediate. Values such as liberty, equality, and expressions of justice other than equality, can certainly conflict as ideals or objects, though their connection with immediately presented courses of action may often be problematical, while, in the other direction, a choice between presented courses of action may in some
cases be only indeterminately guided or shaped by appeal to these values.\(^4\)

Still further from particular choices of action or policy are evaluations of admirable human characteristics or virtues such as courage, gentleness, honesty, independence of spirit and so forth. We know, too, that no social institution or form of society can express, embody or encourage all of them equally. One form of Utopianism—the basic form, perhaps—consists in supposing that a society could be attained in which all genuinely valuable human characteristics could be equally and harmoniously displayed. Since it is obvious that not every characteristic which has been accepted in the course of history as a virtue could be so combined, some opinions about what are virtues have to be dismissed. By the more sophisticated Utopians, they are dismissed as forms of false consciousness, which are revealed as false by the same reflections as yield the structure of Utopia. An easy—too easy—example is working-class deference.

That example, and others, will remind us that a critique of supposed virtues must be possible, and it should be an aim of a developed moral and social philosophy to provide one. Yet, even granted such a critique, there is little substance to the Utopian hope. Those who share Berlin’s scepticism about that hope—and perhaps also some of his fears about attempts to enact it—will think that while society can move to recognise and express new virtues and ideals, perhaps even a wider range of them, nevertheless there are at the same time irrecoverable losses. As in a given choice at a given time one value has to be set against another, so also there is loss of genuine human value over time.

There is a further proposition which some of these will believe (among them, I believe, Berlin): that there is no common currency in which these gains and losses of value can be computed, that values, or at least the most basic values, are not only plural but in a real sense incommensurable. Some other people, however, sympathetic to the general drift of the argument so far, may at this point protest. To say that values necessarily conflict, and that the affirmation of some necessarily involves losses with regard to others, does not entail that they are incommensurable. The reference to losses does not in itself entail, on the other hand, that they are commensurable: one could register a loss in one dimension of value without comparing the amount of that loss with another dimension of value. But unless some comparison can be made, then nothing rational can be said at all about what overall outcome is to be preferred, nor about which side of a conflict is to be chosen—and that is certainly a despairing conclusion. Some overall comparisons can be made, and if they can, then to some degree, it will be said, these values must be commensurable.

The objection can be pressed further. When it is said that values are incommensurable, it is usually some general values such as liberty and equality that are said to be incommensurable. This seems to imply that there is no way of comparing or rationally adjudicating the claims of these values wherever they conflict. But no one could believe this, since obviously there are possible changes by which (say) such a trivial gain in equality was bought by such an enormous sacrifice of liberty that no one who believed in liberty at all could rationally favour it. So either it is false that these values are, as such, incommensurable, or incommensurability is a less discouraging or, again, deep feature than had been supposed.

Despite these objections, the claim that values are incommensurable does say something true and important. In fact, it says more than one true and important thing. There are at least four different denials which the claim can be taken to involve; they are of increasing strength, so that accepting one later in the list involves accepting those earlier.

1. There is no one currency in terms of which each conflict of values can be resolved.

2. It is not true that for each conflict of values, there is some value, independent of any of the conflicting values, which can be appealed to in order to resolve that conflict.

3. It is not true that for each conflict of values, there is some value which can be appealed to (independent or not) in order rationally to resolve that conflict.

4. No conflict of values can ever rationally be resolved.

(4) is the position which the objector elicited from incommensurability, and which he rightly claimed to be too despairing. But that leaves the others, and these are not trivial or shallow positions.

Among these, (1) raises an interesting question, which goes beyond that particular proposition. Obviously incommensurability must in some way involve (1). Yet at the same time, there is a sense in which someone claiming the incommensurability of values could even accept that (1) was false, and admit that a universal currency of comparison was available, without this destroying the spirit of his claim, and this

\(^4\) One of the several simplifying comforts offered by the purely transactional account of distributive justice which is given by Robert Nozick is that it firmly reduces this dimension of indeterminacy.
shows that the relations between that claim and the issue of rational choice between values is not as straightforward as it may seem. I shall assume that the only plausible candidate for such a universal currency of comparison would be utility (in some contemporary sense of people satisfying their preferences). The most basic version of the idea that utility provides a universal currency is that all values are versions or applications in some way of utility, and in this sense the claim that values are incommensurable of course rejects the idea of a universal currency. Indeed, in this version, it is not clear that there is really more than one value at all, or, consequently, real conflicts between values. Some indirect forms of utilitarianism, on the other hand, will want it to be the case both that there is a universal currency of utility and at the same time that the various values indirectly validated by reference to utility are autonomous enough for there to be recognisable conflicts between them. It is not clear how stable or coherent views of this kind are; in any case, they are equally rejected by the claim under discussion.

Both these versions of utilitarianism have the following feature: utility is the universal currency because the appeal to it is rationally all of a piece with the appeal to the other values. In the strongest version, utility is, so to speak, homogeneous with the other values – they are just versions of it. In the indirect version, the appeal to it is the application to a particular case of what is their justification in general. But someone who was not a utilitarian of either sort might think that utility indeed was the only possible universal resolver of conflicts, without however thinking that it was in this way homogeneous with other, conflicting, values at all. He could think that utility was another value, very different from and in certain respects perhaps even alien to other values, but that it did uniquely provide a last appeal from any conflict. I doubt that such a person could plausibly hold that utility was the only item which could ever be appealed to in resolving conflict. He is likely to think that some other values sometimes resolve some conflicts, but he might well think that utility was the only item that could always be appealed to when other appeals failed. He would have to be unduly optimistic, probably, about the sense that can be made of ‘utility’ itself, but – and this is the present point – he would not necessarily be going against the incommensurability claim. Although he thought that utility could be brought in as an arbiter to situations of conflict, he would see it as too outside the other values for that fact to count as a way of measuring them. This outlook would be a wider application of one we encountered in connection with the ‘tragic’ conflicts of obligations, where it was suggested that there might in a particular case indeed be something which it was better, all things considered, to do, and hence there were reasons for resolving the conflict in one way rather than the other, but that nevertheless that fact did not adequately meet the claims involved in the conflict.

(2), in so far as it is distinct from (1), seems obviously true, since unless there is a universal currency, it must surely be contingent whether there is some third value which can relevantly be brought in to decide some particular conflict. Moreover, there is a consideration similar to the one just discussed: if the deciding value were not intimately related to those involved in the conflict, we would have a decision, and a reason for it, but not one that supported any genuine commensurability of the values originally involved.

What about (3)? Here it might be wondered what processes were in question at all. How can one rationally resolve a conflict between two values by appealing to one of them? There is certainly one familiar pattern of argument which falls under this heading – that in which a conflict between values A and B is resolved, or at least alleviated, by the consideration that affirming A, though it may diminish B in some direction, will also lead to an increase of B in another. Thus proposals to increase equality, though at some cost of some people’s liberty, are often defended with the consideration that they also increase some people’s (not usually the same people’s) liberty. Berlin himself has been very resistant to the reductionist aspects of this sort of argument, insisting that equality is one value and liberty is another. It is indeed true that they are two values, and neither can be reduced to the other; nevertheless, it is also true that increasing equality can increase liberty, and that can be one reason (besides the value of equality as a form of justice) for wanting to increase equality.

This kind of argument can, in my view, be sound, but it is not of course a type of argument which notably regards values as incommensurable. Its effect is precisely to bring the values A and B in the particular case nearer to commensurability. The holder of the incommensurability claim, resistant as he is to reduction of one value to another, will deny that this kind of argument is necessarily or even generally available, and will thus agree with (3). However, he need not be barred, it seems to me, from coming to a sort of conclusion referred to before, to the effect that in a given conflict between A and B, the amount gained in terms of A is (say) greater than the amount
lost in terms of B. This might seem like a clear admission that A and B were commensurable; but this point seems to have force, I think, only because it is assumed that if A and B have these kinds of relations to one another in a given case, this must be because there is some one thing, more of which is gained along with A, in that case, than is lost along with B. But there need be no such thing, for this kind of conclusion to be sound, and if the supporter of the incommensurability claim is right, there will not in general by any such thing.

He will support all of (1), (2) and (3), and will be impressed also by the fact that sane and honourable people can attach different importance to different values, so that they will not agree on the resolution of many difficult conflict cases. However, it is important also in describing his position to include that resistance to Utopianism - which I mentioned earlier. A Utopian theorist - let us consider one who uses the notion of ideology - might well agree with the account of present society in terms of irresoluble conflict, incommensurable values and so forth, and he would be resolutely opposed to analytical philosophers and others who seek to resolve those conflicts and reduce uncertainty by systematising our morality into an ethical theory - this itself must be an ideologically polluted enterprise. However, he will think that what needs to be transcended is present society, and that in some better condition conflict will be reduced, and false values discarded. Nor does he think that this will be a purely technological achievement, as we might all agree that conflict could be reduced and less refractory values established by drugs or brain-treatments; he sees it in terms of enlightenment or insight, though grounded, no doubt, in social action. The sceptic about Utopia doubts that there is anywhere for that kind of enlightenment or insight to come from, since his understanding of values as they are gives no hope that their present incoherences could be radically transcended without loss. You might perhaps bring about a society whose values were less conflicting, more clearly articulated, more efficient, and people, once arrived in this state, might have no sense of loss. But that would not mean there was no loss. It would mean that there was another loss, the loss of the sense of loss.

A Utopian theorist of ideology, and a pluralist sceptic about Utopia, can however agree on at least one thing, that the enterprise of trying to reduce our conflicts, and to legislate to remove moral uncertainty, by constructing a philosophical ethical theory (in the sense of systematising moral belief) is a misguided one. The ethical theorist tends to assimilate conflicts in moral belief to theoretical contradiction, and applies to moral understanding a model of theoretical rationality and adequacy. This is wrong in more than one way. If conflict among our values is not necessarily pathological, and if even where the situation is at fault, as with some conflicts of obligation, conflict is not a logical affliction of our thought, it must be a mistake to regard a need to eliminate conflict as a purely rational demand, of the kind that applies to a theoretical system. Rather we should see such needs as there are to reduce conflict and to rationalise our moral thought as having a more social and personal basis.

In particular, in a modern complex society functions which are ethically significant are performed by public agencies and, if the society is relatively open, this requires that they be governed by an explicable order which allows those agencies to be answerable. In a public, large and impersonal forum 'intuition' will not serve, though it will serve (and nothing else could serve) in personal life and in a more closely shared existence. This is well illustrated in connection with 'imperfect rationalisation', the situation in which some distinction, not further reasoned, can ground agreement in private and less impersonal connections, but may not serve, or may not continue to serve, where a public order demands a public answer. To take an example which has been recently discussed, a distinction between abortion, which is permitted, and infanticide, which is not, is one which can probably be naturally sustained in a certain context of shared moral sentiment without further reason being needed. The fact that further reason is not needed does not mean that that distinction is irrational. It means only that the basic distinction is more directly convincing than any reason that might be advanced for it: another way of putting it is that 'You can't kill that, it's a child' is more convincing as a reason than any reason which might be advanced for its being a reason. It may possibly be that in an open system (that is to say, in a system where explanations have to be given), where abortions are carried out by public and answerable agencies, such a context of moral sentiment can still survive, and be enough. But it may not, and a further requirement of rationalisation will be felt. If it is, then that requirement will not be a demand of pure rationality, but rather of a certain kind of public order. What this illustrates in the area of 'imperfect rationalisation' applies also to the closely analogous cases of conflict.

These demands of the public order, however, have implications for private sentiment as well. There are also important needs, both of the,
individual and of the society, that private sentiment and the rules of the public order should not drift too far from each other. If functions which have specific moral significance (medical functions, for instance) are performed in an impersonal public sphere, and more activities which express and encourage important values are publicly conducted, some new accord must be found between private understanding, which can live with a good deal of ‘intuition’ and unresolved conflict, and the public order, which, unless we are to give up the ethical ambition that it be answerable, can only live with less. At the same time, the public order, if it is to carry conviction, and also not to flatten human experience, has to find ways in which it can be adequately related to private sentiment, which remains more ‘intuitive’ and open to conflict than public rules can be. For the intuitive condition is not only a state which private understanding can live with, but a state which it must have as part of its life, if that life is going to have any density or conviction and succeed in being that worthwhile kind of life which human beings lack unless they feel more than they can say, and grasp more than they can explain.

Rawls has written of a ‘reflective equilibrium’ between intuition (in the sense of moral conviction) and ethical theory, which it is the aim of moral philosophy to achieve. Rather, if philosophy is to understand the relations between conflict and rationalisation in the modern world, it should look towards an equilibrium – one to be achieved in practice – between private and public.

6 Justice as a virtue

I shall be particularly concerned with some points in Aristotle's treatment of justice in Book V of the *Nicomachean Ethics*, but the purpose is to raise some general questions about justice as a virtue of character. I am concerned with what Aristotle calls ‘particular’ justice, that is to say, with justice considered as one virtue of character among others. This disposition, he says, has two basic fields of application, the distributive and the rectificatory; this distinction will not concern us, and almost all the discussion can be referred to the first of this pair. Particular justice and injustice are concerned with a certain class of goods – ‘those which are the subjects of good and bad luck, and which considered in themselves are always good, but not always good for a particular person’ (1129b3–5). These are listed at 1130b3 as honour, money and safety: these are ‘divisible’ goods, which are such that if one person gets more, another characteristically gets less.

From the beginning, Aristotle associates particular injustice (adikia) with what he calls pleonexia – variously, greed, the desire to have more, the desire to have more than others. This characteristic Aristotle treats as the defining motive of particular injustice:

If one man commits adultery for the sake of gain, and makes money by it, while another does so from appetite, but loses money and is penalised for it, the latter would be thought self-indulgent rather than pleonektès, while the former is unjust and not self-indulgent: this is obviously because of the fact that he gains. Again, all other unjust acts are ascribed in each case to some kind of vice, e.g. adultery to self-indulgence; deserting a fellow soldier, to cowardice; assaulting someone, to anger. But if he makes a gain, it is ascribed to no other vice but injustice. (1130a24 seq.).

This passage occurs in chapter 2, where Aristotle is concerned to find the distinguishing mark of particular injustice. It seems clear that the reference to ‘unjust’ acts is to acts which are unjust in the general
Chapter 3

Pluralism and
The Universe

A Pluralistic Cosmos

Pluralism in ethical-political life, while controversial, is a relatively clear idea. It involves multidimensional diversity and a bicameral orientation to citizenship. The version endorsed here also addresses the constitutive tension between already existing diversity and the politics of becoming by which new constituencies struggle to modify the register of legitimate diversity.

William James, the American pragmatist and hesitant Protestant, goes further. He claims that the universe itself is pluralistic. He also acknowledges that this very thesis is profoundly contestable. So he is a pluralist in two senses: in the image of the universe that he embraces and in his appreciation that others might legitimately adopt other images of it. He insists that other philosophical faiths about the ultimate character of the universe make a claim upon his respect if not his concurrence. And he strives to make such a bicameral orientation reciprocal. We will examine metaphysical bicameralism as it unfolds in A Pluralistic Universe.

James knows roughly what he opposes: (a) that variant of mechanistic materialism which posits a unified world knowable through fixed laws unconnected to any power above nature; (b) monistic rationalism or absolutism, which postulates a rational whole in which we are set, providing us with transcendent obligations to pursue; (c) traditional Christian dualism, which projects an omnipotent, commanding God presiding over both nature and humanity. These metaphysical faiths are susceptible to endless elaboration and clarification. But one kind of objection is said to apply to all of them. All, in one way or another, require us to “apprehend the absolute as if it were a foreign being.” The first does so by treating nature as if it were radically different from the human experience of freedom and time. The second does so by treating the everyday experience of disjointedness in the world as if it were illusory and in need of translation into the doctrine of a fully explicable world. The third does so by treating God as an external being radically unlike human beings. This set of objections reveals the link that James maintains between lived experience of the world, the existential hopes and fears that he invests in those experiences, and his fundamental philosophy. He does not think these three elements can be separated neatly. Those who do think such separations can be made are called intellectualists by him. An intellectualist either thinks that the shape of categorical distinctions adopted by rationalists can be brought into line with the world is it is, separate from those categories, or that we are compelled by the character of unbreakable subjective necessities to act as if this must be so, that is to “postulate” it to be so. An intellectualist also underplays the role that bodily experience and a rich multiplicity of affective states play inside thought, judgment, and action. James resists both versions. He also thinks that the logical empiricism of his day presupposes Kantianism rationalism. It does so by adopting abstract understandings of space, time, and cause within which it seeks to fit all experience.

James, in turn, thinks that human experience exposes some affinities between us and the world, affinities that we can build upon in developing our philosophies and theologies. Materialists, monists, and dualists also participate in this process, but they too often cover up that participation as they present their findings. They are intellectualists.
James in this respect is a partner of Henri Bergson, whose philosophy of time we examine in the next chapter, and a precursor to thinkers such as Wittgenstein, Heidegger, and Merleau-Ponty. All emphasize how we are already engaged with the world before we develop systematic theories, epistemologies, and philosophies about it; all claim that these prior engagements both enable such philosophies to emerge and provide critical resources to turn to in appraising their successes, limits, and failures.

I do not intend to criticize the definitions that James gives of the alternatives he sets himself against, though it is possible to do so. I will treat this part of his essay as a clearing operation, designed to open the space in which the idea of a pluralistic universe is elaborated.

But what is the philosophy of a pluralistic universe? The disturbing, or beguiling, thing is that such a philosophy is not, in James's presentation, susceptible to neat, clean delineation. His view is that the overlapping forces propelling the world are themselves messy. [Pluralism is the philosophy of a messy universe] James makes this point in the process of contrasting his position to that of "absolutism," the perspective which contends that we must postulate an "all-form" in which we are set, even if that whole itself is not now susceptible to our full knowledge of it. By comparison, "the pluralistic view which I prefer to adopt is willing to believe that there may ultimately never be an all-form at all, that the substance of reality may never get totally connected, that some of it may remain outside of the largest combination of it ever made, and that a distributive form of reality, the each-form, is logically as acceptable, and empirically as probable as the all-form commonly acquiesced in as so obviously the self-evident thing."?

Several vintage Jamesian themes are discernible in this formulation. He speaks of the "view which I prefer to adopt." James thinks that the to and fro of evidence and argument is essential to the development of a philosophy. But he also thinks it unlikely that any specific combination of evidence and argument will suffice to reduce the number of defensible philosophical faiths to one. You would have to be an "intellectualist" to think otherwise after canvassing the variety of philosophies in the history of western and eastern thought, and the variety of credible views that still persist. For the arguments we make have a persistent porosity and uncertainty attached to them. We pour some of our hopes, fears, and anxieties, as they have developed through our respective biographies, into those arguments and conclusions. Philosophy is an art form, not a tight mode of argumentation by which necessary conclusions are drawn. There is for James an intimate connection between the sensibility of a philosopher and the kind of philosophy adopted. It is not that character determines philosophy, for to say that would be to subtract the pertinence of argument and evidence from it. James never does that. But character does help to inflect philosophy. The lived experience of a philosopher enters into the range of philosophical alternatives entertained as plausible or acceptable and the relative weights given to options inside this set. He is impressed by the role that "the will to believe" plays in philosophical commitment. It comes into play as you winnow down the options to those that become viable alternatives. Within that range—a range influenced by contemporary habits of argument, the historical distribution of religious faiths, the contemporary shape of science, and the political affiliations of the day—a philosopher is free to "believe" in the philosophy that speaks to his intimate experience of the world and his hopes for it.

The first thing that makes James a pluralist is therefore his reading of the intimate connection between character, history, and philosophy and his corollary judgment that at any given moment a plurality of philosophies is apt to be placed on the stage of history for articulation and debate. Philosophy itself is pluralistic, in the sense that a plurality of fundamental views can reasonably contend for priority at any single time.

But James is a pluralist in another sense, too. He suggests, again, that "the substance of reality may never get totally collected, that some of it may remain outside of the largest combination of it ever made." This is an opaque formulation, but perhaps no darker than those about the ultimate coherence of the world projected by other philosophies. What does it mean? To me it means a few things:

—That there is no omnipotent, omniscient God outside or above the world who gathers all of the universe together into one system of intelligible relations, though there may be a limited God who participates as one important actor among others in the world.

—That the most refined laws of nature, which scientists have elaborated for complex systems and are apt to elaborate, function as loose
approximations or incomplete summaries. This comes out best when you examine the trajectory of the entities in question over a sufficiently long period, a long time for biological evolution, a shorter time for the evolution of human politics. The anomalies, paradoxes, mutations, and gaps in the record encountered by, say, evolutionary biologists can be taken as signs of a certain turgidity in the flow of time, within which a measure of uncertainty operates and out of which new things sometimes ferment.

—That if by agent you mean a being or entity that makes a difference in the world without quite knowing what it is doing, **there are more agents in the world than human beings alone.** Many forces, including lava flows, viruses, germs, animals, and thoughts charging through electrochemical currents across the human body-brain network, possess some characteristic of agency to some degree. And human beings possess these characteristics to a lesser extent than the most consummate ideals of autonomy, freedom, and sovereignty suggest. The creative element in agency is enabled by “litter” in the world; but litter also restricts and confines the scope of agency. 3

**Experience and Litter**

James complains that “philosophers have always aimed at cleaning up the litter with which the world apparently is filled.” 4 Litter is perhaps the most revealing word in this philosophy. According to Webster’s Ninth Collegiate Dictionary litter is “decaying matter on the forest floor”; “trash, wastepaper or garbage lying scattered about”; “an untidy accumulation of objects”; or “a shabby writing desk covered with scattered articles.” James may pick this word in part to note how anthropocentric the vocabulary of every philosophy is and must be. For the term is defined by contrast to human neatness and orderliness in the first instance and to human projections of order in the universe in the second. If litter is an anthropocentric projection, so are the words law, order, and neatness when applied to the world. He also picks the term to suggest that it tells us something essential about our relation to both our desks and the larger world. Our experience of the world is more comparable to the relation we have to our desks in the middle of a project than to the desk after the project has been completed. There are always subterranean energies, volatilities, and flows that exceed our formal characterizations of being. These elements either exceed the whole, if you treat the whole as the gathering of everything that exists, or they show the whole to be more than rational, smooth, or intelligible in the last instance, if you define the whole as everything that exists and subsists. Some dimensions of a pluralistic universe can be figured through terms such as litter, incompleteness, looseness, volatility, and the like. These words, again, make implicit reference to contrasting terms such as neatness, wholeness, completeness, tightness, and regularity. But while these comparisons are indeed invoked, philosophers who rely on them to prove that you must presuppose the unity of the whole even in speaking of litter in it overplay their hands. For they too have to concede that the order terms are both anthropocentric and function as vague limit terms that have not been fully fleshed out by their purveyors. The wager of those who invoke the idea of litter and the family of terms with which it is associated is that our deepest comprehension of the universe will turn out to include terms such as these as part of it. No one, to my knowledge, has so far disproven that faith or projection.

It is not that for James the whole world consists of “chance.” It is rather that there is a place for something like an element of chanciness or volatility within its loose regularities and historical flows. It is not that the world is “chaotic” either, but rather that “something always escapes.” As far as James can see, no theology, philosophy, or science to date has marshaled sufficient resources to demonstrate that litter is removable from the whole. James makes this point when he writes that “for monism the world is . . . one great all-inclusive fact outside of which is nothing—nothing is its only alternative.” 6 But he has a hard time understanding what that contrast term—“nothing”—means. Whatever it means, it seems to him possible to suggest that the all-inclusive fact (outside of which is nothing) includes litter. So he projects a universe in which human beings, animals, other natural forces, and a limited God are all traversed by litter, in which multiple actants make a difference as to what persists in being and what becomes.
As you probe this philosophy of pluralism it turns out to resist the conceptions of sensation, perception, and time that rationalists, conventional empiricists, and monists of other sorts often invoke. The Jamesian idea is that sensations, set in the protracted pulse of time in which they occur, arrive already equipped with a set of preliminary connections. There is no such thing as sense data or pure sensation. So devotees of “radical empiricism”—another phrase for a pluralistic universe in the lexicon of James—resist the assumption in which “logical empiricism” is set. They resist the abstract idea that sensations are simple, detached impressions that are nothing in particular until organized by reason. Indeed, logical empiricism presupposes an expansive idea of reason in part because it starts with an idea of pure sensations equipped with no preliminary connections from which more complex thinking and judgment proceed. With the idea of pure sensation empiricists and rationalists themselves would have to treat the world as pure chaos unless they projected necessary categories of reason through which to organize experience. That’s why they tend to reduce the Jamesian idea of a pluralistic universe to the reduction ad absurdum of pure chaos or pure chance. That is how the philosophy of pluralism appears to them when they project the notion of pure sensation into it. That misrepresentation, in turn, is grounded in their desire to project pure sensation so that they can have simple blocks from which the unity of the whole is built.

James thus opts for a limited connectedness of being that is there from the start. This theme pulls him away from what might be called the chronological idea of time, the idea that time consists of one punctual moment after another. Of course, time can be measured that way on a clock. But experienced time is different from chrono-time. In lived experience time comes in “pulses,” short bursts or flows in which a variety of elements melt into one another. The human experience of time also provides clues to how it is organized in other domains. “Time itself comes in drops,” James writes. In fact our experience is composed by the complex interpenetration of past, present, and future. “Past and present,” James writes, drawing upon Henri Bergson, “are to some extent co-present with each other throughout experience.” The only “present” of experience is the ‘passing moment’ in which the dying rearward of time and its dawning future forever mix their lights.

In presenting a pluralistic universe, James folds the idea of becoming into it. “What really exists is not things made, but things in the making.” New things come into being through time, so that the flow of time does not have either a purposive structure (the traditional philosophy of finalism) or a linear trajectory (the efficient cause of logical empiricism). Our experience is marked by feedbacks and alterations that deform continuity without eliminating it, that twist an established trajectory in new, unforeseen directions. “In the very midst of the continuity our experience comes as an alteration.” So experience is connected, but the connections shift through alteration. Alteration and becoming enter into the very texture of time.

Of course, the preliminary experience of litter and time as alteration can be overridden by this or that faith or philosophy. But James tries to render the experiences more vivid before they are so colonized. We will soon consider the comparative status of the philosophy he embraces, when he takes into account contending ways of interpreting and explaining such experiences.

James is frustrated by the difficulties that he faces in describing the world he experiences. He fears that if he describes it too closely his philosophy will be captured once again by the categorical mode of presentation that marks intellectualism. And he will be pushed back toward one of the intellectualist philosophies. But it may now be possible to say, after the work of Wittgenstein, Merleau-Ponty, and Heidegger, that while James is insightful in pointing to the abundance of the world over the language through which we describe it, there is nothing in the pluralistic philosophy he advances that prevents it from finding a reasonable degree of expression in language. Language has rich resources. He can use it, for instance, to point to differences that exceed our capacities of description; he can identify signs indicating that which exceeds our capacities of representation; he can articulate emergent processes that exceed our capacity to predict them before they have emerged; he can creatively work upon terms in the established lexicon such as litter, pulse, pluralism, and incompleteness, stretching their traditional meanings a bit; and he can draw upon dissonant conjunctions in language such as but, moreover, however, although, nonetheless, and with, which in their cumulative effect may themselves express the philosophy of pluralism that he sup-
ports. His conception of language itself is too much in the control of the logical empiricists, formalists, and rationalists he criticizes.

The philosophy of pluralism does encounter paradox; it has not been demonstrated to be true; and it does feel implausible to many. But it is not unique in these respects. Therefore, it can be advanced as a possibility to consider; it can be articulated in ways that tap into currents of experience heretofore ignored or discredited; and its presentation can profit from creative stretching and amendments in the established terms of discourse.

James is well aware that many philosophers will resist his image of the universe, in part because it does not speak to the enterprise of philosophy as they conceive it. The task of philosophy, to them, is to articulate the most fundamental order of being in the most rigorous language available. The problem with the philosophy or faith of James, they will say, is that he makes a fetish of everyday experience, when it is precisely everyday experience that needs to be surmounted. “Philosophy, you will say, does not lie flat on its belly in the middle of experience, in the very thick of its sand and gravel . . . never getting a peep of anything from above.”

But maybe it should. James thinks that every philosophy does in fact start in the middle of things; it takes the cultural bearings already available to it as a point of departure. It reaches out from there; the further it reaches the more speculative and contestable it becomes. He thinks it is indeed wise to pay close attention to things in the middle, since you never in any event start at the very beginning or end or top or bottom. The philosophy of pluralism is presented by him as one that makes sense of fugitive dimensions of human experience left in the shadows by rationalist, monist, and dualistic philosophies. But since he also agrees—indeed insists—that his is a contestable philosophy from which others can reasonably dissent, it seems reasonable to ask: What motivates James to adopt this philosophy over other possibilities that make a claim upon his attention?

James, as we have seen, himself thinks that there is an affinity between the sensibility of a philosopher and the shape of the philosophy he or she adopts. What things in the character of James are most relevant to his philosophy of pluralism? One thing, perhaps, is how this conception of the world leaves open the possibility of new things coming into being. That makes the adventure of being intriguing to James, even as it might make it feel distressing or frightening to others. Another is the loose, though real, connection between adopting the philosophy of a pluralistic universe and actively affirming pluralism in moral and political life. It is not that you must affirm an ideal of cultural pluralism if you adopt this philosophy of the universe. You could adopt it and then conclude that in such a protean, dangerous world it is wise to keep a tight wrap on cultural life. But if you adopt the philosophy and also cultivate a sensibility drawn to the adventures it enables, it now becomes plausible to embrace political and ethical pluralism. You may even tap reserves of energy in you to do so over and above what it takes to maintain your identity as, say, male, Christian, heterosexual, and scientist. And you are now more apt to draw upon that energy to seek lines of connection with others who diverge from you in one way or another. So the philosophy of a pluralistic universe makes a difference to your political identity without determining it.

On James’s view, an ethic is not derived in the way a conclusion is drawn from a set of premises, nor is it systematic in the way that, say, the Kantian philosophy of morality is said to be. An ethical sensibility becomes infused into the interests, identities, and connections that help to constitute you, stretching them in this way and limiting them in that. It is easy to see this if you consider a hypothetical person who would love to support a politics of pluralism but has been convinced by some philosophy that it is destructive of democratic unity and personal morality to do so. Such a person may encounter the philosophy of James with a sense of relief. For to embrace that philosophy, to love the world as you take note of the litter in it, is both to see how suffering could be reduced if you allowed a large variety of faiths to flourish in the same territorial regime and to feel the significance of acting upon that possibility. To open yourself to this philosophy and the spirituality it expresses is to take a step toward political pluralism. “Compromise and mediation,” James writes in an overstatement that is insightful, “are inseparable from the pluralistic philosophy.”

The last motive for embracing philosophical pluralism is probably the most important to James. A philosophy of mechanical materialism
forecloses space for a God to be, while traditional dualistic theologies engender a God too far removed from humanity to enable us to commune with it. James, indeed, is severe on the strictures of the latter. "The theological machinery that spoke so lovingly to our ancestors, with its finite age of the world, its creation out of nothing, its juridical morality and eschatology, its relish for rewards and punishments, its treatment of God as an external contriver, and "intelligent and moral governor," sounds as odd to most of us as if it were some outlandish savage religion."¹³

James suspects that the problem of evil engendered by such a faith is insurmountable. It has a hell of a time either explaining why evil exists or disconnecting its omnipotent God from responsibility for it. He also thinks it has seen its day. It is easy to see today that James overstated the second point. The "ancestral" faith has returned with a vengeance. But its very return may indicate that James was onto something in refusing to jump on the scientific-secular bandwagon and dispense with faith altogether. He thought that most human beings could not thrive unless their daily lives were infused with some sense of religious feeling. The most pressing motive working upon James to advance a pluralistic philosophy is the quest to make room for an experience of divinity that both gives faith a role in life and engages thoughtfully the most compelling historical and scientific claims of the day. He both believes that the findings of science are relevant to philosophy and doubts that those findings by themselves rule out the possibility of divinity. James, I think, would endorse Strauss’s reading of Spinoza as a philosopher who failed to transcend the element of faith. But James would not approach the question of a diversity of faiths with the same unifying fervor that marks Strauss’s critique of pluralism. The sensibilities of the two thinkers diverge significantly.

