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Enlightenment Liberalism and the Challenge of Pluralism

by

Matthew Jones

Canterbury Christ Church University

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Abstract

Issues relating to diversity and pluralism continue to permeate both social and political discourse. Of particular contemporary importance and relevance are those issues raised when the demands associated with forms of pluralism clash with those of the liberal state. These forms of pluralism can be divided into two subcategories: thin and thick pluralism. Thin pluralism refers to forms of pluralism that can be accommodated by the existing liberal framework, whereas thick pluralism challenges this liberal framework.

This thesis is an examination of four forms of political association that may be able to accommodate and support the demands of pluralism. These four models are Rawls' political liberalism, Crowder's value pluralism, Rorty's post-foundational liberalism, and Mouffe's radical democratic project. What unites these four forms of political association is their capacity to avoid the exclusionary effects of a form of liberalism that I, following Gaus, refer to as Enlightenment liberalism. As the name suggests, this conception of liberalism is anchored in the Enlightenment, and in particular with what may be considered as the Enlightenment view of reason. As such, therefore, Enlightenment liberalism is both universal and perfectionist. In this context, I argue that Enlightenment liberalism is a species of what Berlin refers to as 'moral monism'.

These four forms of political association are ordered in such a way as to chart an intellectual trajectory. Rawls and Crowder are both situated firmly within the liberal tradition, whereas Rorty and Mouffe move beyond this, and embrace a form of post-foundational politics. It is in this trajectory that the second theme

of this thesis emerges. This is centred on a paradox: in order to avoid the exclusionary effect of Enlightenment liberalism and embrace a form of political association that meets the demands of pluralism and diversity, the models examined still promote autonomy as the dominant virtue.

Key words: liberalism, pluralism, the Enlightenment, Enlightenment liberalism, Romanticism, communitarianism, feminism, political liberalism, value pluralism, post-foundational liberalism, radical democracy, agonistic pluralism, Rawls, Crowder, Rorty, Laclau, Mouffe.

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1. Introduction

1.1 Opening Context

Within modern liberal democratic polities such as the United Kingdom, France, or Canada, issues regarding the integration of groups who are often considered to be ‘non-liberals’ into the larger liberal polity continue to dominate the political, social, and media landscape. Questions regarding the extent to which the modern liberal democratic polity ought to accommodate and support the demands of multiculturalism, diversity, and pluralism, are still being asked. Whilst these are not necessarily new questions, since the dramatic and horrific events that took place in America on September the 11th 2001, and their subsequent political and military aftermath (including the bombings in Madrid in 2004 and London in 2005), they have taken on a particular resonance and importance.¹ Even if we limit ourselves to the European social and political context, recent statements by two major political leaders – the Conservative British Prime Minister David Cameron and the German Chancellor Angela Merkel – help to illustrate these concerns.

On the 5th of February 2011, whilst speaking at the Munich Security Conference in Germany, Cameron declared that ‘state multiculturalism has failed’.² Instead of Britain trying to promote ‘the doctrine of state multiculturalism’, a ‘shared national identity’ ought to be embraced in its place.³ As Cameron argued, ‘Under

¹ See, for example, J. Judd Owen, “The Task of Liberal Theory after September 11,” *Perspectives on Politics* 2, no. 2 (June 2004), pp. 325-330.

² D. Cameron, “Prime Minister’s Speech at the Munich Security Conference,” (February 5, 2011), <http://www.number10.gov.uk/news/pms-speech-at-munich-security-conference/> (accessed July 20, 2011).

³ Ibid.

the doctrine of state multiculturalism, we have encouraged different cultures to live separate lives, apart from the mainstream. We have failed to provide a vision of society to which they feel they want to belong. We have even tolerated these segregated communities behaving in ways that run counter to our values.’⁴ In his speech, Cameron suggested that there needs to be ‘less of the passive tolerance of recent years’, and in its place the re-assertion of a more ‘muscular liberalism’.⁵ Cameron’s speech is now referred to as the ‘Munich declaration’.

Four months prior to Cameron’s speech, on the 16th of October 2010, in an address to young members of her Christian Democrats (CDU), Merkel stated that Germany’s attempt to create a multicultural society has ‘failed utterly’.⁶ Many immigrants, Merkel argued, had not integrated themselves into German society. This could be seen in their refusal to learn the German language. Language skills are not only important for integration, Merkel argued, but are

⁴ Ibid.

⁵ Ibid.

⁶ BBC News, “Merkel says German multicultural society has failed,” (October 17, 2010), <http://www.bbc.co.uk/news/world-europe-11559451> (accessed April 14, 2011). Merkel’s comments have not gone unnoticed, or unchallenged, especially within Australia, where issues of immigration and multiculturalism have been part of the political landscape for the last forty years. Former Liberal Party Prime Minister Malcolm Fraser, who has been very critical of the immigration policies of the Liberal Party since Prime Minister John Howard was in power, stated that ‘Angela Merkel probably doesn’t know what she’s talking about because Germany has never had a multicultural policy. So how can a policy that they’ve never had be a failure?’ ABC, “Multiculturalism back on the agenda,” (February 17, 2011), <http://www.abc.net.au/7.30/content/2011/s3141868.htm> (accessed December 14, 2011). Similarly, the Labor Minister for Immigration and Citizenship, Chris Bowen, noted that Germany had a *migration* policy, not an *immigration* policy: ‘if we look at the German example, I think it’s a ‘guest worker’ economy’: it’s modelled on guest workers. People who come to live in Germany as migrants largely do so as guest workers. They haven’t regarded themselves as a multicultural society or a nation of immigrants. Therefore, the support and services haven’t been there and people haven’t been fully invited to be full participants in society. And then, frankly, they question now why they haven’t become full participants in society, and why there’s been a degree of separatism arise and why there’s not that full integration.’ ABC, “Minister drops M-bomb on diversity debate,” (February 25, 2011), <http://www.abc.net.au/radionational/programs/nationalinterest/minister-drops-m-bomb-on-diversity-debate/3002386> (accessed December 14, 2011).

also necessary for active participation within the labour market. Whilst Merkel tried to accommodate both sides of this contentious debate, by telling Germans that they must accept that mosques have become part of their social and political landscape,⁷ she is not the only prominent German to address such fears. In August 2010, Thilo Sarrazin, a Social Democratic politician and board member of the German Federal Bank, published a controversial book entitled *Deutschland schafft sich ab (Germany Abolished Itself)*.⁸ In this book, Sarrazin argued that certain ethnic groups in Germany, in particular Muslims, lacked the intelligence of native Germans. Whilst he was dismissed from the German Federal Bank because of his views, his book was popular within Germany, suggesting that many Germans shared similar views and fears.

The concerns expressed by Cameron and Merkel are not new within the European context. Nor are they to be found only within Europe; indeed, similar concerns are being expressed elsewhere, such as Canada, the United States of America, and Australia. There are two recent events, however, that demonstrate very clearly how the demands of multiculturalism can clash with the values that are held by modern liberal democratic polities. These are the Danish cartoon controversy of 2005, and more recently, moves by the French state to ban any covering that obscures an individual's face.

⁷ Merkel's comments regarding mosques are perhaps a reference to the recent Swiss ban on the building of new minarets. In a referendum held in November 2009, more than 57% of voters and 22 of the 26 cantons voted in favour of the ban. Source: BBC News, "Swiss voters back ban on minarets," (29 November, 2009), <http://news.bbc.co.uk/1/hi/8385069.stm> (accessed April 14, 2011).

⁸ T. Sarrazin, *Deutschland schafft sich ab: Wie wir unser Land aufs Spiel setzen* (Deutsche Verlags-Anstalt, 2010).

On the 30th of September 2005, the liberal-conservative Danish newspaper *The Jutland Post* (*Jyllands Posten*) printed twelve pictures of the Prophet Muhammad. These pictures presented Muhammad in a variety of settings: some are complementary and place the Prophet in a serene setting; others, however, challenge the view that Islam is a religion of peace, and suggest links between the Prophet Muhammad, Islam, Muslims, and violence, by drawing the Prophet with a bomb in place of his turban, or armed with a sword in front of two women dressed in a burqa, with only their eyes showing. The twelve images accompanied an editorial in which the self-censorship of Danes was attacked following the difficulties the Danish author Kare Bluitgenan had in finding an artist who was willing to illustrate her children's book on the Prophet. In the early months of 2006, the cartoons were re-published in Austria, France, Germany, Italy, and Spain. The publications of these images led to diplomatic protests and the boycott of Danish products from a number of Islamic countries, and escalated to violent protests and death threats against some of the artists involved in the original illustrations. At the heart of this issue was the clash between freedom of expression, which is central to Danish social and political life, and the Islamic prohibition of images of the Prophet Muhammad.⁹ Indeed, similar issues were raised by the publication of Salman Rushdie's *The Satanic Verses* in 1989, which resulted in violent outbursts and ultimately in the

⁹ The issues generated by this clash have been explored in a number of recent journal articles. See, for example, D. Keane, "Cartoon Violence and Freedom of Expression," *Human Rights Quarterly* 30, no. 4 (November 2008), pp. 845-875; S. Harkness, M. Maqid, J. Roberts, and M. Richardson, "Crossing the Line? Freedom of Speech and Religious Sensibilities," *Political Science and Polis* 40, no. 2 (April 2007), pp. 275-278; B. Goldstone, "Social Thought and Commentary: Violence and the Profane: Islam, Liberal Democracy, and the Limits of Secular Discipline," *Anthropological Quarterly* 80, no. 1 (Winter 2007), pp. 207-235; and, M. G. Müller and E. Özcan, "The Political Iconography of Muhammad Cartoons: Understanding Cultural Conflict and Political Action," *Political Science and Polis* 40, no. 2 (April 2007), pp. 287-291.

Ayatollah Ruhollah Khomeini of Iran issuing a fatwa ordering Muslims to kill Rushdie.¹⁰

More recently, in October 2010, the centre-right French government, led by Nicolas Sarkozy, passed a law that banned the wearing of face-concealing veils in public. This law came into effect from Monday the 11th of April, 2011. As a result, any woman, irrespective of their nationality or country of residence, who is caught wearing a veil that conceals their face in public, such as the niqab or the burqa, could face a fine of €130, and forced to take lessons in French citizenship. Those who force women to wear the veil may face much larger fines, and a possible prison sentence of up to two years. The French government defended the law, arguing that veils that cover the face both undermine the basic standards that are required for a well functioning shared civil society, and also relegates those who wear such veils to an inferior status which is incompatible with French notions of equality.¹¹ Whilst this law does not make any specific reference to Islam, the niqab, or the burqa, media attention has tended to focus on these, suggesting that if they are not the intended target of this legislation, they are perhaps the motivation behind it.

¹⁰ In September 1998, Iran's then President Mohammad Khatami declared that the Government of the Islamic Republic of Iran would no longer endorse this fatwa. As with the Danish cartoon controversy, the 'Rushdie affair' (as it has become known) has also been the subject of several academic articles. See, for example, A. Hussain, "Misunderstandings and Hurt: How Canadians Joined Worldwide Muslim Reactions to Salman Rushdie's "The Satanic Verses", *Journal of the American Academy of Religion* 70, no. 1 (March 2002), pp. 1-32; P. Jones, "Respecting Beliefs and Rebuking Rushdie," *British Journal of Political Science* 20, no. 4 (March 1990), pp. 415-437; J. Piscatori, "The Rushdie Affair and the Politics of Ambiguity," *International Affairs* 66, no. 4 (October 1990), pp. 767-789; and A. Mazrui, "The Satanic Verses or a Satanic Novel? Moral Dilemmas of the Rushdie Affair," *Alternatives: Global, Local, Political* 15, no. 1 (Winter 1990), pp. 97-121.