A pluralistic philosophy leaves the door open to a finite, loving God who participates in the world without governing it entirely. A God, perhaps, like Jesus before he was elevated to Christ by Paul and Augustine. Or like Yahweh as he appears in The Book of J, the oldest version of the Jewish Bible."¹⁴ James, at any rate, embraces the conviction "that there is a God, but that he is finite, either in power or in knowledge or in both at once."¹⁵ In doing so, he may disturb both some imperious Christians and some overweening atheists. The interesting thing is that this pluralist poses a third option to the binary debate between them.

The Jamesian idea of a pluralistic universe speaks above all to the highest hope that James invests in the world. The hope takes the form of a fugitive experience of divinity that makes a powerful claim upon him: the experience or hope that a limited God participates as one agent in a larger world of imperfect, plural agents of different types. This is not a God known through proof or revelation, or one clarified first and foremost through theological speculation. It is God with a small "g." It is a god whose murmur can be heard only by those who make themselves receptive as they listen, a god capable of inspiring and moving those who listen to it, a god whose subsistence is consistent with bits of litter in the universe: that is, with noise, static, zones of indiscernibility, and pools of uncertainty out of which new and surprising entities may evolve. Not everyone can hear this god, and many do not seek to do so. But some can, when they let down the guardrails of everyday life and listen to the whisper of being. Now "the threshold lowers or the valve opens, information ordinarily shut out leaks into the mind of exceptional individuals."¹⁶ It is a god who emerges first through the gateway of mystical experience and is then given more specific definition through philosophical work.

The William James of A Pluralistic Universe is thus consonant with the James of the Varieties of Religious Experience. His philosophy of a pluralistic universe is inspired above all by his quest for a god who is continuous with humanity. He thinks a philosophy that rules such a possibility out altogether has one mark against it. For it rules out a subliminal experience that many have had in numerous cultures at different moments in history when there is no absolute necessity to do so. This philosophy makes room for a limited, loving god, even as philosophies of monism and dualism create room for different gods, and as the mechanical materialism that James resists dismisses God as a possibility.

One attraction of James is the way he fuses up to the motives that underlie his philosophical reflection. He does not pretend that he first makes an airtight argument and then discovers, after the fact as it were, that this God, that god, or no God falls into his lap.
The Status of Pluralism

James gathers various elements of lived experience—the experience of litter, the connections of sensory life, pulses of time, continuity through alteration, a mood of presumptive tolerance, and the idea of a limited god continuous with humanity without being reducible to it—into a philosophy of a pluralistic universe. But what is the status of this philosophy? If the arguments on its behalf are less than definitive, and if commitment to it is bound to the hopes you bring to its assessment, what claim can it make on those who find these arguments less than compelling or do not invest the hopes into it that James does? We have reached a critical point in the philosophy of James. It is the point at which many philosophers make claims that exceed the power of the arguments they advance. But James does not do so. He joins his philosophy of a pluralistic universe to the judgment that a variety of philosophies can and should persist in the same culture, including monist and dualist philosophies. He joins a vigorous defense of his philosophy to modesty about its status. He is a rare philosopher, breaking with the quest for certainty that haunts the tradition while refusing to relinquish the pursuit of metaphysics. This combination is apparent throughout the book, but is given its sharpest expression in the following formulation: “The only thing I emphatically insist upon is that [pluralism] is a fully coordinate hypothesis with monism. This world may in the last resort be a block-universe; but on the other hand it may be a universe only strung along, not rounded in or closed. Reality may exist distributively, just as it sensibly seems to, after all. On that possibility I do insist.”

James thinks he has made a strong enough case to include this philosophy in the list of viable options. He also contends that there is never a vacuum in the domain of philosophy or fundamental faith. “A conception of the world arises in you somehow, no matter how.” After it does, you have to decide whether to adopt it by comparison to other credible alternatives. Indeed, “deciding” is too confident and evasive a word here. You struggle with this conception in relation to others, to see where you come out. If you emerge from the struggle by embracing this view on several intercoded registers of being, you can now act in ways that help to render its plausibility more visible to others. In this way you may contribute to the shaping of the cultural life in which you participate. James himself writes that “acting thus may in certain special cases be a means of making it securely true in the end.” Depending on how one interprets “securely true,” James may overplay his hand here. If that phrase is interpreted to mean that willing the pluralistic universe true makes it true, then it exaggerates. For if the world is a block-universe, no amount of action on other premises will change its fundamental character. But if James can be taken to mean that concerted and long-term action based upon the assumption of a pluralistic universe can help to bring into the open features of the world that would otherwise remain in the shadows, then the formulation works. Here the logic of philosophy and the character of faith move closer together, as James thinks they do in any event. You make the experience of pluralism more “securely true” by acting experimentally in several domains as if it were true. You draw what was obscure more fully into the layering of experience. “Thus do philosophy and reality, theory and action, work in the same circle indefinitely.”

As James’s position also implies, the will to believe that helps to compose the philosophy or faith you embrace carries with it a responsibility to show respect for credible options you do not embrace. You have not, after all, proven your view beyond doubt. Neither have they. Each philosophy is confronted with loose ends, paradoxes, and uncertainties. Each has at best been shown to be one possible problematic among others.

The responsibility to show respect for credible alternatives while pushing the strengths of your own is not something simply read off from the contestable status of your commitment or faith. For you could, again, secretly acknowledge that your faith or philosophy is contestable and then use every resource at your disposal to stifle other views in your neighborhood, church, university, state, or federated union of states. One motive to do so would be to bolster self-confidence in your own faith by suppressing the expression of alternatives. So yet another augmentation in the dictum of James is needed. It consists in a call to courage, the courage to bear the agony of diversity in the interests of promoting the freedom of expression and curtailing the call to violence. It consists in a
call to become more bicameral in your citizenship and to inspire others to do so as well.

This is where James, the soft theist, and Nietzsche, the agonistic nontheist, draw close together. The key difference between them at this point—besides the substantive difference in their conceptions of transcendence and immanence—is that Nietzsche thinks only a few will cultivate sufficient courage to “spiritualize” enmity between their faith and that of others, while James thinks that a rather large number of human beings possess such a capacity. At any rate, to embrace the persistent plurality of philosophies and creeds in life is to take a step toward translating the philosophy of a pluralistic universe into support of political pluralism. And the relation goes the other way too. To embrace the politics of pluralism can open the door to sympathetic engagement with the philosophy of a pluralistic universe promulgated by James in one way and Nietzsche in another.

These connections must not be overstated. You can be a political pluralist without endorsing the philosophical position of James. Even if you adopt a version of monism, dualism, or (non-immanent) materialism you can embrace political pluralism, if you admit that the philosophy you adopt, like his, is profoundly and legitimately contestable to others, and if you work upon yourself to overcome resentment of this very condition. When you acknowledge that your philosophical stance is grounded in a complex mixture of contestable faith and porous argument you take a step toward affirmation of political pluralism, even if the philosophy you embrace is block monism, strong dualism, or mechanistic materialism.

James and Contemporary Cosmology

The philosophy of a pluralistic universe has affinities with several cosmologies in the history of western philosophy. Epicurus, Lucretius, Thoreau, Nietzsche, Bergson, Whitehead, Deleuze, and Foucault are several thinkers with whom the perspective of James could be usefully compared. But let’s limit ourselves for the moment to a couple of contemporar
gy perspectives in the natural sciences. Newton and Einstein, in different ways, would dissent from the Jamesian view. Their universes are governed by general laws. But recent conceptions of science developed by Ilya Prigogine and Stephen Wolfram move closer to the position that James advanced in the early part of the twentieth century.

Prigogine, who won the Nobel Prize for inventing chaos theory, explores complex natural systems in disequilibrium. These systems grow out of the volatility in the initial conditions from which they started. And this volatility is often amplified as the system develops capacities of “self-organization” and evolves into new states of partial equilibrium. The result is an uneven trajectory of development that can be rendered intelligible retrospectively, though not predicted. Prigogine thus inserts an irreversible historical trajectory into several (though not all) systems in nature, challenging the assumption of reversibility that defined classical physics. If the system in disequilibrium is sensitive to small variations in initial conditions and contains a protean capacity for self-organization when perturbed by new forces from the outside, it contains the potential for creative evolution. The evolution of the universe, genetic mutation, biological evolution, geological patterning, climatic development, hurricanes, and human brain development all correspond to these two dictates. Moreover, the new effects generated by each system help to shape the changing environment in which other open systems develop. These changes in turn may trigger novel capacities of self-organization in them. So Prigogine and his collaborator, Isabelle Stengers, challenge the regulative ideal of a closed system of explanation that traditionally informed the natural sciences, at least outside of biology. “The deterministic and reversible trajectory that we can calculate for simple systems . . . would require, for unstable systems, a mode of knowledge that would only make sense for [a God] . . . who knew the positions and speeds of the entities in interaction with an infinite precision (an infinite number of decimals). That being the case, is it relevant to extend to unstable dynamic systems the ideal of knowledge represented by a deterministic and reversible trajectory? Should we judge as a simple approximation the probability treatment that we have to apply to unstable dynamic systems, that is, judge it in the name of a knowledge that for intrinsic and noncontingent reasons we will never have?”

...
Prigogine's perspective is remarkably close to that of James. Both postulate a degree of "litter" or "volatility of initial conditions" from which the historical trajectory of a partially open system unfolds; both play up how periodic conjunctions between two or more open systems are marked by a certain dissonance; and both emphasize how contact with new developments on the outside can spur novel capacities for self-organization on the inside.

Another, more distantly comparable perspective has recently been developed by Stephen Wolfram. Like Prigogine, Wolfram thinks that experimental science, which seeks to control the variables in experiments to test the power of possible laws of nature, is incapable of coming to terms with the emergent character of the most important systems in nature. They cannot be explained through simple models of linear causality. A more promising approach is to compare their development to simple computer programs that eventually, through millions of iterations, issue in patterns of complexity unpredictable before the course the iterations actually take. The order that Wolfram examines is thus an emergent order.

There are, he says, three possible sources of randomness in nature. First, the volatility of initial conditions, as we have already seen in the work of Prigogine. Second, unexpected changes in the environment that impinge upon the system in question. Third, the long-term upshot of a simple set of rules inside a system as it unfolds over time. He thinks the last is the most fundamental source of change and complexity in natural systems. As he says, "even though the underlying rules for the system are simple, and even though the system is started from simple initial conditions, the behavior that the system shows can be highly complex." And "it is this basic phenomenon that is ultimately responsible for most of the complexity we see in nature." The computer simulations he runs of systems that unfold with distinctive patterns of complexity after multiple iterations are utterly fascinating. He claims that the best approach to the study of nature is to ascertain which set of simple rules applies to each particular system in nature. And the best way to do that is to experiment with simple rules of different kinds, finding out what eventually issues from each set after millions of computer iterations.

Wolfram contends that human predictive capacity is systematically limited by the length of time it takes to run enough iterations of simple rules to see how they play out. He calls this "computational irreducibility." "For if meaningful general predictions are to be possible, it must at some level be the case that the system making the predictions be able to outrun the system it is trying to predict. But for this to happen the system making the predictions must be able to perform more sophisticated computations than the system it is trying to predict." The most complex systems in nature are computationally irreducible because of the inordinate number of iterations that must be run to simulate them.

Wolfram also "strongly suspects," however, that it is possible to come up with a unique set of simple rules from which the universe itself has evolved. It is not clear to me how he thinks we could ever know for sure that success has been achieved, since we are stuck in the universe and it has not yet reached its end-state. He wants to see around a corner that has not yet been turned. He seems to think that if a simple set of rules could track the universe to this point we would be in an excellent position to extrapolate from them. He does acknowledge that even if you could be confident about the underlying set of rules you would not be in a position to say why this set stands at the base of the evolution rather than another set.

At any rate, Wolfram's entertainment of the hope to find simple rules governing the evolution of the universe defines both the similarity and the difference between his perspective and that of James. The similarity resides in the implicit connection that he acknowledges between hope and philosophy. The difference can be seen by pointing to the distance between James's conception of God and the conception that Wolfram would pursue if he chose to do so. For James, God is a limited force operating in conjunction with a plurality of other forces. For Wolfram a God, if it subsisted, would be both the originator of the first set of simple rules and the one agent who could give an authoritative answer to why that set rather than another was inaugurated. Such a God, for James, is too all-knowing and separate from us to be congruent with the subliminal communication that James experiences and prizes. It is also incongruent with the experience of litter in the world.

James's position suggests to me the possibility of forging a synthesis between Prigogine and Wolfram, rather than simply selecting one the-
ory over the other. Such a synthesis would make it possible to identify three sources of randomness and complexity in dissonant conjunction: volatility in initial conditions; the long-term upshot of rules; and surprising changes in the external environment that trigger latent capacities of self-organization in a system. It is when you imagine these three sources periodically impinging upon each other that you move close to the Jamesian vision of a pluralistic universe. There are places in Wolfram’s study where he approaches such a vision too. The recent work by the biologist of complexity Brian Goodwin seems to me to head in this direction as well, as he explores the kind of order that arises “spontaneously” in complex systems.26

The biggest difference between James and Wolfram, however, is in the temper that each displays when the most speculative and uncertain parts of his theory are advanced. Wolfram’s text is replete with phrases such as “I strongly suspect” and “I strongly believe.” These terms admit the element of speculation in his theory while simultaneously implying that it is incumbent upon reflective people visiting these programs to accept the speculation that he attaches to them. Wolfram resists pluralism in science, as when he writes, “And all of this supports my strong belief that in the end it will turn out that every detail of our universe does indeed follow rules that can be represented by a very simple program—and that everything we see will ultimately emerge just from running this program.”27

James doubts that we will arrive there “in the end.” He treats his theory as a reasonable projection that can be believed given the evidence but by no means must be believed. He articulates such a modest position partly because it reflects his considered faith in relation to available evidence and partly because he suspects that every interpretation in the natural sciences, human sciences, philosophy, and theology is invested somewhere with a speculative vision. It is best to lay as many of these cards on the table as you can, even if some of them will remain hidden until a new, unexpected theory comes along to throw them into relief. But given the problematical character of such speculations, it is also wise to do so in ways that acknowledge the credibility of other possibilities too. James cannot specify in advance the outside limit of “the other possibilities”; he knows that new evidence, new technologies of exploration, and new theoretical speculation might throw some currently credible options into disarray. For instance, the computer that Wolfram relies upon was not even on the horizon of possibility when James wrote. Who knows what effects it would have had upon the theories of Einstein, Heisenberg, Nietzsche, and James had it been? And new technologies in the future might become pertinent to the theory of Wolfram.

So James presents his faith-speculation as a reasonable possibility, one in which he is profoundly invested and one which informs his life. James expresses the temper of a deep pluralist, as he advances the defensible, contestable speculation that the universe itself is pluralistic.

Pluralism and Care for the World

James would have been taken with the discovery by Lynn Margulis of a strange operation called symbiogenesis.28 Symbiogenesis is the process by which a bit of DNA from one bacterium escapes into the surrounding liquid. Sometimes it travels to another bacterium, creating a crisis of survival for that bacterium because of its different metabolic composition. Often the invaded bacterium perishes. But occasionally a creative process of self-organization is activated in the second bacterium in response to the intrusion, triggering the genesis of a new kind of bacterium, one with a nucleus. This emergent is the result neither of a mutation nor of the sexual exchange of genetic material. It is the chancy effect of an invasion, which occasionally triggers a creative response by the invaded cell. The first nucleated bacterium that emerged eons ago from such a chancy conjunction provided the base from which biological evolution itself proceeded. Unless symbiogenesis occurred at the inception of the evolutionary process, there would be no plants, insects, rain forests, vertebrates, cloud cover, human beings, or platypuses today.

To James and Margulis the swimming DNA is litter in motion; it is noise or static detached from any stable pattern of repetition. Out of the creative conjunction between the escaped material and the response of the host, something new emerged. Emergent causation, you might call...
it. Sometimes, as in this instance, the emergent sets the stage for yet later innovations. James would call this process a rich example of creative indeterminism in motion. Unlike the philosophy of determinism, which decrees that once the basic elements of the universe are laid down every new or novel process is determined in advance, “Indeterminism . . . says that the parts have a certain amount of loose play on one another, so that the laying down of one of them does not necessarily determine what the others shall be. It admits that possibilities may be in excess of actualities, and that things not yet revealed to our knowledge may really in themselves be ambiguous . . . Indeterminism thus denies the world to be one unbending unit of fact. It says there is a certain ultimate pluralism in it . . . To that view actualities seem to float in a larger sea of possibilities from out of which they are chosen.”

This “loose play” between elements is the medium of “indeterminism,” or better, emergent causation in nature. In a process of emergent causation the novel concatenation of disparate elements on occasion issues in something new, which could not have been predicted before it came into being and may set the stage for other unpredictable emergents in the future. Emergent causation participates in creative evolution rather than mechanical evolution.

Note too the word “chosen” at the end of the quotation from James. The loose play referred to by James operates in nonhuman nature as well as human-centered processes. The word “chosen” seems to point to a series of affinities and resonances between human and nonhuman processes. James does not invest agency entirely in humans while divesting it altogether from nonhuman processes. Chemicals, minerals, and electrical currents enter into the composition of our being. These processes carry an energetic element of loose play in them; and our own experiences of complex decision making, choice, will, experimentation, and the like may be imbued with selective affinities to those primordial processes. Certainly, the loose play in the former processes preceded and conditioned it in us. It is because of the loose energy in nature that we may feel a host of affinities and connections to the larger world in which we are set. Such feelings occur at different levels of awareness and degrees of complexity, depending upon the affinities in question.

The rationalist division of the world into “subjects” and “objects” represses such affinities, insulating our consciousness from the world that courses through, over, and around us. The delicate zone “in between” subjects of action and objects acted upon must be articulated with caution. But Jamesian philosophy attends to a series of affinities and interdependencies between us and the pluralistic universe. Some of these connections are immediately felt, at different levels of awareness. Others must be theorized before they are appreciated, as James has done; then they too can enter into our feeling for the world. The lines of difference between human beings and the rest of nature now become multiple rather than singular, and distributive rather than categorical. Each difference now comes equipped with a corollary connection. Our capacities to think, feel, see, smell, choose, deliberate, speak, and innovate are prefigured in other sectors of the world, and some of these capacities in us are exceeded elsewhere. Since ethical life, for James, is more a matter of inspiration and attraction than command and obedience, the point is to encourage this feeling of interspecies connection across a broad array of differences.

Molten lava flowing from a volcano eventuates in complex granite formations because of the different rates of cooling of the diverse elements. “Granite forms out of cooling magma, a viscous fluid composed of a diversity of molten materials. Each has a different threshold of crystallization. And those that solidify earlier serve as containers for those that acquire a crystal form later. The result is a complex set of heterogeneous crystals that interlock with one another, and that is what gives granite its superior strength.”

Each granite formation acquires its distinctive strength from this process of differential cooling and containing; and each crystallization of lava into granite exhibits a unique pattern that is neither predictable in advance nor replicable. The result may suggest an analogy to the evolution of a small town into the topsy-turvy shape of a large city. Some people who love granite may thus find themselves doubly attracted to cities. This attraction grows as they study the complexities and indeterminacies of granite crystallization, comparing it to the checkered history by which the byways of a city were formed. Attention to such affinities may bind you to both cities and granite more deeply than you otherwise would be to either. Better, the color of your perception of each becomes
inhabited by your attraction to the other. If lava flows and granite were to disappear from the face of the earth, our appreciation of the complexity of cities might diminish. And vice versa. And if similar disappearances were repeated in other such circuits of connection, our sensibilities themselves would become impoverished. Our very capacity for analogy would be depleted. It might feel like living in Texas.

In a pluralistic universe, care for the world emerges from the multiplication of such circuits. Granite-city circuits, circuits between human innovation and apes who invent new cultural activities, circuits between the volatility of a tornado and that of a God who speaks out of a whirlwind, circuits between the rail map of England and the body-brain circuits of human beings, circuits between parrots who change the subject while speaking and the creative element in human language.31

Or take the huge cockroach I found stalking my kitchen one day when I was a visitor at the Australian National University. It felt imperative to eliminate this surprisingly large creature from my living space. When it smelled or saw that I was trying to kill it, it anticipated every move I was about to make in an uncanny way, leaping around in erratic, purposive ways. After what felt like a half-hour of mortal combat, it seemed to be crushed under the magazine I had pounded down on it (in one of my “creative” maneuvers). I lifted up the magazine in anticipatory disgust, expecting to observe a smashed cockroach. But it was not there. Stunned, I looked every which way, sensing at some level that I had now become the hunted one. Just as I was about to give up the search my eye caught a glimmer of brown squeezed into a tiny crevice between the cupboard counter and the wall. It was barely visible to my crude eye. As soon as my eye touched it, it reinitiated our hand-to-tentacle combat. An instinct of intelligent survival, activated in numerous ways. One I have recognized in myself from time to time in emergency situations—one, indeed, I even felt a trace of during minor combat with that intense, creative bug. An affinity of affect between two diverse beings in a world populated by innumerable such affinities across multiple lines of difference.

Henri Bergson, who formed a mutual admiration society with James, suggests, “There is no manifestation of life which does not contain, in a rudimentary state—latent or potential—the essential characters of most other manifestations. The difference is in the proportions.” He even says that “there is not a single property of vegetable life that is not found, in some degree, in certain animals; not a single characteristic feature of the animal that has not been seen in certain species at certain moments in the vegetable world.”32 A world marked by multiple, uncanny affinities across large differences. You might kill an oversized cockroach that disturbed your sense of apartment propriety while later evincing new respect for the creative intensity of the species.

According to the feeling-imbued philosophy of a pluralistic universe, to care about the diversity of humanity writ large is to take a step toward caring about the larger world that courses through and around us. It is to care about litter in motion in the creativity of a cockroach, the fecundity of rainforests, lava flows, swimming DNA, the sonority of the human voice, turbulent water flows, and the human body-brain-culture network. Above all, it is to care about that delicate balance between creativity and stability that enables nature and civilizations to change while maintaining themselves. To appreciate the element of energetic uncertainty circulating through the world is to cultivate cautious solicitude for the world.

Neither James nor I support that strange variant of academicism he calls “intellectualism.” We neither intend to construct and defend an entire system of ethics through argument alone nor seek to separate ethical principles from sensuous feeling. Nor do we buy those closed schemes of explanation advanced by many in the social sciences. To us, care for the world follows neither from a set of sufficient moral principles you are obligated to obey nor from a mode of knowledge that enables us in principle to explain the world completely. James writes in an inspirational and attractional mode rather than an imperative style. Better, he mixes a large dose of the former element into the light texture of the second. He seeks to enliven our feelings of connection with the world, partly by endowing it with more capacities than his recent predecessors tended to do. He has outgrown the philosopher’s illusion that argument alone is sufficient to thinking, ethical life, and politics. The Jamesian feeling for the world, if it is communicated to us, becomes sedimented into our interests, identities, responsibilities, and principles, deepening them in one way and stretching them in another. To cultivate
an ethical disposition of connectedness across difference is to refine our capacities of feeling.

Philosophers in the Kantian tradition, who separate sensuality from ethical life and demand a systematic moral theory, find the Jamesian orientation perplexing. To them it is unacceptable to fold “heteronomous” elements such as affect, feeling, desire, and passion into morality. But from the Jamesian viewpoint, as you come to appreciate the interconnectedness of things and the obdurate element of uncertainty and creativity in their trajectories, multiple lines of affinity between them and us begin to find expression inside your ideas of self-interest, explanation, identity, identification, obligation, and responsibility. It is possible to give arguments of self-interest in favor of protecting biological diversity, closing holes in the ozone layer, curtailing nuclear power, reducing water and soil pollution, and purifying the air. But unless a protean care for the world is mixed into the conception of self-interest, more insulated definitions of human need are apt to win the day. As you come to feel this larger web of loose affinities and uncertain connections, you outgrow the implicit idea that the world was designed for us alone, or that human beings can master it entirely, or that we can in principle know it completely, or that morality is reducible to the deduction of pure obligations from abstract principles, or that we can insulate ourselves from the rest of the world. At any rate, the philosophy of a pluralistic universe calls each of these assumptions into question. It suggests that human civilization is an event that might not have happened, and that it is most apt to survive if we attend to the fecundity, volatility, and complexity of interconnections in which it is set.
PLURALISM

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In recent decades categories like 'human nature', 'universal reason' and 'rational autonomous subject' have increasingly been put into question. From different standpoints, a variety of thinkers have criticized the ideas of a universal human nature, of a universal canon of rationality through which that human nature could be known, as well as the possibility of an unconditional universal truth. Such a critique of Enlightenment universalism and rationalism — which is sometimes referred to as 'postmodern' — has been presented by some authors, like Jürgen Habermas, as constituting a threat to the modern democratic project. They consider that the link existing between the democratic ideal of the Enlightenment and its rationalistic and universalistic perspective is such that rejecting the latter necessarily jeopardizes the former.

In this chapter I want to take issue with such a view and defend the opposite thesis. Indeed, I am going to argue that it is only in the context of a political theory that takes account of the critique of essentialism — which I see as the crucial contribution of the so-called 'postmodern' approach — that it is possible to formulate the aims of a radical democratic politics in a way that makes room for the contemporary proliferation of political spaces and the multiplicity of democratic demands.
PLURALISM AND MODERN DEMOCRACY

Before developing my argument, I would like to make a few remarks to specify the way I envisage modern liberal democracy. First, I consider that it is important to distinguish liberal democracy from democratic capitalism and to understand it in terms of classical political philosophy as a regime, a political form of society that is defined exclusively at the level of the political, leaving aside its possible articulation with an economic system. Liberal democracy – in its various appellations: constitutional democracy, representative democracy, parliamentary democracy, modern democracy – is not the application of the democratic model to a wider context, as some would have it; understood as a regime, it concerns the symbolic ordering of social relations and is much more than a mere ‘form of government’. It is a specific form of organizing politically human coexistence which results from the articulation between two different traditions: on one side, political liberalism (rule of law, separation of powers and individual rights) and, on the other side, the democratic tradition of popular sovereignty.

In other words, the difference between ancient and modern democracy is not one of size but of nature. The crucial difference resides in the acceptance of plurality, which is constitutive of modern liberal democracy. By ‘pluralism’ I mean the end of a substantive idea of the good life, what Claude Lefort calls ‘the dissolution of the markers of certainty’. Such a recognition of pluralism implies a profound transformation in the symbolic ordering of social relations. This is something that is totally missed when one refers, like John Rawls, to the fact of pluralism. There is of course a fact, which is the diversity of the conceptions of the good that we find in a liberal society. But the important difference is not an empirical one; it concerns the symbolic level. What is at stake is the legitimation of conflict and division, the emergence of individual liberty and the assertion of equal liberty for all.

Once pluralism is recognized as the defining feature of modern democracy, we can ask what is the best way to approach the scope and nature of a pluralist democratic politics. My contention is that it is only in the context of a perspective according to which ‘difference’ is construed as the condition of possibility of being that a radical democratic project informed by pluralism can be adequately formulated. Indeed, I submit that all forms of pluralism that depend on a logic of the social that implies the idea of ‘being as presence’, and sees ‘objectivity’ as belonging to the ‘things themselves’, necessarily lead to the reduction of plurality and to its ultimate negation. This is indeed the case with the main forms of liberal pluralism, which generally start by stressing what they call ‘the fact of pluralism’, and then go on to find procedures to deal with differences whose objective is actually to make those differences irrelevant and to relegate pluralism to the sphere of the private.

Envisaged from an anti-essentialist theoretical perspective, on the contrary, pluralism is not merely a fact, something that we must bear grudgingly or try to reduce, but an axiological principle. It is taken to be constitutive at the conceptual level of the very nature of modern democracy and considered as something that we should celebrate and enhance. This is why the type of pluralism that I am advocating gives a positive status to differences and questions the objective of unanimity and homogeneity, which is always revealed as fictitious and based on acts of exclusion.

However, such a view does not allow a total pluralism and it
is important to recognize the limits to pluralism which are required by a democratic politics that aims at challenging a wide range of relations of subordination. It is therefore necessary to distinguish the position I am defending here from the type of extreme pluralism that emphasizes heterogeneity and incommensurability and according to which pluralism – understood as valorization of all differences – should have no limits. I consider that, despite its claim to be more democratic, such a perspective prevents us from recognizing how certain differences are constructed as relations of subordination and should therefore be challenged by a radical democratic politics. There is only a multiplicity of identities without any common denominator, and it is impossible to distinguish between differences that exist but should not exist and differences that do not exist but should exist.

What such a pluralism misses is the dimension of the political. Relations of power and antagonisms are erased and we are left with the typical liberal illusion of a pluralism without antagonism. Indeed, although it tends to be very critical of liberalism, that type of extreme pluralism, because of its refusal of any attempt to construct a ‘we’, a collective identity that would articulate the demands found in the different struggles against subordination, partakes of the liberal evasion of the political. To deny the need for a construction of such collective identities, and to conceive democratic politics exclusively in terms of a struggle of a multiplicity of interest groups or of minorities for the assertion of their rights, is to remain blind to the relations of power. It is to ignore the limits imposed on the extension of the sphere of rights by the fact that some existing rights have been constructed on the very exclusion or subordination of others.

PLURALISM, POWER AND ANTAGONISM

In coming to terms with pluralism, what is really at stake is power and antagonism and their ineradicable character. This can only be grasped from a perspective that puts into question the objectivism and essentialism which are dominant in democratic theory. In Hegemony and Socialist Strategy, we delineated an approach that asserts that any social objectivity is constituted through acts of power. This means that any social objectivity is ultimately political and has to show the traces of the acts of exclusion which govern its constitution. What, following Derrida, can be referred to as its constitutive outside.

This point is decisive. It is because every object has inscribed in its very being something other than itself and that as a result, everything is constructed as difference, that its being cannot be conceived as pure ‘presence’ or ‘objectivity’. Since the constitutive outside is present within the inside as its always real possibility, every identity becomes purely contingent. This implies that we should not conceptualize power as an external relation taking place between two pre-constituted identities, but rather as constituting the identities themselves. This point of confluence between objectivity and power is what we have called ‘hegemony’.

When we envisage democratic politics from such an anti-essentialist perspective, we can begin to understand that, for democracy to exist, no social agent should be able to claim any mastery of the foundation of society. This signifies that the relation between social agents becomes more democratic only as far as they accept the particularity and the limitation of their claims; that is, only in so far as they recognize their mutual relation as one from which power is ineradicable. The democratic
society cannot be conceived any more as a society that would have realized the dream of a perfect harmony in social relations. Its democratic character can only be given by the fact that no limited social actor can attribute to herself or himself the representation of the totality. The main question of democratic politics becomes then not how to eliminate power, but how to constitute forms of power which are compatible with democratic values.

To acknowledge the existence of relations of power and the need to transform them, while renouncing the illusion that we could free ourselves completely from power – this is what is specific to the project that we have called ‘radical and plural democracy’. Such a project recognizes that the specificity of modern pluralist democracy – even a well-ordered one – does not reside in the absence of domination and of violence but in the establishment of a set of institutions through which they can be limited and contested. To negate the ineradicable character of antagonism and to aim at a universal rational consensus – this is the real threat to democracy. Indeed, this can lead to violence being unrecognized and hidden behind appeals to ‘rationality’, as is often the case in liberal thinking which disguises the necessary frontiers and forms of exclusion behind pretences of ‘neutrality’.

**POLITICAL LIBERALISM**

To illustrate the dangerous consequences of the rationalist approach and show the superiority of the one I am delineating here, I have chosen to take the example of the ‘political liberalism’ of John Rawls. In his recent work, Rawls intends to give a new solution to the traditional liberal problem of how to establish peaceful coexistence among people with different conceptions of the good. For a long time liberals have seen the solution to that problem in the creation of a modus vivendi or, following Schumpeter, a ‘modus procedendi’ that regulates the conflict among different views. Hence the generally accepted view of democracy as a procedural form, neutral with respect to any particular set of values, a mere method for making public decisions.

Recently, liberals like Rawls – and in a slightly different way Charles Larmore – have taken issue with such an interpretation of the liberal principle of neutrality. They affirm that a liberal-democratic society needs a form of consensus that is deeper than a simple modus vivendi on mere procedures. Its aim should be the creation of a moral and not only prudential type of consensus around its basic institutions. Their objective is to provide a moral, albeit minimal, consensus on political fundamentals. Their ‘political liberalism’ aims at defining a core morality that specifies the terms under which people with different conceptions of the good can live together in political association. It is an understanding of liberalism which is compatible with the fact of pluralism and the existence of moral and religious disagreement, and must be distinguished from comprehensive views like those of Kant and Mill. Given that it is neutral with respect to controversial views of the good life, they believe that such a liberalism can provide the political principles that should be accepted by all despite their differences.