¹¹ BBC News, "Women in face veils detained as France enforces ban," (April 11, 2011), <http://www.bbc.co.uk/news/world-europe-13031397> (accessed April 14, 2011).

These examples not only help to illustrate the concerns that many people and political leaders hold with regards to multiculturalism, but they also demonstrate the ways in which these conflicts can manifest themselves within the internally-diverse modern liberal democratic polity. Whilst these debates are often couched in terms of ‘multiculturalism’, ‘toleration’, and ‘national-values’ broadly conceived, very often the conversation soon turns towards visible ethnic groups, particularly, in the post-September the 11th world, adherents of the Islamic faith. However, especially with regards to the focus of this thesis, I do not interpret these events to be representative of anything resembling Samuel Huntington’s thesis of the clash of civilizations.¹² Rather, this is a clash between the liberal state and non-liberal citizens; more specifically, this is a clash between liberalism and forms of pluralism. This clash has garnered much attention with the academic community. As Andrea Baumeister, one of the leading theorists in the area of what she refers to as the ‘politics of difference’, notes: ‘Recently many liberal writers have become increasingly aware of the need to address the challenges and potential difficulties posed by the existence in most western-liberal democracies of diverse cultural groups, many of which do not share the values and beliefs typically associated with liberalism.’¹³ More recently, Baumeister has stated that

¹² S. P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (London: Simon & Schuster, 1997).

¹³ A. Baumeister, “Cultural Diversity and Education: the Dilemma of Political Stability,” *Political Studies* 46, no. 5 (1998), p. 919.

One of the most striking features of recent political discourse has been the rise of cultural pluralism and ‘the politics of difference’. For liberalism this emphasis on difference and particularity has frequently been rather problematic. Indeed, since the onset of Romanticism, critics have rejected the liberal preoccupation with universalism as a failure to acknowledge the significance of those characteristics that distinguish one particular group from another.¹⁴

It is, then, within the context of these important social and political debates that the focus of this thesis emerges.

1.2 Research Question

This thesis will address two key themes. The first and overarching theme is an examination and critical analysis of ways in which the modern liberal democratic polity can accommodate and support the demands of pluralism and diversity. In doing so, it will examine four theoretical approaches that have been proposed as means to mediate the clash between liberalism and forms of pluralism. The four models are John Rawls’ political liberalism; George Crowder’s value pluralism, with its origins in the work of Isaiah Berlin; the post-metaphysical liberal utopia of Richard Rorty; and finally, the agonistic pluralism and radical democratic project that is associated primarily with the work of Chantal Mouffe. These models are not ordered in such a way as to suggest that each is superior to the preceding ones, but rather, they chart a theoretical trajectory, starting from models that are situated firmly within the liberal tradition to those that move intentionally away from this liberal paradigm.

¹⁴ A. Baumeister, *Liberalism and the ‘Politics of Difference’* (Edinburgh: Edinburgh University Press, 2000), p. vii.

When examining the limitations of liberalism, I am not referring to a generic version of liberalism broadly conceived. Rather, it is a very specific form of liberalism with identifiable characteristics that I, following the work of Gerald Gaus, have termed 'Enlightenment liberalism'.¹⁵ Among these identifiable and defining characteristics, the two most prominent are Enlightenment liberalism's claim of the overriding value of autonomy, and the belief in its universal authority. Thus, Enlightenment liberalism is a form of universal perfectionist liberalism.

Whilst Enlightenment liberalism is a specific term that I have borrowed from Gaus, I can find support for this conception of liberalism from other political philosophers, who, despite the fact they use different labels, describe a very similar conception of liberalism. John Tomasi refers to an 'ethical liberalism', which is characterized by the cultivation of autonomy or individuality within the citizen.¹⁶ David Owen writes of 'philosophical liberalism', which is characterized by three distinct features: 'a particular conception of the person, a form of asocial individualism and a commitment to universalism'.¹⁷ This conception of the person has a strong metaphysical grounding, and treats each individual as an 'antecedently individuated subject'.¹⁸ That is to say that the individual exists prior to the state or society, as well as its particular and contingent conception of the good. The individual is also characterized by the capacity for autonomous rational reflection and action. Furthermore, this

¹⁵ G. Gaus, *Contemporary Theories of Liberalism: Public Reason as a Post-Enlightenment Project* (London: Sage Publications, 2000).

¹⁶ J. Tomasi, *Liberalism Beyond Justice: Citizens, Society, and the Boundaries of Political Theory* (Princeton: Princeton University Press, 2001), pp. 12-13.

¹⁷ D. Owen, *Nietzsche, Politics & Modernity: A Critique of Liberal Reason* (London: Sage Publishers, 1995), p. 7.

¹⁸ *Ibid.*, p. 7.

capacity exists independently of any social role they may have. This particular conception of the individual receives political expression in the thesis of asocial individualism. Here, society is understood as a contract between the antecedently individuated subjects, and is given tangible expression as the state.¹⁹ Finally, this specific conception of liberalism is neither contingent nor particular. Rather, it is a conception of how political association *ought* to be. As Owen writes,

The universalism of this conception of the relations between the individual and society and its expression in the liberal state flows from the metaphysical conception of the person, since what makes this conception 'metaphysical' is the claim that it applies universally to all human beings or, rather, defines what it is essentially to be a human being.²⁰

Whilst Gaus, Owen, and Tomasi use different terms, it is my position that they are describing the same conception of liberalism. In section 1.4 of this introduction, I discuss Wittgenstein's notion of family resemblances in relation to my methodological approach. Using Wittgenstein's notion, we can see that whatever minor differences may exist between Gaus' Enlightenment liberalism, Owen's philosophical liberalism, and Tomasi's ethical liberalism, they all refer to the same conception of liberalism. However, throughout this thesis, I shall adopt Gaus' term, as it denotes explicitly the connection between this particular conception of liberalism and the Enlightenment.

¹⁹ Ibid., p. 7.

²⁰ Ibid., p. 7.

It is in relation to the perfectionist nature of Enlightenment liberalism that the second theme – indeed, the more specific theme – of this thesis emerges. This thesis will examine what I believe to be a paradox within certain schools of contemporary liberal political philosophy that aim to avoid liberal perfectionism. Despite acknowledging the fact that there are those who, on reasonable grounds, reject Enlightenment liberalism and its promotion of autonomy (and hence liberal perfectionism), many contemporary political models which aim to accommodate and sustain the demands of pluralism and diversity ultimately replicate the same moves towards perfectionism through the prioritization of autonomy. The nature of the paradox is that in order to move away from a form of perfectionist liberalism to one that meets the demands of pluralism and diversity, the models examined still promote autonomy as the dominant virtue. In short, in order to avoid the restrictive and exclusionary effects of autonomy in the *metaphysical context*, autonomy is promoted in the *political context*.

There is, however, a fundamental difference in the form that autonomy takes in these solutions: no longer is it viewed in Kantian terms as being a *metaphysical* value, but rather, it is now promoted as a *political* good; that is, autonomy is valued not for what it is, but for what it does. Whilst this is an important distinction to make, it may be more apparent at the level of theory rather than actual political implication. Whilst the shift of autonomy from a metaphysical to a political value has a corresponding shift in the justificatory arguments required, it is doubtful whether this shift would eradicate what I posit to be the exclusive and restrictive nature of Enlightenment liberalism. Whilst the

arguments in favour of autonomy may have changed, this is not necessarily reflected in any meaningful social or political way.

As an area of research, the question of how the modern liberal democratic polity deals with the challenges and conflicts that are raised through the demands of pluralism and the politics of recognition are not confined to academic circles or conversations that take place only within the confines of the ivory towers of academia. Political philosophy, and indeed philosophy in general, is often criticized as having at best, minimal relevance, and at worst, is a distraction from the machinations of the 'real world'. However, the issues that both contribute to, and arise from, conflicts within multicultural societies, are very much situated within the real world. Issues such as racism; xenophobia; identity politics; the politics of multiculturalism itself; gender equality; sexual politics; religious freedom and equality; the role and confines of the family; cultural politics; and economic inequality, to name but a few, are all closely associated with these challenges and conflicts. The debates that surround the questions raised are not confined only to political philosophy however, as many of the issues are also pertinent to jurisprudence, as well as informing the development of governmental policy and ultimately legislation. Whilst this research project will limit itself primarily to political philosophy, the issues raised are much broader.

1.3 Definition of Key Terms

The terms used in the many discourses sounding the issues raised and examined in this thesis are often used interchangeably, and thus, their

meanings tend to be obscured or conflated. It is important, therefore, that I am precise with the meaning of the terminology that I use throughout this thesis. To this effect, in this section, I will examine the two broad themes discussed throughout this thesis: liberalism and pluralism. Whilst this thesis is concerned primarily with a form of liberalism that I call Enlightenment liberalism, this will be the focus of a separate chapter in its own right. Indeed, many of the issues and characteristics that are fundamental to Enlightenment liberalism can only be understood fully once the elements and justificatory debates of liberalism have been examined.

1.3.1 Liberalism: Conceptual Discussion and Justificatory Arguments

The precise nature and parameters of liberalism, as a coherent political philosophy, is an area of continued discussion and research within political science and its associated fields. This is an important issue, not least because clarity and consistency with terminology is necessary when discussing complex and important issues within any field of research. Furthermore, the answer, or indeed the *answers*, to the question of ‘what is liberalism’ are varied and complex, and this reflects the rich history of liberal political thought.

It is doubtful whether this simple question will ever produce an answer that is agreeable to all political philosophers and those who study the history of political thought. Moreover, it is a project that is unlikely to succeed, in part because, as noted by Owen, ‘liberalism is not a homogenous tradition’²¹ – it did not originate from a single specific geographic location, nor did it originate as the solution to a single specific problem or set of circumstances. Whether given

²¹ D. Owen, *Nietzsche, Politics & Modernity*, p. 4.

voice through the foundational works of Immanuel Kant, John Locke, or John Stuart Mill, or expressed in its more contemporary manifestations through John Rawls, Robert Nozick, Ronald Dworkin, or Will Kymlicka, liberalism is an inherently diverse and fluid concept and bundle of beliefs that refuses to be pinned down. As noted by Charles Larmore, liberalism, like 'any tradition of thought...is marked by disputes among its adherents as well as by its disagreements with its adversaries.'²² Similarly, John Dunn argues that '[contemporary liberalism is] an array of shreds and tatters of past ideological improvisation and highly intermittent political illumination;'²³ and again, 'liberalism is a much less neatly bounded topic than democratic theory; and, in consequence, it is a much harder topic to discuss with any great clarity.'²⁴

Liberalism, as a coherent and easily agreeable bundle of principles, is a misnomer. As such, it is easy to fall into the trap of thinking that liberalism refers to a specific set of principles that exist irrespective of the social and economic circumstances, as well as the academic debates, both past and present, in which we reside as members of a Western liberal democratic polity. Trying to tease out specific commonalities that exist in the political philosophies that are generally accepted to be representative of liberalism, ranging from Kant and Locke through to the more recent works of Rawls and Joseph Raz, is a very difficult task. Owing to the vast literature available for the dedicated student of liberal political philosophy to consult, any commonalities that may be

²² C. Larmore, "Political Liberalism," *Political Theory* 18, no. 3 (1990), p. 339.

²³ J. Dunn, *Rethinking Modern Political Theory: Essays 1979-1983* (Cambridge: Cambridge University Press, 1985), p. 10.

²⁴ J. Dunn, *Western Political Theory in the Face of the Future* (Cambridge: Cambridge University Press, 1979), p. 28. Later, Dunn notes that a 'second major difficulty with the analysis of liberalism lies in the term's extreme imprecision of reference' (p. 29).

identified run the risk of being too vague and therefore unsuitable to provide a solid platform to base liberalism.

Given this diversity of liberal views, it may be more appropriate to speak not of *liberalism* in the singular, but rather of *liberalisms* in the plural. There is not one liberal political philosophy, but instead there are a myriad of liberal political philosophies and positions, each with a slightly different theoretical focus and justificatory argument. Owen supports this position when he points out that ‘given the diversity of views exhibited within this [the liberal] ideological tradition, we can best characterize liberalism as a family of political arguments and evaluations within which different members of the family do not necessarily exhibit identical features.’²⁵ Similarly, John Gray writes of ‘*the liberal syndrome*’, referring to a set of values that tend to occur together under the rubric liberalism, as opposed to a single and consistent definition that encompasses all liberal theorists from Locke to Rawls.²⁶

However, just because an issue is complex, or is answerable by a number of different (and in the case of liberalism, related) positions, does not mean that we should avoid it altogether, or to gloss over these complexities. If the definitional issues surrounding liberalism are ignored, or not even acknowledged, then both the reader and the author run the very real risk of

²⁵ D. Owen, *Nietzsche, Politics & Modernity*, pp. 4–5. This notion of liberalism resembling a family as opposed to a specific family member, is echoed by both J. Waldron, “Theoretical Foundations of Liberalism,” *The Philosophical Quarterly* 37, no. 147 (1987), pp. 127-128; and R. Song, *Christianity and Liberal Society* (Oxford: Clarendon Press, 1997), chap. 2. This use of familial terminology and their accompanying characteristics is perhaps taken from Wittgenstein’s concept of ‘family resemblances’. This is discussed in more detail in section 1.4 Methodology, and is used throughout this thesis.

²⁶ J. Gray, *Post-Liberalism: Studies in Political Thought* (New York and London: Routledge, 1993), p. 285, 286. Emphasis in the original.

using the same key terms, but interpreting them in vastly different ways. This may result in the unintentional distortion of the literature and the arguments being developed and defended. Whilst it is the many and often conflicting ways of interpreting works of political philosophy that gives rise to such a rich and constantly expanding field of academic study and debate, it is important that we are clear in our understanding of the key terms and concepts that are being utilized.

Let us briefly look at the family of liberalisms. What are the values that are commonly held to be associated with, or constitutive of, liberalism? Within the rich literature of liberal political thought, several values do appear constantly. However, this is not to suggest that these are the *only* liberal values, nor is it to suggest that there is only one way of interpreting and implementing these values. Their repeated use within the literature does suggest however, that at the very least, they are viewed as being *fundamentally important* liberal values.

What, then, are these important values? I argue that there is *general* (but by no means *universal*) agreement that a commitment to the following values is consistent with liberalism (broadly understood): egalitarianism; liberty (of the individual); limited government; the primacy and autonomy of the individual; the right to acquire and dispose of private property; and finally, toleration.²⁷ The various liberal family members will prioritize these values differently, and in some cases incorporate other values. It is this myriad of interpretations, permutations, and forms of implementation, that will ultimately affect the

²⁷ I have listed these fundamental liberal values in alphabetical order. This order should in no way be interpreted as a reflection of the importance of individual values in relation to the other listed values.

character and nature of the various forms of liberalism. These are not values that I have simply chosen at random, or at my own discretion. Rather, these are fundamentally important values that can be located in important political philosophy texts that have contributed to this exact question.²⁸ I include here both foundational texts (such as those written by Kant, Locke, Mill, and Rawls), as well as secondary texts, or those whose primary focus is exposition and analysis. Whilst I have drawn this list from a number of important yet diverse liberal texts, other important texts would produce similar results.

It is, however, from specific justificatory arguments for liberalism that Enlightenment liberalism takes its distinct character. But in order to develop this justificatory argument, we must first address the broader issue of why liberalism needs justification in the first place. Why should liberalism require a defence when, since at least the time of the European Enlightenment and Industrial Revolution, most of the traditionally dominant and powerful countries have been, and still are, liberal democratic regimes? Why can liberalism not just be accepted as *the* dominant political discourse, without recourse to a philosophical and political defence?

²⁸ G. Crowder, *Liberalism and Value Pluralism* (London & New York: Continuum, 2002); J. Gray, *Liberalism* (Milton Keynes: Open University Press, 1986); J. Gray, *Post-Liberalism: Studies in Political Thought*; I. Kant, *The Moral Law: Groundwork of the Metaphysic of Morals*, trans. H. J. Paton (London: Hutchinson University Library, 1972 [1785]); I. Kant, "An Answer to the Question: What is Enlightenment?" in *Kant's Political Writings*, ed. H. Reiss (Cambridge: Cambridge University Press, 1991); J. Locke, *Two Treatise of Government and a Letter Concerning Toleration*, ed. I. Shapiro (New Haven, London: Yale University Press, 2003); D. Manning, *Liberalism* (London: J. M. K. Dent & Sons Ltd, 1976); J. S. Mill, *On Liberty and Other Essays*, ed. J. Gray (Oxford, Oxford University Press, 1998); R. Nozick, *Anarchy, State and Utopia* (New York: Basic Books Ltd, 1974); J. Rawls, *A Theory of Justice*, revised ed. (Oxford: Oxford University Press, 1999 [1971]); and J. Rawls, *Political Liberalism* (New York: Columbia Press, 1993).

George Crowder identifies three main arguments as to why liberalism should be justified, and never simply accepted. First, even if liberalism is accepted as being secure from non-liberal alternatives in both its values and institutions (such as fascism or totalitarianism), questions still persist as to what exact *form* liberalism should take. Should liberalism be reflected in classic *laissez-faire* capitalism (favoured by Friedrich Hayek), or should it take what is considered by some to be a more humane approach, and embrace redistributive and welfare aspects (such as those favoured by Rawls)? Should it be monocultural and only accept those who prioritize autonomy, or should it embrace a plurality of beliefs?²⁹

Second, despite what Francis Fukuyama may have argued in the past,³⁰ liberalism, with its economic and philosophical institutions, is still subject to a number of challenges, both from within and externally. From within, liberalism's foundations have been challenged by communitarianism, feminism, and post-modernism. More recently, threats posed by environmental movements and imperatives, identity politics, and nationalism, have also challenged liberalism's philosophical foundations. Externally, liberalism, as the dominant form of political and philosophical thought, is being challenged by

²⁹ G. Crowder, *Liberalism and Value Pluralism*, p. 25.

³⁰ F. Fukuyama, "The End of History?" *The National Interest* 16 (Summer 1989), pp. 3–18. With the collapse of the Berlin Wall and the failure of socialism, Francis Fukuyama believed that what we have left is the 'unabashed victory of economic and political liberalism' (p. 3). Following a Hegelian interpretation of history, we are now left with 'the end of history...the end point of mankind's ideological evolution and universalisation of Western liberal democracy as the final form of human government' (p. 3). This thesis is further developed in F. Fukuyama, *The End of History and the Last Man* (Harmondsworth: Penguin, 1992). This is a thesis that Fukuyama has since rejected.

fundamentalist Islam (also referred to as Islamo-fascism),³¹ and the economic might of many Asian countries whose intellectual traditions are Confucian in origin, especially with the rapid rise of China over the last decade.³² The recent global financial crisis has also posed challenging questions for liberalism, especially regarding the sacrosanct relationship (for some) between itself and free-market capitalism.

Finally, liberalism's own philosophical nature demands that it pays constant attention to the grounds of its own legitimacy. As previously noted, two of the fundamental liberal values are egalitarianism, and the primacy and autonomy of the individual. Accordingly, all liberals are morally obliged to query how far the institutions and practices of a liberal society are justifiable to all its citizens.³³ This stems from the liberal use of the (hypothetical) social contract and the modern conception of the state within its justificatory vocabulary. The liberal state is justifiable because it is the result of the *individual's* free consent through the social contract. As noted by Andrius Bielskis, the distinctive feature of both the modern age and liberalism since the seventeenth century is not the 'changing conception of legitimacy of political authority,' but rather the focus of

³¹ The term 'Islamofascism' is often associated with the late Christopher Hitchens. See, for example, C. Hitchens, "Defending Islamofascism: It's a valid term. Here's why," (October 22, 2007), *Slate Magazine*, http://www.slate.com/articles/news_and_politics/fighting_words/2007/10/defending_islamofascism.html (accessed December 18, 2011). However, its first use can be traced back to an article written by Malise Ruthven in September 1990 for *The Independent*: "Nevertheless there is what might be called a political problem affecting the Muslim world. In contrast to the heirs of some non-Western traditions, including Hinduism, Shintoism, and Buddhism, Islamic societies seem to have found it particularly hard to institutionalize divergences politically: authoritarian government, not to say Islamofascism, is the rule rather than the exception from Morocco to Pakistan." M. Ruthven, "Construing Islam as a Language," *The Independent* (September 8, 1990).

³² G. Crowder, *Liberalism and Value Pluralism*. pp. 25-26.

³³ *Ibid.*, p. 26.

the *unit of analysis*.³⁴ For example, social contract theories of the sixteenth century possessed a strong theological component. The contract was a 'pact between God and the political body together with the magistrate and then between people and the civic magistrate.'³⁵ However, post-seventeenth century, the unit of analysis was no longer the political body, but the *individual*. The social contract was now an agreement between the state and the free and equal individual. This can be seen reflected in the social contract theories of disparate political theorists such as Hobbes, Locke, Kant and Rousseau.³⁶ Liberalism and its political institutions need to be justified in order to meet the demands of this new individual-centric social contract.

I will now examine *how* liberalism can be justified, and doing so I shall be utilizing the work of Crowder, in particular his text *Liberalism and Value Pluralism*. Attempts to provide a justification for liberalism can take numerous forms, and most are contestable. As such, the following justifications provided are not posited as being perfect or incontestable, nor are they posited as being the *only* justifications for liberalism. These justifications do, however, cover the two major debates as identified by Crowder within the contemporary literature surrounding the justificatory nature of liberalism: first, should liberalism be justified on grounds of *perfectionism* or *neutrality*; and second, should it be justified on *universalist* or *particularist* grounds?³⁷

³⁴ A. Bielskis, *Towards a Post-Modern Understanding of the Political: From Genealogy to Hermeneutics* (Palgrave Macmillan: Basingstoke, 2005), p. 9.

³⁵ *Ibid.*, p. 10.

³⁶ *Ibid.*, p. 10. See also C. Cronin, "Kant's Politics of Enlightenment," *Journal of the History of Philosophy* 41, no. 1 (2003), pp. 67-68.

³⁷ G. Crowder, *Liberalism and Value Pluralism*, p. 26.