According to Rawls, the problem of political liberalism can be formulated in the following way: ‘How is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable religious, philosophical and moral doctrines?’ The problem, in his view, is one of
political justice, and it requires the establishment of fair terms of social co-operation between citizens envisaged as free and equal, but also as divided by profound doctrinal conflict. His solution, as reformulated in his book Political Liberalism, puts a new emphasis on the notion of reasonable pluralism. He invites us to distinguish between what would be a mere empirical recognition of opposed conceptions of the good, the fact of 'simple' pluralism, and what is the real problem facing liberals: how to deal with a plurality of incompatible yet reasonable doctrines. He sees such a plurality as the normal result of the exercise of human reason within the framework of a constitutional democratic regime. This is why a conception of justice must be able to gain the support of all 'reasonable' citizens, despite their deep doctrinal disagreements on other matters.

Let's examine this distinction between 'simple' and 'reasonable' pluralism. Avowedly it is supposed to secure the moral character of the consensus on justice which precludes that a compromise should be made with 'unreasonable' views; that is, those which would oppose the basic principles of political morality. But in fact, it allows Rawls to present as a moral exigency what is really a political decision. For Rawls, reasonable persons are persons 'who have realized their two moral powers to a degree sufficient to be free and equal citizens in a constitutional regime, and who have an enduring desire to honor fair terms of cooperation and to be fully cooperating members of society'.

What is this if not an indirect form of asserting that reasonable persons are those who accept the fundamentals of liberalism? In other words, the distinction between 'reasonable' and 'unreasonable' helps to draw a frontier between the doctrines that accept the liberal principles and the ones that oppose them.

It means that its function is political and that it aims at discriminating between a permissible pluralism of religious, moral or philosophical conceptions, as long as those views can be relegated to the sphere of the private and satisfy the liberal principles — and what would be an unacceptable pluralism because it would jeopardize the dominance of liberal principles in the public sphere.

What Rawls is really indicating with such a distinction is that there cannot be pluralism as far as the principles of the political association are concerned, and that conceptions which refuse the principles of liberalism are to be excluded. I have no quarrel with him on this issue. But this is the expression of an eminently political decision, not of a moral requirement. To call the anti-liberals 'unreasonable' is a way of stating that such views cannot be admitted as legitimate within the framework of a liberal-democratic regime. This is indeed the case, but the reason for such an exclusion is not a moral one. It is because antagonistic principles of legitimacy cannot coexist within the same political association without putting in question the political reality of the state. However, to be properly formulated, such a thesis calls for a theoretical framework that asserts that the political is always constitutive — which is precisely what liberalism denies.

Rawls tries to avoid the problem by presenting his priority of the right over the good as a moral distinction. But that does not solve the problem. First, a question arises concerning the status of his assertion of the priority of the right over the good. To be consistent Rawls cannot derive it from any comprehensive doctrine. Is it, then, only an 'intuitive idea' that we all share? The communitarians would certainly object to such a view. So, what can it be? The answer is, of course, that it is one of the main features of liberal democracy understood as a distinctive
political form of society; it is part of the 'grammar' of such a 'regime'. But an answer on those lines is not available to Rawls because there is no place for such a constitutive role of the political in his theory. This is why he cannot provide a convincing argument for justifying the frontiers of his pluralism, and why he gets caught in a circular form of argumentation: political liberalism can provide a consensus among reasonable persons who, by definition, are persons who accept the principles of political liberalism.

OVERLAPPING CONSENSUS OR CONSTITUTIONAL CONSENSUS

Another consequence of Rawls’s incapacity to apprehend the constitutive role of the political is revealed when we scrutinize another aspect of his solution to the liberal problem: the creation of an overlapping consensus of reasonable comprehensive doctrines in which each of them endorses the political conception from its own point of view. He declares that when a society is well-ordered, it is around the principles of his theory of justice as fairness that the overlapping consensus is established. Since they are chosen thanks to the device of the original position with its 'veil of ignorance', those principles of fair terms of cooperation satisfy the liberal principle of legitimacy that requires that they are endorsed by all citizens as free and equal – as well as reasonable and rational – and addressed to their public reason. According to the standpoint of political liberalism, those principles are expressly designed to gain the reasoned support of citizens who affirm reasonable though conflicting comprehensive doctrines. Indeed, the very purpose of the veil of ignorance is to preclude the knowledge of citizens' comprehensive conceptions of the good and to force them to proceed from the shared conceptions of society and person required in applying the ideals and principles of practical reason.6

In line with his project of establishing the moral character of his 'political liberalism', Rawls is at pains to indicate that such an overlapping consensus must not be confused with a simple modus vivendi. He insists that it is not merely a consensus on a set of institutional arrangements based on self-interest but the affirmation on moral grounds of principles of justice that have themselves a moral character. Moreover, the overlapping consensus also differs from a constitutional form of consensus, which, in his view, is not deep or wide enough to secure justice and stability. In a constitutional consensus, he states:

while there is agreement on certain basic political rights and liberties – on the right to vote and freedom of political speech and association, and whatever else is required for the electoral and legislative procedures of democracy – there is disagreement among those holding liberal principles as to the more exact content and boundaries of these rights and liberties, as well as on what further rights and liberties are to be counted as basic and so merit legal if not constitutional protection.7

Rawls grants that a constitutional consensus is better than a modus vivendi because there is a real allegiance to the principles of a liberal constitution that guarantee certain basic rights and liberties and establish democratic procedures for moderating political rivalry. Nevertheless, given that those principles are not grounded in certain ideas of society and person of a political conception, disagreements subsist concerning the status and content of those rights and liberties, and they create insecurity
and hostility in public life. Hence, he says, the importance of fixing their content *once and for all*. This is provided by an overlapping consensus on a conception of justice as fairness, which establishes a much deeper consensus than one that would be restricted to constitutional essentials. While admitting that those constitutional essentials (namely, fundamental principles that specify the general structure of government and the political process as well as basic rights and liberties of citizenship)⁹ are more urgent to settle, Rawls considers that they must be distinguished from the principles governing social and economic inequalities. The aim of justice as fairness is to establish a consensus on a public reason whose content is given by a political conception of justice: 'this content has two parts: substantive principles of justice for the basic structure (the political values of justice); and guidelines of enquiry and conceptions of virtue that make public reason possible (the political values of public reason)'.⁹

Rawls seems to believe that whereas rational agreement among comprehensive moral religious and philosophical doctrine is impossible, in the political domain such an agreement can be reached. Once the controversial doctrines have been relegated to the sphere of the private, it is possible, in his view, to establish in the public sphere a type of consensus grounded on Reason (with its two sides: the rational and the reasonable). This is a consensus that it would be illegitimate to put into question once it has been reached, and the only possibility of destabilization would be an attack from the outside by the 'unreasonable' forces. This implies that when a well-ordered society has been achieved, those who take part in the overlapping consensus should have no right to question the existing arrangements, since they embody the principles of justice. If somebody does not comply, it must be due to 'irrationality' or 'unreasonableness'.

At this point, the picture of the Rawlsian well-ordered society begins to emerge more clearly and it looks very much like a dangerous utopia of reconciliation. To be sure, Rawls recognizes that a full overlapping consensus might never be achieved but at best approximated. It is more likely, he says, that the focus of an overlapping consensus will be a class of liberal conceptions acting as political rivals.¹⁰ Nevertheless, he urges us to strive for a well-ordered society where, given that there is no more conflict between political and economic interests, this rivalry has been overcome. Such a society would see the realization of justice as fairness, which is the correct and definite interpretation of how the democratic principles of equality and liberty should be implemented in the basic institutions. It is independent of any interest, does not represent any form of compromise, but is truly the expression of free public democratic reason.

The way he envisages the nature of the overlapping consensus clearly indicates that, for Rawls, a well-ordered society is a society from which politics has been eliminated. A conception of justice is mutually recognized by reasonable and rational citizens who act according to its injunctions. They probably have very different and even conflicting conceptions of the good, but those are strictly private matters and they do not interfere with their public life. Conflicts of interest about economic and social issues — if they still arise — are resolved smoothly through discussions within the framework of public reason, by invoking the principles of justice that everybody endorses. If an unreasonable or irrational person happens to disagree with that state of affairs and intends to disrupt that nice consensus, she or he must be forced, through coercion, to submit to the principles of
Justice. Such a coercion, however, has nothing to do with oppression, since it is justified by the exercise of reason.

What Rawls's view of the well-ordered society eliminates is the democratic struggle among 'adversaries', that is, those who share the allegiance to the liberal-democratic principles, but while defending different interpretations of what liberty and equality should mean and to which kind of social relations and institutions they should apply. This is why in his 'liberal utopia' legitimate dissent would have been eradicated from the public sphere. How has he been led to defend such a position? Why doesn't his conception of democracy leave any space for the agonistic confrontation among contested interpretations of the shared liberal-democratic principles? The answer lies, I believe, in his flawed conception of politics, which is reduced to a mere activity of allocating among competing interests susceptible to a rational solution. This is why he thinks that political conflicts can be eliminated thanks to a conception of justice that appeals to individuals' idea of rational advantage within the constraints established by the reasonable.

According to his theory, citizens need as free and equal persons the same goods because their conceptions of the good — however distinct their content — require for their advancement roughly the same primary goods, that is, the same basic rights, liberties, and opportunities, and the same all-purpose means such as income and wealth, with all of these supported by the same social bases of self-respect. Therefore, once the just answer to the problem of distribution of those primary goods has been found, the rivalry that previously existed in the political domain disappears.

Rawls's scenario presupposes that political actors are only driven by what they see as their rational self-advantage. Passions are erased from the realm of politics, which is reduced to a neutral field of competing interests. Completely missing from such an approach is the political dimension of power, antagonism and relationships of forces. What 'political liberalism' is at pains to eliminate is the element of 'undecidability' which is present in human relations. It offers us a picture of the well-ordered society as one from which — through rational agreement on justice — antagonism, violence, power and repression have disappeared. But it is only because they have been made invisible through a clever stratagem: the distinction between 'simple' and 'reasonable pluralism'. In that way, exclusions can be denied by declaring that they are the product of the 'free exercise of practical reason' that establishes the limits of possible consensus. When a point of view is excluded it is because this is required by the exercise of reason; therefore the frontiers between what is legitimate and what is not legitimate appear as independent of power relations. Thanks to this legal-demain, rationality and morality provide the key to solving the 'paradox of liberalism': how to eliminate its adversaries while remaining neutral.

Alas, it is not enough to eliminate the political in its dimension of antagonism and exclusion from one's theory to make it vanish from the real world. It does come back, and with a vengeance. Once the liberal approach has created a framework in which its dynamics cannot be grasped, and where the institutions and the discourses are missing that could permit that potential antagonisms manifest themselves under an agonistic mode, the danger exists that instead of a struggle among adversaries, what will take place is a war between enemies. This is why, far from being conducive to a more reconciled society, this type of approach ends up by jeopardizing democracy.
DEMOCRACY AND UNDECIDABILITY

By bringing to light the potential consequences of Rawls’s project, my aim was to reveal the danger of postulating that there could be a rational definite solution to the question of justice in a democratic society. Such an idea leads to the closing of the gap between justice and law that is a constitutive space of modern democracy. To avoid such a closure, we should relinquish the very idea that there could be such a thing as a ‘rational’ political consensus; namely, one that would not be based on any form of exclusion. To present the institutions of liberal democracy as the outcome of a pure deliberative rationality is to reify them and make them impossible to transform. It is to deny the fact that, like any other regime, modern pluralist democracy constitutes a system of relations of power, and to render the democratic challenging of those forms of power illegitimate.

To believe that a final resolution of conflicts is eventually possible – even if it is seen as an asymptotic approach to the regulative idea of a rational consensus – far from providing the necessary horizon of the democratic project, is something that puts it at risk. Indeed, such an illusion carries implicitly the desire for a reconciled society where pluralism would have been superseded. When it is conceived in such a way, pluralist democracy becomes a ‘self-refuting ideal’ because the very moment of its realization would coincide with its disintegration.

With its insistence on the irreducible alterity that represents both a condition of possibility and a condition of impossibility of every identity, a perspective informed by post-structuralism provides a much better theoretical framework to grasp the specificity of modern democracy than rationalist approaches. The notion of the constitutive outside forces us to come to terms with the idea that pluralism implies the permanence of conflict and antagonism. Indeed, it helps us to understand that conflict and division are not to be seen as disturbances that unfortunately cannot be completely eliminated, or as empirical impediments that render impossible the full realization of a good constituted by a harmony that we cannot reach because we will never be completely able to coincide with our rational universal self.

Thanks to the insights of post-structuralism the project of radical and plural democracy is able to acknowledge that difference is the condition of the possibility of constituting unity and totality at the same time that it provides their essential limits. In such a view, plurality cannot be eliminated; it becomes irreducible. We have therefore to abandon the very idea of a complete reabsorption of alterity into oneness and harmony. It is an alterity that cannot be domesticated, but as Rodolphe Gasché indicates: ‘forever undermines, but also makes possible, the dream of autonomy achieved through a reflexive coiling upon self, since it names the precondition of such a desired state, a precondition that represents the limit of such a possibility’.

Contrary to other projects of radical or participatory democracy informed by a rationalistic framework, radical and plural democracy rejects the very possibility of a non-exclusive public sphere of rational argument where a non-coercive consensus could be attained. By showing that such a consensus is a conceptual impossibility, it does not put in jeopardy the democratic ideal, as some would argue. On the contrary, it protects pluralist democracy against any attempts at closure. Indeed, such a rejection constitutes an important guarantee that the dynamics of the democratic process will be kept alive.

Instead of trying to erase the traces of power and exclusion.
THE DEMOCRATIC PARADOX

democratic politics requires us to bring them to the fore, to make them visible so that they can enter the terrain of contestation. And the fact that this must be envisaged as an unending process should not be cause for despair because the desire to reach a final destination can only lead to the elimination of the political and to the destruction of democracy. In a democratic polity, conflicts and confrontations, far from being a sign of imperfection, indicate that democracy is alive and inhabited by pluralism.

To the Kantian-inspired model of democracy which envisages its realization under the form of an ideal community of communication, as a task conceived as infinite, to be sure, but which has nevertheless a clearly defined shape, we should oppose a conception of democracy that, far from aiming at consensus and transparency, is suspicious of any attempt to impose a univocal model of democratic discussion. Aware of the dangers of rationalism, this is a view that does not dream of mastering or eliminating undecidability, for it recognizes that it is the very condition of possibility of decision and therefore of freedom and pluralism.

NOTES

1. I have on several occasions pointed out to the disingenuous a move that consists in conflating post-structuralism with postmodernism, and I will not repeat this argument here. Let's just recall that the anti-essentialism that I am endorsing, far from being restricted to post-structuralism, constitutes the point of convergence of many different currents of thought and that it can be found in authors as different as Derrida, Rorty, Wittgenstein, Heidegger, Gadamer, Dewey, Lacan and Foucault.

PHRONESIS

A series from Verso edited by
Ernesto Laclau and Chantal Mouffe

Since 1989, when the first Phronesis book was published, many events of fundamental importance to the series have taken place. Some of them initially brought the hope that great possibilities were opening up for the extension and deepening of democracy, one of the main points of focus in our reflections. Disenchantment, however, came quickly and what we witnessed instead was the reinforcement and generalization of the neoliberal hegemony. Today, the left-wing project is in an even deeper crisis than ten years ago. An increasing number of social-democratic parties, under the pretence of 'modernizing' themselves, are discarding their left identity. According to the advocates of the 'third way', and with the advent of globalization, the time has come to abandon the old dogmas of Left and Right and promote a new entrepreneurial spirit at all levels of society.

Phronesis's objective is to establish a dialogue among all those who assert the need to redefine the Left/Right distinction – which constitutes the crucial dynamic of modern democracy – instead of relinquishing it. Our original concern, which was to bring together left-wing politics and the theoretical developments around the critique of essentialism, is more pertinent than ever. Indeed, we still believe that the most important trends in contemporary theory – deconstruction, psychoanalysis, the philosophy of language as initiated by the later Wittgenstein and post-Heideggerian hermeneutics – are the necessary conditions for understanding the widening of social struggles characteristic of the present stage of democratic politics, and for formulating a new vision for the Left in terms of radical and plural democracy.
Directly-Deliberative Polyarchy

Joshua Cohen and Charles Sabel*

Abstract: This essay by Joshua Cohen and Charles Sabel promotes visions of democracy, constitutionalism and institutional innovations which may help to open up new dimensions in the search for legitimate European governance structures and their constitutionalisation. Faced with Europe’s legitimacy problems, proponents of the European project often react by pointing to the many institutional failings in the (national) constitutional state. These reactions, however, seem simplistic, offering no normatively convincing alternatives to the once undisputed legitimacy of a now eroding nation state. The essay by Cohen and Sabel forecloses such strategies. Summarising and endorsing critiques of both the unfettered market system and the manner of its regulatory and political correction, it concludes that the many efforts to establish new equilibria between well-functioning markets and well-ordered political institutions are doomed to fail, and opts instead for fundamental change: conservative in their strict defence of fundamental democratic ideals, such ideas are radical in their search for new institutional arrangements which bring democratic values directly to bear. How is the concept of directly-deliberative polyarchy complementary to and reconcilable with our notions of democratic constitutionalism? To this question the readers of the essay will find many fascinating answers. Equally, however, how might the debate on the normative and practical dilemmas of the European system of governance profit from these deliberations? Which European problem might be resolved with the aid of the emerging and new direct forms of democracy identified in this essay? How might direct democracy interact with the intergovernmentalist and the functionalist elements of the EU system? Although this essay contains no certain answers to these European questions, its challenging messages will be understood in European debates.

1 Introduction

In this essay we defend a form of democracy that we will call ‘directly-deliberative polyarchy.’ We argue that it is an attractive kind of radical, participatory democracy with problem-solving capacities useful under current conditions and unavailable to representative systems. In directly-deliberative polyarchy, collective decisions are made through public deliberation in arenas open to citizens who use public services, or who

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are otherwise regulated by public decisions. But in deciding, those citizens must examine their own choices in the light of the relevant deliberations and experiences of others facing similar problems in comparable jurisdictions or subdivisions of government. Ideally, then, directly-deliberative polyarchy combines the advantages of local learning and self-government with the advantages (and discipline) of wider social learning and heightened political accountability that result when the outcomes of many concurrent experiments are pooled to permit public scrutiny of the effectiveness of strategies and leaders.

One starting point for our argument is a commonplace of contemporary political debate: that current economic and political institutions are not solving problems they are supposed to solve, in areas of employment, economic growth, income security, education, training, environmental regulation, poverty, housing, social service delivery, or even basic personal safety. A second point of departure is the intrinsic appeal of collective decision-making that proceeds through direct participation by and reason-giving between and among free and equal citizens. Directly-deliberative polyarchy is the natural consequence of both beginnings: desirable both in itself and as a problem-solver. That is what we hope to show, or at least make plausible.

But obstacles lie along both paths. However commonplace the recognition of institutional failures in problem-solving, the conventional categories used to explain those failures and defend strategies of repair obscure important developments that suggest the plausibility of a directly-deliberative alternative. Moreover, gestures at radical democracy invite sceptical observations about the ‘dark side’ of localism or the scarcity of evenings. And the force of such observations will only be deepened by adding improbable claims about the problem-solving powers of participatory self-government in vast, heterogeneous societies. To take the chill of manifest implausibility from our project, therefore, we start by discussing the limits of current debate as revealed in the promising developments it overlooks (or misrepresents), and specifying the criticisms of radical democracy to which we must respond if we are to offer more than a consoling prospect for democrats in hard times.

Consider first the conventional interpretations of institutional failure, and the projects of reconstruction associated with them. On one interpretation, these failures reveal the limits of state regulation and suggest possibilities for a more comprehensive commodification of social life that will finally lift the political fetters from the free exchange of individuals. To fulfill this promise, we need only remove the detritus of twentieth century political failure. And that means constraining government from doing anything wrong by constraining it from doing much at all; by fracturing political power both vertically and horizontally, setting stricter constitutional limits on government, and interpreting the rule of law as a law of rigid rules.

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A counter-interpretation sees comprehensive commodification as a threat to political arrangements carefully crafted earlier in this century to provide goods collectively that will not be provided individually, protect the weak from the strong, and ensure that our destinies in life are not determined by the vicissitudes of market success. The correlative political project is to protect the increasingly fugitive state from attack, and hope that a turn in the political cycle will restore public confidence in collective political action.\(^3\)

Yet a third interpretation condemns the false dichotomy of state and market. Well-functioning markets and well-ordered political institutions can, it observes, be mutually reinforcing. Both, however, require prior bonds of trust that can be undermined, but not created or sustained, by self-interested market exchange or selfishly exercised political influence. Those bonds depend, rather, on protecting family, church, and voluntary association – the pre-contractual, pre-political background responsible for accumulating the social capital we need to preserve our economic and political artifice.\(^4\) But because such social solidarities are understood as anterior to both economy and state – preconditions for the proper functioning of both (on any conception of such proper functioning) – the implications of such rebuilding for economic or political institutions are entirely indeterminate.

We are sceptical about these contending diagnoses and remedies. A number of emergent solutions to problems as varied as public safety and public education seem not to result from either a shift in the balance between ‘state’ and ‘market’ forms of coordination, or a shift in the balance between these taken together and civil society. Instead of the state’s retreat or the market’s resurgence, or even the transfer of functions from government to non-governmental organisations, secondary associations, civil society more broadly, or some other third something alongside state and market, these phenomena suggest a set of changes that disrupt those categories, the social-political boundaries they express, and the associated idea that an effective polity is one that balances responsibilities optimally among the arrangements that fall within those boundaries.

Consider, for example, community policing: a strategy for enhancing public security that features a return of police officers to particular beats, regular discussions between them and organised bodies in the communities they are policing, and regular coordination between those bodies and agencies providing other services that bear on controlling crime.\(^5\) Or consider forms of school decentralisation that – while shrinking school size and permitting parents to choose schools – also replace close controls by central bureaucracies with governance mechanisms in which teachers and parents play

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\(^5\) The Chicago experiment in community policing – the Chicago Alternative Policing Strategy (CAPS) involves assignments of police officers to single beats (30 square block areas) for an entire year; neighbourhood-based organisations called ‘problem solving groups’ that work in partnership with police in each beat; and open meetings with community and police each month. The emphasis on community participation distinguishes the Chicago scheme from other strategies that share the label ‘community policing.’ Cf. Fung, *Street Level Democracy,* typescript. Chicago, 1997.
a central role. Or arrangements for local and regional economic development, that include strong components of training and service provision, and whose governance includes local community interests, service providers, representatives of more encompassing organisations, as well as local representatives of regional or national government. Or, closely related to these arrangements, consider firm-supplier relations that transcend episodic exchange to establish long-term collaboration coordinated through regular discussions, disciplined by reference to officially recognised standards--which standards themselves commonly emerge in regular discussions between and among groups of firms and suppliers, and may include public research, technical assistance, or training facilities as well.6

These new arrangements suggest troubles for the standard categories of analysis and remedy. The arrangements are not conventionally public because, in solving problems, they operate autonomously from the dictates of legislatures or public agencies: they are not conventionally private in that they do exercise problem-solving powers, and their governance works through discussion among citizens rather than the assignment of ownership rights. At the same time, they do not presuppose a successful, densely organised, trust-inspiring network of associations. Indeed, they often emerge precisely against a background of associative distress. Nor are these new arrangements mere intellectual curiosities. They are attractive because they appear to foster two fundamental democratic values: deliberation and direct citizen participation--while potentially offering advantages as problem-solvers that programmes conceived within the limits of conventional representative democracies do not. Indeed, if the same properties make them both democratically and pragmatically attractive, we would have a compelling case for the novel form of public governance that we call directly-deliberative polity.7

Because these new governance arrangements resonate so strongly with the (often implicit) programmatic suggestions associated with radical democratic criticisms of the modern state, a straightforward and appealing generalisation of them seems at hand. Conscientiously hostile to the market inequalities and economic subordination, but always suspicious of an overweening state as the best defence against them, radical democracy emphasised the deficiencies of centralised power, the virtues of decentralisation, the expressive and instrumental values of participation, and the values of citizen discussion: both as an intrinsically attractive form of politics and as a good method of problem-solving.7

But evoking the core features of the radical democratic tradition--its emphasis on direct participation and deliberation--immediately suggests three lines of criticism. First, that in a large scale political system widespread participation in decision-making is organisationally or administratively impossible, so the ideal of radical democracy is vacuous. Second, if participation could be ensured, the mutual reason-giving that constitutes deliberation depends on a higher degree of homogeneity among citizens than can reasonably be assumed in a large-scale, pluralistic democracy. And third, direct decision-making requires a localism incompatible with the constitutional safeguards needed to ensure equal treatment for citizens.

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7 Cf. for example, H. Arendt, On Revolution (Penguin 1973); translator: Williamehrli J. Habermas, Between Facts and Norms (MIT Press 1996); we discuss our differences with Habermas and Arendt in section V.
Here, the threads of our argument come together: guided by the experience of emerging problem-solving institutions and mindful of the values associated with radical democracy, our aim is to sketch the alternative social-political world of directly-deliberative polyarchy in sufficient detail to meet these objections. We start (II) by presenting an account of the ideal of democracy and explaining why the properties of directness and deliberativeness make highly participatory forms of direct democracy especially compelling realisations of that ideal. To be sure, the classical institutions of direct, assembly democracy are unavailable as realisations of directness and deliberativeness. But by separating those properties from their familiar institutional expressions, we suggest that they might still guide current institutional reform. In section III, we describe the current practical impasse in problem-solving, and propose that the roots of that impasse lie in part in the mismatch between current arrangements of constitutional democracy and fundamental properties of unsolved problems. In section IV, we describe the new form of state that would result from the generalisation of deliberative problem-solving arrangements and foster their successful operation. We conclude with some reflections on the idea of the public, indicating contrasts with the radical-democratic views of Habermas and Arendt.

Our approach is conjectural. We are guided by political values, a view of current failures, and some hunches about promising developments. But our aim is neither to articulate a set of normative principles and deduce institutional conclusions from them, nor to predict the course of current institutional evolution. Still less is it to explain fully the causes of the failures of representative democracy or the origins of the new arrangements. Instead, we take the very existence of these arrangements as a sign of the insufficiency of theories that would explain what democracy can do, and try to imagine what democracy could be from the vantage point of the possibilities suggested by their presence.

II What's Good About Democracy?

Democracy is a political ideal that applies in the first instance to arrangements for making binding collective decisions. Generally speaking, such arrangements are democratic just in case they ensure that the authorisation to exercise public power—and that exercise itself—a rises from collective decisions by the citizens over whom that power is exercised.

The ideal of democracy comes in several variants, which are associated with different interpretations of ‘authorisation’ and ‘collective decision.’ Our principal aim in this section is to sketch and defend a directly-deliberative interpretation of the democratic ideal. We begin by exploring the virtues associated with democracy quite generally, and then consider the special advantages of directly-deliberative as against representative-aggregative democracy. We conclude by returning to the conventional criticisms of directly-deliberative democracy, thus setting the stage for our later efforts to describe a form of radical democracy that can answer these criticisms.

Before pursuing these competing interpretations, however, we want to clarify the relationship between those democratic ideals and conventional institutions of electoral democracy. Following Robert Dahl, we use the term ‘polyarchy’ to cover political

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8 The ideal of democracy also has considerable force for organisations whose collective decisions are not binding. But the rationale for democratic decision-making is most compelling in the case of binding collective choices: that is, when members of the collectivity are expected to regulate their own conduct in accordance with its decisions.
systems in which virtually all adults have rights of suffrage, political expression, association, and office-holding, as well as access to diverse sources of information; in which elected officials control public policy; and citizens choose those officials through free and fair elections. Continuing to follow Dahl (and subsequent writers), we note that polyarchy has considerable value, both for its intrinsic fairness and instrumental success in keeping the peace and protecting certain basic rights. It is not of value simply because it establishes the conditions required for achieving some greater ideal. Furthermore, under the modern circumstances of political scale and social pluralism, polyarchal institutions are necessary for realizing fully an ideal of democracy, however that ideal is specified. Though polyarchies can be more or less democratic, making them more so does not require negating, subliming, or otherwise transcending the political institutions definitive of polyarchy. This said, however, polyarchy is insufficient for full democracy—full political equality—because, for example, it is compatible with inequalities in opportunities for effective political influence that would be condemned by any plausible statement of the ideal.

Building on these three considerations, then, we use the term 'directly-deliberative polyarchy' for a form of polyarchy distinguished by the presence of a substantial degree of directly-deliberative problem-solving. (As we will see later, this presence transforms the role and functioning of conventional polyarchic institutions.) And we use the term 'directly-deliberative democracy' for our account of the democratic ideal—fully democratic arrangements that feature a substantial degree of directly-deliberative problem-solving. Directly-deliberative polyarchies, then, more closely approximate the ideal of directly-deliberative democracy than existing forms of polyarchy do, but like polyarchies sans phrase—need not have the entire range of qualities necessary for full democracy.

A Three Virtues

Consider an ideal society whose members are free and equal and treat one another as such. Very roughly, they are equal in that they all have, to a minimally sufficient degree, a set of capacities whose possession makes persons free. These freedom-making capacities include the capacity to regulate their conduct by reference to a conception of justice and set of ends with which they identify, to use practical reason to bring both to bear on individual and collective conduct, to reflect on the plausibility of both, and to adjust their aims to the requirements of justice. Though actual societies do not fully achieve this social ideal, modern democracies impute these capacities to their citizens and arguably aspire to the ideal. Assume now that the association needs to make binding collective decisions. Why should a free association of equals make such decisions democratically?

Recall that democracies, abstractly conceived, are systems in which decisions to exercise collective power are made in institutions that treat those subject to such power

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9 Cf. Democracy and Its Critics (Yale UP 1989), 221. 222.

10 Locke says that people are naturally equal in that all have the natural right to freedom. Of (edited by Peter Laslett) Second Treatise (Cambridge UP. 1988), 84. For related discussion, J. Rawls, Political Liberalism (Columbia UP 1993), Chapters 6 and 7, 13; 15; Ch. Beitz, Political Equality (Princeton UP 1989), Chapter 5.

11 In addressing the question for this case, we do not mean to suggest that democracy is important only when these background assumptions are in place, but that the answer for different cases will vary, and that important considerations are likely to get lost if we confine attention to answering the more general question.
as its ultimate authors. To that end, democracies need at least to satisfy the conditions of polyarchy – to protect constitutive liberties of participation, association, and political expression, establish direct or indirect electoral control of public policy, and ensure adequate information. That said, the reasons for democratic authorisation divide naturally into goods intrinsic to the process and goods that arguably result from it.\textsuperscript{12}

First, democratic arrangements have the intrinsic virtue of treating those who are subject to binding collective decisions with respect, as free and equal: ‘the person of the humblest citizen is as sacred and inviolable as that of the first magistrate.’\textsuperscript{13} Thus, the judgements of citizens, who are expected to govern their conduct in accordance with collective decisions, are treated by the processes of collective decision as equally authoritative. Though decisions will rarely, if ever, be unanimous, no one’s judgement of the proper rules of cooperation is treated as having greater weight. Given the background conception of citizens as free and equal, any assignment of differential weights to the views of different citizens is a form of disrespect (unless it can be provided with a suitable justification).\textsuperscript{14} Furthermore, the protection of the basic expressive and associative liberties establishes favourable conditions for reflecting on the plausibility of alternative views about justice, and on which ends are worth pursuing. And the assurance of adequate and diverse information contributes to the exercise of practical reason, in working out the implications of conceptions of justice and of suitable ends.