If liberalism is to be defended on perfectionist grounds, then it is because (perfectionist) liberalism is seen as a substantive conception of the good life. In doing so, this defence of liberalism necessarily privileges certain liberal values above others. This is in order to establish and perpetuate this substantive conception of the good life. Often associated with perfectionist liberalism are the values of egalitarianism, and the primacy and autonomy of the individual.³⁸ Opposed to this justificatory defence of liberalism is the neutralist position. Here liberalism is not seen as constituting a substantive conception of the good life in competition with other such (false) conceptions. Rather, it is seen as being a political construction whose purpose is to avoid such judgments in order for other conceptions of the good life to exist within it.³⁹ This neutralist defence of liberalism prioritizes the value of toleration, and accordingly, is often associated with Locke.

The practical differences that these two approaches may exhibit can be seen reflected in the fact that perfectionist liberals are more inclined to allow the state to take positive steps to promote and enhance a liberal morality and political life. This may be seen in cases of state-sanctioned positive-discrimination relating to increasing diversity in the work place, or taking steps that will encourage members of historically disadvantaged groups to attend higher education institutions. Conversely, neutralist liberals would be more inclined to trade off some classically liberal values like personal autonomy in order to accommodate better the wishes of various communities and religious or cultural groups, as their way of life and conceptions of what constitutes the

³⁸ Ibid., p. 27.

³⁹ Ibid., p. 27.

good life is seen as being just as valuable and valid as that of the autonomous citizen residing in the Western liberal democratic polity.

More importantly (as it relates to the scope and focus of this thesis) is the debate as to whether justificatory arguments for liberalism ought be grounded in universalist or particularist grounds. Those who defend liberalism on universalist grounds do so in the belief that liberalism (and its political institutions) is both rationally and ethically superior to all other political alternatives, irrespective of all other contingencies, including time and place. A liberal political order is mandated by *reason* as being the best possible political order for *all* humans. Accordingly, other political forms are viewed as being inferior, or only hold value because they are seen as being a necessary stage of evolution towards the liberal ideal. As Robert Talisse notes:

If an adequate philosophical foundation for liberalism is found within *universal* facts about human beings, the resulting theory will serve not only to legitimize the liberal state, but to demonstrate the *illegitimacy* of non-liberal regimes. In this way, the traditional liberal theorist aspired to produce a *universally valid* political philosophy which would show that of all possible regimes, only a liberal regime is legitimate. So the traditional theories address not merely some local population of liberal citizens, but ultimately all human beings as such.⁴⁰

In contrast to this universalist approach is the particularist argument for justifying liberalism. This argument is premised on the belief that liberalism should not to be judged universally, but rather, seen within particular historical,

⁴⁰ R. Talisse, "Liberalism, Pluralism, and Political Justification," *The Harvard Review of Philosophy* 13, no. 2 (2005), pp. 58-59. Emphasis in the original.

economic, and cultural conditions. The particularist defence for liberalism does not believe that every rational being should be bound by liberalism, but conversely, that the principles and institutions of liberalism are seen as having value *only* for those who share a commitment to the same liberal principles as part of their historical and cultural heritage.

According to certain political philosophers, such as Richard Rorty, John Gray, and Chantal Mouffe (each of whom is sympathetic to certain elements of liberalism), the ramifications for liberalism when its justificatory defence is devoid of any *universal* value, is substantial. Indeed, Gray goes so far as to argue that the removal of the universalist pretensions of liberalism undermines its status as a comprehensive Enlightenment ideology. By redefining liberalism in terms of a particularist political ideology, this removes from liberalism one of its defining characteristics, that of *universalism*. As Gray notes, if liberalism is no longer considered to be universal, then ‘the liberal ideology is a failure, and can be nothing else.’⁴¹ These ramifications will be examined in detail in Part III of this thesis.

The clashes behind these two justificatory arguments for liberalism (neutrality versus perfectionism, and universalism versus particularism) do not exist as two separate lines of defence. They intersect, and it is at these points of intersection that the various strands of political and philosophical thought which all lay claim to the title of liberalism emerge. A neutralist account of

⁴¹ J. Gray, *Liberalisms: Essays in Political Philosophy* (London and New York: Routledge, 1989), p. 239. See also J. Gray, *Post-Liberalism*, where, Gray argues that when deprived of its universal foundations, ‘liberalism, as a political philosophy, is...dead’ (p. 284); and later, ‘we may say of liberalism as a doctrine with aspirations for universal prescriptive authority, then, that it is dead’ (p. 314).

liberalism may also be either universal or particularist, and conversely, a perfectionist account of liberalism may also be universal or particularist. As identified by Crowder, the two-issue matrix of the liberal justificatory debate generates four possible forms which liberal political philosophy may take: universalist-neutrality, particularist-neutrality, universalist-perfectionism, and particularist-perfectionism (see Table 1).⁴² More importantly, these four possible positions are not ‘merely logical possibilities,’ but rather are philosophical and political positions that are held and defended by many classic and contemporary liberal political philosophers (see Table 2).⁴³

Table 1. Justificatory matrix for liberalism

	Perfectionist	Neutralist
Universal	Universal-perfectionist	Universal-neutralist
Particular	Particular-perfectionist	Particular-perfectionist

⁴² G. Crowder, *Liberalism and Value Pluralism*, p. 27.

⁴³ *Ibid.*, p. 27.

Table 2. Justificatory alignment of liberal political philosophers⁴⁴

	Perfectionist	Neutralist
Universal	Kant	Locke
	Mill	Dworkin
	Galston	Crowder
		Larmore
		Rawls (<i>A Theory of Justice</i>)
Particular	Rorty	Rawls (<i>Political Liberalism</i>)
	Raz	Gray

Let us now examine these four justificatory positions in more detail.

1.3.1.1 Universal Perfectionism

One of the dominant themes of liberal political philosophy has been the development and defence of a distinctly *liberal* conception of the good, and central to this is a specific conception of the autonomous individual. Those who defend this conception often do so by calling upon the intellectual foundations provided by Kant and Mill. This is an issue that I will address in detail in the

⁴⁴ Based on Crowder's table, in *ibid.*, p. 28.

next chapter, but the crux of this position is the importance of the principle of autonomy: the free individual is the individual who, through the unrestricted use of their autonomy, freely assents to, and is governed by, universal laws. Thus, for the liberal universal-perfectionist, there exists a specific conception of the good, and this is the free and autonomous individual.

1.3.1.2 Universal Neutralism

Within contemporary liberal political philosophy, the dominant justificatory argument is that of universal neutralism. Crowder argues that the ‘seminal formulation’ of this defence is Rawls’ *A Theory of Justice*, and it can be traced back to Locke’s *A Letter Concerning Toleration*.⁴⁵ (This neutralist interpretation of *A Theory of Justice* is not an interpretation that I share, and this issue will be addressed in Chapter 4.) For Locke, toleration possessed instrumental and political value, especially when it came to religious matters. Owing to the fact that it is virtually impossible to alter the minds and beliefs of people in matters of conscience, it would be irrational for the state or church to persecute people who held dissenting views. This is for three main reasons. First, just as we consider our religious beliefs to be true, so too do those with differing beliefs. Second, because we hold our views as a source of salvation and redemption in the afterlife, condemning to death those whose religious beliefs differ from our own is a pointless activity (in so far as it will not change the views of those condemned). Finally, as is constitutive of the very nature of religious beliefs, these beliefs cannot be changed through external force (no matter how

⁴⁵ G. Crowder, *Liberalism and Value Pluralism*, p. 28.

painful!), but only through internal conviction.⁴⁶ Whilst the state may call upon 'rods and axes,' 'force and blood,' 'fire and the sword,' as means to convert an individual from religious view X to religious view Y, this is not only inefficient, but more importantly, it is incapable of producing the desired end, that is, a genuine and authentic religious conversion.⁴⁷

It is in the recent liberal literature that 'neutralism' has replaced 'toleration', and has found expression in the work of Rawls and Dworkin. For Rawls, as argued in his *A Theory of Justice*, political neutrality is achieved by prioritizing the right over the good (this is examined in more detail in Chapter 4). For Dworkin, the strength of (a universal-neutralist conception of) liberalism lies in the fact that it is 'neutral on what might be called the question of the good life.'⁴⁸

But despite the strength of these arguments, this line of defence has come under recent attack. Again, this is an area that will be discussed at length in Chapter 3. But briefly, whilst the liberal state may be neutral as to its *conception* of the good, the *impact* of this neutrality is felt differently for certain segments of the population, in particular women and minority groups. Furthermore, whilst liberal neutrality is supposed to allow the individual to decide for themselves what their particular conception of the good is, it does so by prioritizing certain liberal values over others, such as individuality and autonomy. Thus, paradoxically, liberal neutrality undermines itself, and the wall that separates it

⁴⁶ M. Deveaux, *Cultural Pluralism and Dilemmas of Justice* (London: Cornell University Press, 2000), p. 44.

⁴⁷ S. Mendus, *Toleration and the Limits of Liberalism* (London: MacMillan Education Ltd, 1989), p. 26; and, J. Locke, "A Letter Concerning Toleration," in *Two Treatise of Government and A Letter Concerning Toleration*.

⁴⁸ R. Dworkin, *A Matter of Principle* (Cambridge, MA.: Harvard University Press, 1985), p. 191, quoted in G. Crowder, *Liberalism & Value Pluralism*, p. 29.

from liberal universal-perfectionism collapses. This is at the heart of the communitarian critique.

1.3.1.3 Particular Perfectionism

On this account, liberalism is defended because it is the political form that is required to sustain a certain conception of the good life, premised upon autonomy. However, where it differs from the universal-perfectionist account is that the prioritizing of autonomy is only applicable to certain societies. This justificatory defence has found its most cogent expression in the work of Joseph Raz, who argues that not everyone 'has an interest in personal autonomy. It is a cultural value, i.e. of value to people living in certain societies only'.⁴⁹ In Crowder's analysis, this defence is premised upon the fact that personal autonomy is deemed as being valuable only in the modern industrial state, and this is inexorably linked to rapid technological, economic, and social changes, and the need to acquire new skills.⁵⁰

But both Raz and the particular-perfectionist defence of liberalism have been attacked on two main grounds. First, by admitting that liberalism does not have, or does not need, universal value, those who defend it on such universalist grounds fear that Raz' conception of liberalism is a retreat, if not a betrayal, of the traditional liberal ideal. Second, it is argued by the communitarians that even though Raz does not promote autonomy as a universal value, the logical corollary of his position is that those groups who do not prioritize autonomy even within this particularist conception of the liberal state, are deemed as being less worthy than those who do so.

⁴⁹ J. Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), p. 189n1.

⁵⁰ G. Crowder, *Liberalism and Value Pluralism*, p. 38.

1.3.1.4 Particular Neutralism

This position is best illustrated by mapping the change in Rawls' liberalism. *A Theory of Justice* was defended on universal-neutralist grounds, that is, it is neutral as to the conception of the good, but this neutrality ought to be applied universally. But his revised theory of justice, best expressed in *Political Liberalism*, rejects this universal premise for neutrality, and instead Rawls argues that it is best applied to states where there is a pre-existing liberal democratic political framework with its associated liberal values, such as an interpretation of the individual as both autonomous and equal.

However, as with the other justificatory arguments for liberalism, this position is not without its detractors. For some, by no longer embracing a universal position, Rawls has betrayed a fundamental liberal principle. For others, because his liberal vision is both particular and neutralist, it is so specific that it could only function in already existing liberal societies. As such, Rawls' *Political Liberalism* is preaching to the converted.