Second, democratic arrangements are instrumentally important: they help protect the basic rights of citizens and advance their interests, as defined by the ends and projects with which they identify. Thus, democracies provide mechanisms for regular, popular authorisation of exercises of public power: in representative democracies that means (at a minimum) regular elections of legislators; in a direct democracy it means regular opportunities to review past decisions and evaluate the performance of officials responsible for implementing those decisions. Such regular renewal serves to make the exercise of collective power accountable to the governed in the formal sense that the governed can impose sanctions of removal from office on government. More fundamentally, an accountable system for the exercise of collective power, in which citizens are treated as equals, arguably helps ensure peaceful transitions of power, restrain the exercise of power by protecting majorities from minority rule, avoid at least some egregious violations of minority rights, and foster greater responsiveness of government to the governed.\textsuperscript{15}

\textsuperscript{12} A common rationale for democracy is that it treats people as equals by giving equal consideration to their interests. Cf., R. Dahl, Democracy and Its Critics (Yale UP 1989); Th. Christiano, The Rule of the Many (Westview 1996). We avoid this rationale because the idea of equal consideration of interests is normatively implausible in as much as it may conflict with the equal consideration owed to persons.

\textsuperscript{13} Social Contract, 3.14.

\textsuperscript{14} In the case of the US Senate, for example, votes are of unequal weight because the political system relies on a scheme of territorial representation in which districts (in this case states) correspond to political subdivisions: in this case, the inequality seems less objectionable because it can be provided with a rationale that does not offend against the requirement of treating members as equals.

\textsuperscript{15} Such instrumental considerations played an important role in the U.S. Supreme Court’s classic apportionment decisions, which argued that the same instrumental reasons supporting universal political rights also support equally weighted votes. Thus, in Gray v Sanders: ‘No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.’ Cited in Reynolds 377 US 533, at 558. Or in Reynolds v Sims itself: ‘Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinised.’ Reynolds, at 562.
Both arguments – intrinsic and instrumental – are strengthened when we consider third, the educative aspects of democracy. Thus, by establishing the position of equal citizen, with associated entitlements to participate in determining the terms of association, democratic arrangements not only respect but also provide instruction in fundamental political values – in particular, the value of equality itself, and the conception of citizens as free and equal. By participating, citizens acquire political ideas in the light of which democracy itself is justified. Furthermore, by opening debate to all, and addressing problems through public discussion – rather than through market exchange or bureaucratic command – democracy not only assumes adequate information, but helps to ensure it. Democracy provides a way to pool dispersed information relevant to problem-solving, and explore the range of possible solutions to practical problems; in short, a framework for collective learning. As Rawls puts it, within a democracy: ‘Discussion is a way of combining information and enlarging the range of arguments. At least in the course of time, the effects of common deliberation seem bound to improve matters.’

B Two Dimensions of Democracy

We said that political institutions are democratic just in case they link the authorisation to exercise public power and that exercise itself to collective decisions of citizens, understood as free and equal. There are, of course, very different ways to interpret this abstract ideal of democracy, corresponding to different interpretations of the notions of collective and authorisation.

Democratic collective decision-making can be either aggregative or deliberative, depending on how we interpret the requirement that collective decisions treat citizens as equals. Understood aggregatively, a democratic decision is collective just in case the procedure gives equal consideration to the interests of each person; it treats people as equals by giving their interests equal weight in making a binding decision. Conventional rationales for majority-rule as a method of collective decision rest on the idea that it gives direct expression to this requirement of equal consideration.

Understood deliberatively, democratic decisions are collective just in case they proceed on the basis of free public reasoning among equals; interests unsupported by considerations that convince others carry no weight. Put otherwise, in deliberative decision-making, decisions are to be supported by reasons acceptable to others in the polity of decision-makers; the mere fact that decisions are supported by a majority of citizens, deciding on the basis of their interests, does not suffice to show that the decisions are democratically authorised. On the deliberative interpretation, then, democracy is a framework of social and institutional conditions that both facilitates free discussion among equal citizens by providing favourable conditions for expression, association, discussion, and ties the authorisation to exercise public power – and the exercise itself – to such discussion, by establishing a framework ensuring the responsiveness and accountability of political power to it.

To be sure, discussion may not and often does not issue in agreement. So even in a deliberative democracy, collective decisions must often be made through voting.

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16 Theory of Justice (OUP 1972) 359.
17 According to an epistemic conception of majority rule, the rationale is that decisions supported by a majority are more likely to be right, not simply that the process visibly assigns equal weight to the interests of each.
under some form of majority rule. But it might be argued that if collective decision-making concludes in a vote, then participants -- anticipating that final stage -- will not have any incentive to deliberate earlier on, and instead will simply seek allies for their position. Though we cannot resolve the issue here, this outcome hardly seems necessary. Even if all parties know that, at the end of the day, heads may be counted, they still may accept the importance of finding considerations that others acknowledge as reasons: they only need accept that something other than a resolution that advances their antecedent interests matters to them. They may, for example, believe that reason-giving is an important expression of respect, or that deliberation sometimes yields solutions that could not have been achieved if discussion were purely strategic. If they do, they will be willing to deliberate in the stages leading up to the vote. In short, the objection supposes that, once voting is in prospect, interaction must turn strategic. But this view is no more than plausible than the claim that moral advantages and possible mutual gains from deliberation eliminate all strategic manoeuvring.

As to authorisation to make collective decisions, we have again two distinct understandings: in representative democracy, popular authorisation proceeds through a choice by citizens of representatives who decide on content of public decisions. Citizens vote as individuals for persons who will participate in making binding collective choices in an aggregative or deliberative legislature. In direct democracy, citizens authorise public action by deciding on the substance of public policy. Again, those direct decisions can be made either aggregatively, as some argue is true in referenda, because of their yes/no structure, or deliberatively, as in an idealised town meeting, in which decisions on policy take place after debate on the merits. The essential distinction between direct and representative is not the level of participation, but the topic on the agenda: direct democracy requires decisions on substance, whereas representative democracy involves choice on legislators who decide on substance.

C Deliberative-Direct

Forms of democracy that are deliberative-direct seem especially attractive in view of the three reasons for endorsing a democracy as a way to make binding collective decisions. While those reasons support democracy generally, they provide especially strong support for a deliberative-direct democracy.

Consider, for example, the idea that democratic procedures are desirable because they treat citizens with respect, as free and equal. The deliberative conception offers a particularly forceful rendering of this condition. Suppose all participants support their views with considerations that others regard as relevant and appropriate. Nevertheless, because of differences in views about the weight of those considerations, there is disagreement about the right outcome. Still, the minority can scarcely contest the fundamental legitimacy of the decision. After all, not only the procedures but the

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19 Complexities arise when we think of systems with strong parties with well-defined policy positions and ways of disciplining members who depart from those positions. Such systems have a direct aspect. But we abstract from these subtleties here.
arguments themselves treat each as well as they can reasonably demand. Thus the deliberative conception of collective decision extends the idea of treating people with respect from rights and procedures to justifications themselves. A similarly strong case can be made for directly-deliberative decision-making on the basis of the arguments about instrumental benefits and learning. But we postpone consideration of these until we have said more about the operations of directly-deliberative polyarchy.

Despite these virtues as an expression of democratic values, radical democracy - a system with high degrees of directness and deliberativeness - is subject, we noted earlier, to a series of closely related criticisms: that under modern conditions of political scale, it is not feasible, except as local pockets of direct citizen engagement; that even within those pockets - and certainly as scale increases - cultural heterogeneity thwarts the mutual reason-giving that defines public deliberation; and that the localism characteristic of radical-democratic schemes leaves local minorities at the mercy of their locality.

The starting point of these criticisms is the identification of radical democracy with direct assembly democracy, and especially with the Greek polis as both the ideal and practical inspiration for modern critics of centralised, representative democracy. In a direct assembly democracy, legislative power - and the power to review conduct of all officials - is vested in a body which all citizens may attend. In the case of the Athenian ecclesia, that often meant meetings of 5,000 (with women and slaves excluded from participation). In the polis, the unit of collective decision-making was small, and the members homogeneous in general outlook and sufficiently disconnected from mundane activities (because sufficiently secure in their social and economic positions) to devote their passions and energies to common affairs. If the combination of directness and deliberativeness can only be achieved under these conditions, then the conventional criticisms of radical democracy are individually damaging and collectively overwhelming.

To vindicate the virtues of deliberativeness and directness, then, we must distinguish these values themselves from familiar ways of institutionalising them - for example, citizen assemblies, or such modern analogies as workers' councils or economic parliaments - and then describe a modern set of arrangements of collective decision-making suited to these values and to modern conditions of scale and heterogeneity. To guide this elaboration of a workable direct and deliberative alternative to assembly democracy we need first to establish criteria for 'workable' democratic solutions by characterising the problems democracies now face and the limits of representative, aggregative arrangements in addressing them.

III Diagnosis of Current Problems

Conventional explanations of current institutional failure range, we said earlier, from too much state (and associated rent-seeking), to too much market (private control of investment under conditions of globalisation), to many civic deficits (decline of trust-building associations). And we indicated, too, that emergent problem-solving institutions suggest the limits of those explanations. But what could an alternative be?

Our own proposal is that existing forms of constitutional democracy - and the associated boundaries between state, market, and civil society that inspire the limited
categories of current debate - block democratic and effective strategies of problem-solving in the current environment: where existing political institutions favour uniform solutions throughout a territory, the problems require locally specific ones; moreover, the environment is volatile, so the terms of those local solutions are themselves unstable. In short, because of high diversity and volatility, important problem-solving possibilities are not being exploited by existing institutions. To the extent that this is so - to be sure, it is not the whole story - the problems of modern democracy arise quite apart from the clash of antagonistic interests or any guileful exploitation by individuals of blockages created by constitutional arrangements: they are (in the game-theoretic sense) problems of failed coordination, in which mutual gains are available, but different parties are unable to come to terms in a way that captures those gains. If the right arrangements of collective choice were in place, the parties could come to terms on one of the available alternatives. In contrast, recognition of the mismatch between solutions and available structures of decision-making leads, by itself, to paralysis, as it reasonably suggests that it is better to do nothing than something that will almost certainly fail.

Put another way, we assume that for some substantial range of current problems, citizens agree sufficiently about the urgency of the problems and the broad desiderata on solutions that, had they the means to translate this general agreement into a more concrete, practical program, would improve their common situation, and possibly discover further arenas of cooperation. This is not to make the foolish claim that everyone endorses the same ranking of solutions, only that they prefer a wide range of alternatives to the status quo. No surprise, then, that the new problem-solving institutions have begun to emerge just in those areas - public safety, public education, economic restructuring - where established institutions have most conspicuously broken down, and the problems are agreed to be urgent. For breakdown opens space for new initiatives, and where, as we are assuming, actors are urgently motivated to look for a solution and prefer many alternatives to the status quo, that space is likely to be occupied.

But even in thus qualifying the extent of agreement, we may still be accused of an extravagant confidence in consensus. In its stronger form, this accusation rejects the idea of deliberative problem-solving altogether by criticising the assumptions about consensus on which it depends. It asserts that the fundamental problem of politics is the pervasiveness of deep disagreement, the consequent fragility of political order, and the innameness of its disintegration into violence. So any assumptions about agreement - and not simply the set just noted - miss the point.\textsuperscript{21} The criticism is right in recognising disastrous possibilities, but wrong in the lessons it draws from them. Assume the setting of a consolidated polyarchy: one in which there is no organised alternative to democracy, in which democracy is 'the only game in town.'\textsuperscript{22} And assume - as is suggested by such consolidation - that citizens, who know that they disagree on moral, religious, and political issues, nevertheless accept the importance of conducting political argument on common ground. Those assumptions suffice to make deliberative politics possible.

\textsuperscript{21} Cf. for example, C. Schmitt, The Concept of the Political (Chicago UP 1995), Przeworski, 'Minimalist Conception of Democracy: A Defence,' typescript 1996 available from the authors.

In its more limited form, the objection is straightforwardly empirical: we assert and the critic denies that there is currently substantial agreement on a list of public problems and on desiderata as to their solution. We point to the diffusion of new problem-solving arrangements: the critic points to congressional gridlock; we think our diagnosis explains the gridlock: the critic thinks that the new arrangements are too marginal to require explanation. We do not propose to adjudicate this disagreement here, but only to reconfirm that our proposal, like all others, has its empirical commitments.

To return to the diagnosis: at the root of this mismatch between problems and problem-solving institutions is, we assume further, a fundamental and familiar characteristic of contemporary political problems: diversity. A commonplace of discussion of regulation and administration is that rules and services aimed at achieving any broad end – protection of the environment or training for economic activity – must be tailored to (constantly changing) local circumstances to be effective. Moreover, because the pursuit of such ends often requires the integration of many means – a regime of incentives and fines may have to be combined with monitoring and clean-up programmes as well as research and development efforts to achieve acceptable levels of environmental protection – local combination of locally specific solutions are required as well.

But fundamental considerations of democracy apparently favour, if they do not mandate, uniform solutions. Thus a basic democratic idea is that citizens are to be treated as equals, which might be thought to imply that state regulations are to be cast in the form of general rules. Why constrain the free play of interest through aggregation or deliberation only to allow the powerful to favour themselves by writing laws that accord them benefits directly? It might be thought, too, to imply a requirement of precision or lack of ambiguity in those regulations. For why prevent directly self-serving regulations, but then permit indirect self-service through exploiting vagueness at the stage of interpretation and application of laws?

Other, related devices of constitutional democracy have the same effects. Thus, a basic institutional expression of the requirement of the rule of law – in particular, of the ban on self-serving interpretation – is the separation of powers, understood as the requirement that rule-making authority be vested in a body that includes representatives of diverse particular interests, but that does not itself apply the rules it makes to individual cases. The conventional rationale for this separation of rule-making and rule-applying is that it permits diverse interests to be incorporated into rules, even as it decreases incentives for rule-makers to design rules that favour themselves (either as representatives or as officials). But in obstructing corruption the separation of powers so understood reinforces the substantive uniformity requirement, and thereby tightens the constraint on tailoring solutions to special circumstances.

Hence a familiar and inconclusive tug of war: when problems need to be solved pressure mounts to violate the constitutional constraints of the rule of law and separation of powers to overturn the Tudor pelty precisely because of the restrictions these impose on problem-solving. Then, as the dangers of violations mount, as politics threatens to degenerate into a patchwork of particularistic deals and local privileges, as constitutional democracy approximates pre-Tudor feudalism pressure mounts to reimpose a system of strict rules. Thus, in the United States, the standard criticism levelled against administrative agencies – created precisely to adopt law to particular circumstances is that they pave the road back to serfdom. And standard proposals for reform – ranging from Lowi’s juridical democracy and

324
Sunstein’s post-New Deal constitutionalism, to Hayek’s neo-liberal constitutionalism would redeploy rule-making authority to legislatures in order to ensure such substantive uniformity, thus reimposing the very constraints that had prompted earlier constitutional reform.\(^{23}\)

This to-and-fro cannot be resolved simply by cutting the Gordian knot of constitutional constraint. Absent the most stringent civic sensibilities, a constitutionally unconstrained representative system – in which decisions by a representative body suffice to make the regulation legitimate, irrespective of concerns about substantive uniformity – produces the Hayekian nightmare: a pure bargaining democracy in which legislative decision-making is under no pressure to be deliberative, and hence under no pressure to explore improved solutions, or even to meet minimal conditions of coherence and efficiency. Outcomes will simply reflect the balance of political forces, with no obligation to consider how legislative choices will cumulatively solve the problem.\(^{24}\) (According to public choice views, this is all that democracy is, or could be. But this supposes, improbably, that the real purpose of democracy is to achieve political equilibrium, not to solve problems or establish the legitimacy of solutions).

Nor can the mismatch of institutions and problems produced by current understandings of the rule of law and the separation of powers be finessed by a strategy of federalist decentralisation that would permit local tailoring within a regime of strict rules. Federalism, generically conceived, is a system with multiple centres of decision-making, including central and local decision-makers, and separate spheres of responsibility for different units. In such a system, problems requiring local solutions could be delegated to local centres of decision-making, while problems admitting general solutions could be addressed centrally. If log-rolling was Hayek’s nightmare of democracy, a radical version of federalism, in which the centre did little more than register the generalisable results of local units, was his democratic arcadia.

But federalism, thus understood, creates troubles of its own precisely because it does not require the units of decision-making to communicate and pool their information. To underscore the force of this point, we extend our original characterisation of the problem situation of modern democracies beyond the assertion that uniform solutions are not optimal, to the further proposition that particular locations, operating in isolation, lack the capacity to explore the full range of possible solutions. For this reason, optimal problem-solving requires a scheme with local problem-solvers who, through institutionalised discussion, learn from the successes and failures of problem-solving efforts in locales like their own. Through such exchanges each problem-solving unit would be better situated to capture the benefits of all relevant, locally tailored solutions, thus transcending the limits of localism without paying the price of uniformity such transcendence would otherwise require.

Federalism as currently understood does not foster such mutual learning from local experience; the scheme of a ‘directly-deliberative polyarchy’ does. Indeed, abstractly conceived, it simply marries the virtues of deliberation and directness to an ideal of learning by explicitly pooling experience drawn from separate experiments. Whether this marriage can be made to work is our next subject.

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\(^{23}\) For discussion of these three views, cf. J. Cohen and J. Rogers, *Associations and Democracy*, op cit n 1.

\(^{24}\) Moreover, if legislators can secure their own reelection by servicing constituents, then the limits on problem-solving are not a large source of electoral instability.
IV Radical Democracy, After the Welfare State

The intuitive idea of directly-deliberative polyarchy is to foster democracy in its most attractive — direct and deliberative — form, and thereby increase our collective capacity to address unsolved social problems by overcoming current dilemmas of coordination. As background, to remind, we assume that the institutions of polyarchy are in place. More immediately, we assume that citizens — despite conflicts of interest and political outlook — agree very broadly on priorities and goals, but cannot translate this preliminary agreement into solutions fitted to the diversity and volatility of their circumstances because of constitutional uniformity constraints. So we look for institutions that are friendly to local experimentation, and able to pool the results of those experiments in ways that permits outsiders to monitor and learn from those efforts.

Consider first the implications for individual decision-making units. Diversity implies that reasoned decision-making in each will need to draw on local knowledge and values; volatility means it will need regularly to update such information. As each unit is distinct, none does best by simply copying solutions adopted by others, though they may do well to treat those solutions as baselines from which to move; as each faces changing conditions, practical reasoning requires a system of collective decision-making that fosters regular readjustment of solutions to those changes. Local problem-solving through directly-deliberative participation is well-suited to bringing the relevant local knowledge and values to bear in making decisions. Direct participation helps because participants can be assumed to have relevant information about the local contours of the problem, and can relatively easily detect both deception by others and unintended consequences of past decisions. Deliberative participation helps because it encourages the expression of differences in outlook, and the provision of information more generally: the respect expressed through the mutual reason-giving that defines deliberation reinforces a commitment to such conversational norms as sincerity and to solving problems, rather than simply strategically angling for advantage (perhaps by providing misleading information); furthermore, if preferences over outcomes themselves are shaped and even formed by discussion, and mutual reason-giving reduces disagreements among such preferences, then being truthful will also be good strategy.

But the same concern for a form of decision-making that is attentive to unexplored possibilities and unintended consequences requires institutionalisation of links among local units. In particular, the institutionalisation of links that require separate deliberative units to consider their own proposals against benchmarks provided by other units. Because practical reasoning requires a search for best solutions, decision-makers need to explore alternatives to current practice. A natural place to look for promising alternatives — including alternatives previously unimagined in the local setting — is in the experience of units facing analogous problems. Thus alongside directly-deliberative decision-making we need deliberative coordination: deliberation among units of decision-making directed both to learning jointly from their several experiences, and improving the institutional possibilities for such learning. These considerations lead us to our conception of directly-deliberative polyarchy intuitively, a system with both substantial local problem-solving, and continuous discussion among local units about current best practice and better ways of ascertaining it.

Before filling out this intuitive idea by exploring its basic operating principles, we underscore that directly-deliberative polyarchy describes the form of problem-solving
institutions: it is an order in which problem-solving proceeds through connected institutions and organisations that meet a set of abstract conditions of directness and deliberativeness. But the institutions and organisations that meet those conditions might vary widely, from networks of private firms, to public institutions working alongside associations. In this respect, the idea of directly-deliberative polyarchy operates at a different level of analysis from idea of associative democracy or workplace democracy. The idea of associative democracy is to solve problems through means other than states or markets: the nature of the ‘organisational instrument’ matters. Similarly, workplace democracy specifies a particular institutional arena – the workplace. With directly-deliberative polyarchy, what matters is that the conditions are met, not the organisations that satisfy them.

We emphasise, too, that directly-deliberative problem-solving arrangements must operate within a frame of legislative, judicial, and administrative institutions. The role of those institutions changes - from seeking to solve problems to identifying problems and fostering their directly-deliberative solution. But in this transformed role, they are essential to the legitimate and successful operation of the new problem-solving arrangements.

A Constitutional Principles

To describe the basic structure of directly-deliberative polyarchy, we need to answer three questions:

1. What are the requirements of democratic process within and among units? More particularly, what does it mean for their decisions to be made deliberatively?
2. What conditions should trigger the operation of these deliberative mechanisms?
3. How should the circle of membership in the deliberative bodies be drawn?

Deliberative Process within and among Units. At the heart of the deliberative conception of democracy is the view that collective decision-making is to proceed deliberatively - by citizens advancing proposals and defending them with considerations that others, who are themselves free and equal, can acknowledge as reasons. The shared commitment of citizens in a deliberative democracy is that the exercise of collective power should be confined to cases in which such justification is presented. Citizens contemplating the exercise of collective power owe one another reasons, and owe attention to one another’s reasons.

But not all reasons are on a par. So the kind of attention owed must be calibrated to the kind of consideration offered. Thus, constitutional reasons are considerations that command substantial weight in decision-making. In deciding which considerations are to be assigned such weight, we look for a close connection to the standing of citizens as free and equal members of the political society: considerations affirming that standing have substantial weight, whereas those that deny it are weightless. Thus, citizens must have fundamental political and civil rights because those rights are backed by reasons that affirm the standing of citizens as free and equal, whereas the denial of those rights requires appeal to considerations that throw such standing into question - perhaps by denying that members meet all the qualifications for citizenship. But denials of qualification - assertions that some member is not to be regarded as a free and equal citizen - do not count as reasons at all because they are not considerations that command respect from those whose standing is denied. So effective participation rights cannot, except perhaps in very special circumstances
(perhaps cases of extreme emergency), permissibly be denied. Similarly, proposals backed by reasons rooted in interests fundamental to the standing of members as free and equal can be rejected only upon offering alternative, more plausible projects for advancing those interests. Thus, a requirement of ensuring a basic educational threshold – a threshold defined relative to participation as citizen, and more generally, as cooperating member of society – would be a constitutional reason, and a proposal that would ensure such a threshold would be rejected in a well-ordered deliberative body only in favour of an alternative, better designed scheme.25

The first and most fundamental requirement of a directly-deliberative polyarchy is, therefore, that it affirm its character as democratically deliberative by giving stringent protection to claims backed by constitutional reasons.

Of course, not all acceptable reasons for public choices are of constitutional magnitude. The class of policy reasons comprises those considerations whose endorsement is neither required by nor incompatible with a conception of citizens as free and equal, and which are relevant to an issue under consideration. A proposal framed by such considerations may reasonably be rejected by a counter-argument that articulates an alternative balancing of the reasons generally understood as relevant to allocating the resource in question. Consider again the case of education. In deciding how to allocate resources, some relevant and potentially competing policy reasons are helping each student fully to achieve potential; ensuring that students who are performing at least well are given special attention; ensuring common educational experience for students of diverse backgrounds. In the case of health care, the reasons include: helping those who are worst off; helping those who would benefit most from medical resources; assisting larger numbers of people; ensuring that people have fair chances at receiving help, regardless of the urgency of their situation and of expected benefits from treatment.26

As these examples suggest, the policy reasons relevant to particular domains are complex and varied, and there often will be no clear principled basis for ranking them: different, equally reasonable participants in deliberative process (and, a fortiori, different deliberative bodies) will weigh them differently. Reasonable people and reasonable collective decision-makers reasonably disagree, and recognise the results of a deliberative process in which such reasons are aired as legitimate.

This distinction between constitutional and policy reasons brings us to the second broad condition, a requirement of substantive due process on the operation of directly-deliberative polyarchy: the process is to give due consideration to reasons of both types, suitably weighted (and allowing for reasonable differences of weight).

Moreover, we require, third, that this consideration be explicit. It is not sufficient to require that outcomes be rationalisable – that the deliberative process issue in decisions for which appropriate reasons could be cited – and to leave it to another institution, say, a court, to determine whether that condition is met. Outcomes in directly-deliberative polyarchy are to be arrived at through discussion in which reasons of the appropriate kind are given by participants. Five considerations lead to this conclusion:

25 Amy Gutmann argues for a ‘democratic threshold principle’ in her account of the distribution of primary schooling, Democratic Education (Princeton UP 1987) 136ff. But she confines the threshold to effective participation in the democratic process, as though there were not an equally good claim to effective participation in labour markets.

1. Though deliberative justifiability itself is important, it must be aimed at being achieved; that is, it will not in general be true that results achieved through a process of exchange or bargaining, or outcomes that reflect a balance of power, will be defensible by reasons of an appropriate kind. So requiring actual deliberation helps to establish a presumption that results can be defended through reasons, and thus a presumption that the outcomes of collective decision-making are legitimate.

2. Offering reasons to others expresses respect for them as equal members of a deliberative body. So actual deliberation plausibly helps to foster mutual respect, which, in turn, encourages citizens to confine the exercise of power as the deliberative idea requires. No similar result can be expected if we assign the job of assessing the justifiability of outcomes to a separate institution.

3. Actual deliberation provides a better rationale for relying on majority rule, should there be disagreement. With reasons openly stated, everyone can observe that the supporting considerations were relevant reasons, despite disagreements about their proper weight. It is manifest to participants, then, that people are not being asked simply to accede to the larger number, but to accept what they can see to be a reasonable alternative, supported by others who are prepared to be reasonable.

4. In actual reason-giving, citizens are required to defend proposals by reference to considerations that others acknowledge as reasons, and not simply by reference to their own interests. To the extent that such public reasoning shapes preferences, conflicts over policy will be reduced, as will inclinations to strategically misrepresent circumstances. Moreover, actual deliberation is, by its nature, a form of information pooling: when people take seriously the task of providing one another with reasons, information about circumstances and outlooks, what is relevant to improved policy is then brought to bear by those in possession of it. No similar effects on preferences or on information are likely to issue from non-deliberative processes subject to subsequent review. Indeed, understanding the process of review as the natural forum of principle may well encourage strategic, as distinct from deliberative, conduct.

5. Explicit reason-giving eases the work of other decision-making units and of outside monitors: it provides a record that other decision-makers can consult (and perhaps learn from) in deciding how to solve problems and which monitors (legislators and courts) can refer to in judging whether solutions adopted in particular locations are appropriate, and how they might be improved in the light of experience elsewhere.

Requiring explicit reason-giving rather than rationalisable outcomes may, however, have a downside. Critics of deliberative decision-making fault it for being doubly exclusionary. Deliberation, they say, is a particular discursive style, with all the conventional indicia of the rational: formal, deductive, and unemotional. By insisting on abstraction from the personal and particular, deliberation excludes both people and information. People, because it silences citizens whose discursive style is detailed, narrative, and passionate; information, because it only invites contributions cast in

general terms. As a result, deliberation is unfair and ineffective. Urging more of it is a reform strategy, but not an especially inviting one.

This objection makes two assumptions, both unwarranted. First, that requiring an explicit statement of reasons implies that nothing other than reasons can be stated - as though a conception of deliberative justification supported a ban on undeliberative humour. Second, that the canonical form of deliberation is the justification of a regulation from first principles; the argument for progressivity in the tax system on grounds of a conception of political fairness. Deliberation may take this form, but nothing in the concept of reason-giving requires that it do so. Nor, more immediately, is the reason-giving that occupies us here naturally expressed in the form of deductions from general political axioms. On the contrary, deliberative problem-solving is by its nature focused on addressing specific problems in local settings. Giving reasons under these conditions is, generally speaking, a matter of offering considerations recognised by others as pertinent to solving the problem at hand. It is simply impossible to limit in advance the kinds of considerations that might be relevant, or the form in which those considerations are to be stated. Indeed, deliberation will characteristic involve debating the implications of general principles (standard operating procedures, rules of thumb) in the light of the particulars of local experience, and inviting discussion of such experience in whatever terms suit participants - including the ironic ‘yeah, yeah’ that condemns the latest implausible suggestion.

Still, it might be said that requirements of deliberation unfairly bias decision-making in favour of the verbal, that we may end up with a pluralistic logocracy, in which the many forms of verbosity are all on display, but the shy, quiet, and reserved are left out. We agree that there is a difficulty here, but why isn’t it remediable? In settings of deliberative problem-solving, everyone has something to contribute so the first task in improving the operation of deliberative arrangements is to ensure that all participants understand that and are encouraged to contribute. The potential for deliberative failure is no argument against efforts at such improvement.

These reasons for preferring decisions by actual deliberation - particularly the last consideration - suggest a fourth requirement of democratic process: that there be like deliberation among units as well. The advantage of actual, deliberate consideration of alternatives by citizens of equal standing but diverse experience and disposition is that the diversity of viewpoints brings out the strengths and weaknesses of diverse proposals. Moreover, the diversity of proposals reveals strengths and weaknesses in viewpoints that make for more careful assessment in later rounds. Extending deliberation across units allows each group to see its viewpoints and its proposals in the light of alternatives articulated by the others; in effect, it ensures that the exercise of practical reason is both disciplined and imaginative.

To be effective in provoking this kind of informative comparison, information provided for this purpose must be supplied by units in a way that both anticipates and reflects this use: in accounting for their own decisions, decision-making processes, and outcomes. Units must take into account information about the relevant practice elsewhere, or make a case that apparently better practice is either not genuinely better or irrelevant to their circumstances because of differences in population or resources. A standard way of doing this is through benchmarking: evaluation of one’s own activities by comparison with others, judged to be similar, by means of metrics inherent in the choice of the comparison. Benchmarking thus requires a survey of possible comparisons, evaluation of possible metrics, and revision, where necessary, of initial choices of both: and the effectiveness of such surveys, evaluations and revisions
depends on the willingness of all participants to disclose information in view of the investigations of the others. This amounts to requiring that, as when acting alone, units actually deliberate among themselves in the sense of taking account of respective reasons, and not content themselves with deliberative justifiability. This requirement implies that units that show poorly in public comparisons will be under substantial pressure to improve their practice to meet the standard of performance set in other comparable units.

Responsibility for ensuring that deliberation within and among units meets these four conditions falls ultimately to authorising and monitoring agencies – legislatures and courts. But, in contrast to the conventional ‘division of deliberative labour,’ this responsibility is to be discharged by ensuring that the relevant decision-making bodies act deliberatively, not – so far as possible – by substituting for their decisions.28 We return to these points below, in our discussion of institutions.

*State/Market?* With these core conditions in place, we come to the areas of policy for which directly-deliberative polyarchy is particularly well-suited. Generally speaking, the institutions of directly-deliberative polyarchy are designed to do well where current political institutions and market exchange do badly.

Consider first the limits on political institutions. These limits are most severe when the following four conditions hold:

1. The sites at which a problem arises and requires address are too numerous and dispersed for easy or low cost centralised monitoring of compliance with regulations. Even if uniform regulations were appropriate, these conditions would suggest a need for decentralising the capacity to monitor compliance. Discussions of workplace health and safety regulation commonly emphasise this problem: too many workplaces for a central inspectorate to review.

2. The diversity of sites at which similar problems arise suggests that problem-solvers at different sites will want to employ different means to achieve similar aims and specify their aims differently.

3. The volatility of sites suggests that a need for continuous reflection on means and ends, and the importance of adjusting both in the light of new information about the environment.

4. The complexity of problems and solutions – where problems are substantially the product of multiple causes and connected with other problems, crossing conventional policy domains and processes – implies that the appropriate strategy requires coordination across those domains. Urban poverty, local economic development, and effective social service delivery are among the familiar problems that occupy this class. Solving them plausibly requires cooperation across quite different institutions and groups – for example, lending institutions, health care providers, technology diffusers, education and training establishments, housing authorities, community development corporations, and neighbourhood associations.

When all these conditions are in force, we have a strong case for directly-deliberative polyarchy, with its linked, local problem-solvers: because of the numerosity and

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diversity of sites, we want a structure of decision-making that does not require uniform solutions: because of volatility, we want a structure with built-in sensitivities to changing local conditions: because of the complexity of problems, we want a structure that fosters interlocal comparisons of solutions.