Where does Enlightenment liberalism fit into this justificatory matrix? How is it positioned *vis-à-vis* the two main justificatory debates (universalism or particularist; and neutralist or perfectionist)? I posit that Enlightenment liberalism must be located within the universalist defence of liberalism as one of its fundamental and defining characteristics is that it is a *universal* form of liberalism. In regards to the second justificatory debate, Enlightenment liberalism takes on a rather nuanced position. On the one hand, it is perfectionist – it prioritizes both the primacy of the individual and the autonomy of the individual. However, as will be demonstrated in this thesis, Enlightenment liberalism straddles the perfectionist and neutralist positions,

and the theoretical wall that is used to separate them is actually far more porous than those who defend this shallow separation may care to admit.

1.3.2 The Challenge of Pluralism

What precisely do I mean then when referring to the challenges of pluralism and diversity? There are a number of ways to define the issues and terminology involved here. One possible method would be to focus my discussion on the *location* of difference. Thus the challenge of multiculturalism is not simply about the existence and integration of different views, but it is *where* these differences are located. As noted by Bhikhu Parekh,

‘Multiculturalism is not about difference and identity *per se* but about those that are embedded in and sustained by culture; that is, a body of beliefs and practices in terms of which a group of people understand themselves and the world that organize their individual and collective lives’.⁵¹

Within the British media, this debate appears to be concerned primarily with the differences that exist, real or imagined, between the Islamic way of life and what are considered to be distinctly *British* values.⁵² This view, however, perhaps reflects the rather short-term memory of the media, and fails to take note of similar debates that exist further afield: the calls for self-government rights sought by many of the non-liberal indigenous communities of Australia,

⁵¹ B. Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (Basingstoke: Palgrave, 2000), pp. 2-3.

⁵² This raises the question of what exactly are *British* values? This is an important question, but it is not one that will be explored in this thesis.

New Zealand, Canada, and America; language laws and demands for political autonomy and/or secession from Canada by the French-speaking Quebecois; and similar demands for political autonomy and/or independence made by Basque separatists within the Basque region of southern France and northern Spain. Within the United Kingdom alone, recent political and social history has been characterized by regional struggles against the traditional and established power (both political and economic) of England. This is demonstrated through calls for the recognition and teaching of regional languages, such as Welsh, Cornish, and the Gaelic languages; political devolution in Scotland and Wales; and calls for independence in Northern Ireland.

But it would be wrong to suggest that the *only* form of difference that challenges the status quo within the modern liberal democratic polity is connected to multiculturalism and differences that are embedded within culture. Continued and sustained challenges have emerged from feminists; gay and lesbian rights advocates; mental and physical disability advocates; and those concerned with racial equality. What unites these four disparate groups is their demand for the recognition by the modern liberal democratic polity of characteristics that are central to their identity – be it sex, sexuality, disability, or race – that are *not* embedded within culture. This is the demand for the recognition of characteristics that are not culturally contingent in nature, but is instead something that is both integral to their identity *and* physically inescapable.

What separates this second group from those whose challenge against the modern liberal democratic polity is embedded within multiculturalism is that the characteristics that they call for the acceptance of are not situated outside of

the body, within this non-tangible and constantly changing concept that we call 'culture'. Rather, it is innately connected to their *physical* body. That is to say that even should they desire to, it would be impossible to separate them from this defining and integral *physical* characteristic. One may choose, for example, to renounce one's faith, or at least certain characteristics of it that are outwardly visible, such as the burqa or the Jewish yarmulke (skullcap), or no longer see the need for regional autonomy based on linguistic differences. However, one cannot escape the colour of one's skin, nor one's sexual orientation. It is, of course, possible to change one's sex, or mitigate the effects of mental and/or physical disabilities, but this can only be achieved through medical intervention. Indeed, this only solidifies the fact that these physical characteristics are not contingent in nature, and cannot therefore be considered separate and distinct from one's identity, like religious paraphernalia and cultural customs.⁵³

One could, therefore, refer to the differences contained within multiculturalism as being *culturally*-embedded (following Parekh), whereas those within the second group (who are represented primarily in this thesis through feminism) as being *physically*-embedded. What, then, is the nature of the relationship between these two broad groups? Given the disparate makeup and dynamics of these two groups, both within and between them, it is a relationship that tends to be in a state of constant flux, and thus does not lend itself to the

⁵³ Here I am following the sex/gender distinction, where sex is used to refer to either male or female, and gender to refer to masculine or feminine character traits. Whilst one may self-consciously change one's behaviour so that it resembles that of the other *gender*, this will not bring about a change of one's *sex*.

determination of consistent and predictable conclusions. However, it may be possible to draw out some characteristics of this complex relationship.

Given the continued historical marginalization, and, at times, exclusion, suffered by those whose differences are physically-embedded (such as the denial of the right to vote for women in the United Kingdom until 1928, and continued calls for the recognition of same-sex marriages), one could speculate that this group *may* be more sympathetic to the plight of others, and thus, may be more likely to support them in their demands for recognition and/or equality. It is perhaps not surprising that feminism, given its diverse and constantly changing nature, has demonstrated that it is capable of forging links with other groups, such as those who demand racial equality, or who are discriminated against because of their sexual preference. However, as Parekh brings to our attention, even though both groups are part of what he refers to as the ‘politics of recognition’, multiculturalism is a ‘distinct movement’, whose relationship to the other is characterized by ambivalence.⁵⁴ Indeed, I would go further than Parekh, and posit that, at times, the demands made by certain multicultural groups (or, at least, by certain members within such groups) are not only ambivalent towards those whose difference is physically-embedded, but actually constitutes another source of oppression. Thus, there is oppression *within* oppression. Within feminist theory, this is referred to as ‘intersectionality’.⁵⁵ This is where the interplay between various categories such as sex, race, class, disability, and

⁵⁴ B. Parekh, *Rethinking Multiculturalism*, p. 3.

⁵⁵ See, for example, I. Browne and J. Misra, “The Intersectionality of Gender and Race in the Labor Market,” *Annual Review of Sociology* 29, (June 2003), pp. 487-513; S. Shields, “Gender: An Intersectionality Perspective,” *Sex Roles: A Journal of Research* 59, no. 5 (September 2008), pp. 301-311; and L. McCall, “The Complexity of Intersectionality,” *Signs: Journal of Women in Culture and Society* 30, no. 3 (Spring 2005), pp. 1771-1800.

ethnicity, can act as a matrix within which oppression occurs. This operates within both culturally *and* physically-embedded differences. For example, one may be a subject of *external* discrimination and oppression due to one's ethnicity, but within that cultural group, this is exacerbated by *internal* cultural practices that normalize the subjection of women or homosexuals.

Another possible method one may use is not concerned with the *location* of difference, but rather with the *extent* to which this difference challenges values held by the liberal democratic polity. This approach, I posit, is superior because it better reflects the nature of the clash between Enlightenment liberalism and the challenge of diversity and pluralism. Difference in and of itself, irrespective of whether it is culturally or physically embedded, may not pose a problem for the liberal democratic state if it can be easily accommodated. The real challenge emerges, however, when this is not possible. To expand upon this approach, I will draw on the distinctions made by both James Bohman and Andrea Baumeister.

Bohman, borrowing a distinction from David Hume, believes that many disagreements 'are not merely conflicts of interest, but [are] conflicts of principle.'⁵⁶ Conflicts of interest do not present themselves as substantial problems for the liberal polity as their solution is essentially a matter of adjudication. Conflicts of principle, however, by their very nature, preclude such

⁵⁶ J. Bohman, "Public Reason and Cultural Pluralism: Political Liberalism and the Problem of Moral Conflict," *Political Theory* 23, no. 2 (May 1995), p. 253.

simple solutions because what is at stake often clashes with Rawlsian ‘higher-order’ principles, such as justice as fairness.⁵⁷

The distinction offered by Bohman dovetails neatly with that proposed by Baumeister, who divides multicultural claims into two groups: thin and thick multiculturalism.⁵⁸ Thin multiculturalism refers ‘to instances of diversity where the various protagonists continue to subscribe to a shared set of liberal values,’ whereas the demands of thick multiculturalists stem from ‘values and aspirations [that] are in conflict with the wider liberal framework.’⁵⁹ Those whose claims of recognition we would generally consider to the ‘thin’ tend to stress the importance of group identity and membership, and therefore reject the liberal notion that contingent attributes (as Enlightenment liberalism would view them) ought to be relegated to the private sphere. However, they would also support the liberal values of individual rights and liberty, including such core values as individual autonomy and the equal moral worth of all individuals.⁶⁰

This is in contrast to the claims of ‘thick multiculturalists’, whose demands conflict with the core values of liberalism, irrespective of how it is defined. For example, while most liberals regard personal autonomy as an important (if not *the* most important) value, certain ethno-religious groups fear that the promotion of autonomy, especially in areas of education, would undermine many important aspects of their way of life. James Bonham’s example of the

⁵⁷ Ibid., p. 253.

⁵⁸ Baumeister, in turn, takes her distinction from Y. Tamir, “Two Concepts of Multiculturalism,” *Journal of Philosophy of Education* 29, no. 2 (1995), pp. 161-172.

⁵⁹ A. Baumeister, *Liberalism and the ‘Politics of Difference’*, p. 36.

⁶⁰ Ibid., p. 36.

Sioux tribe's challenging of the 'entire practices and procedures for settling disputes about past injustices through monetary compensation' is a good illustration of this type of thick challenge to the liberal polity.⁶¹

Whilst Judd Owen uses different terminology to both Bohman and Baumeister, his argument can be broken down along similar lines. For Judd Owen, the task of liberal political philosophy in a post-September the 11th world is to grapple with the challenge of 'illiberal revealed theology'.⁶² Religion itself, for Judd Owen, is not a problem. Many of the challenges that religion poses for liberalism, such as the debates surrounding abortion, the teaching of creationism, and open displays of religions icons within public spaces, arise *within* existing frameworks of liberal principles. As Judd Owen notes, 'The very language of "accommodation" supposes the political (if not the complete) subordination of religion to liberal constitutionalism'.⁶³ Whilst an argument may be raised against Judd Owen's optimism regarding the extent to which liberal political principles can accommodate the debates raised, this set of challenges, broadly speaking, falls under Baumeister's label of thin multiculturalism.

The real challenge that Judd Owen identifies is 'illiberal revealed theology', which can be associated with thick multiculturalism:

In its fullest sense, illiberal revealed theology contests liberal constitutionalism at its very foundations. It is a challenge that cannot be

⁶¹ J. Bohman, "Public Reason and Cultural Pluralism," p. 254.

⁶² J. Judd Owen, "The Task of Liberal Theory after September 11," p. 325, 328.

⁶³ *Ibid.*, p. 325.

met by accommodation or by otherwise finding a place *within* liberal constitutionalism, but only by a direct engagement with the revealed theology that underlies the political challenge.⁶⁴

Whilst within the current social and political context the most prominent form of illiberal revealed theology is fundamentalist Islam, it should not be assumed that this is the only form that it can take. Indeed, any religion (or philosophy) has the potential to change in this direction.