To be sure, departures from these four conditions imply a less strong case for directly-deliberative polarchy, and a correspondingly stronger case for markets or regulatory solutions. But even in the face of departures from these ideal conditions, two considerations support the case for directly-deliberative polarchy. First, as we have urged, it fits with democratic values, and that fit will tip the balance in unclear cases. Second, our basic premise is that existing strategies of problem-solving are not working well. So we may be aided in diagnosing the shortcomings of those strategies if we test this alternative. Among other things, it will test the thesis that the troubles emerge from a mismatch of problems and institutions of collective choice.

Consider next the circumstances under which problem-solving through directly-deliberative polarchy is preferable to solution through market exchange — here understood as a form of social coordination in which agents need not arrive at a common decision nor defend their separate decisions by giving reasons to others.27

Thus suppose we are concerned about the production and allocation of a good that is widely regarded as urgent — that citizens can claim as a matter of basic right or need, and about whose proper production and/or allocation there is disagreement.28 Because the claims for the good are urgent, arrangements of provision should be open and accountable; moreover, urgency and disagreement together establish a presumption that decisions about the good’s provision should be backed by an acceptable rationale. That presumption can be defeated in the case of goods (for example, bread or cars) for which there are a large number of providers and about which it is relatively easy (either for consumers or a centralised monitor) to acquire accurate information. Assume, then, that the good is best supplied by a restricted range of providers, and that there are high costs to switching among those providers: there can, then, be no presumption of voluntarism in the choice of provider. Add, now, that information about the good is difficult to acquire or summarise because a large number of dimensions are important to its evaluation, people disagree about the relevant dimensions and their relative weights, and the conditions of its production and allocation are volatile. Under these conditions, we want goods to be provided through mechanisms in which decisions are backed by reasons and based on pooled information. In short, we have reason to favour directly-deliberative polarchy over market.

Membership. Finally, as to membership. The basic standard is that directly-deliberative arenas are to be open to providers and parties affected by the extent and manner of provision. (In the case of schools, for example, parents, teachers, and residents of community served by school.) Very little can be said in general terms about the requisite representational form: how many members of different groups, affected parties, and so forth. Once more, there is every reason to expect at least as much variation as we currently see in polarchies. Still, a few considerations are to frame

27 Bargaining and command are ways of making collective decisions without mutual reason-giving. Confession is the practice of giving reasons to others for individual decisions.
28 The paragraph that follows presents an account of public goods suited to the special setting of a conception of deliberative democracy.
debate about whether deliberative bodies include all who are entitled, or are instead objectionably exclusive. In general terms, the considerations pull in two directions, reflecting the ideas of political equality and deliberativeness that define the directly-deliberative conception. The value of equality suggests a one-person/one-vote composition of deliberative bodies, whereas the requirement of deliberativeness suggests a constitution that assigns membership in ways that foster the provision of relevant local information and the crisp articulation of alternative views.

More particularly, then, three considerations need to be balanced in decisions about membership. First, citizens can object that the composition and scope of directly-deliberative bodies is objectionably discriminatory – for example, that their geographic range has been gerrymandered on racial or ethnic lines. Second, there is a presumption in favour of equal membership for affected parties – open meetings, with equal rights to participate in discussion and decision-making for all affected parties. Third, rights to participate might also be awarded to organisations with special knowledge that is essential to the problem area in question (for example, neighbourhood organisations in the area of public safety), or which are able to articulate a point of view in ways that foster deliberation among alternative solutions.

B Effectiveness

Why expect that such problem-solving will have concrete benefits? How might it be able to overcome the problems of limited information and diversity of sites that vex state action? Five considerations are important.

First, the parties to the discussion are presumed to have relevant local knowledge; moreover, they can put that information to good use because they understand the terrain better and have a more immediate stake in the solution.

Second, assuming a shared concern to address a problem, and an expectation that the results of deliberation will regulate subsequent action, the participants would tend to be more other-regarding in their political practice than they would otherwise be inclined to be. The structure of discussion – the requirement of finding a solution that others can agree to, rather than pressuring the state for a solution – would push the debate in directions that respect and advance more general interests. Other-regardingness would encourage a more complete revelation of private information. And this information would permit sharper definition of problems and solutions.

Third, pursuing discussion in the context of enduring differences among participants would incline parties to be more reflective in their definition of problems and proposed strategies for solution; it would tend to free discussion from the preconceptions that commonly limit the consideration of options within more narrowly defined groups, thus enabling a more complete definition and imaginative exploration of problems and solutions. The same is true for the federalism of problem-solvers that emerges from requirements of discussion across units – here, too, comparisons of solutions at different sites, and benchmarking of local solutions by reference to practice elsewhere, suggests a basis for improving local practice.

Here, notice that directly-deliberative polyarchy – understood as a form of problem-solving – is not thwarted by, but instead benefits from, heterogeneity of participants. Of course, the participants must – as our discussion of deliberation indicates – share a view about relevant reasons. But this is, we think, a rather weak constraint that does not demand substantial homogeneity – certainly not homogeneity of comprehensive moral outlook.
Fourth, monitoring in the implementation of agreements would be a natural by-product of ongoing discussion, generating a further pool of shared information.

And, fifth, if things work, the result would be a mutual confidence that fosters future cooperation.

In all these ways, then, deliberation about common problems with diverse participants might thus reasonably be thought to enhance social learning and problem-solving capacity.

C Institutions

We conclude with a brief discussion of the implications of directly-deliberative polyarchy for the design of and expectations on basic political institutions.

First, directly-deliberative polyarchy is, as we have indicated, a form of polyarchy. So we assume the continued presence of the legislatures, courts, executives, and administrative agencies, controlled by officials chosen through free and fair elections, in which virtually all adults have rights to suffrage, office-holding, association, and expression, and face alternative, legally protected sources of information.11 Though the operation of these institutions and arrangements changes, they remain and continue to serve some of the political values with which they are conventionally associated: peaceful transitions of power, restraints on unbridled power, fair chances for effective influence over authoritative collective decisions, opportunities to develop informed preferences, etc.

But with the shift in the locus of problem-solving, the operations and expectations of basic institutions changes markedly.

Consider first the role of legislatures. Directly-deliberative polyarchy is animated by a recognition of the limits on the capacity of legislatures to solve problems—either on their own or by delegating tasks to administrative agencies—despite the importance of solutions. Rejecting the Neo-Liberal Constitutionalist idea that the problems are essentially recalcitrant to collective address, and the modern Civic Republican idea that their address requires only a more vigilant exclusion of private interests from national policy-making (and a correspondingly more acute intervention by technically adept guardians of the common good), the legislature in a directly-deliberative polyarchy takes on a new role: to empower and facilitate problem-solving through directly-deliberative arenas operating in closer proximity than the legislature to the problem. More particularly, the idea is for legislatures, guided by the conditions of triggering, to declare areas of policy (education, community safety, environmental health) as open to directly-deliberative polyarchic action; state general goals for policy in the area; assist potential deliberative arenas in organizing to achieve those goals; make resources available to deliberative problem-solving bodies that meet basic requirements on membership and benchmarking; and review at regular intervals the assignments of resources and responsibility. To be sure, legislatures can only play this role if they are able to identify problems needing solutions and agents with the capacity to solve those problems, even when they cannot themselves produce the solutions. But once we acknowledge the importance of diversity and volatility in shaping acceptable solutions, this assumption is entirely natural.

This changed role for legislatures does not of course preclude national solutions through legislative enactment when uniform solutions are preferable (because of

limited diversity among sites) or when externalities overwhelm local problem-solving. Instead, the availability of alternative methods of problem-solving imposes on legislatures a greater burden in justifying their own direct efforts: they must explicitly make the case that the benefits of those efforts suffice to overcome the advantages of direct-deliberative solutions.32

Administrative agencies, in turn, provide the infrastructure for information exchange between and among units – the exchange required for benchmarking and continuous improvement. Instead of seeking to solve problems, the agencies see their task as reducing the costs of information faced by different problem-solvers: helping them to determine which deliberative bodies are similarly situated, what projects those bodies are pursuing, and what modifications of those projects might be needed under local conditions.

And the responsibility of constitutional courts is neither simply to inspect procedure for its adequacy as representative, nor to reorganise institutions by reference to substantive constitutional rights, but to require that decision-making proceed in directly-deliberative way: that is, to require that problem-solvers themselves make policy with express reference to both constitutional and relevant policy reasons. You might describe this as a genuine fusion of constitutional and democratic ideals: a fusion, inasmuch as the conception of democratic process includes a requirement that constitutional reasons be taken into account, as such. The aim is a form of political deliberation in which citizens themselves are to give suitable weight to constitutional considerations, and not leave that responsibility to a court.

These remarks sketch, in the sparsest terms, how basic political institutions might shift in expectation and responsibility under conditions of directly-deliberative polyarchy. Further details will vary greatly, certainly as much as they do in existing polyarchies. Rather than outlining the dimensions of such variation, we propose to clarify and deepen this account of transformed conventional institutions by addressing an objection to the very coherence of directly-deliberative polyarchy as a form of problem-solving that conforms to basic democratic values. Generally speaking, the objection is that directly-deliberative polyarchy is an unstable combination of institutionalisation of democratic values: either central institutions will not supervise local arrangements enough to avoid local tyrannies, or they will over-supervise, thus regenerating the problems of centralised control that directly-deliberative polyarchy is supposed to avoid. More particularly, the objection is that directly-deliberative polyarchy needs to meet two requirements that are at war with one another: deliberative problem-solvers are supposed to satisfy various conditions (on membership, deliberativeness, and external links to other problem solvers). But directly-deliberative problem-solvers will not meet these conditions as a matter of course, nor is their satisfaction a self-enforcing equilibrium. So the responsibility for ensuring that they are met falls to authorising and monitoring agencies. If, however, problem-solvers are to achieve the variation in local solutions demanded by conditions of diversity and volatility, then authorising and monitoring agencies must also ensure them autonomy.

These two conditions are arguably in tension. For directly-deliberative problemsolvers can act in ways that conflict with the constitutive values and conditions of

democracy itself, either by deciding on the basis of considerations that conflict with those values, or by failing to take them fully into account. If a fundamental, generic responsibility of authorising and monitoring bodies is to ensure that decision-making is democratic, then those authorising bodies are obligated to review and pass judgement on the decisions of the authorised bodies. But this creates two related troubles for directly-deliberative problem-solving: first, reduced autonomy in the name of ensuring democracy may substantially limit interest and enthusiasm for participating in problem-solving bodies. Second, if ensuring democracy means constantly second-guessing the solutions chosen by directly-deliberative problem-solvers, then those problem-solvers may decide to avoid troubles by imposing uniform solutions (choosing solutions that have already passed muster), disregarding the suitability of those solutions to their circumstances. This tension, it might be argued, is exacerbated by a tendency of decentralised systems to generate greater inequalities, thus pressuring the centre to reappropriate power and impose greater uniformity of circumstance through redistribution.

We have five replies to this problem. The first is to introduce a note of realism. The objection is entirely familiar from current discussions of federalism and of relations between courts and legislatures. Focusing on the latter, it is commonly agreed that courts should, whatever else they do, uphold the democratic process, ensuring that all citizens have rights to participate as equals in that process. Sometimes majorities violate that requirement, and when they do courts have a responsibility to overturn the results of those violations. The tension noted above is, generally speaking, simply an instance of this problem, which is commonly called the 'counter-majoritarian dilemma': it is not a problem created by the proposal advanced here, but a reflection, within our proposal, of a problem that any adequate conception of constitutional democracy needs to face.

Second, accepting that the general structure of the problem is familiar, it might nonetheless be argued that a deliberative conception of democracy - or an idea of directly-deliberative polyarchy inspired by that conception - worsens the problem by imposing more stringent standards of democracy. Though a wide range of views will permit review and rejection of decisions of grounds of incompatibility with democracy, the deliberative view embraces an expansive conception of democracy and a correspondingly expansive and therefore invasive account of when the judgements of problem-solvers are properly second-guessed. The force of this objection depends on a belief that is widely shared but simply misguided: that deliberation, properly conducted, issues in consensus. We have already explained our reasons for rejecting this claim. Deliberation is a matter of balancing relevant considerations, and arguing in the light of such balance: competent deliberators will work out the balance differently; and, correspondingly, competent deliberative bodies will typically arrive at different conclusions, or arrive at the same conclusions differently. Indeed, there is no compelling a priori argument that the range of acceptable results of deliberative processes is smaller than the range of acceptable results of aggregative processes. So we reject the claim that the deliberative view worsens the familiar problem.

Indeed, third, we think that the deliberative conception may reduce the tension between democracy and autonomy. To see how, recall the idea of a division of deliberative labour. On a conventional view of collective decision-making within a

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336

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The classic statement of this view is JH, Ely, Democracy and Distrust (Harvard UP 1980).
constitutional regime, the division of labour assigns to legislatures the responsibility for devising laws that advance the common good, and to courts the responsibility for ensuring that those laws respect the constitution and the political values implicit in it. As our earlier discussion indicates, the deliberative view rejects this way of dividing deliberative labour. When objections are raised on constitutional grounds to decisions reached by problem-solvers—when it is argued that unacceptable reasons animated the decision, or that fundamental constitutional values were neglected by it, the role of courts (and legislatures) is not to substitute their own judgement about the proper outcome, but to require that the deliberative body revisit the issue, taking the full range of relevant considerations explicitly into account—and exploring the experience of similarly situated problem-solving bodies. Suppose, for example, that a decision to impose an English-only requirement on schools is challenged on grounds that students who are not native English speakers will be disadvantaged by it, and consequently disadvantaged as citizens. The response should be to require that the school committee responsible for imposing the requirement revisit the decision, attending both to the importance of education for equal citizenship and to the experience of other multilingual districts in solving the problem. In short, the deliberative view rejects the conventional division of deliberative labour, proposing instead that all bodies making collective decisions share responsibility for upholding the democratic constitution by treating its principles and values as regulative in their own decisions.

Our fourth reply builds on this last point. Suppose that deliberative decision-makers are required to arrive at decisions with explicit attention to constitutional values and comparable experience. Still, they may make decisions that conflict with the democratic constitution, and courts may be required to review their decisions in this light. But when they are, they will have a record of fact and reasoning to draw on in making their decisions. Because they have imposed requirements of due consideration on problem-solvers themselves, courts will have the information they need to decide whether means are suitably tailored to ends, and whether ends are specified in ways that satisfy constitutional constraints. Judgements about whether or not to defer to problem-solvers will be backed by fact, and not simply by a priori estimates of institutional competence.

Finally, without disputing the claim that decentralised systems, as a rule, generate increased inequality, we dispute the extension of the rule to the case of directly-deliberative polyarchy, and therefore do not expect substantial pressures to recentralise in the name of equality.

V Kicking Radical Democracy Upstairs?

Any plausible conception of democracy requires an interpretation of the idea of the public, as the arena in which free and equal citizens reflect on and seek to advance common aims. We conclude our account of directly-deliberative democracy, then, by sketching the distinctive conception of the public that has been implicit in our discussion thus far.

First, in directly-deliberative democracy (and, by extension, directly-deliberative polyarchy) the public arena is organisationally dispersed and socially heterogeneous: organisationally dispersed, because public opinion crystallises not only in reference to the national legislature, but also in the work of the local school governance committee, the community policing beat organisation, and their analogies in areas such as the provision of services to firms or to distressed families; socially heterogeneous, because
members are not presumed to share social traits, moral outlooks, or common information. Though the public arena is in both ways pluralistic, its pieces are nevertheless connected by the requirements of reason-giving, in particular the demand to respect constitutional reasons: the need for explicit comparison with other units which are themselves conducting similar comparisons; and a wider public debate informed by such comparisons and focused on national projects.

Second, and more fundamentally, the public arena is the place where practicality in the form of problem-solving meets political principle in the form of deliberation through reason-giving among citizens who recognise one another as free and equal. In directly-deliberative polyarchy, public deliberation cuts across the distinction between reflection on political purposes and assessment of efforts to achieve those purposes - a central distinction not only in familiar theories of representative democracy, but also, and perhaps surprisingly, in current understandings of radical democracy. To underscore this essential feature of directly-deliberative polyarchy and point towards the unfinished work of our project, we look briefly at the fate of the modern radical-democratic understanding of the public as it appears in the works of such representative figures as Habermas and Arendt and their innovative followers, and contrast that fate with the idea developed above.

From this vantage point, the most striking feature of contemporary views of radical democracy is the measure to which they have become defensive, self-consciously chastened, typically directed more to limiting (at times by novel means) the erosion of the institutions of nineteenth century parliamentary democracy than to transforming and extending them. In part these limited ambitions are a prudent response to the temper of the times, hostile since the fall of the planned economies to any hint of collective control over life choices of individuals, and sceptical, more broadly, about the very idea of public action. More fundamentally, though, this self-limitation reflects a sharp distinction, long established in the social and political theory from which much radical democratic theory stems, between a higher, political world of human self-determination - through an all-encompassing exercise of theoretical and practical reason or innovative public deeds - and a lower realm of workaday conduct governed by calculation, technique, and organisational routine. The idea of the public in directly-deliberative democracy questions the underlying assumptions and institutional expression of this distinction.

Consider first the notion of the public as it appears in Habermas' work. According to his theory of communicative action, human interactions differ fundamentally according to whether participants aim to achieve worldly success in part by influencing others or to coordinate social action through common understandings. When action aims at success, information is manipulated strategically to advance individual or group interests, as in economic exchange or group bargaining. When action aims at understanding, agents acknowledge that they are bound by context-transcendent norms of sincerity (Wahrhaftigkeit), truth (Wahrheit), and moral probity (Richtigkeit), and committed to the view that their claims would be vindicated by an unfettered communication of equals.

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34 Habermas says that he has 'no illusions about the problems that our situation poses and the moods it invokes. But moods and philosophies in a melancholic mood do not justify the defeatist surrender of the radical content of democratic ideals.' Between Facts and Norms, op cit, p 7, at xiii-xviii. We agree with the observation about moods and their unfortunate consequences, but as will emerge, I think Habermas has surrendered too much.
Within the framework provided by the idea of communicative action, the role of constitutional democracy is threefold: it establishes the system of rights required for autonomous communication among equal citizens (for a discursive formation of public opinion), enables discursively formed understandings of common purpose to achieve legal expression, and ensures that those legally crystallised understandings steer (or, in more anguished formulations, besiege) the state’s administrative apparatus, understood as a system of technically constrained instrumentalities for guiding the (still more constrained) activities necessary for society to reproduce and advance. Democratic steering is itself divided into stages or phases, ordered by their distance from the apparatus of actual decision-making, and hence their freedom from technical constraint and organisational routine: parliamentary debate is limited by its connection to administration, the disputations of political parties by their connection to parliamentary debate. In the ‘communicatively fluid’ public sphere, democracy is most authentic because least constrained. Neither hemmed in by specialised vocabularies nor confined to particular social tasks, the public sphere is a dispersed, all-purpose, discursive network within which citizens, connected by the means of mass communication, form currents of opinion in seeking how best to resolve the great questions of the day. Because discussion within that sphere comprises all manner of topic and question, and is guided by each of the three norms mentioned earlier, the dispersed assembly that is the public comes as close as can reasonably be hoped to a free community of equals, autonomously debating the terms of their collective life.

But the capacity of the public’s critical contributions to steer the state must remain, given Habermas’ fundamental partition of human action, an open question. The freer the communication within the public – the greater the immunities from state interference with the formation of opinion, the more accessible the newspapers, the less venal the television, the richer the associational life on which public discussion rests – the greater clarification it can attain. Indeed, the call for democratisation of the public sphere, which follows naturally from Habermas’ emphasis on the role of communicative action in social integration, is exactly the aspect of his general theory that classes it as a type of radical democracy. The basic dualism of understanding and success-oriented action, however, suggests as well that even the most radical extension of the public sphere would be of limited consequence precisely because the technical demands, to which administration, parliament, and party must in turn respond, set limits – but which ones? – to the direction that might issue from a more encompassing, unrestricted discussion among citizens: ‘Communicative power cannot supply a substitute for the systematic inner logic of public bureaucracies. Rather, it achieves an impact on this logic ‘in a siege-like manner.’ At its most paradoxically self-defeating, Habermas’ view seems to be that the democratic public can not be just

35 ‘We can interpret the idea of the constitutional state in general as the requirement that the administrative system, which is steered through the power code, be tied to the lawmaking communicative power and kept free of the illegitimate interventions of social power (ie, of the factual strength of privileged interests to assert themselves).’ J. Habermas, Between Facts and Norms, op cit n 7, at 150; see also 176.
36 Ibid, at 360.
37 Ibid, at 371. Though note the immediately subsequent discussion of the ‘self-limiting’ quality of radical-democratic practice – in particular, the need for a communicatively-generated public opinion to work its effects through conventional political institutions.
38 Habermas, ‘Further Reflections on the Public Sphere’ in C. Calhoun (ed), Habermas and the Public Sphere (MIT Press 1992) 452.
and effective because to be just it must be informal in the sense of constituted freedom of institutions, while to be effective it must be institutionalised in forms that constrain discussion and hinder the pursuit of justice. In the end, radical democracy serves as a series of reminders - that human communication need not be narrowly technical, that unsolved problems remain outside the purview of conventional institutions - rather than a program to redirect the ensemble of institutions to ensure a controlling role for communicative power.

As a second illustration of the self-limitation of radical democracy, consider the position of Hannah Arendt. Whereas Habermas sets his account of democracy within a general theory of rational discourse and communicative action, Arendt's is framed by a general diagnosis of the human condition and a classification of responses to that condition: thus, human conduct counts as labour if it responds to the rhythmic necessities of biological reproduction, as work if directed to the construction of those durable artifacts, from houses to highways, that provide the scaffolding and outward signs of our 'unnatural' social life, and as action if it manifests the fundamental human capacity to begin something new on our own initiative. Though acting 'rests on initiative, it is an initiative from which no human being can refrain and still be human. The public in this view is just the citizens in action, appearing to one another as humans - as a plurality of initiators - and this citizenry in action embodies democracy in its most radical, constitutional aspect.

The dilemma for this view is that democracy continues after its initiation; and on Arendt's understanding, concerns arising within the constituted polity would fall from the higher, distinctively human sphere of action and the political to the banal social spheres of work and labour. For practical purposes, the public would become purposeless and political debate a matter of display; as Mary McCarthy said, 'if all questions of economics, human welfare, building, anything that touches the social sphere, are to be excluded from the political scene, then I am mystified. I am left with war and speeches. But the speeches can't just be speeches. They have to be speeches about something.' Thus, if Habermas' view edges radical democracy to the periphery, preserving discursive freedom at the expense of political influence, Arendt's view kicks radical democracy upstairs, preserving its free creativity at the expense of its content.

Recent efforts to modify the idea of the public in both views to respond to these kinds of criticisms by softening the distinctions on which they rest only underscore the constraints of the original schemes. In both cases the modifications focus on the role of social movements - of women, of racial or ethnic minorities, of citizens concerned about the environment - as forms of the public so dispersed within society to be acting

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33 See especially the striking discussion of the 'surprisingly active and momentous role' that actors in civil society can play in a 'perceived crisis situation.' Between Facts and Norms, op cit, 7 380 82. This discussion suggests that Habermas is operating with a distinction between crises, situations, in which radical democratic impulses play a central role, and normal politics, in which they do not. For an instructive comparison, cf. B. Ackerman, We: The People (Harvard UP 1991).

34 H. Arendt, Human Condition (Chicago UP 1958), at 177.

35 Ibid., 176.

36 Benhabib emphasizes that 'appearing' is to be taken fully literally: 'When Arendt links the public space with the space of appearances she primarily has in mind a model of face-to-face human interactions, within a relatively homogeneous community whose shared ethos makes the meaning of individual action more or less transparent. The Reluctant Modernism of Hannah Arendt (Sage 1996) 201.

37 These remarks, made by Mary McCarthy at a conference on Arendt's work, are reported in Benhabib, ibid., 155, also at 156 for Arendt's reply, and a convincing assessment of its plausibility.
outside of institutions, hence untainted by their technical or workaday constraints, yet directly enough engaged with changing particular social arrangements to influence them. In those writings on social movements that refer, critically, to Habermas and others like him, the emphasis is on spontaneous citizen protest against the risks of (increasing) technical manipulation of the social and natural worlds: the risk of nuclear catastrophe calls forth a social movement against the construction of nuclear power stations, and the industrial use of toxins calls forth a movement for their regulation. But this simply reminds us that a dispersed, discursive public can play a part only in limiting the reach of a ‘system’ whose innermost mechanisms remain beyond political influence.\textsuperscript{44}

Writings on social movements that take Arendt as their critical referent, but reject her public/private, political/social distinctions, are more ethereal still. From this perspective social movements are seen as the potential precursors to constitutional conventions in the small, or as interstitial, fleeting, fugitive testimony to the human capacity for initiative and therefore to the permanent possibility of a higher politics of democratic refounding. In both variants, the newer views accept the defensiveness of their antecedents and reduce radical democracy to an argument about the possibility of protest against the further subjugation of freedom to necessity.

Directly-deliberative polyarchy, in contrast, does not seek refuge in social movements; it holds out the promise of transforming the institutions of social steering, not merely containing their erosion.\textsuperscript{45} It claims that the apparent limits on the applicability of democratic principles – and the background dualism of creative or freely reasoning public and banalistic life routines – can be overcome by understanding how those principles can contribute to problem-solving, and how problem-solving can contribute to the re-interpretation of those principles. At the core of this mutual re-elaboration is the idea of deliberation as reason-giving in context – that is, relative to purposes that concern the citizens. Purpose does not vitiate deliberation. Rather, it guides and enables deliberation by suggesting the comparisons and contrasts that give meaning to diverse and mutually informative points of view. And purpose here means purpose of all kinds: the idea of deliberation in directly-deliberative polyarchy does not distinguish between constitutional and operational tasks. Indeed, the notion of mutual adjustment of means and ends at the heart of the notion of deliberation in directly-deliberative polyarchy – the very feature that recommends it as a method of problem-solving in diverse and volatile environments – undercuts the distinction between these types of activities.

But in stating the contrast between the current, defensive ideas of radical democracy and the possibilities of directly-deliberative polyarchy we are advancing our case by signing promissory notes. We have offered some empirical hints of new

\textsuperscript{44} For thoughtful discussion of debates on social movements from a viewpoint close to the one adopted here, cf. H. Joas, \textit{Die Kreativität des Handelns} (Suhrkamp 1992), 348 ff.

\textsuperscript{45} Jeffrey Isaac concludes his thoughtful discussion of Arendt’s and Camus’ radical democratic, ‘rebellious politics’ by doubting that ‘such a politics, centred in civil society, can be equally effective in fashioning stable democratic economic and political institutions.’ He adds that ‘if rebellious politics is to be something more than a self-actualizing and self-consuming phenomenon, then it must challenge and seek to reshape, however cautiously and imperfectly, existing political institutions.’ But then Isaac backs off from this need to reshape – however cautiously and imperfectly – by identifying ‘a more institutional kind of politics’ with ‘a more conventional social democratic politics.’ Radical democracy thus remains at the margins; cf. J. Isaac, \textit{Arendt, Camus, and Modern Rebellion} (Yale UP, 1992), at 255, 247 and 258.
institutional developments to warrant our conjectures, subjected those conjectures to
the preliminary tests of internal consistency, and noted their appeal as alternatives to
the despairing prospects of current debate. If we are right in thinking a new, radically
participatory form of democracy is beginning to stare us in the face, the obvious and
urgent thing to do is stare back.
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Democracy across Borders

From Dēmos to Dēmoi

James Bohman

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Preface and Acknowledgments

The Greeks invented the word democracy, if not democracy itself, but it is we who must now use the word for our time. Democracy quite literally means popular government, rule by the démos, the people. Democracy came to mean rule by a people, or démos, rather than by peoples, or démoi. In the singular, démos originally signified a specific territorial space and meant “district, country, or land,” and thus by extension its inhabitants or peoples. Along with its varied institutional forms, the concept of democracy has had a long history, often discussed in terms of the differences between its ancient and its modern form. Yet throughout it has retained its singular noun and its territorial connotation. The main concern of this book is to rethink the deep assumptions this conceptual archeology covers. In the age of globalization and significant authority delegated beyond the nation state, I contend that democracy needs to be rethought in the plural, as the rule of démoi. This small change of one letter has enormous normative, political, and institutional significance and permits us to better understand how it is that citizenship and membership need to be transformed. Much as a cubist painting alters the given world of objects through the use of multiple perspectives, transnational democracy challenges single perspective politics and fixed jurisdictions.

The transformation of democracy in the current era is a topic of much debate in social science, economics, international law, and political theory. I will refer to this literature, as well as to current discussions of the impact of globalization. However, my main purpose
Preface and Acknowledgments

here is philosophical. I want to show that many of the basic categories of democracy need to be rethought, including the very basic conceptions of the people, the public, citizenship, human rights, and federalism. Given my emphasis on the potential for a transnational polity, many of the examples in this book are taken from the European Union—even if it now falls short of a deliberative democracy across borders.

This book incorporates, in a greatly revised form, material from previously published articles and chapters, and I gratefully acknowledge the work of the editors of those journals and anthologies. Parts of chapter 1 were first published in *Ratio Juris, Ethics and International Affairs*, and *Journal of Political Philosophy*. Some parts of chapter 2 were first developed in *After Habermas: Perspectives on the Public Sphere*. Material from chapter 3 appeared in the *Canadian Journal of Philosophy*, and some sections of chapter 4 in the *European Journal of Political Theory*. Parts of the conclusion were published in the *Journal of Social Philosophy*. I also want to thank Larry May, Matthias Lutz-Bachmann, Jürgen Habermas, Andreas Niederberger, Simone Chambers, Archon Fung, Samantha Besson, Charles Sabel, Philip Pettit, David Held, and Thomas McCarthy for helpful feedback and comments, as well as the anonymous reviewers for this Press. I give my special thanks to Michael Allen and Mark Piper, who were excellent critics as well as research assistants. Many audiences have shaped my thinking, including those at the American Philosophical Association, the American Political Science Association, the International Studies Association, the Critical Theory Roundtable, the Philosophy of Social Science Roundtable, ARENA, Yale University, the University of Frankfurt, Roskilde University, University of Aix-Marseille, University of Maryland, University of British Columbia, and Carnegie Mellon University, among others. A grant from Saint Louis University helped me complete the manuscript.

Above all, I want to thank Gretchen, Lena, and Clara for their love and support. I dedicate this book to Lena and Clara, through whose eyes I see the future.

Introduction

According to the current wisdom, we live in the golden age of democracy. In the absence of any viable alternative, liberal democracy is taken to be the only feasible form of democracy and goes unchallenged. Democracy is now recognized in international documents as "the best means to realize human rights," so that some now argue that international law, formerly unconcerned with internal affairs of states, establishes a "democratic entitlement." At the same time, it is often claimed that democracy has never been weaker. It is increasingly unable to solve collective problems or gain legitimacy, thus leading to economic crisis, the declining legitimacy of states in ever more numerous demands for succession, and greater internal conflicts, even civil wars. As a result, some electoral and representative democracies cede many areas of social life to delegated and increasingly nondemocratic forms of authority. Possible responses to these facts lie between two extremes of a continuum. On the one hand, communitarians call for the renewal of social consensus through a democratic ethos, and some participatory democrats demand decentralization into smaller units. On the other hand, cosmopolitans argue that only supranational levels of governance can solve the many collective action and coordination problems, ranging from global warming to sustainable growth to grave human rights abuses and genocide.

Both of these responses are correct in certain respects and indeed are hardly as mutually exclusive as their proponents believe. In this book I argue that all democracies at some point face a period of
renewal and transformation. Indeed, many democracies are currently struggling to discover better ways to organize jurisdictions, units, and levels in order to govern well. Contrary to both cosmopolitan and communitarian proposals, good democratic governance needs both bigger and smaller units. However, most important in this regard is not size, but the ways in which politics and their subunits are organized and interrelated. The proper solution to the problems of democracy is not to find some optimal size or ideal democratic procedure, but rather to establish a more complex democratic ideal. I call this ideal "transnational democracy."

Since the task of this book is to redefine democracy so as to make it appropriate for transnational settings, it would be premature and misleading to offer a definition of democracy in advance. Defining democracy is made even more difficult by the fact that it should take different forms in different institutions. But as a working definition, I offer the following: Democracy is that set of institutions by which individuals are empowered as free and equal citizens to form and change the terms of their common life together, including democracy itself. In this sense, democracy is reflexive and consists of procedures by which its rules and practices are made subject to the deliberation of citizens themselves. Democracy is thus an ideal of self-determination, in that the terms and boundaries of democracy are made by citizens themselves and not others. It does not, however, require the more specific conception of self-determination that has guided much of democratic theory since the eighteenth century—self-legislation in a bounded political community—that is thoroughly imbricated with democracy's current difficulties. If it is self-rule, it is the rule of the many and not of the few.

The modern nation-state has historically been the most successful institutional location for realizing democracy. As opposed to ancient city-states, it has over time achieved universal political rights for all adult citizens regardless of race, class, or gender. More than that, these struggles have expanded the scope of rights to include not just negative rights and immunities, but also various social rights to benefits and services. In light of these achievements, most critics of current democracy still assume the state is the proper institutional location for further democratization. In the wake of globalization, this assumption no longer goes unchallenged. Indeed, states now seem both too big and too small: too big to generate the loyalty and legitimacy needed for a demanding democratic ideal, and too small to solve a myriad of social problems. Powerful multinational corporations evade state power even as international financial institutions dictate the terms of cooperation to weak states. In the interest of promoting free markets and trade, states now voluntarily delegate their powers to international bodies and private authorities. Anti-globalization protesters challenge such policies in the name of local control and democracy. What unites these diverse phenomena is a shift to forms of political authority that are no longer accountable to a measure of popular influence and control—one of the necessary, though not sufficient, conditions for any form of democracy.

Whatever the shortcomings of states, it is no longer clear how they will be able to extend and revise democratic practices under their current circumstances. Deeper than their political and institutional geography, these shortcomings have more to do with the ways in which past practices inform our thinking about democracy at the most basic conceptual level. If the world in which these concepts have developed is undergoing a basic transformation, current democratic theory may no longer provide the proper framework in which to propose solutions. This failure extends to the vocabulary in which demands for democratic justice are made, even when these demands are supposed to be against globalization.

This predicament leaves the democratic theorist with two main methodological choices: either to continue to use these concepts as methodological fictions out of the conviction that they are inseparable from the norms of democracy, or to revise the inherited concepts and norms most people associate with democracy itself. In his *Law of Peoples*, John Rawls chooses the first alternative, at the risk of not taking notice of the post-Westphalian world around him. In contrast, John Dewey in "The Public and Its Problems" takes the second route in responding to new problems of scale and complexity, rejecting the fiction of the public as the people assembled in a single forum. While not directly Deweyan in orientation, my framework here is pragmatic to the extent that it sees new social facts as demanding a new normative and conceptual understanding of democracy and its
Introduction

political geography. Furthermore, my approach is both constructive and reconstructive. On one hand, I will try to determine the fundamental principles from which to argue for this alternative transnational conception. On the other hand, such principles cannot be developed without first examining and reconstructing the democratic potential of recent innovative democratic practices already crossing the borders of nation states as well as of new politics such as the European Union. Finally, my approach is progressive in that these arguments are based on Jane Addams's well-known adage—perhaps the statement of the democratic faith most common to the Progressive Era—that "the cure for the ills of democracy is more democracy." While the transnational circumstances are relatively new, the need for democratic renewal is not.

When Dewey takes up Addams's common faith, he immediately introduces several qualifications that are particularly important in thinking about the possible emergence of new transnational forms of democracy. Democratic institutions cannot produce more democracy by "introducing more machinery of the same kind as that which already exists." Just recognizing the necessity of new frameworks and machinery highlights the need for philosophical work to free democratic theory from the conceptual straightjacket of its historical exemplars. The goal, as Dewey puts it, is "to criticize and remake its political manifestations." These new conditions and their publics, Dewey reminds us, "bring about their own forms" and their own novel practices, which far outstrip the current philosophical discussion of democracy and cosmopolitanism.

In this pragmatic spirit, my task here is twofold. First, I describe the new circumstances of politics so as to show why more of the same democracy is not the solution. By "the same democracy," I mean liberal democracy that remains tied to specific institutional innovations of the early modern past. Liberal democracy's many enduring solutions to modern social problems include the transformation of practices of self-government into practices of representation and the adaptation of democracy to the already existing and historically contingent state form, whose structure of sovereign power and commitment to exclusive political identity is at odds with the universal principles of democracy. Globalization fundamentally challenges these institutions and their assumptions of congruence between decision-takers and decision-makers, or the ruled and the rulers, in a territorially bounded political community. However, nothing should be immediately inferred about democracy from the mere fact that globalization has changed the scale of significant social relationships, unless this change can be shown to affect the feasibility of core democratic values and principles. My first task is to rethink these values and principles under the changed circumstances of politics and the distribution of political authority.

My second task is to take up Dewey's intellectual problem and criticize and remake the idea of democracy. For this purpose, I justify my account of transnational democracy based on republican rather than liberal premises. Republican premises, I argue, supply the necessary orientation to the terra nova that democracy becomes when it occurs outside the familiar container of the state. As I noted in the preface, I mark this new conceptual terrain by using the plural form of the Greek term ἄρμανος, ἄρμανοι. Such a conception goes beyond the eighteenth-century model of a self-legislating ἄρμανος that is at once the author and the subject of the laws guiding most of philosophical thinking about democracy. Instead this conception of democracy goes beyond the nation-state and takes as its political subject ἄρμανοι within a larger political community of humanity. The central feature of this democracy as I understand it is that it is a reflexive order, an order in which people deliberate together concerning both their common life and the normative and institutional framework of democracy itself. Democracy in this view is popular control over decision making in a specific sense: it is the interaction between communicative freedom as it is manifested in the public sphere and the normative powers by which people create and control their rights, obligations, and deontic statuses. Fundamental human rights are then precisely such normative powers, the most basic of which is the right to initiate deliberation. This freedom is the basis of what I call "the democratic minimum." Such an account of democracy is certainly broad enough to encompass states and their political communities. It is, however, not necessary that such normative powers be exercised only in such contexts. Indeed, human rights and nondomination are better realized in a variety of institutions and
overlapping political communities. In this sense, transnational democracy—democracy as realized in a variety of institutions and communities—is not only more democratic, but is the only feasible way (for the medium term at least) in which to realize the democratic minimum and the rights of members of the human political community. Transnational democracy is first and foremost a response to the increasing potential for political domination that cannot be addressed by traditional interpretations of the democratic ideal.

Nondomination and the Ends of Transnational Democracy

Sociological skeptics of democracy have frequently appealed to long-term social trends to justify their criticisms. For example, Weber argued that democracy was one of many victims of a self-undermining modern rationalism and its “iron law of oligarchy,” according to which large organizations tend toward hierarchical and centralized structures of authority. Similarly, Schumpeter argued that the increasing division of epistemic labor from the political role of expertise would lead to a strong distinction between the ruler and the ruled. Democracy would then devolve into the act of voting to choose the elite who would be the guardians of the people. These arguments share a common emphasis on changes in the structure of political authority that undermine the conditions needed for democracy as rule by the people. Some critics use facts about globalization to make the case for this sociological skepticism, arguing that the state is no longer able to fulfill even these minimal democratic conditions. Because it lacks the proper congruence between the rulers and the ruled, the state no longer has the legitimacy it once did; in failing to possess or exercise exclusive authority over its own territory, it also fails to protect its citizens from subjection and domination. Moreover, many no longer support the idea that there are special characteristics of social interaction that limit “especially intense interdependence and mutual subordination” to one’s compatriots, or to those in close proximity. The very policies implemented to deal with these new exigencies (such as the active denationalization of new international legal regimes) also widen the gap between the effective exercise of citizens’ important normative powers and the authoritative demands of powerful institutional actors. My argument does not depend on strong versions of the claim that various social and economic interactions have reached “unprecedented levels,” but only that such interactions are sufficient to impede the ability of sovereign states to secure nondomination. Conversely, a positive impact of globalization on democracy is the emergence of sufficient cross-border communication to form transnational public spheres.

What is unique to this debate about globalization and democracy is not just that it calls into question the state’s authority by challenging the idea that democracy currently resides in a viable unit. It also implicitly challenges the model of self-legislation that is the basis of democracy in the constitutional state: namely, that the people who are subject to the laws are also their authors. Given such challenges, globalization seems then to be a social fact that potentially affects how we think of democracy in much the same way that Rawls thinks pluralism “profoundly affects the requirements of a workable conception of justice.” Social complexity and interdependence affect not only justice, but also the capacity of the démos to exercise control over social processes. Two consequences follow: first, the task is not to determine some special institutional design of an ideal cosmopolitan democracy in which a global démos could be formed. Second, the main task of transnational theories of democracy is rather to analyze the basic conditions of global democratization, the aim of which is the emergence of a democracy of démoi.

Historically, democracies have responded to extensive interdependence in a variety of ways. They may attempt to exert control, limiting the complexity and extent of global social, political, and economic interactions by strengthening their boundaries, thus increasing centralized authority. This response is no longer effective, as shown by the denationalization of central state powers in a variety of regimes and institutions. It is also more likely than not that such an attempt would lessen rather than increase democracy within states. Another possible response is the division of labor and political delegation of authority that produces a proliferation of principal/agent relationships in which agents govern citizen-principals in many areas of life. Certainly, large areas of economic life, from the Federal Reserve to the International Monetary Fund, show this reversal of agency where the terms of the relationship are
dictated by the agent rather than by the principal. A more effective, response to increased interdependence has been federalism, with the recognition that the large and populous democratic polity must be divided into numerous units to be well governed. Many federalists who argued for such arrangements were republicans who saw federalism as a means of overcoming the potential for domination seen in colonialism and classical tyranny; they also saw that republican principles and arrangements could be applied across borders. In this book, I offer a contemporary account of such a republican federalism, the normative core of which is freedom as nondomination, interpreted in such a way as to apply to emerging forms of global political authority.

As opposed to the liberal ideal of noninterference, the republican emphasis on nondomination develops the concept of freedom depending on the social and political statuses of its bearers. The traditional republican contrast is between slave and citizen, where the former is subject to the arbitrary will of a master. The status of citizen brings with it the robust capacity to command the nondomination of others. Those who lack this status are not slaves, but rather rightsless persons who lack even the right to have rights. Besides producing rising numbers of stateless persons, the current distribution of global political authority produces situations in which many people lack the very minimum of normative powers and control over their own rights and duties; they lack the capacity to make claims of justice and to initiate deliberation, and in lacking this power are subject to normatively arbitrary political authority. Members of democratic communities can, however, recognize others as participants in various publics. In so doing they can initiate a fundamental condition for democratization: communicative freedom—that is, the freedom to address others and be addressed as members of publics.

In order to account for such powers and freedoms in their transnational context, a republican cosmopolitanism must introduce a richer conception of nondomination and of the political order that realizes it. Rather than develop Philip Pettit’s conception of government as a nonarbitrary interferer, the notion of domination needs to be reexamined within the transnational context. In particular, I argue that Pettit’s nonnormative definition of domination as arbitrary interference concedes too much to the idea of negative liberty it is meant to replace. It also confuses the ancient problem of tyranny with the problem of modern domination that is accentuated under conditions of complexity, pluralism, and interdependence. Modern democracies may successfully undermine tyranny, but they still have their own potential to produce specific legal and political forms of domination.

Under these modern democratic political circumstances, domination is neither simple tyranny nor the ability to interfere arbitrarily. It is rather tied to another republican meaning of domination: rule by another, one who is able to prescribe the terms of cooperation. Thus political domination is the arbitrary use of normative powers to impose duties and obligations, and it can operate even against the democratic background of normative expectations. This means that domination is the result of the use of distinctly normative powers. However, to have robust nondomination is to have a particular kind of normative status, a status allowing one to create and regulate obligations with others. This is the status of being a citizen. It is a status for nondomination rather than self-legislation; it is to be not ruled by others. The two conceptions of freedom coincide in that citizens can only overcome domination if they have the capacity to deliberate on and change the terms of democratic cooperation, and thus have normative power over the distribution of normative powers, including our status as members of humanity.

If persons have such a status in virtue of being bearers of human rights, including political rights, such rights entail a commitment to the proper organization and constitution of the human political community. I argue that this commitment demands that rights be realized in a variety of overlapping institutions. Constitutionalism in the European Union (whether successful in its current attempt to expand its scope or not) provides the best example of this sort of a reflexive, democratic, and transnational order. In order to be successful it must move beyond the current juridical conception of rights toward a political conception that sees them as rights of membership in the human political community. It must also become more fully democratic, to the extent that it includes the capacity to reform itself democratically, a capacity it currently lacks sufficient legitimacy to execute.
Throughout this book, I use the European Union (EU) as a model of some of the main features appropriate for successful political integration at the transnational level. Even in its nascent form, such a model makes it possible to show two things. First, it is clear that some of the conditions necessary for transforming and extending democracy across borders already hold, and that the EU's institutions have at least begun to develop "the means by which a scattered, mobile and manifold public will recognize itself and define its interests." These publics institute the conditions for communicative freedom. Second, we can begin to ask different questions about the democratization of a polity. The main issue is not the real or supposed democratic deficit, but the democratic criterion itself; the question is not what it would be for a transnational polity to be fully democratic, but to determine how a transnational polity might be adequately democratic "given the kind of entity we take it to be."

Many nation-states are now internally pluralistic, with differentiated citizenship, institutional complexity, and many different levels of organization that repeat the same powers and competences. The difference between the nation-state and the European Union is a difference in kind, not one of size or scale (the problems that representative institutions putatively mean to solve). Rather, it is a difference between a democracy that organizes a δῆμος and one that organizes δήμοι. Democracy of the first kind is insufficient to realize nondomination democratically in a polity of δήμοι. The conceptual foundations of democracy are in each case quite different, even if we hold some of the norms and principles constant across both. On the republican account I am defending, democratic institutions aim to secure the conditions for nondomination. The facts of authority and independence suggest that national democracy and political membership no longer secure these goods, if they ever did. The institutional conditions that enable citizens to be free from domination are realized in unitary states as shown by the republican impulse toward federalism with a variety of variously sized units. The form of republicanism I defend here has its roots not in the English Commonwealth traditions, but in the republican anticolonialism and anti-imperialism of Diderot, Kant, and others. Their fundamental insight is that domination abroad undermines democracy and nondomination within the republic, and thus that secure nondomination is based on the common liberty of all rather than the escalation of executive and military power.

An Argument for Transnational Democracy

In the last section I described the tasks of a theory of democracy during times of transformation. This theory is broadly cosmopolitan, in both a moral and political sense, in that it demands a significant reorganization of current political institutions into highly differentiated structures containing multiple units and levels and many different δήμοι. As a way of framing the overall argument, I begin by mapping the cosmopolitan terrain in order to show the distinctiveness of my position vis-à-vis the main alternatives. Along with the reconstructive method I employ for a theory of democracy in times of transition, my positive argument must demonstrate three main things: first, that transnational democracy is a feasible extension of emerging preconditions, practices, and institutional orders; second, that it is possible to fulfill the democratic minimum in democracies of δῆμοι; and, lastly, having fulfilled this minimum, that transnational democracy is a robust way of realizing human rights and establishing popular control over some of the normative powers exercised by political authority without appealing to a singular δῆμος or unified will of the people. Whereas the idea of a singular δῆμος has been tied to a fundamentally juridical model of self-legislation, the idea of nondomination decenters this conception and requires that citizenship powers be exercised in a variety of overlapping δήμοι.

This leads to the first question regarding the feasibility of a democracy of δήμοι: what sort of cosmopolitanism is required for democracy under the current circumstances of politics? Transnational democracy is certainly a form of political cosmopolitanism, to the extent that it sees new political institutions as fundamental in addressing concerns for global justice. While entirely consistent with cosmopolitan moral concerns, transnational democracy is neither directly a form of moral cosmopolitanism, nor are its institutions justified by an appeal to broad moral principles such as equal concern and respect for fundamental human dignity. Its political character can be determined
from its emphasis on humanity—not merely as a moral property of individuals, but also as a political community in which the right to have rights is recognized.

Compared to some forms of political cosmopolitanism, transnational democracy emphasizes the plurality of institutions and communities necessary for the flourishing of humanity. In common with liberal nationalism, transnational democracy is opposed to the idea that the démoi ought to be subsumed into a cosmopolitan hierarchy with a single démos at its apex. As the term transnational suggests, states continue to have a role in the political life of the transnational polity, although not as the democratically favored form of organization; they are but one of the démoi and one of the polities organized within the human political community. At the same time, distinct peoples or sovereign states are not the fundamental units of transnational federalism. It is not democracy beyond borders but across borders; democracy across borders means that borders do not mark the difference between the democratic inside and the nondemocratic outside of the polity, between those who have the normative power and communicative freedom to make claims to justice and those who do not. It is not a democracy of a single community, but one of many different communities.

The overall argument here aims to provide just such a normative theory of transnational democracy, a theory that is much less dependent on inherited juridical conceptions than are theories of cosmopolitan democracy. The first two steps of the argument develop the theory of the democratic transformation from démos to démoi. This argument begins with certain social facts: first of all, with those conditions that constitute the social field of constraints and opportunities in which democracy can be realized, including macrosociological facts concerning globalization outside the state and increasing pluralism within it. The second set of conditions is related to the nature of the public sphere, the existence of which is a basic presupposition for interaction in a democratic form of political life. The main issue regarding this set of conditions is this: if talk of a global public sphere in the singular is a nonstarter, what is the relevant alternative? The third step in the argument follows as a consequence of these conditions and is distinctly normative and republican in character. Rather than the threat of global institutions with regulatory capacities, an increased potential for domination at the transnational level is one consequence of uneven interdependence. Thus, a transnational democracy must no longer reconstruct rights as the claims of a juridical subject to immunities from interference, but rather as normative statuses and powers in the political domain sufficient to promote nondomination. This reconstruction of political rights as rights against domination also suggests the fourth and final step in the argument: the development of a distinctive form of transnational constitutionalism that is the basis of any democratic reflexive political order. When human political rights are multiply realized in such a reflexive constitutional order, they provide the minimum sufficient conditions to establish the reasonable hope that such a democratic order could be a means of attaining global justice.

The first chapter begins both of the main reconstructive tasks, one negative and the other positive. The negative task is to reject the usual argument for cosmopolitan democracy. In David Held’s well-known definition, globalization is a complex and multidimensional process that primarily denotes “the expanding scale, growing magnitude, speeding up and deepening impact of transcontinental flows and patterns of interaction.”11 From this account of globalization, many infer that the problem of democracy is one of scale, and thus contend that democracy can once again be effective so long as it develops on the same scale as the social processes it interacts with and often tries to regulate. But however the process of democratization is connected to this abstract description of globalization, these arguments do not take seriously enough the political circumstances of current asymmetrical globalization, circumstances which demand the deeper conceptual transformation of democracy beyond simply rejecting the assumptions of state sovereignty. Democracy must now not only change its institutional form, but also its political subject.

The reconstructive task of this chapter begins with the development of an exhaustive typology of current theories of democracy beyond the nation-state. There are four main axes that provide the basis for such an exhaustive classification of positions on this issue:
social or political, institutional or noninstitutional, democratic or nondemocratic, and transnational or cosmopolitan. In considering the major theories of Rawls, Habermas, Held, and Dryzek, I will show that only my position is political, institutional, democratic, and transnational, while Held’s cosmopolitan democracy and Dryzek’s transnational democracy cover only three such aspects each, to the detriment of their theories. While Held’s conception of cosmopolitanism is multileveled in its institutional form, at the apex of its framework is a démos organized by standard parliamentary institutions. Dryzek, on the other hand, emphasizes civil society as the appropriate agent of transformation, and this emphasis tends to conceptualize democracy entirely in terms of contestation rather than deliberation. Both ignore the most fundamental necessary condition for democratization: the power to initiate effective public deliberation. For the purpose of accounting for this distinctive democratic power, I develop a conception of the democratic minimum: the minimum necessary conditions for democracy to be sufficiently self-transformative so as also to be a means of achieving global justice.

The second chapter shifts from theoretical concerns to the main practical precondition for the exercise of rights against domination: a vibrant public sphere in which people regard themselves as members possessing communicative freedom. The increasing level of cross-border communication is now a recognized social fact, leading many to assert the emergence of a new global public. Just as in the national case, it would be easy to overestimate the significance of global civil society for democracy. The emergent public sphere more clearly opens up spaces for deliberation across borders than does global civil society alone. Publics can begin to take on “some measure of political organization,” as Dewey noted, when they establish a dynamic between the communicative freedom of publics and the normative powers of citizens as embodied in particular institutional processes.22

Here, too, we should not underestimate the differences between national and transnational publics and the conceptual task of developing an alternative, decentered conception of democracy. Rather than merely a location for associations and contestation, the transnational public sphere is also the potential source of communicative freedom and novelty when it begins to interact with and shape institutions. Historically, public spheres emerge and develop in interaction with political authority, particularly when that authority tries to shape and restrict the public sphere itself—as was the case, for example, with early modern attempts at state censorship, which helped give participants a greater sense of identity as members of a public. Given the role of initiation and claim making that I emphasize in the first chapter, such public spheres establish crucial deliberative conditions for the democratic minimum. The sorts of public best able to challenge and contest the new dispersed forms of delegated authority on the principal/agent model are what I call “distributed publics,” which have already emerged in network forms of communication such as the Internet. In the case of transnational democracy, the creative and generative side of communication is needed to establish new institutional frameworks. Those who create the new public spheres will act as new transnational intermediaries, replacing older democratic intermediaries whose agency opened up and maintained the spaces needed for the exercise of communicative power.

The third chapter turns to the normative basis of transnational democracy in the common currency of international politics, human rights. This chapter develops the conception of political rights as crucial normative powers to resist domination. Here international human rights law provides conceptual clues regarding the development of this normative conception in crimes against humanity and in the right to nationality owed to refugees and stateless persons. While many have thought of such a cosmopolitan requirement as instantiated politically in the constitutional state at a higher scale, this understanding of humanity is most fully realized in a multilevel, differentiated polity with multiperspectival forms of deliberation. Here humanity is not only the addressee of the claims of rightless persons, but it is also the proper perspective of the generalized other that is constitutive of humanity as a political subject across démos. That the concept of humanity must play various roles in a democracy that realizes universal human rights also suggests that a differentiated institutional structure that translates human rights into normative powers distributed throughout that structure is the best way to realize human rights, particularly human political rights. To the
extent that human rights denote statuses, these statuses require a particular political community—the republic of humanity—and thus at least some global institutions to secure common liberty and nondomination.

The fourth chapter turns to just the sort of differentiated institutional structure that best realizes political rights as human rights. It is possible to determine this structure’s principles of design from an ongoing experiment in transnational political integration and polity building: the European Union. Although there are several forms of constitutionalism beyond the nation-state—including the United Nations, the World Trade Organization, and other institutions that seek to bind their members through self-governance—the EU is distinct in its political goals and democratic ambitions. In particular, the EU is not simply an aggregate of peoples governed by a minimal overlapping consensus, but a political community, and as such it does not “merely replicate on a larger scale the typical modern political form.”\(^{13}\) Given that states must be democratic to become members, the European Union is a polity of démos, a “people of others” (in Joseph Weiler’s terms).\(^{14}\) This suggests some general principles of institutional design: namely, a principle of institutional differentiation that includes both distinct institutions at the transnational level and iterated institutions, with the same competences but distributed at different levels, both of which secure robust nondomination. This creates parallel and intersecting forms of deliberation, as can be seen in various novel forms of deliberation in the EU. The second task of this reconstruction of the EU institutions is to consider the conditions necessary for its further democratization and to conceive of its democratic reform, with the benefit of the will of the people in the standard sense that includes their constituent powers. Such a shift requires a new constitutionalism, especially given the problem of legal domination or juridification that is the biggest source of the EU’s democratic deficit—that is, its perceived lack of democratic legitimacy when compared with member states. The problem of legitimacy, I argue, is more specific than an overly generalized democratic deficit. It is rather a deliberative déficit, a deficit in the reflexive capacity of citizens to initiate democratic reform. The problem of constitutionalism is not to create a European démos, but to create in the EU’s institutional structure the democratic capacity to initiate legitimate democratic reform, which is required if it is to become something more like a transnational republic.

The conclusion brings these arguments together by raising the fundamental issue facing many forms of cosmopolitanism: global justice. Here I argue that democracy and justice are mutually dependent terms and that one cannot be achieved in any secure way without the other. Two examples that are important for global justice illustrate this dependence. The first is the problem of borders, which liberal democratic theory treats simply as a given. I argue instead that to the extent that borders and jurisdictions set the terms of democratic arrangements, they must be open to democratic deliberation. In multiunit polities, this requires that both citizens and noncitizens have the ability to place an item on the political agenda in order to ensure that such a power is not democratically arbitrary. Second, I argue that transnational democracy is also instrumental in producing peace and security in addition to creating the capacity to avoid other great human evils such as famine and extreme destitution. In particular, we can see this from the failure of the democratic peace hypothesis, when it is turned into public policy. Democracy promotes peace only if there is a positive feedback relationship between democracy within states and the international system. Indeed, it is only when some supranational institutions exist to make these states more rather than less democratic that such values are best secured. In other words, peace requires not democracies, but democratization at positively interacting levels.

If this cumulative argument succeeds in each of its steps, I will have shown that the republican conception of nondomination provides the normative warrant for democracy that is generally lacking in more liberal versions of political cosmopolitanism. Cosmopolitan democracy makes more sense in republican terms, for without freedom as nondomination it can address neither the political problem of complexity and interdependence nor check its own potential for democratic domination and juridification. Perhaps some might argue that a commitment to a more minimal form of democracy at the international level, based on demands of transparency, would be more feasible and less ambitious than the democratic project of establishing a political community of démos. While perhaps enabling
some reforms, such a minimal form of democracy does not achieve the necessary conditions for democratization and is insufficiently republican to solve the fundamental problem of domination. It may indeed be possible to have some universal human rights without a democratic cosmopolitan political community, but then such human rights could not include political and civil rights against domination and tyranny. If we want to be true to our commitment to both rights and democracy, then we must also be committed to establishing an international political community that is entailed both by human rights as political rights and by political rights as human rights. Republicanism tells us that we cannot institute these norms except in a properly organized political community. Cosmopolitan republicanism adds that freedom from domination cannot be achieved without transforming our fundamental democratic conceptions and ultimately embedding our democratic institutions within a transnational polity.

This argument is able to fulfill Dewey's two main desiderata for democratic theory in a period of transformation. First, it returns to the fundamental requirements of democracy and asks how they can best be fulfilled under the new political circumstances. Second, it takes its principles of institutional design from the innovative forms that have already developed in various settings, from international regimes to the European Union, to show that transnational democracy is a realistic extension of political possibilities. The ideal of democracy does not merely apply to the international arena and its institutions, but rather elaborates the conditions for the legitimacy of any modern democracy committed to human rights. In this sense, Kant and other transnational republicans were right when they contended that the achievement of a democracy of démoi is now a fundamental demand of political justice and an obligation of humanity to construct.

Debates in democratic theory are often presented as recurring struggles among great schools or "isms," such as between liberalism and republicanism. This mode of presentation often obscures the differing assumptions that underlie many theoretical disputes, especially when they take place during periods of historical change and uncertainty. Ours is such a period. For example, while announcements about the end of the nation-state may well be premature, there is good social scientific evidence to suggest that the democratic character of this political form may well be declining, or is at least at risk. If the changes taking place are great enough, the difficulty in making such assessments may be in part conceptual. In the case of democracy, one particular conception has been so historically dominant that it underlies many different and even opposing mainstream theories, from contractualism to liberalism to deliberative democracy. Perhaps it is not democracy as such that is threatened, but rather the practical viability of this particular and historically contingent interpretation of its ideals. Indeed, the assumptions we make about democracy are often far more historically specific than we realize; the burgeoning discussion of cosmopolitan, supranational, and transnational alternatives to the nation-state has again revealed just how difficult it is to talk about a transformation in democracy without implicitly assuming too much of our inherited conceptual framework.

Disputes about the future of democracy within and beyond the state, especially the question of whether we have already experienced
in traditional democratic form, the delimitation of the _demos_ that is empowered to make any particular decision is, from a democratic point of view, fundamentally and irredeemably arbitrary and thus a potential dominator of other _demei_. Second, I turn to traditional issues of international order, peace, and security. I argue for a version of democratic peace that reestablishes a positive feedback relationship between democracy and the international order. The current structure of the international system of security is democratically self-defeating for good republican reasons: it attempts to achieve security without the common liberty of a shared political order, and thus undermines democracy even within states.

**Conclusion: Democracy, Peace, and Justice across Borders**

My defense of the ideal of transnational democracy has followed two lines of argument that go hand in hand. First, the central task of the first three chapters has been to offer ways to rethink some of the historically contingent democratic conceptions that we have inherited. Second, in light of these revisions, I have suggested various institutional reforms that are necessary to maintain certain important features of the democratic ideal related to nondomination. In arguing for transnational democracy in these two ways, I have sought to fulfill the two normative tasks that Dewey saw as the essential intellectual contribution to any successful transformation of democracy: clarifying and deepening our conceptual resources related to the core ideals of democracy, and then using these resources normatively to criticize and remake existing political and institutional forms.

The ideal of a transnational democracy as I have developed it accomplishes the first task by taking up the republican conception of freedom from domination that had already found expression in republican philosophers such as Kant and Diderot, who, along with other republicans, saw transnational federalism in part as a response to colonialism. By analyzing the conditions of international civil society and the new distributive public spheres, I have argued that freedom from domination outside the state is not merely a utopian ideal, but is rather a feasible extension of current political possibilities. Far from a condition of anarchy, the international sphere is already quite dense with networks of communication and associations that are
often connected to informal political processes and domain-specific international regimes. Furthermore, international institutions already both hold actors accountable to widely endorsed norms of human rights (including political rights) and justify thinking of humanity as a political subject and community. Emerging regulatory and legal institutions such as the World Trade Organization and the International Criminal Court are already able, for better or worse, to override national self-interests and impose certain obligations on states. These organizations have various sorts of normative powers to impose obligations and duties, even on nonmembers. Nonetheless, they currently lack regularized and vigorous interaction with publics exercising communicative freedom that would not only make them accountable but also permit affected publics to change their frameworks of accountability. Finally, the European Union provides an instance of an ongoing experiment in political integration (whatever its current misfortunes) that has resulted in innovative deliberative practices and an emergent transnational institutional design with democratic ambitions. I have provided a reconstruction of these practices not only to show the feasibility of their further development according to relevant democratic standards, but also to establish the possibility of the emergence of genuinely novel institutions. These arguments fulfill Dewey’s second desideratum by showing the feasibility of the transnational ideal when it is cast in broadly republican terms.

Prior to the debates about global governance in the 1990s, which resulted in a new awareness of the destructive consequences of globalization without political integration, most philosophical discussions of cosmopolitanism focused on issues of global distributive justice, especially on the moral obligations of developed countries to aid distant strangers who suffer from destitution and hunger. Such obligations derive most often from basic rights, which include rights to food and other primary goods. In political cosmopolitanism, these problems are the result of highly uneven social processes and the institutions and forms of authority that entrench them. In republican terms, these forms of authority may also be discussed in terms of freedom from domination, where destitution is often the product of social relations and political institutions that deny the most basic entitlements to the exercise of normative powers. Problems of distribution can then be cast in terms of capabilities and substantive freedoms rather than simply in terms of resources, as has been shown, for example, by the empirical fact that the capability to avoid famine and destitution may be tied to the existence of other freedoms (such as freedom of the press and public expression and association), as well as to the presence of democratic institutions and dense relationships of mutually recognized entitlements and obligations. Defensible commitments to a local democracy of this sort are fully consistent with the differentiated form of transnational democracy that I have defended, but are also more secure under current political circumstances.