Whilst Baumeister's distinction is important, and does support that made by Bohman, I wish to make a modification to her terminology. Instead of using the term 'multiculturalism' (as in the claims of thin and thick multiculturalism), I believe the suffix 'pluralism' may be better suited to describe accurately the differences that exist within the modern liberal democratic polity. This is because the challenges to Enlightenment liberalism are not located only within cultures – they are physically embedded as well as culturally embedded. Thus, whilst Parekh refers to the 'politics of recognition', and Baumeister the 'politics of difference', throughout this thesis I shall refer to the challenges posed by both culturally- and physically-embedded differences *in addition to* thin and thick multiculturalism under the rubric the 'challenge of pluralism'.

1.4 Methodology

Whilst other fields within political science may have developed systematic approaches to methodology, within political theory and political philosophy (irrespective of how one may differentiate between the two, if at all),

⁶⁴ Ibid., p. 325.

approaches to methodology are less outwardly rigorous, and are instead perhaps more subtle. As David Leopold and Marc Stears note:

While scholars in other branches of political and social sciences expend great energy debating the right way to conduct research – arguing about the appropriate place of quantification, the nature of survey design, the ethical acceptability of particular investigative approaches, and the like – political theorists generally spend their time addressing questions of ‘how’ and ‘why’ in their work. Instead, they dive straight into their analysis, turning immediately to the task at hand; arguing, for instance, about the meaning and value of particular key concepts such as liberty, justice, and rights.⁶⁵

Given the nature and focus of this thesis, its methodological approach could be informed by linguistic contextualism (the Cambridge School),⁶⁶ or alternatively, discourse analysis.⁶⁷ However, I will not follow Skinner’s approach because I do not examine the historical periods in which various important texts were written in order to uncover and determine what their true meaning may be. As such, this thesis is not situated within the history of political thought. Similarly, discourse analysis is not embraced because I am not searching for a certain pre-determined outcome that can be attained through slippages between words and intentions.

⁶⁵ D. Leopold and M. Stears, “Introduction,” in *Political Theory: Methods and Approaches*, eds. D. Leopold and M. Stears (Oxford: Oxford University Press, 2008), p. 1.

⁶⁶ Q. Skinner, *Vision of Politics. Volume 1: Regarding Method* (Cambridge: Cambridge University Press, 2002); J. Tully ed., *Meaning and Context: Quentin Skinner and his Critics* (Princeton, N.J.: Princeton University Press, 1988); R. Lamb, “Quentin Skinner’s revised historical contextualism: a critique,” *History of the Human Sciences* 22, no. 3 (July 2009), pp. 57-73; and T. Stanton, “Logic, Language and Legitimation in the History of Ideas: A Brief View and Survey of Bevir and Skinner,” *Intellectual History Review* 21, no. 1 (March 2011), pp. 71-84.

⁶⁷ N. Fairclough, *Discourse and Social Change* (Cambridge: Polity Press, 1992); and E. Laclau et al., *Discourse Theory and Analysis: Identities, Hegemonies and Social Change* (Manchester: Manchester University Press, 2000).

The principle exponents of the Cambridge School were J. G. A. Pocock and Quentin Skinner. As much as it can be described as a united approach,⁶⁸ the Cambridge School wished to disentangle the competing claims of history and philosophy. Pocock did not question the validity of the philosophical use of the past, but, as noted by David Boucher and Paul Kelly, he did believe that it should not be used in place of history. As Boucher and Kelly state, for Pocock, ‘it was the historian, not the philosopher, who was the guardian of the truth, and protected society against the manipulation of the past for present ideological purposes.’⁶⁹ In order to ascertain the correct authorial intention, Pocock tends to give priority to the paradigmatic languages within which authors operate, and within which certain concepts and vocabularies arise, such as law. Similarly, Skinner aims to determine the intentions of the author through ascertaining the meaning of any argument. To this effect, Skinner tends to focus on the particular concepts that are used to describe and evaluate both morality and politics. As Boucher and Kelly conclude, it is ‘positing a linguistic context as the appropriate unit of analysis that elicit the types of meanings that the historian makes intelligible’ that unites the work of Pocock and Skinner, and is therefore characteristic of the Cambridge School.⁷⁰

⁶⁸ ‘As with contributors to the GG [*Geschichtliche Grundbegriffe*], it would be easy, although misleading, to create the specious unity or group identity in political terms or even programs of research. In fact it is questionable whether all the individuals usually linked together as the “Cambridge School” comprise a group as cohesive as that name applies. But although engaged in dialogue, and sometimes disagreement, the two most prominent Cambridge-trained historians of political thought, John Pocock and Quentin Skinner, share enough in their methods and subject matter to justify grouping them together and comparing them to the GG’s version of *Begriffsgeschichte* [history of concepts].’ M. Richter, “Reconstructing the History of Political Languages: Pocock, Skinner, and the *Geschichtliche Grundbegriffe*,” *History and Theory* 29, no. 1 (February 1990), p. 49.

⁶⁹ D. Boucher and P. Kelly, “Introduction,” in *Political Thinkers: From Socrates to the Present*, eds. D. Boucher and P. Kelly (Oxford: Oxford University Press, 2007), p. 4.

⁷⁰ *Ibid.*, p. 5.

Discourse analysis tends to focus on the hidden power dynamics operating within given texts. As such, it starts from the premise that the discourse itself is not a neutral device that imparts meaning. Rather, it is a tool that is used to create a particular kind of outcome, or dictate the terms of the narrative in order to control the discourse itself. To this extent, discourse is considered to be constitutive of social reality, with no 'outside' as such.⁷¹ Discourse analysis is, therefore, both anti-realist and constructivist: it denies that there is an external reality, and it is the job of the researcher to disclose it; and it acknowledges that there are many viable discourses all competing for selection. Such a view of discourse theory is indebted to the work of the philosopher Michel Foucault.

There are, as Jonathan Potter, Fairclough, and others have noted, several various approaches to discourse analysis.⁷² However, as Rosalind Gill notes, there are four prominent themes within discourse analysis. First, discourse is a topic. The aim of discourse is not to reveal the truth, but rather, to see how the truth itself is understood. Second, language is not a tool for mere communication, but is used to construct a particular reality. Third, the discourse itself is a form of action, as it is used to achieve certain aims and tasks (in the case of Foucault's analysis, the construction of what constitutes normality). Finally, those who practise discourse analysis recognize that

⁷¹ N. Fairclough, *Discourse and Social Change*; and E. Laclau and C. Mouffe, "Post-Marxism without apologies," *New Left Review* 166 (1987), pp. 79-106.

⁷² J. Potter, "Discourse psychology and the study of naturally occurring talk," in *Qualitative Research: Theory, Methods and Practice*, ed. D. Silverman, 3rd ed. (London: Sage, 2010), pp. 187-206.

discourses are always in competition with other discourses. There is always an attempt to persuade others of the superiority of one discourse over another.⁷³

This thesis will not seek to provide final answers to the complex issues that it touches on. Indeed, giving the constantly changing nature of the problem that I have identified, the issues involved, and the continued emergence of new forms of social and political analysis, it is doubtful if final answers could ever be reached. Rather, this thesis will be a work of exposition and critical analysis. The conclusions that it reaches will not be based upon rigorous textual and historical analysis, or case studies and data gathered from empirical evidence. Instead, this thesis is situated firmly within the tradition of philosophical analysis. Thus, it is from this perspective that its methodology is informed.

However, it also shares with James Tully the idea that political philosophy ought to be a 'critical activity'.⁷⁴ Whilst Tully's methodological approach to political philosophy is situated within the contextualist approach, and therefore has much in common with that of Pocock, Skinner, and the Cambridge School, the concept of political philosophy as a critical activity can contribute to an understanding of philosophical analysis. The primary question that contemporary political philosophy should address, according to Tully, is 'How do we attend to the strange multiplicity of political voices and activities without

⁷³ R. Gill, "Discourse Analysis," in *Qualitative Researching with Text, Image and Sound*, eds. M. W. Bauer and G. Gaskell (London: Sage, 2000), pp. 172-198, especially pp. 174-176.

⁷⁴ J. Tully, "Political Philosophy as a Critical Activity," *Political Theory* 30, no. 4 (August 2002), pp. 533-555.

distorting or disqualifying them in the very way we approach them?⁷⁵ To achieve this aim, we must develop a critical ‘attitude’:

we cannot uncritically accept as our starting point the default languages and practices of politics and their rival traditions of interpretation and problem solving inherited from the first Enlightenment, as if they were unquestionably comprehensive, universal, and legitimate, requiring only internal clarification, analysis, theory building, and reform. If we are to develop a political philosophy that has the capacity to bring to light the specific forms of oppression today, we require an Enlightenment critical ‘attitude’ rather than a doctrine, one that can test and reform dubious aspects of the dominant practices and form of problematisation of politics against a better approach to what is going on in practice.⁷⁶

Thus, whilst this thesis is a work of philosophical analysis, it does draw on elements and concepts from other approaches, such as Tully’s critical attitude. In addition to Tully, I also draw upon the thought of Ludwig Wittgenstein, especially his conception of what he refers to as ‘family resemblances’.⁷⁷ As Gaus informs us, ‘the guiding aim of Wittgenstein’s later philosophy is to show the inadequacy of [the]...naming theory of language’.⁷⁸ To illustrate his point, Wittgenstein uses the example of what we collectively refer to as ‘games’:

Consider, for example, the activities that we call “games”. I mean board-games, card-games, ball-games, athletic games, and so on. What is

⁷⁵ S. Cavell, *Conditions Handsome and Unhandsome* (Chicago: University of Chicago Press, 1990), pp. 101-126, quoted in *ibid.*, p. 537.

⁷⁶ *Ibid.*, p. 537.

⁷⁷ L. Wittgenstein, *Philosophical Investigations*, trans. G. E. M. Anscombe, trans. and ed. P. M. S. Hacker, and J. Schulte, 4th ed. (Chichester: Wiley-Blackwell, 2009), § 67.

⁷⁸ G. Gaus, *Political Concepts and Political Theories* (Colorado: Westview Press, 2000), p. 18. Gaus explores this point in more detail in Section 1.3 (pp. 12-15) of his text. See also D. G. Stern, *Wittgenstein’s Philosophical Investigations: An Introduction* (Cambridge: Cambridge University Press, 2004), pp. 110-111.

common to them all? – Don't say: "They *must* have something in common, or they would not be called 'games' " – but *look and see* whether there is anything common to all. – For if you look at them, you won't see something that is common to *all*, but similarities, affinities, and a whole series of them at that. To repeat: don't think, but look!⁷⁹

Wittgenstein posits that it is a mistake to search for an exact definition of a word that reflects its true and underlying essence. In place of this elusive definition, instead we discover 'a complicated network of similarities overlapping and criss-crossing: similarities in the large and small'.⁸⁰ Wittgenstein refers to these criss-crossing similarities as 'family resemblances': 'I can think of no better expression to characterize these similarities than "family resemblances"; for the various resemblances between members of a family – build, features, colour of eyes, gait, temperament, and so on and so forth, overlap and criss-cross in the same way'.⁸¹ Tully clarifies exactly what it is that Wittgenstein is suggesting here:

When we look at the uses of a general term what we see is not a determinate set of essential features that could be abstracted from practice and set out in a theory along with rules for their application. We do not find a set of features that make us use the same word for all cases but rather an open-ended family of uses that resemble one another in various ways. ...[and these family resemblances] change over time in the course of human conversation.⁸²

⁷⁹ L. Wittgenstein, *Philosophical Investigations*, § 66.