The final task to be completed in this chapter is to show that transnational democracy can be justified with respect to general considerations of justice. Justifications of democracy have been intrinsic, instrumental, or both. The most common arguments in favor of cosmopolitan or transnational democracy are made in terms of its intrinsic value. One way or another, these arguments hinge on the idea that intrinsic features of democracy systematically promote the requirements of justice. One version of this type of justification is the idea that a global democracy would be more just than democracy confined to the nation-state to the extent that it realizes the values of freedom and equality for all individual persons as demanded by universal human rights. Such justifications are common among moral cosmopolitans and comprehensive liberals who take enormous global inequalities to be the result of global institutions that do not respect the moral worth of each individual human person, or do not fairly distribute the opportunities for leading a good human life. A more common strategy for social or political cosmopolitans is to see a cosmopolitan order as intrinsically valuable to the extent that it realizes the values that are constitutive of the democratic ideal, such as self-rule, or that all those affected ought to be able to participate in decisions that affect them. I have argued here that the best intrinsic justification of a transnational democracy is based on the republican ideal of freedom as nondomination as constitutive of the powers of citizenship.

In applying this justification, I want to show that the argument I have given supplies a solution to the problem of borders. The democratic
minimum could fail to obtain, not only because individuals or groups are dominated by nondemocratic means, but also because they are dominated democratically to the extent that the démos of one unit is subordinated to others. I have called this the démoi problem. This problem of democratic domination is overcome so long as the capacity to initiate deliberation about the terms of democracy itself is distributed among the démoi of the various units and levels. This requirement leads to the need to justify borders democratically by the criterion of nondomination, without which they remain democratically arbitrary and a source of conflict. This argument does not suggest a borderless world, but that the issue of borders should not be treated as exogenous to democracy, as simply given. Transnational democracy rejects Dahl's overly simple assertion that the borders of democracy cannot be decided democratically, at the risk of an infinite regress.

But these arguments do not exhaust the possible justifications for transnational democracy. It could also be thought to be instrumentally valuable to the extent that global democracy is a necessary means to achieve particular valuable ends or to avoid terrible evils. Such instrumental value can be tested empirically and supported by robust social scientific generalizations. Strong evidence suggests that democracy is instrumentally valuable in preventing great evils such as war, famine, and human deprivation generally. One such generalization that is used to lend support to the benefits of a democratic order is the so-called "democratic peace hypothesis," which has often been used by moral cosmopolitans and liberal nationalists to justify the policy of fostering democracy within states as the best means of creating a peaceful international order of politically organized peoples. It is sometimes thought that this argument could justify military intervention by democratic states into nondemocratic ones for the sake of establishing more democracies as a means for peace and security.

In "Perpetual Peace" and other writings, Kant rejects the idea that democracies or constitutional republics alone are sufficient for the attainment of peace, which Kant considered the highest political good that demanded the reorganization of political power under the constraints of cosmopolitan law. In one form or another, this realistic utopia of peace has informed the creation of the international system, culminating in the emergence of international law and a zone of peaceful relations among democracies since 1945. The success of this practical vision of peace has been based on the idea of an ever-expanding democratic peace, and thus the claim that the zone of peace among democratic states plays a role in the emergence of a pacific federation.

Compelling as this historical vision still is, I want to argue that the current forms of political violence challenge this and similar Kantian state-based mechanisms, even if the latter affirm the fact that peace is to be understood politically. At this juncture in global dynamics, the democratic peace is no longer expanding. Indeed, it has become potentially self-defeating for democracies: much as the rivalries among states did in the past, new forms of international conflict have begun to undermine the democratic quality of liberal states and with it the prospects for democracy as the key to a new pacific international order. The current situation shows that the democratic peace is not genuine, but a peace whose dynamic requires the discovery of the means by which both democratic states and the international system may become more democratic in a mutually reinforcing way. Broadly speaking, the new potential for warlike tendencies among democracies marks a social fact in Dewey's sense, a problematic situation that opens up a new field of possibilities for peace. As such, the democratic peace hypothesis needs to be reformulated in ways that take into account the possibility of nonarbitrary endogenous democratic borders.

The first issue is, then: Given the democratic minimum, what are the conditions for nondomination among démoi? The democratic theory of the constitutional state regards the achievement of a democratic minimum as the result of an already existing constitution containing a fixed set of rights exercised within a given set of boundaries. This is true only in a form of democracy that constitutes a single démos. In an sufficiently reflexive democracy where citizens can deliberate up on and change the terms of their association as well as exercise their normative powers and communicative freedoms so as to achieve justice, fixed boundaries cannot even be a necessary condition for democracy. In order to be secure, the democratic minimum must be multiply realized in a democracy of démoi.
The Democratic Circle Revisited: The Regress of Dēmoi

As I have developed the concept, the democratic minimum describes the necessary but not sufficient conditions for democratic arrangements to be a means of realizing justice. As such, even if these conditions were realized, a single democratic polity would not necessarily be just in all its dealings. It may not be just in all domains in which citizens are obligated, and it may not be just in relation to noncitizens affected by its decisions. The minimum can be represented in terms of political rights related to the normative powers of citizens to assign and modify rights themselves and other terms of democracy. In some cases these powers are used for democratic reform in order to overcome democratic domination. Democracy and justice are in this case mutually dependent normative concepts: a democracy becomes just only by becoming more democratic so that democracy and justice can in these cases only be realized together. But what about situations in which those who suffer injustice are noncitizens?

The scope of citizenship and the boundaries between citizens and noncitizens must also be open to creative reinterpretation under new circumstances of politics, and publics must be the primary creative agents of democratic renewal as well as the intermediaries of claims to democratic justice. Since democracy flourishes through the constant interaction between the creative powers of communicative freedom and the normative powers of citizens, the best argument for transnational democracy across borders is simply that it secures nondomination by promoting such interaction. But this is clearly not yet sufficient. There are other problems of institutional design in established democracies whose institutions have entrenched conditions of ever-increasing pluralism, complexity, and interdependence. Under these circumstances, it may also be the case that citizens in one or more units have lost their constituent power to initiate deliberation.

The dēmoi problem, as I have defined it, emerges wherever there are multiple units necessary for good governance, yet there exists a unitary institutional design that is still guided by the principle that democracy requires control by a singular dēmos. When thought to constitute a dēmos, the conditions of the democratic minimum are realized only in a particular set of institutions and no other. As Dahl puts it, "the criteria of the democratic process presuppose the rightfulness of the unit itself."6 Dahl is suggesting that the question of the boundaries of democracy is not a democratic one, but must be regarded as fixed from the point of view of democratic procedure in order to stop a vicious regress. Similarly, Richardson thinks that for this reason radical populists are wrong to think that constitutions can be established by an act of the popular will, since the procedures by which this would be possible would also have to be established by an act of the popular will, and so on. This regress can be avoided, they contend, only through a constitution that clarifies "who the people are by defining a jurisdiction and indicating who is to be counted as a citizen."7 But this solution leaves the problem of the domination of noncitizens without a solution and breaks the linkage between democracy and justice. Moreover, it would condemn those who have the misfortune to live within the jurisdiction of a failed state to have no way to achieve those human rights that are constitutive of justice and nondomination.

One obvious solution to this problem is to develop an account of those institutional arrangements in which citizenship is decentered into a variety of different units and jurisdictions. But even this arrangement, once regarded as constitutionally fixed, could simply repeat the same difficulty, as when particular social groups or political units acquire salience for the exercise of normative powers that are not anticipated in the formal constitutional arrangements. In American federalism, the legal and political system proved inadequate with respect to large cities, as the polity became more urbanized throughout the last century. As a unit in this system, cities have limited power of legislative initiative and their citizens lack the capability to initiate and carry out decisions. They also lack the democratic minimum necessary to make their democratic governance a means to greater justice for their members. This condition is made worse by interdependence with autonomous units in their region, such as towns and suburbs, which need not take into account the externalities of their decisions. As a consequence, citizens in their subunits are vulnerable to domination, just as people in less well-off parts of the world may lack political rights against powerful actors such as multinational corporations or powerful neighboring states.
In these cases, citizens do not have the normative powers to set the terms of their own association but rather can only hope that they are members of a dēmos that is able to set such terms. A potential regress of dēmoi ensues with no nonarbitrary, democratic stopping point. Instead of this search for an optimal and thus sovereign dēmos, the better solution is to organize the relations among the dēmoi democratically. Otherwise, once we grant multiple dēmoi, each one of them would inevitably fall short of democratic criteria to the extent that the citizens of such a federation, in Dahl’s words, “do not exercise final control over their agenda.” This normative power is one of the concrete indications of the freedom to initiate deliberation that is part of the democratic minimum. Each way out of the regress seems to lead to yet another dilemma. What is required is the decen tering of this sort of control in a democracy of dēmoi.

As Dahl’s remark about popular control over the agenda as fundamental to democracy suggests, part of the problem lies in linking democracy to a particular kind of sovereignty: democracy as understood to require a single subject, the people, who exercise a particular sort of freedom, freedom as control over a territory. If to possess sovereignty is to have the ultimate control or the highest power to decide, then democratic sovereignty is not a matter of degree, especially if its agenda is assumed to have a universal domain, and is able to make decisions that affect indefinite numbers of people. In a transnational polity this assumption of a universal domain is abandoned for a distributive approach that takes the powers of citizenship as distributed across many domains and institutions. We should expect the regress of dēmoi to remain vicious in the international arena, and democratically self-defeating, for the same reasons that a unitary polity cannot rule without oppression and domination in large, pluralist, and interdependent polities. Even if outsiders have the right to speak and communicate as part of Kant’s “right to hospitality” to strangers and nonmembers (a right that explicitly transcends and thus relativizes claims to sovereignty), this normative power falls well short of the necessary minimum for nondomination.

Most of all, requiring a democratic justification of borders breaks the constitutive connection between sovereignty and self-determination on the one hand and bounded political communities on the other. Doing so also stops the regress of dēmoi that ends only in contests for de facto control over territory. Instead, the democratic minimum can be achieved for a dēmos among dēmoi only if political rights to introduce items on the political agenda and to initiate deliberation can be exercised across borders. If it fulfills the basic conditions of the democratic minimum, any democracy, transnational or otherwise, must be decentered and permit the inclusion of those perspectives that lead to changing the distribution of normative powers. In a decentered deliberative democracy, one subject of inquiry will be the organization of inquiry itself, the nature and scope of which is “something to be critically and experimentally determined.”

As Polanyi pointed out in his Great Transformation, opening borders to unregulated world trade in the late nineteenth century led to new demands for political closure as the socially destructive consequences of the first wave of economic globalization became apparent in the early twentieth century. Yet, renewed political closure in this instance neither produced greater democratic consequences, nor was it successful in providing polities with the means to achieve justice or freedom from nondomination. Instead, as Polanyi points out, political closure led to the undermining of the democratic aspects of the state form and to support for the rise of fascism, as well as to exclusivist political identities and to thousands of stateless persons displaced by struggles for sovereignty. New, more functional borders and properly protective constraints on arbitrary authority are more likely to be effective in a differentiated institutional structure of dēmoi that multiply realizes human rights. It follows then that the challenge of the democratic domination of noncitizens can be overcome once we regard borders as a proper subject for democratic deliberation and an issue of establishing a common liberty from domination. The challenge is to realize that form of democracy which can make democracies more just precisely by making them more democratic. This is possible only if the terms of democracy itself, including issues of borders and jurisdictions, are themselves democratic questions for deliberation across dēmoi that aims at common liberty that is nonarbitrary from a democratic point of view.

I turn now to the instrumental benefits of such a transnational democratic order, most especially its promotion of those democratic
capabilities that permit citizens to avoid the great evils of domination: famine and war. In this regard, democracy has two different effects that ought to be distinguished: its capacity to protect the rights of those who are juridical subjects under its laws, and its political capacity to empower its citizens to actively change their circumstances. This latter effect, I shall argue, is crucial to having the capability to avoid a variety of these great evils and represents both the core of human political rights and an indication of freedom from domination. Once again, this capacity of democracy to realize justice can best be realized transnationally.

**Democracy, War, and Famine: Transnational Democracy as a Means for Avoiding Evils**

There are two main social scientific generalizations about the beneficial effects of democracy, both of which concern what might be thought of as negative facts: the first is that there has (almost) never been a famine in a democracy, and the second is that democracies have (almost) never gone to war with each other. The relative absence of these two great causes of human suffering can be tied to the operation of distinctive features of democracy. Without some fine-grained explanation of the mechanisms behind them, there is no reason to believe that these generalizations have always held or will always hold in the future, especially if the causes of famine and war are always changing and are sometimes brought about by democratic institutions themselves. Both generalizations have been hotly disputed, leading their defenders to introduce more and more ceteris paribus clauses to limit their scope. For example, Bruce Russett has argued that the generalizations have only held since the first half of the twentieth century, given the relative paucity of democratic states before then. Yet, even with such ceteris paribus clauses, different mechanisms may do the explanatory work in the cases of famine and war.

Sen’s analysis of the relation between famines and democracy begins with two striking facts. The first is that they “can occur even without any decline in food production or availability.” Even when this is the case, Sen argues that more equitably sharing the available domestic supply is nearly always an effective way to get beyond the crisis. Indeed, famines usually affect only a minority of the population of any political entity, and Sen’s hypothesis is that their vulnerability to starvation is explained by the loss of certain powers and entitlements that they had before the crisis. The second striking fact goes some way in this direction by showing that when food shortages do occur, they do not have the same disastrous consequences. These facts yield the robust generalization that “there has never been a famine in a functioning multiparty democracy,” so that we may conclude that “famines are but one example of the protective reach of democracy.” It would be tempting to associate this sort of security with the achievement of various instrumental freedoms or with one’s status as a subject or client of a state or similar institution with an effective and well-funded administration. But even in the case of the protective function of the state, much more is required of democracy to create (or sustain in a crisis) the conditions of entitlement and accountability, as well as the reflexive capacity to change the normative framework. Once the explanation is put in the normative domain, so is the practical understanding of remedies and solutions.

The practical effects of democracy are not directly tied to more effective administrative institutions or even to the consistent application of the rule of law, both of which democracy may achieve. As Sen notes, there are limits to legality: “other relevant factors, for example market forces, can be seen as operating through a system of legal relations (ownership rights, contractual obligations, legal exchanges, etc.). In many cases, the law stands between food availability and food entitlement. Starvation deaths can reflect legality with a vengeance.” In this sense, the presence of famine must also be explained via the operation of social norms conjoined with citizens’ lack of the effective social freedom to deliberate about their content. The deplorable treatment of native populations in famines caused by colonial administrators is often due to domination, manifested in the natives’ lack of substantive freedoms such as free expression or political participation. Thus, famine prevention can be gained through fairly simple democratic mechanisms of accountability such as competitive elections and a free press that distribute effective agency more widely than in their absence.

Sen clearly goes further and sees democracy as more than a protective mechanism that can empower certain agents to act and thus
enable them to defend the entitlements of citizens. It is also more active and dynamic, offering genuine opportunities to exercise substantial freedoms, including the ability to not live in severe deprivation or to avoid the consequences of gender norms for overall freedom. It is clear that such substantive freedoms depend on normative powers and the emergence of deliberative practices among citizens. For example, India’s general success in eradicating famines is not matched in other areas that require facing problems such as gender inequality, in which the normative powers necessary for effective agency are differentially distributed. There is certainly no robust empirical correlation between democracy and the absence of these problems; they exist in affluent market-oriented democracies such as the United States. The solution for these ills of democracy is not to discover new and more effective, protective mechanisms or robust entitlements, since it is hard for some democracies to produce them. Rather, the solution is, as Sen puts it, “better democratic practice” in which citizens are participants in a common deliberative process and sufficiently protected and empowered to change the distribution of normative powers and take advantage of improved practices.

To put it somewhat differently, the issue is not merely to construct a more protective democracy, but to create conditions under which an active citizenry is capable of initiating democratization, that is, using their power to extend the scope of democratic entitlements and to establish new possibilities for creative and empowered participation. Democracy is on this view the project in which citizens (and not just the agents for whom they are principals) exercise those normative and communicative powers that would make for better and more just democratic practice. This kind of enabling condition is essential to the explanation of the role of democratically produced phenomena that serve as Sen’s explanans: citizens’ powers and entitlements.

The democratic peace hypothesis is similar to Sen’s generalization about famines in that fairly minimal democratic conditions figure in the explanation of the absence of certain types of wars. The generalization is, however, more restricted in the case of war than famine. Democracies do go to war against nondemocracies, although almost never against other democracies. Many explanations have been offered for why this is the case, and many of these do not depend on any transformative effects of democratic institutions other than that they provide channels for influence and the expression of citizens’ rational interests and presume amity among democracies across borders as the basis for trust. Seen in light of the explanation of the absence of famines, democracy might reasonably be given a similar, more dynamic and transformative role than is usually offered: by being embedded in democratic institutions, agents acquire the normative role of citizens and thus the freedoms and powers that provide means by which to avoid the ills of war.

If this is the explanation of peace, it is important to make clear why war and the preparation for war often have the opposite effects. The institutional capability to wage war increases with the executive and administrative powers of the state, which often bypass democratic mechanisms of deliberation and accountability and thus work against democratization. At the same time, participation in national self-defense has often been accompanied by the emergence of new rights or their broader attribution to more of the population. Charles Tilly has argued that warfare may have historically been an important mechanism for the introduction of social rights, as the state became more and more dependent on the willingness of citizens to accept the obligations of military service. As modern warfare became increasingly lethal and professionalized, however, the institutional powers of the state have outstripped this and other democratic mechanisms. The institutionally embedded normative powers of citizens are no longer sufficient to check the institutional powers of states to initiate wars, and these arrangements have left citizens vulnerable to the expanding militarization that has weakened these same entitlements. A new dialectic between the capacities of citizens and the instrumental powers of states has not yet reached any equilibrium, so that there has now emerged a strong negative influence on democratic practices and human rights generally because of the use of state force for the sake of security. Further, liberal democracies have not only restricted some civil rights, but have violated human rights, with the use of extralegal detention centers and torture in order to achieve security. As such, they might be said to have become less democratic, at least in the active sense of creating enabling conditions for the exercise of normative powers.
These remarks indicate that the democratic peace generalization depends on a set of historically specific institutional and normative presuppositions having to do with states as the primary sources of organized political violence. When war is no longer the sole form of political violence, then the significance of the internal democracy of states as a means toward peace is greatly diminished. This is particularly true of the Kantian normative inference that democracies would somehow assure that the political federation of peaceful states is ever-expanding. But once the institutional mechanisms of war-making shift from representative bodies toward much less accountable administrative and executive functions, and thus undermine the balance of institutional powers within a democracy, the expansive effect created by democratically organized institutions of domestic politics is less likely. This occurs when security requires the limitation of the freedoms and entitlements of one’s own citizens.

Beyond these internal effects, the overvaluation of security brings to a halt the expansion of the zone of peace among liberal democracies. This means that the borders of the zone of peace become a source of political conflict with those outside it. Various transnational publics are now increasingly aware of the problematic fact of this zone of liberal peace and prosperity and regard it as having inherent and systematic asymmetries. The increased potential for violence from those outside the zone of peace requires that democratic states adapt to these new threats to their security, often by restricting both the liberties of their citizens and their own commitments to human rights, and thus leads to a tendency for democracies to restrict their own democracy and political inclusion within their own states.

With these institutional responses to the international order, the conditions and institutions that once promoted a democratic peace among states now act as part of a negative feedback mechanism, affecting particularly the liberties and rights that have permitted an active citizenry to possess enormous influence over the use of violence. Instead of democracies making international relations among states more peaceable, the new constellation of political violence is potentially making democratic states less democratic and less open to applying their standards of human rights and legal due process to those they deem to be threats to security.

Recent events show, then, that sustaining the democratic peace depends on a positive feedback relation between the internal structure of states and the international political system, where democracy is internally promoted by external peace and external peace is promoted by wider powers of citizenship, including transnational citizenship. When citizenship is transnational, citizens can appeal directly to other institutions and associations in order to make states accountable, as is already the case with human rights violations. This mechanism has not been able to counteract the new negative feedback on democracy in the international system, and the negative and interactive effects of the emergence of the actual zone of peace indicate that its continued existence no longer depends solely upon the increased democratization of states. The fact that democracies do not wage wars against other democracies now means that the borders of conflict are externalized by means that exact a cost from their internal democratic character. The republican linkage between an empowered citizenry and international peace is in fact systematically severed.

If the practical import of these negative feedback relationships undermines the prospect of expanding peace through a political union of existing democracies, then peace and security are no longer reducible to the absence of war. Here we need to modify some deep assumptions about the proper location for democracy and the exercise of the powers of citizenship in order to determine what would help democratic states avoid the weakening of internal democracy as a means to maintain security. One possibility is that some supranational institutions could exist that would make democratic states more rather than less democratic. Peace requires not democracies, but democratization at positively interacting levels.

In his analysis of the reasons why famines almost never occur in democracies, it is readily apparent that Sen emphasizes not merely the protective functions of democratic state institutions, but also the various powers of individuals: to challenge officials by demanding an account of these policies and actions, to engage in public debate and deliberation, and so on. These powers and entitlements are distinctly normative in the sense that they are powers to interpret and create norms, rights, and duties. This takes the account of normative
powers one step further than Sen's account, by showing how democracy entails a particular understanding of the public exercise of such normative powers (for example, in deliberation). Such a process is free, not because it issues in consensus or voluntary agreement, but because it produces obligations as the result of the joint exercise of normative powers in deliberation. Security is not increased by the voluntary surrender of such active powers, since this undermines democratic practice itself.

This support for the active aspects of democracy is inherently cosmopolitan, since it emphasizes the entitlement of all who possess such powers to be able to exercise them. This broadens considerably the cosmopolitan conception beyond the Kantian emphasis on law as the fundamental mechanism for the protection of individuals as bearers of human rights. In order for democracy to promote justice and human rights, it must recognize the claims made in deliberations initiated by those who have the same rights and obligations. In its active dimension of rights as normative powers, democracy thus promotes peace through nondomination. The guiding principle here is not just that democracy promotes such active powers of citizens, but also that such rights and powers are best protected and promoted when there are differentiated and overlapping institutional locations for their exercise. Security-minded states do not function well democratically, precisely because they are missing the checks on executive power that the dispersal of the powers of citizenship across various institutions and levels would provide.

If democracy is conceived actively in terms of the joint exercise of normative powers and rights, a different analysis of the presuppositions of a reconstructed democratic peace must be provided. According to this view, democracies would be more likely to promote human rights if they had a high degree of internal institutional differentiation and external interconnectedness with other democratic polities, such as would be provided by a high level of participation in multilateral and international institutions. While this would be a good start, it is still not sufficient for democratization. In order to increase the capability of citizens to exercise such normative powers in these contexts, new and better transnational democratic practices are required, with many more institutionally differentiated and
distributed processes of deliberation than are currently available in democratic states or in current multilateral institutions. From the standpoint of those who lie outside the zone of democratic peace, these institutions are not sufficient to solve the problem of domination inherent in most international institutions, including many multilateral ones. What is needed is a kind of distributed and differentiated deliberation that is already apparent in emerging global public spheres. For those who lack democratic citizenship, participation in these transnational public spheres establishes social ties that may become the basis of democratization through communicative interchange and mutual claim making through which mutual respect can be established and deepened.

The European Union provides a more appropriate model than liberal multilateralism for such a conception of a transnational democracy. As I have noted, EU-level institutions can in some instances require member states (and now even applicant states) to better realize human rights and to enhance participation by diverse actors, with the overall effect of making member states more democratic. In this way, the EU presents a different positive feedback relationship of pooled sovereignty that enables democratization to occur, in which it is precisely the transnational-level institutions that enhance democracy at the lower levels. Certainly, even in the EU the interaction can go the other way: democracy exercised at the lower levels (in cities, regions, and states) can enhance the democracy of higher levels, especially as these suffer from the potentially dominating effects of juridification that often make transnational institutions so distant and alien. With such mutual interaction across levels and locations, a highly differentiated polity works not merely in policy areas, but also in creating a regime of human rights that can multiply realize the powers of citizenship and make them more rather than less robust.

If we are to continue the democratic project, at least in part because of its connection to the ideals of peace and the obligation to end pointless human suffering, it is best to recognize that democracy's capacity to do so is a contingent historical fact and a fragile achievement. The European Union examples show that robust interconnections between democracies at local, national, and transnational levels can create and entrench the conditions for democratization that would
begin to address the conflict between the privileged citizens of the zone of democratic peace and those who lack normative powers and are potentially dominated by the protective apparatus of the liberal state. Democracy not only allows citizens to avoid the evils of war, it is also the case that the democracy that can achieve this end must now be transnational, giving a new normative significance to the idea of a democratic peace.

In the previous two sections, I have argued that transnational democratic institutions have both an intrinsic justification in terms of the democratic ideal and an instrumental one based on more robust realizations of rights and powers in a transnational polity. Transnational polities can be justified in terms of ideals and conditions intrinsic to the democratic ideal. They can also be justified instrumentally in terms of reconnecting the hope that democracy can produce the capacity to avoid war and other forms of suffering. Both arguments show the transnational democracy overcoming the democratically self-defeating character of current democratic arrangements.

**Conclusion: Realizing Transnational Democracy**

I began this book by arguing that the only way to extend democracy beyond the nation state is to think of it in terms of a democracy of *dēmos*, a democracy across rather than beyond borders. I have now given both constitutive and instrumental justifications of this claim. The improvement of democratic practice that Sen sees as crucial to maintaining its capacity to enable citizens to avoid evils such as war and famine is now a matter of its extension to the transnational level. Given the difficulty of overcoming domination without democracy, citizens should demand an international system of institutions that would afford such protections and limit the imperial ambitions of their own states. If this is the case, then citizens and publics must begin to transform their democracy transnationally, not only if it is to remain a means to promoting justice, but also if it is to continue to be a democracy at all.

Many states are still effective democracies, but with problems of immigration and economic volatility, they can become more democratic only if they begin to practice democracy across borders. In this way they may also become more just, less likely to become a thousand tiny fortresses in which the oldest form of domination is practiced at many different levels: the domination of noncitizens by citizens, of nonmembers by members, using their ability to command noninterference much like those who live within gated communities. They do so at a price, the price of the benefits of common liberty. Transnational democracy in this context is then instrumental not only to justice, but also to peaceful relations and mutually beneficial economic interaction. Its institutional principles based on interlocking and shared powers may also provide models of federalism that could create social peace within states without mutually destructive contests for singular sovereignty.

I have discussed two sets of conditions that suggest that transnational democracy is already a realistic extension of current political possibilities. The first is the existence of transnational public spheres and civil society. Such public spheres are particularly important for creating conditions of communication that enable the exercise of public influence across diverse and dispersed institutional structures. The second is the emergence of new institutions with great but as yet unrealized democratic potential, primarily in the European Union and in international regimes. Taken together, such conditions would permit the emergence of transnational democratic institutions that could be constitutionally, democratically, and deliberatively legitimate in novel ways.

These developments suggest that there are two primary agents for a possible transnational democratization. The first are democratic states, which pool their sovereignty and pursue broadly federalist and regional projects of political integration. The European Union exhibits how this possibility may develop beyond initial intentions and become a project of polity building. The second sort of transformative agent is less institutional: namely, the participants in transnational public spheres and associations, the citizens who inhabit networks of communication and interaction. These citizens become agents when they create the means by which they gain voice across borders. They do so not merely by employing new technologies and networks of communication, but also by using them self-consciously to create public spheres to pursue justice, create innovative practices, establish common liberty, and further democratic ends.
Conclusion

Following Dewey's dictum, I have sought to criticize and remake our understanding of democracy in two ways. First, I criticized the deeper assumptions about self-legislation and bounded territoriality underlying the limitations of democracy's historically contingent insistence on a unitary rather than a plural political subject and its search for the optimally sized polity as a bounded community committed to freedom and equality. Second, I proposed an alternative account that significantly transforms the current political markers of democratic institutions. This alternative is not simply cosmopolitan in the hierarchical or juridical sense. It does not merely demand bigger and better institutions, but that we reshape familiar state institutions and understand them on the same transnational model, as a democratic polity of democratic polities within a distributed system of democratic authority. The goal of my argument has been the same as that of the first transnational republicans, who saw the deep connection between transnationalism and nondomination in a political order that does justice to our deepest commitments to freedom and justice.

Notes

Introduction

1. Franck, Fairness in International Law, 85-145.


5. See, for example, Miller's arguments for the distinction between duties of concern and of respect, based on spatial proximity, intensity of interaction, and other criteria in Miller, "Cosmopolitan Respect and Patriotic Concern," 202-224.

6. For a good summary of the current state of the globalization debate, see Hirst and Thompson, "Global Myths and National Policies" and the reply by Perraton in Global Democracy: Key Debates, 47-72.


8. Richardson, Democratic Autonomy, 34.


11. For this formulation see Held and McGrew, Globalization/Globalization. 1. For the best comprehensive treatment of globalization in its many dimensions, see Held, et al., Global Transformations.


Conclusion

1. On the distinction between instrumental and intrinsic justifications of deliberative democracy, see Christiano, "The Significance of Public Deliberation," 249–279. Christiano argues that public deliberation is best regarded as having instrumental value, to the extent that it promotes correct reasoning and good outcomes.

2. On the distinction between moral and social cosmopolitanism as the difference between the focus on the moral worth of individuals and on institutional order, see Beitz, "Social and Cosmopolitan Liberalism," 515. Political cosmopolitanism is a subspecies of social cosmopolitanism.


4. For his version of the idea of a democratic peace see Rawls, *The Law of Peoples*, 44ff.

5. According to Dewey, understood practically "facts are such in a logical sense only as they serve to define a problem in a way that affords indication and test of proposed solutions." See John Dewey, "Logic: The Theory of Inquiry," 499.


10. See Polanyi, *The Great Transformation*, especially the discussion of the regulation of free trade in the last chapter. A similar argument about the socially destructive aspects of contemporary globalization is developed in Rodrik, *Has Globalization Gone Too Far?* On the development and consolidation of power in the nation-state, see Mann, *The Sources of Social Power*, vol. 1, 15ff. On the complex relation between gains in national citizenship and military obligations, see the work of Charles Tilly. My argument suggests that new gains in rights and powers must be transnational.

11. For a further discussion of these issues, see my "Beyond the Democratic Peace," 127–138.

12. As Russett puts it: "Depending on precise criteria, only twelve to fifteen states qualified as democracies at the end of the nineteenth century. The empirical significance of the rarity of war between democracies emerges only in the first half of the twentieth century, with at least twice the number of democracies as earlier, and especially with the existence of perhaps sixty democracies by the mid-1980s." See Russett, *Grasping the Democratic Peace*, 20.


16. Tilly, *Coercion, Capital, and European States*. 
overlooks the way in which knowledge and action depend crucially upon reflective or metamental components as well.

Prof. Jaegwon Kim directed his attention in his address to the Central Division in Chicago last April to another central question in the philosophy of mind: whether it is possible to chart a middle course between dualism, which postulates the independent existence of the mental and its causal interaction with the physical, and a reductive physicalism that effectively denies the mental any explanatory power. Examining several of the major lines of argument for such a middle way, Prof. Kim concludes that each has serious flaws. Materialism can be defended, he concludes, only by acknowledging that it leaves no room for reasons or desires in its account of behavior. Dualism is the only consistent alternative.

I am sure that members will find these reflections challenging and illuminating. The three addresses, taken together, exemplify the kind of dialogue that Prof. Bernstein has called for. I hope it is not necessary, as our first President suggested with tongue in cheek, that we be compelled to listen to each other, and I have no plans to include a quiz on this year's addresses in next year's dues notice.

And speaking of dues notices: members are reminded that this is the last issue of the Proceedings and Addresses they will receive if they have not yet paid their dues for the fiscal year that began on July 1. We are generous in our cutoff date, since we want to allow plenty of time for return from summer travel and forwarding of mail. You can save yourself and the APA staff much trouble by sending your renewal check now, if you have not done so already. (If you are unsure of your status, check the second number that appears above your name on your APA mailing label. The fourth character is a "0" if you owe no dues, a "1" if you are behind. Or phone the APA office at 302 451-1112.)

In the past two years we have included a special section on the state of the profession in the Presidential address issue. Our plans for such a section in the present issue did not bear fruit, but I expect to revive that tradition next year.

The next issue of the Proceedings and Addresses will be devoted entirely to the program of the Pacific Division meeting, to be held in Los Angeles in March. Please note the hotel and airline forms for that meeting in the back of this issue. The Pacific program issue will be mailed in December, followed closely by a regular issue of the Proceedings and Addresses in January and the Central program issue in February.