⁸⁰ *Ibid.*, § 66.

⁸¹ *Ibid.*, § 67.

⁸² J. Tully, "Political Philosophy as a Critical Activity," p. 543.

Throughout this thesis, I will take this broadly Wittgensteinian approach of family resemblances and apply it to the defining characteristics of what constitutes Enlightenment liberalism. Accordingly, whilst in Chapter 2 I provide a sketch of Enlightenment liberalism, I do not argue that the other political models examined in this thesis replicate the *same* characteristics in the *same* manner, as if to suggest that Enlightenment liberalism can be reduced to a single exemplar model. Rather, following Wittgenstein, I posit that three of the four models examined in this thesis – Rawls’ political liberalism, Crowder’s value pluralism, and Rorty’s liberal utopia– all contain important familial characteristics that are fundamental to Enlightenment liberalism. I argue, however, that Mouffe’s radical democratic project is not a member of this family.

Gaus notes that ‘We can identify members of the same family because they are united by a variety of crisscrossing traits.’⁸³ Accordingly, following Wittgenstein, the overlapping and criss-crossing similarities that can be found in these three models are all constitutive of the family resemblances of Enlightenment liberalism. Indeed, we have already seen the use of Wittgenstein’s concept of family resemblances with regards to the various elements that are constitutive of the liberal family.

The Wittgensteinian approach of family resemblances runs counter to Socrates’ desire for a definition in which a correct formulation must necessarily reflect what all uses of a particular term will have in common. When attempting to define ‘justice’ in such a way, Socrates rejects the definitions proposed by

⁸³ G. Gaus, *Political Concepts and Political Theories*, p. 18.

Cephalus (justice is simply a matter of telling the truth in all situations, and paying one's debts); Polemarchus (justice is doing good to friends, because that is what is due to friends, and doing harm to one's enemies, because that is what is due to enemies); and Thrasymachus (justice is that which promotes the interests of the strongest).⁸⁴ They are all rejected because Socrates can find exceptions and inconsistencies for them all. That is to say that Socrates rejects these various definitions because they do not reflect what *all* uses of the term 'justice' will have in common. As such, they do not possess a common and consistent thread. But to understand a term – in this case 'Enlightenment liberalism' – is not to try and grasp that which it names, but rather, to see how it is used. As Gaus argues, 'Conceptual investigation, then, seeks to understand the uses of a term – why we use it in different ways in different contexts to perform different functions.'⁸⁵

1.5 Thesis Outline

This thesis is divided into three parts. Part I outlines and identifies the nature of the problem; Part II examines theoretical approaches that address this problem, but which are still situated firmly within the liberal political tradition; and Part

⁸⁴ Plato, *Dialogues*, Book 2, Section 1, in H. L. Drake, *Plato's Complete Works* (New Jersey: Littlefield, Adams & Co, 1959), pp. 186-189.

Cephalus: 'In my opinion, Socrates, the great blessing of riches – not to every man, but to a good man – is that he has had no occasion to deceive or to defraud others. Of the many advantages which wealth has to give to a man of sense, this is the greatest.' (p. 186.)

Polemarchus: '[Justice is] The repayment of a debt...justice is the art of giving to each man what is proper to him, that is, good to friends, and evil to enemies.' (p. 187.)

Thrasymachus: 'I proclaim that justice is nothing else than the interest of the stronger...To be perfectly accurate – since you [referring to Socrates] are such a lover of accuracy – we should say that the ruler, insofar as he is ruler, is unerring and, being unerring, always commands that which is for his own interest. And the subject is always required to execute these commands. Therefore, I repeat that justice is the interest of the stronger.' (p. 189.)

⁸⁵ G. Gaus, *Political Concepts and Political Theories*, p. 23.

III examines theoretical approaches that move beyond the confines of traditional liberal political philosophy, and are situated within post-foundational and radical-political traditions.

1.5.1 Part I

Chapter 2 is an examination of a specific form of liberalism referred to as Enlightenment liberalism. The term Enlightenment liberalism is used for two important reasons. First, it is used to distinguish it from Reformation liberalism, whose origins can be traced back to the writings of John Locke, and focuses on the permanence of human imperfection and the political value of toleration. Second, and more importantly, the term Enlightenment liberalism is used to denote the specific connection between the fundamental ideas of the Enlightenment, and how these ideas find their political expression through Enlightenment liberalism. Of particular significance to Enlightenment liberalism are the Enlightenment ideas of autonomy and universalism. It is from these two key concepts that Enlightenment liberalism can draw a direct connection to the thoughts and writings of key Enlightenment philosophers, in particular Immanuel Kant. As such, Enlightenment liberalism is the political expression of certain Enlightenment values.

Chapter 3 will examine various arguments, both historical and contemporary, that challenge the political legitimacy of Enlightenment liberalism. The arguments that I examine in this chapter are Romanticism; Nietzsche's re-interpretation of the Enlightenment; the communitarian challenge; and feminism. Whilst these critical arguments originate from a variety of sources, each with differing philosophical underpinnings and aims, they all challenge the core values of Enlightenment liberalism – that is to say that they all reject the

universal nature of Enlightenment liberalism, and the continued prioritization of autonomy above all other values. In particular, they challenge the view that there is no value in that which is deemed to be historically or socially contingent.

The aim of this chapter is not to discredit completely Enlightenment liberalism, or the Enlightenment itself. I am not arguing that as a political or social model Enlightenment liberalism has outgrown its use. Rather, I will demonstrate that there are a number of valid reasons to re-consider *some* of Enlightenment liberalism's constitutive elements. The crux of my argument focuses on the political legitimacy of Enlightenment liberalism. Its adherents argue that it is the *only* form of political association that the rational agent would freely assent to. However, I posit that this is a flawed argument as it is premised upon a narrow deontological view of human association. As the critical arguments examined in this chapter demonstrate, this deontological viewpoint is not shared by everyone as there are many people (both acting as individuals and communities) that possess valid reasons for not accepting this view of humanity or political association.

1.5.2 Part II

Part II of this thesis examines two political models that are advocated by their various defenders as being able to accommodate the demands of pluralism and diversity, whilst still being situated firmly within the liberal political tradition. Chapter 4 focuses upon the political liberalism that is associated with the later writings of John Rawls. The strength of political liberalism (and therefore the advantage that it possesses over Enlightenment liberalism) lies in that given 'the fact of reasonable pluralism', decisions that affect society's constitutional

essentials must be made separate from one's comprehensive doctrine, and in terms that are agreeable to all within the public sphere. Thus, Rawls argues that the strength of political liberalism is that it is a 'free-standing' political framework that is not based upon any particular comprehensive doctrine or conception of the good. In contrast to perfectionist models of liberalism such as Enlightenment liberalism, political liberalism is neutral with regards to competing conceptions of what constitutes the good life. In short, political liberalism is a form of political association whose legitimacy is founded upon the *political* nature of how agreements are reached, rather than recourse to metaphysics or comprehensive ethical theories.

However, I argue that in order to remain politically neutral, Rawls' political liberalism has the unintended consequence of excluding from the political process (and therefore potentially from political association) certain conceptions of the good life. It does this by reinforcing the separation of life into the public and private spheres, and demanding that decisions that relate to constitutional essentials must be devoid of any comprehensive doctrines or metaphysical elements. In order to facilitate the effectiveness of making decisions in this manner, Rawls promotes the use of autonomy within the public sphere. However, there are some segments within society that are either incapable, or unwilling, to use this form of decision making process, and will thus be excluded from the political process.

Chapter 5 focuses on the connection between the thesis of value pluralism and liberalism. Whilst value pluralism is usually (and correctly) associated with the work of Isaiah Berlin, this chapter will focus on the value pluralism that is

developed by George Crowder. Value pluralism, in contrast to Rawls' political liberalism, is an *ethical* theory regarding the nature of values. At its core is the belief that not only is life characterized by a plurality of values, but these values are, at times, incommensurable. That is to say there exists no external 'super-value' against which all other values can be measured against and ordered. Indeed, it is the concept of value incommensurability that is at the heart of value pluralism.

The connection between value pluralism and liberalism is a contested one. But for many supporters, such as Berlin and Crowder, not only does this link exist, but because value pluralism takes the existence of a plurality of values very seriously, it is particularly well suited to meet the demands of pluralism. However, for Crowder, it suggests a very specific form of liberalism. Given the existence of a plurality of values which may, on occasion, be incommensurable, and the lack of any super-value to act as a guide, the individual needs to be able to make informed decisions. For Crowder, this implies a form of liberalism that prioritizes the political value of autonomy, as it is only the autonomous individual that can make such decisions. Here, as with Rawls' political liberalism, we can see the re-emergence of autonomy as a means to support and accommodate the demands of pluralism. Yet, as with Rawls, Crowder's promotion of autonomy as a political value may undermine that which he has set out to achieve. I conclude that by prioritizing autonomy, Crowder's interpretation of a distinctly liberal value pluralism may exclude many of those who, for various reasons, may not choose to place such an emphasis on autonomy, even within the public political sphere.

1.5.3 Part III

Rorty's post-foundational liberal utopia is the focus of Chapter 6. Whilst, at first glance, Rorty may have very little to offer with regards to the aims and scope of this thesis, I suggest that this is not the case. What I take from Rorty is the possibility of an approach to political association and justification that is explicitly severed from any form of metaphysical foundation, irrespective of the arguments and values contained within such a metaphysical viewpoint. What Rorty offers us is a purely political form of political association. Rorty's rejection of metaphysics and philosophy is premised on his rejection of a Platonist or Kantian understanding of the world. Therefore, for Rorty, language does not describe objects and concepts external to the human world because these things do not exist. Metaphysics and philosophy cannot refer to external *a priori* truths, but instead are stories that we tell each other, and thus reflect values that various communities come to hold. Liberal democracy, therefore, cannot be justified by recourse to any metaphysical argument. Rather, for Rorty, we continue to use and defend liberal democracy because it is the best means we have for both reducing cruelty and promoting human flourishing.

My concern with Rorty is not linked to the validity of his *philosophical* argument regarding whether or not truth exists. Rather, I focus on weaknesses within the *political* application of these views. More specifically, I argue that whilst Rorty's idea of a form of political association that is purely functional, and not linked to any metaphysical or philosophical foundation, has potential, in the form that it is presented to us, there is no room for the examination of important normative questions and considerations. Drawing on the critical analyses of Justin Cruickshank and Honi F. Haber, I argue that Rorty's post-foundation liberal

utopia is actually *anti*-political. This has the detrimental effect of only allowing for what Rorty refers to as ‘experimental tinkering’⁸⁶ within the already existing liberal-democratic framework. I posit that Rorty’s approach is not wrong *per se*, but rather, that it does not go far enough – it does not embrace *the political* where this is understood in terms of a clash of values.

The final chapter of this thesis moves into precisely the territory that I criticise Rorty for not exploring. This chapter focuses on the work of Chantal Mouffe and her conception of radical democracy, which is in turn driven by agonistic pluralism. At the centre of this agonistic approach to political association is a belief in both the inescapability of conflict within the political discourse, and the impossibility of what Mouffe refers to as a ‘rational consensus’. What unites Rawls’ political liberalism, Crowder’s liberal value pluralism, and Rorty’s post-foundational liberal utopia, is a belief that issues relating to pluralism can be resolved neatly within the existing liberal political framework. However, Mouffe denies this myopic approach, and espouses a form of political association that acknowledges the ontology of conflict within the political discourse.