David A. Hoekema
Executive Director

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PRAGMATISM, PLURALISM
AND THE HEALING OF WOUNDS

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Several years ago, Hans-Georg Gadamer visited my college and gave an eloquent lecture on hermeneutics. After the lecture, several of us took him out to dinner to a local Chinese restaurant. We concluded the meal by reading the messages of our fortune cookies. The art of writing a good fortune message is to be sufficiently vague and ambiguous so that it is read to have specific and unique relevance. But in this instance, Gadamer's fortune message was especially apt. For it summed up his lecture and epitomized his philosophy. When it came to my fortune, it read: "Sometimes to understand the present, one needs to study the past." In preparing this address that message kept intruding itself. For I want to try to understand and gain a critical perspective on our present situation in philosophy. To do so one must study the past—the traditions that have shaped and still are shaping us. For I agree with Gadamer that we belong to traditions before they belong to, and are appropriated by, us. But as soon as one speaks in this manner, treacherous problems come pouring in. Not the least of which is, who is this "we"? Even if one limits oneself to philosophy in America, or more specifically, to philosophy in the United States, we are an extremely heterogeneous bunch, perhaps more so today than at any time in our past. And "we" have been shaped by conflicting rival traditions.

Alasdair Maclntyre has given one of the best succinct characterizations of a tradition when he tells us that a tradition "not only embodies the narrative of an argument, but is only recovered by an argumentative retelling of that narrative which will itself be in conflict with other argumentative retellings...". Today I want to sketch an argumenta-

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tive retelling of the pragmatic tradition. Although it is only one of the traditions to which we belong, it is nevertheless one of the richest traditions that has shaped philosophy in America. I want to draw upon this tradition because it enables us to gain a critical perspective on our present situation in philosophy. It will become clear that I think this tradition is very much alive and that pragmatic themes weave through diverse contemporary orientations of many philosophers who do not think of themselves as belonging to this tradition. Indeed, the pragmatic thinkers were ahead of their times. Recently there has been a good deal of loose talk about our "post-modern condition." Yet if we pay close attention to the characteristic themes and challenges of the "post-modern" discourses, we will see how they were anticipated by the pragmatists. What is even more impressive and important is that the pragmatists were concerned with the question of how to respond to these challenges. The dialectic of many contemporary trends in philosophy lead us back to pragmatic insights.

It is that pragmatic ethos that I hope to elicit by focusing on some of the dominant interrelated motifs characteristic of this style of thinking. I do not think of pragmatism as a set of doctrines or even as a method. Any close student of Peirce, James, Dewey, Mead, and Royce in his late pragmatic writings is immediately struck by their clashing philosophic temperaments, and by the different problems that preoccupied them. We can best appreciate the vitality and diversity of this tradition when we approach it as an ongoing engaged conversation consisting of distinctive—sometimes competing—voices.

Before turning to highlighting themes running through this tradition that are relevant to our present situation, let me remind you of some of the striking features of the outburst and flourishing of philosophy in the latter part of the nineteenth century. We must not forget that the institution of the graduate school and the "professionalization" of academic philosophy as we know it today did not exist in the post-Civil War period in the United States. Philosophically, Peirce and James were autodidacts. They were not "formally" trained as philosophers. Peirce was a practicing experimental scientist and thought of himself as a logician. James was trained as a medical doctor, and his philosophic speculations grew out of his psychological investigations. Dewey was among the first to receive a Ph.D. in philosophy at the newly founded graduate school at Johns Hopkins. When they turned to philosophy, they drew upon diverse sources and traditions. Peirce's early philosophic work began with reflections on the Kantian categories. He even claimed to know the Critique of Pure Reason "almost by heart." At a time when there was scarcely any knowledge or appreciation of the intricacies of scholastic philosophy, Peirce identified himself as a "Scotic realist." James' deepest philosophic affinities were with the tradition of British empiricism, although he was also a sharp critic of what he took to be the artificial, thin, emasculated conception of experience in this tradition. In his later years, he recognized his affinities (and differences) with Bergson. Dewey, as a graduate student, was profoundly influenced by Hegelianism. Each drew upon diverse European philosophic traditions, reshaping and criticizing them in distinctive ways. The very idea of an Anglo-American/Continental split in philosophy would have made no sense during this creative formative stage of the pragmatic ethos.

We should also remember the fluidity of academic disciplines at this time. There was no sense of sharp boundaries or that philosophy was a well defined Fach or discipline to be rigorously demarcated from other types of inquiry. The pragmatic thinkers moved freely over the range of different areas of inquiry and experience. This fluidity and openness deeply marked their philosophic approach to problems. For the pragmatic thinkers were skeptical and critical of the metaphysical and epistemological dichotomies that had dominated so much of traditional and modern philosophy. Finally, we must remember that while they all resisted scientism—the conviction that science and science alone is the standard for determining what counts as legitimate knowledge and for determining what is "real"—they were equally strong in their conviction that any responsible philosophic reflection must be responsive to scientific developments and practices. Collectively the classical pragmatic thinkers drew upon a variety of philosophic traditions, were deeply suspicious of hard and fixed boundaries, and grappled with new scientific developments, especially those brought into the foreground by the Darwinian revolution.

With an eye to the present, let me turn to five interrelated substantive themes that enable us to characterize the pragmatic ethos:

1. "Anti-foundationalism" is not an expression that the pragmatists used. They certainly did not mean what is sometimes meant today when "anti-foundationalism" is polemically used to attack the very idea of philosophy. Yet I do not think there is an important argument in the anti-foundational arsenal that was not anticipated (and sometimes stated in a much more trenchant form) in the remarkable series of articles that Peirce published in 1868. Peirce presents a battery of arguments directed against the idea that knowledge rests upon fixed foundations, and that we possess a special faculty of insight or intuition by which we can know these foundations. Peirce was exposing what has come to be called "the metaphysics of presence." Peirce realized that in criticizing foundationalism he was attacking many of the most cherished doctrines and dogmas that constituted modern philosophy. He makes this clear when he contrasts Cartesianism with the scholasticism that it displaced. He begins his article "Some Consequences of Four Incapacities" by declaring:

Descartes is the father of modern philosophy, and the spirit of Cartesianism—that which principally distinguishes it from the scholasticism which it displaced—may be compendiously stated as follows:

1. It teaches that philosophy must begin with universal doubt, whereas scholasticism had never questioned fundamentals.

2. It teaches that the ultimate test of certainty is to be found in individual consciousness; whereas scholasticism had rested on the testimony of sages and of the Catholic Church.

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3. The multi-form argumentation of the Middle Ages is replaced by a single thread of inference depending often on inconspicuous premises.

4. Scholasticism had its mysteries of faith, but undertook to explain all created things. But there are many facts which Cartesianism not only does not explain but renders absolutely inexplicable, unless to say “God makes them so” is regarded as an explanation.

In some, or all these respects, most modern philosophers have been, in effect, Cartesian. Now without wishing to return to scholasticism, it seems to me that modern science and modern logic require us to stand upon a very different platform from this.8

Peirce realized that his critique of Cartesianism, his elaboration of a different platform that is required by modern science and logic, required a rethinking of every major philosophic problem. For in one fell swoop he sought to demolish the idea that there are or can be any absolute beginnings or endings in philosophy. He sought to exercise what Dewey later called the “quest for certainty” and the “spectator theory of knowledge.” He called into question the privileged status of subjectivity and consciousness that had dominated so much of modern philosophy. He elaborated a theory of signs where interpreters are always and necessarily open to further interpretation, determination, and critical correction.

We find variations on these themes in all the pragmatic thinkers. We can see how subsequent philosophers have continued to refine the anti-foundational arguments adumbrated by Peirce. They are developed further in Quine’s own distinctive version of pragmatism and in Wilfrid Sellars’ work when he criticizes “the myth of the given” and declares that “empirical knowledge, like its sophisticated extension science, is rational, not because it has a foundation, but because it is a self-correcting enterprise which can put any claim in jeopardy, though not all at once.”

2. But if we abandon foundationalism and the craving for absolutes, then what is the alternative? There are many who have thought that to give up foundationalism can lead only to some version of skepticism or relativism. But this was not the response of Peirce and the pragmatists. Their alternative to foundationalism was to elaborate a thoroughgoing fallibilism where we realize that although we must begin any inquiry with prejudgets and can never call everything into question at once, nevertheless there is no belief or thesis—no matter how fundamental—that is not open to further interpretation and criticism. Peirce advocated that we displace the “foundation” metaphor with the metaphor of “cable.” In philosophy, as in the sciences, we ought to “trust rather to the multitude and variety of its arguments than to the conclusiveness of any one. Its reasoning should not form a chain which is no stronger than its weakest link, but a cable whose fibers may be ever so slender, provided they are sufficiently numerous and intimately connected.”

The pragmatists argued not only that fallibilism is characteristic of the experimental habit of mind but that philosophy itself is intrinsically fallibilistic. Philosophy is interpretive, tentative, always subject to correction.

3. It is this fallibilism that brings me to the next theme that is so vital for the pragmatists—the social character of the self and the need to nurture a critical community of inquirers. If we are fallible and always limited in our perspectives then “we individually cannot reasonably hope to attain the ultimate philosophy which we pursue; we can only seek it, therefore, for the community of philosophers.” Hence, if disciplined and candid minds carefully examine a theory and refuse to accept it, this ought to create doubts in the mind of the author of the theory himself.6 The theme of the social character of the self and of community is played out in many variations by the pragmatic thinkers. The very idea of an individual consciousness that is independent of shared social practices is criticized. In this respect, the pragmatists sought to dismantle and deconstruct the philosophy of consciousness and the philosophy of subjectivity. What has come to be called the decentralization of the subject is integral to the pragmatic project. Peirce appeals to the regulative ideal of a critical community of inquirers. Royce sought to extend this ideal to a universal community of interpreters. Dewey explored the social and political consequences of the idea of community for understanding the moral ideal of democracy. Mead was a pioneer in developing a theory of the social-psychological genesis of the social self—a theory of “practical intersubjectivity.”

Today there are many who have raised doubts about the Peircean conviction that—in the long run—there will be a convergence of inquiry. But doubts about an ideal convergence do not undermine the necessity of always appealing to a critical community. On the contrary, they heighten its importance. For it is only by submitting our hypotheses to public critical discussion that we become aware of what is valid in our claims and what fails to withstand critical scrutiny. It is only by the serious encounter with what is other, different, and alien that we can hope to determine what is idiosyncratic, limited, and partial.

4. Anti-foundationalism, fallibilism, and the nurturing of critical communities leads to the fourth theme running through the pragmatic tradition—the awareness and sensitivity to radical contingency and chance that mark the universe, our inquiries, our lives. Contingency and chance have always been problematic for philosophy. In the concern with universality and necessity, there has been a deep desire to master, contain and


repress contingency—to assign it to its "proper" restricted place. For the pragmatists, contingency and chance are not merely signs of human ignorance, they are ineradicable and pervasive features of the universe. Long before the rise of quantum physics, Peirce developed a variety of arguments against the doctrine of mechanical necessity. He speculatively advanced a theory of cosmic evolution where there is a continuous interplay between evolving laws—habits of nature—and chance. But the insistence on the inseparability of chance and contingency—on what Dewey called "the precariousness of existence" where the "world is a scene of risk" and is "uncannily unstable," conditioned their understanding of experience and philosophy itself. We can never hope to "master" unforeseen and unexpected contingencies. We live in an "open universe" which is always at once threatening and a source of tragedy and opportunity. This is why the pragmatists placed so much emphasis on how we are to respond to contingencies—on developing the complex of dispositions and critical habits that Dewey called "reflective intelligence."

5. I come finally to the theme of plurality. We can see how it pervades the other themes that I have sketched. There can be no escape from plurality—a plurality of traditions, perspectives, philosophic orientations. Later I will try to clarify what the pragmatists did and did not mean by pluralism and how it is relevant for understanding our present situation in philosophy. James described his own pluralistic orientation as follows:

It is curious how little countenance radical pluralism has ever had from philosophers. Whether materialistically or spiritualistically minded, philosophers have always aimed at cleaning up the litter with which the world apparently is filled. They have substituted economical and orderly conceptions for the first sensible tangle; whether these were morally elevated or only intellectually neat, they were at any rate always aesthetically pure and definite, and aimed at ascribing to the world something clean and intellectual in the way of inner structure. As compared with all these rationalizing pictures, the pluralistic empiricism which I profess offers but a sorry appearance. It is a turbid, muddled, gothic sort of affair without a sweeping outline and with little pictorial nobility. 9

I have sketched some of the interrelated themes of the pragmatic style of thinking—the pragmatic ethos. These themes are intended to serve as reminders because the richness and diversity of this tradition consists in the ways in which they have been explored and refined. But what has happened to this pragmatic legacy? I have already indicated that these themes keep resurfacing—even in the works of those who are not directly indebted to the pragmatists. But there has also been a forgetfulness of this tradition. By the mid-twentieth century, many philosophers in America thought of pragmatism as a movement that had exhausted itself. Other agendas had much greater appeal for our burgeoning profession. No one can underestimate the ways in which the émigré philosophers from Europe—Reichenbach, Carnap, Feigl, Tarski, Hempel (and many others)—were reshaping philosophy in America. There were, of course, transitional figures like C.I. Lewis and Ernest Nagel who had a grounding in the pragmatic tradition, but their interests in logic and the philosophy of science helped to foster an ambience for the receptivity of logical positivism and logical empiricism. Logical positivism in the militant form of the Vienna Circle or in its polemical form advocated by A.J. Ayer did not take deep root in America. 10 But a positivist temper, and the legacy of logical empiricism, did flourish. During the period following the Second World War, when there was an enormous growth of academic philosophy, there was virtually a scurrying to refashion graduate schools so that they would become respectable analytic departments. This was a time of great confidence among professional philosophers. It was felt by the growing analytic community that "we" philosophers had "finally" discovered the conceptual tools and techniques to make progress in solving or dissolving philosophic problems. This was also the time when the Anglo-American/Continental split became an almost unbridgeable chasm. What was going on in European "philosophy" was taken to be pretentious, obscure, woolly, and muddled. By the new standards of what constituted "doing philosophy," continental philosophy no longer counted as "serious" philosophy. Of course, there were pockets of resistance to the new analytic styles of "doing philosophy." There were those who defended and practiced speculative metaphysics in the manner of Whitehead; there were those who saw greater promise in phenomenology and existentialism, there were those who sought to keep the pragmatic tradition alive; there were those who still believed that a careful study of the history of philosophy was relevant for contemporary philosophizing. But philosophers who had not taken the analytic "linguistic turn" were clearly on the defensive. Richard Rorty captures the mood of this time when he writes:

In 1951, a graduate student who (like myself) was in the process of learning about, or being converted to, analytic philosophy could still believe that there were a finite number of distinct specifiable problems to be resolved—problems which any serious analytic philosopher would agree to be the outstanding problems. For example, there was the problem of the counterfactual conditional, the problem of whether an "emotive" analysis of ethical terms was satisfactory, Quine's problem about the nature of analyticity, and a few more. These were problems which fitted nicely into the vocabulary of the positivists. They could be seen as the final, proper formulation of problems which had been seen, as in a glass darkly, by Leibniz, Hume, and Kant. Further, there was agreement on what a solution to a philosophic problem looked like—e.g. Russell on definite descriptions, Frege on meaning and reference, Tarski on

truth. In those days, when my generation was young, all of the conditions for a Kuhnian "normal" problem-solving discipline were fulfilled.\(^{11}\)

There were other influences shaping the character of analytic philosophy. In the post-second world war period, there was also a receptivity to the type of "ordinary language philosophy" or "conceptual analysis" that was so fashionable at Oxford. Ryle, Austin and the later Wittgenstein (as filtered and domesticated through Anglo-American spectacles) rivaled the more formalistic methods favored by logical empiricists. But whether one's allegiances were to the more formal or informal methods of analysis, there was a growing conviction that philosophers could now make genuine progress in solving well formulated problems. Soon a new generation of philosophers were trained in America who not only mastered analytic techniques, but whose contributions surpassed the work of their teachers. Quine was a new hero, for he represented a figure who had assimilated what was taken to be most enduring in the pragmatic tradition but whose style of argumentation and logical finesse owed more to Carnap and Tarski than to Peirce, James, or Dewey. With the increased sophistication of analytic philosophy, there was also a growing internal complexity. Whereas with an earlier generation of logical positivists and empiricists, the consequences of their claims for other fields of inquiry could be clearly discerned—\(^{12}\) even if they were provocative and controversial—\(^{12}\) it was difficult for many outsiders (or even insiders to philosophy who were not tuned in to the latest debates in the professional journals) to figure out the significance of the problems that analytic philosophers took to be so central. It looked as if philosophers were perfecting a jargon that was barely intelligible to others. But for insiders this is what was to be properly expected as philosophy became more rigorous and sophisticated. Looking back at the development of analytic philosophy a generation after its initial triumph, Rorty continues his sketch:

To compile this list of problems and paradigms is to evoke memories of a simple, brighter, vanished world. In the interlocking "central" areas of analytic philosophy—epistemology, philosophy of language, and metaphysics—there are now as many paradigms as there are major philosophy departments. . . . Any problem that enjoys a simultaneous vogue in ten of the hundred or so "analytic" philosophy departments in America is doing exceptionally well. The field these days is a jungle of competing research programs, programs which seem to have a shorter and shorter half-life as the years go by. . . . The best hope for an American philosopher is Andy Warhol's promise that we shall all be superstars, for approximately fifteen minutes apiece.\(^{12}\)

Rorty's portrait may seem to be a caricature, but it is nevertheless a revealing one. It does not do justice to what has been achieved by analytic styles of philosophizing, nor does it mention what has always been characteristic of philosophy in America—its sheer heterogeneity and plurality. For even when the analytic ethos had its greatest influence, it never completely dominated the American scene. It is important to distinguish the many impressive achievements of analytic work from the arrogant ideology that surrounded it during the first wave of its flourishing in America. For it is this ideology—the frequently unspoken belief that it was the only serious and proper way of doing philosophy—that is now breaking up. I do not think we should be naive, for there are still many analytic philosophers who believe in their hearts that there is no serious alternative, and are hostile and disdainful of other philosophic orientations. But such an ideology, which is still a source of intellectual violence and wounds in our profession, is becoming increasingly archaic and quaint.

Suppose we ask how this break-up of ideology has come about—\(^{12}\) and what are its consequences? Here we need to focus on both external and internal factors, although they have been intertwined. By external factors, I mean what has been happening in the world outside of academic philosophy. For at the very time when analytic philosophy seemed to be consolidating during the decades of the nineteen-fifties and sixties, many philosophers resisted the constraints imposed by analytic philosophy on what counted as serious philosophizing. Both James and Dewey had warned us about the dangers of a growing professionalism and specialization of the "problems of philosophy." Dewey spoke of the need to address the "problems of men"—the problems of human beings. In the turmoil taking place in the outside world, many philosophers in America turned their attention to other philosophic orientations—phenomenology, hermeneutics, critical theory, the varieties of structuralism and poststructuralism which they believed provided more powerfully illuminating ways of philosophizing. There was also a rebellion against the ahistorical and anti-historical biases of the analytic ideology. In the past few decades there has been a flourishing of historical studies with a systematic intent. This growing interest in the history of philosophy is itself an expression of the impulse to enlarge the scope of philosophic reflection. New voices also demanded to be heard—as evidenced by feminist and minority concerns. And as the philosophy curriculum in many prestigious analytic graduate departments began to shrink—\(^{12}\) excluding or marginalizing philosophers who were no longer to be taken "seriously"—our colleagues in departments of religion and literature began teaching Hegel, Nietzsche, Kierkegaard, and Heidegger.

"We" philosophers have all sorts of defense mechanisms and techniques for deflating or ignoring the criticisms of "outsiders." But "we" are much more sensitive to the criticisms of "insiders." During the past two decades, it is the criticisms of insiders that has shaken us up and stirred so much controversy and resentment. Consider the controversies generated by the writings of three former presidents of our division, Richard Rorty, Alasdair Maclntyre, and Hilary Putnam. No one could fault them for being ignorant of analytic styles of philosophizing. Each had made major contributions to the ongoing debates that have been at the cutting edge of analytic philosophy. But in different ways each has severely criticized the exclusionary biases of the analytic ideology. Each has helped to open up and expand what Rorty calls the conversation of philosophy. Each has questioned the boundary-fixing tendency of the ideological phase of analytic philosophy. Indeed, we are beginning to see how silly and unfruitful it is to think in terms of an Anglo-American/Continental split. If we "look and see," we find elaborate cross-crossings taking place, and discover how similar issues crop up in what were once taken to be radically different philosophic vocabularies. Kuhn comes to recognize the

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12. Ibid.
affinities of his work with hermeneutics. The French discover Austin and Wittgenstein. Habermas appropriates speech act theory in his theory of communicative action. Apel's transcendental pragmatics builds on the pioneering work of Peirce. But something else has been happening—especially among younger members of our profession—which is perhaps even more important. For what James wrote in 1904 seems especially relevant in our situation:

It is difficult not to notice a curious unrest in the philosophic atmosphere of the time, a loosening of old landmarks, a softening of oppositions, a mutual borrowing from one another on the part of systems anciently closed, and an interest in new suggestions, however vague, as if the one thing sure was the inadequacy of the extant school-solutions. The dissatisfaction with these seems due for the most part to a feeling that they are too abstract and academic. Life is confused and superabundant, and what the younger generation appears to crave is more of the temperament of life in its philosophy, even though it were at some cost of logical rigor and formal purity.13

One of the most hopeful signs for philosophy in America today is this “unrest in the philosophic atmosphere,” this “loosening of old landmarks.” The ideological battles of my generation are beginning to seem remote and irrelevant. Scars from the wounds of these battles still remain, but there are encouraging signs of the emergence of a new ethos—one which bears strong affinities with the ethos characteristic of the formative stages of the pragmatic movement. There are all sorts of cross-currents and interweavings. One may discover the ways in which deconstruction shows affinities with pragmatism or with the investigations of the later Wittgenstein. One may realize that Hegel’s distinction between Moralität and Sichlichkeit is relevant for understanding contemporary moral and ethical theory. One may realize that Popper and Foucault are relevant for untangling the complexities of historicism. These interweavings extend to the interplay of disciplines which not so long ago were taken to be quite distinct—philosophy and law, philosophy and literature, philosophy and the social disciplines, philosophy and medicine, and so forth.

Indeed, there is another emerging phenomenon that exhibits a new intellectual mood of fluidity and breaking down of boundaries. Throughout the country in our universities and colleges there has been an explosion of study and discussion groups that cluster about new constellations of texts and themes that cut across disciplines. What distinguishes these groups from older models of “interdisciplinary” discussions is that there is no longer the presumption of a distinctive disciplinary approach to a given problem—as if there were a unique philosophic, literary or anthropological point of view. The intermingling and overlapping is much more radical where pursuing issues in one’s own field necessitates drawing upon the ways in which issues are explored in other fields of inquiry. It is almost as if there is a “counter-disciplinary” movement developing which no longer finds the disciplinary matrices that have shaped our academic departments helpful in dealing with intellectual problems. Some of us are beginning to discover that we share more intellectually in common with colleagues trained in different disciplines than with our own departmental philosophic colleagues.

What then is our situation in philosophy today? Perhaps the simplest and most direct answer is Babel, a confusion of tongues. But Babel itself is not so simple. We cannot escape the fact that there has been a decentering of philosophy itself. There has been a radical pluralization of different vocabularies, research programs, voices demanding to be heard. I sometimes think that a primary reason why there has been so much concern with problems of incommensurability and relativism is because this is the condition that we find ourselves in as philosophers, where we speak such radically different tongues that we are unable to understand what even our closest neighbors are saying—as if we were becoming like windowless monads. There are dangers and challenges in this situation.

Here I want to return to the theme of pluralism, or rather to the question of how one is to respond to this extreme pluralization. For pluralism itself is open to many interpretations and we need to make some important distinctions. For there is a danger of a fragmenting pluralism where the centrifugal forces become so strong that we are only able to communicate with the small group that already shares our own biases, and no longer even experience the need to talk with others outside of this circle. There is a flaccid pluralism where our borrowings from different orientations are little more than glib superficial poaching. There is polemical pluralism where the appeal to pluralism doesn’t signify a genuine willingness to listen and learn from others, but becomes rather an ideological weapon to advance one’s own orientation. There is defensive pluralism, a form of tokenism, where we pay lip service to others “doing their own thing” but are already convinced that there is nothing important to be learned from them.

The type of pluralism that represents what is best in our pragmatic tradition is an engaged fallibilistic pluralism. Such a pluralistic ethos places new responsibilities upon each of us. For it means taking our own fallibility seriously—resolving that however much we are committed to our own styles of thinking, we are willing to listen to others without denying or suppressing the otherness of the other. It means being vigilant against the dual temptations of simply dismissing what others are saying by falling back on one of those standard defensive plays where we condemn it as obscure, woolly, or trivial, or thinking we can always easily translate what is alien into our own entrenched vocabularies. Sometimes understanding rival traditions requires what Alasdair MacIntyre characterizes as learning a second first language where we come to recognize the ways in which rival traditions are and are not translatable.14 What makes this task so difficult and unstable is the growing realization that there are no uncontested rules or procedures “which will tell us how rational agreement can be reached on what would settle the issue on every point where statements seem to conflict.”15 But this doesn’t mean that we have to fall back to some version of what Popper called the “myth of the framework” where  

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we are prisoners caught in the framework of our theories—our expectations, our past experiences, our language—and that we are so imprisoned into these frameworks that we cannot even communicate with those imprisoned in radically different frameworks. Or rather, to the extent that this does happen, it is, I believe primarily an ethical failure rather than a cognitive or linguistic one. Ultimately the appeal to the regulative ideal of a community of inquirers or interpreters is as the pragmatists emphasized—an ethical or normative ideal.

Whether one draws upon Davidsonian or Habermasian arguments, we can question the very idea of conceptual schemes that are so self-enclosed that there is no possibility of reciprocal translation, understanding, and argumentation. But because there are no uncontested decision procedures for adjudicating the claims of rival philosophic orientations, it is always a task to seek out commonalities and points of difference and conflict. The achievement of a "we"—where "we" are locked in argument with others—is a fragile and temporary achievement that can always be ruptured by unexpected contingencies. Conflict and disagreement are unavoidable in our pluralistic situation. There is little reason to believe that "we" philosophers will ever achieve any substantive permanent consensus, and there are many good reasons for questioning the desirability of such a consensus. What matters, however, is how we respond to conflict. The response that the pragmatists call for is a dialogical response where we genuinely seek to achieve a mutual reciprocal understanding—an understanding that does not preclude disagreement.

One of the consequences of the analytic movement has been to encourage the "adversarial" or "confrontational" style of argumentation. According to this style, when one is confronted with a claim or thesis that one takes to be mistaken one relentlessly "goes after it." The other is viewed as an opponent, and the aim is to locate specifically what is wrong in the opponent's position, to expose its weaknesses. The practice of this style of argumentation requires attention to details, working through specific claims and arguments in order to show up their falsity and sometimes to expose their triviality. There are great advantages to this style of argumentation. It is never satisfied with vague claims, it helps to pinpoint issues in dispute, and it can expose difficulties that need to be confronted. But there are also dangers in this style of argumentation when carried to extremes. For in being primarily concerned with exposing weaknesses, with showing the absurdities in what is taken to be mistaken, we can be blind to what the other is saying and to the truth that what the other is contributing to the discussion.

The adversarial confrontational style can be contrasted with a model of dialogical encounter. Here one begins with the assumption that the other has something to say to us and to contribute to our understanding. The initial task is to grasp the other's position in the strongest possible light. One must always attempt to be responsive to what the other is saying and showing. This requires imagination, sensitivity and perfecting hermeneutical skills. There is a play, a to-and-fro movement in dialogical encounters, a seeking for a common ground in which we can understand our differences. The other is not an adversary or an opponent, but a conversational partner. Conflict is just as important in dialogical encounters, because understanding does not entail agreement. On the contrary, it is the way to clarify our disagreements. Gadamer states the point succinctly when he writes: "One does not seek to score a point by exploiting the other's weaknesses; rather, one seeks to strengthen the other's argument as much as possible so as to render it plausible. Such an effort seems to me to be constitutive for any communication." An engaged fallibilistic pluralism that is true to what is best in the pragmatic tradition requires a delicate balance between these different styles of argumentation and encounter. Unfortunately, during the past few decades, "we" philosophers have not only perfected our adversarial skills but have carried them to excess. In this respect, our practices reflect what is occurring throughout society. "We" need to counterbalance these practices with cultivating dialogical encounters. Such encounters require what Rorty calls the Socratic virtues, "the willingness to talk, to listen to other people, to weigh the consequences of our actions upon other people." Perhaps "we" philosophers might even play a modest role in encouraging the type of civility that is becoming so rare in our social practices.

I began by seeking to elicit the pragmatic ethos by adumbrating the themes of anti-foundationalism, fallibilism, the social character of the self and the regulative ideal of a critical community, contingency, and pluralism. I did this in order to gain a critical perspective on our present situation in philosophy. But in speaking about the present I have slipped into making an appeal—with a future reference. An appeal presupposes a sense of disparity between what presently exists and what one hopes will prevail. Because "we" philosophers are human-i.e.-too-human, it is perhaps utopian to think that we will ever completely escape from ideological contentiousness. Nevertheless, we can aspire to displace ideological labeling with reasonable philosophic engagement.

The time has come to realize that there has been an ideological cultural lag in our profession—to realize that the ideological battles characteristic of the first wave of the reception of analytic philosophy in America no longer make much sense. The time has come to heal the wounds of these ideological battles. The time has come to realize how unilluminating and unfruitful it is to think in terms of an Anglo-American/Continental split. The philosophic interminglings that are now taken place defy any such simplistic dichotomy. Philosophy has been decentered. There is no single paradigm, research program, or orientation that dominates philosophy. The fact is that our situation is pluralistic. But the question becomes how we are to respond to this pluralism. There are powerful centrifugal tendencies toward fragmentation. But there are also countereffectivities—not toward convergence, consensus, and harmony—but toward breaking down of boundaries, "a loosening of old landmarks" and dialogical encounters where we reasonably explore our differences and conflicts. In this situation, the pragmatic legacy is especially

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relevant, in particular the call to nurture the type of community and solidarity where there is an engaged fallibilistic pluralism—one that is based upon mutual respect, where we are willing to risk our own prejudgments, are open to listening and learning from others, and we respond to others with responsiveness and responsibility.

I conclude with a citation from John Courtney Murray, who eloquently expressed the ethos of an engaged fallibilistic pluralism.

...Barborism ... threatens when men cease to talk together according to reasonable laws. There are laws of argument, the observance of which is imperative if discourse is to be civilized. Argument ceases to be civil when it is dominated by passion and prejudice; when its vocabulary becomes solipsist, premised on the theory that my insight is mine alone and cannot be shared; when dialogue gives way to a series of monologues; when the parties to the conversation cease to listen to one another, or hear only what they want to hear, or see the other’s argument only through the screen of their own categories ... . When things like this happen, men cannot be locked together in argument. Conversation becomes merely quarrelsome or querulous. Civility dies with the death of dialogue.19

**METAMENTAL ASCENT:**
**BEYOND BELIEF AND DESIRE**

Keith Lehrer
University of Arizona, University of Graz

*Presidential Address delivered before the Sixty-third Annual Pacific Division Meeting of the American Philosophical Association in Claremont, California, March 24, 1989.*

I feel very honored to address you as the President of this outstanding Division of the American Philosophical Association which has always been, even before I became a member of it, my favorite Division. The openness of the meetings and lack of philosophical pretentiousness are salient. I should like to take this occasion to pay a special tribute to Anita Silvers for the leadership she has supplied throughout the years to this Division. She leads us and she nurtures us and we are grateful. I wanted to take this opportunity to say so.

In this lecture, I want to combine something new with something old to sketch a philosophical system implicit in my diverse philosophical writings over a quarter of a century.1 When I was young, I thought that any philosopher who abandoned minute analytical method to construct a philosophical system was done for. But I feel all right. So here is the unification of what I have done, am doing, and will do. Philosophers have focused on the task of constructing a theory of the human mind. They have constructed accounts of the nature of sensation, thought and emotion to tell us what is unique about these mental states and how they are nomologically connected with each other and the external world. What is important about the human mind, however, is not that it contains sensations, thoughts and desires but that it contains something beyond those states. What is important is that it contains mental states beyond beliefs and desires. First order beliefs and desires are the materials for metamental processing. What is special about human mentality is our capacity for metamental ascent and the conceptually explosive consequences thereof.

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