⁸⁶ R. Rorty, “Thugs and Theorists: A Reply to Bernstein,” *Political Theory* 15, no. 4 (1987), p. 565.

2. Enlightenment Liberalism

2.1 Introduction

This chapter will achieve two main objectives. First, it will examine the contested issue of what the Enlightenment was. To this effect, I shall look at the Enlightenment in both its semantic context, and the extent to which it could be considered as either a united or fragmented intellectual movement. Graeme Garrard draws our attention to problems and confusion that emerge within political philosophy and the history of political thought when authors misuse or conflate the various terms that have been proposed to describe what is now generally referred to as 'the Enlightenment'. In order to avoid replicating these problems, a consistent definition of what constitutes the Enlightenment shall be proposed. Following this, the discussion will move towards an analysis of the diverse nature, in both its thematic and geographical contexts, of the Enlightenment.

Second, and more importantly with regards to the larger aims and scope of this thesis, this chapter will examine the form of liberalism that I refer to as Enlightenment liberalism. Whilst acknowledging that there did exist diversity within the Enlightenment, following the work of Berlin, MacIntyre, Gray, and Gaus, I suggest that it is possible to observe an Enlightenment project, or Enlightenment view of reason. Central to this project is the belief that there is a discernable and universal human nature, and it is on this foundation that a rational account of both morality and politics can and ought to be premised. This project can be located in both Marxism and liberalism. In order to better understand how this project fits within the Enlightenment liberal fold, I will

demonstrate its characteristics through an examination of Kantian moral and political thought.

2.2 What is 'The Enlightenment'?

The important question to ask at this juncture would be (with apologies to Kant), 'what was the Enlightenment?' This simple question conceals the complexity of the answer. The far reaching and continued impact of the Enlightenment is an inescapable fact of modern life within what is referred to as 'the West', as well as those regions of the world, such as Africa and parts of Asia, that have been affected by the fluctuating tide of European influence (such as through colonization and trade) over the last three-hundred years. Accordingly, when addressing the same question in an essay entitled "What is Enlightenment?" Foucault noted that the Enlightenment 'has determined, at least in part, what we are, what we think, and what we do today.'⁸⁷ More recently, Eileen Hunt Botting notes that 'from science to politics, the Enlightenment is widely recognized as a crucible for modern Western culture.'⁸⁸ But how do we go about the project of defining and unpacking exactly *what* the Enlightenment was? Unlike, for example, historians, we are at a disadvantage when trying to answer this question because the focus of our analysis is not an easily definable single event. As Norman Hampson notes,

⁸⁷ M. Foucault, "What is Enlightenment?" in *The Foucault Reader*, ed. P. Rainbow (Harmondsworth: Penguin, 1984), p. 32.

⁸⁸ E. H. Botting, "The End of Enlightenment?" *American Behavioral Scientist* 49, no. 5 (2006), p. 643.

The historian who writes about a concrete subject, such as the battle of Waterloo, begins with what might be considered an advantage: however interpretations of the causes and consequences of the battle may differ, there is general agreement that it did exist, that it occurred in a specific place, at a particular time, and that the French lost. The Enlightenment, on the other hand, only existed to the extent that it appears meaningful to isolate certain beliefs and ways of thinking and behaving, and to regard these as especially characteristic of a particular period.⁸⁹

Hampson's last sentence suggests a Wittgensteinian approach to understanding what the Enlightenment was. Instead of searching for the replication of exact characteristics, it may be better to adopt the 'family resemblance' approach, and focus on identifying similar characteristics that exist across a broad spectrum of thinkers.

First, let us begin to unpack not the content or ramifications of the Enlightenment itself, but rather the *term* 'the Enlightenment'. This is not merely a pointless semantic argument, but rather, an important issue of clarification that needs to be made. If we are to discuss any term in detail, both in a positive and negative context, then it is important that we are consistent, not only with the terms that we use, but the meaning that we allocate to these terms. This issue of consistency is an important point, as the inconsistent use of terms not only divides readers from authors, but also divides writers against themselves. This issue of consistency, both in terms of labels and content, is particularly relevant for any discussion of the Enlightenment because, as Garrard writes,

⁸⁹ N. Hampson, *The Enlightenment* (London: Penguin Books, 1987), p. 9.

'the interchangeable use of *enlightenment*, *Enlightenment*, *the enlightenment*, and *the Enlightenment* utterly confounds sensible discussion of this subject.'⁹⁰

To demonstrate how the imprecise, inconsistent, and at times clumsy, use of these four terms can cause confusion for the reader, Garrard provides us with four examples (although he does note that 'one might go on indefinitely').⁹¹

Daniel Conway's *Nietzsche and the Political* uses the phrases 'dialectic of enlightenment,' 'dialectic of Enlightenment,' 'historical enlightenment,' the 'dream of the Enlightenment,' and the 'image of the Enlightenment,' all within a single passage.⁹² George Friedman's 1981 study of the Frankfurt School contributes to the confusion with the following passage: 'The crises of the Enlightenment...the purpose of Enlightenment...the crisis of the Enlightenment...the crisis of Enlightenment.'⁹³ From Charles Frankel's *The Faith of Reason*, Garrard provides the reader with the following semantically confusing passage:

It was in France that enlightenment had its most lively career, and it was from France, which was the social centre of the Enlightenment, that such tenets of enlightenment as the belief in progress were most widely disseminated. The Enlightenment was a movement that transcended

⁹⁰ G. Garrard, *Counter-Enlightenments: From the eighteenth century to the present* (Oxford: Routledge, 2006), p. 5; and G. Garrard, "The Enlightenment and Its Enemies," *American Behavioral Scientist* 49, no. 5 (2006), p. 665. Emphasis in the originals.

⁹¹ G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," p. 665.

⁹² D. Conway, *Nietzsche and the Political* (London & New York: Routledge, 1997) pp. 126-7; quoted in G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," p. 665. 'Dialectic of Enlightenment' is a reference to Theodor Adorno and Max Horkheimer's text of the same name. T. Adorno and M. Horkheimer, *Dialectic of Enlightenment*, trans. J. Cumming (Verso: London, 2008 [1947]).

⁹³ G. Friedman, *The Political Philosophy of the Frankfurt School* (Ithaca, NY, and London: Cornell University Press, 1981), pp. 134-5; quoted in G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," p. 665.

national boundaries; it fostered and was in turn sustained by a European culture.⁹⁴

Understandably, some of the confusion is the result of the translation of important yet complex texts, such as A. V. Miller's translation of Hegel's *Phenomenology of Spirit* from German to English. According to Garrard, Miller develops conceptual distinctions in his translation that simply did not exist in the German version. *Die Aufklärung* is variously translated as 'Enlightenment,' 'the Enlightenment,' and 'the enlightenment,' all within the space of a single page.⁹⁵ James Schmidt also draws attention to the problems and confusion that emerged with the early attempts to translate accurately Hegel's philosophy into English.⁹⁶ As Schmidt notes, 'For much of the nineteenth century, Hegel's translators and commentators either used "Illumination" to render *Aufklärung* or simply left the word untranslated.'⁹⁷

It is clear from the examples that Garrard provides that there is no consistency, even among scholars of the period, as to the correct use of *enlightenment*, *Enlightenment*, *the enlightenment*, and *the Enlightenment*. Furthermore, it is easy to see how confusion can arise, not only from reading different translations of important texts, such as Hegel's *Phenomenology of Spirit*, but also from within

⁹⁴ C. Frankel, *The Faith of Reason* (New York: Octagon Books, 1969), p. 11; quoted in G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," p. 665.

⁹⁵ G. W. F Hegel, *The Phenomenology of Spirit*, trans. A. V. Miller (Oxford: Clarendon Press, 1977), p. 348; quoted in G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," p. 665. It should be noted, however, that Garrard does describe Miller's effort as 'an otherwise admirable translation.'

⁹⁶ J. Schmidt, "Inventing the Enlightenment: Anti-Jacobins, British Hegelians and the "Oxford English Dictionary"," *Journal of the History of Ideas* 64, no. 3 (2003), pp. 421-443.

⁹⁷ *Ibid.*, pp. 425-426.

a single source, such as a social or philosophical commentary on the Enlightenment.

What is important, therefore, is that we are consistent with both the terms that we use, and the meanings that we allocate to them. To this effect, Garrard provides us with clear and consistent definitions for both *enlightenment* and *the Enlightenment*. He uses *enlightenment* (no definite article, small 'e') as a generic concept that refers not only to the broad goal and process of increasing light and decreasing dark, but also in its metaphorical sense of wisdom usurping ignorance and lack of understanding.⁹⁸ The phrase *the Enlightenment* (definite article, capital 'E') is used to refer to the specific historical conception of the process of enlightenment, usually associated with Europe and America after approximately 1750.⁹⁹

Whilst I concur with Garrard's clear definition of *enlightenment*, and will therefore use this term to express such a concept, I do find fault with his definition of *the Enlightenment*. My issue is not with the process or understanding of enlightenment that it incorporates, nor its geographical parameters. Rather, my concern is with the approximate year that he dates the

⁹⁸ G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," pp. 665-666.

⁹⁹ G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," p. 666. John Robertson, however, believes that this discussion over semantics need not take place. As he argues, when discussing the crux of his text, *The Case for the Enlightenment* is thus, in one of its meanings, the case that there was one Enlightenment, not several Enlightenments. I will not, however, labour the case by always placing the definite article before Enlightenment: 'Enlightenment' and 'the Enlightenment' will hereafter be used to denote the same European-wide intellectual movement. An argument that there was one Enlightenment permits but does not require use of the definite article, and I do not wish to reduce the issues involved in discussing the unity and coherence of Enlightenment thinking across different countries to a dispute over that article.' J. Robertson, *The Case for the Enlightenment: Scotland and Naples, 1680-1760* (Cambridge: Cambridge University Press, 2005), p. 9n.

Enlightenment starting from. Whilst linking the Enlightenment to such a year, even approximately, allows him to incorporate the writings of important philosophers such as Kant, Marx, and Mill, it also has the effect of excluding the work of Locke. Locke died in 1704, and his two most important texts with distinct Enlightenment themes, *A Letter Concerning Toleration* and *Two Treatise of Government*, were not published until 1689. Perhaps, therefore, whilst using Garrard's definition as a foundation, it may be better to define *the Enlightenment* as 'the specific historical conception of the process of enlightenment, usually associated with Europe and America, after approximately 1680'.

Garrard is very careful with his use of the words *concept* and *conception*, in so far as they relate to his discussion of enlightenment and the Enlightenment. Garrard argues that whilst a *concept* is only a vague and general account of something, a *conception* is a specific interpretation of it. Thus, while there is only a vague and generic *concept* of enlightenment, it is possible to speak of the myriad of particular *conceptions* of it.¹⁰⁰ Here Garrard is drawing upon Rawls' distinction between a concept and conception, as they relate specifically to justice: 'Thus it seems natural to think of the concept of justice as distinct from the various conceptions of justice and as being specified by the role which these different sets of principles, these different conceptions, have in common.'¹⁰¹

¹⁰⁰ G. Garrard, *Counter-Enlightenments*, p. 5; and G. Garrard, "The Enlightenment and Its Enemies," p. 666.

¹⁰¹ J. Rawls, *A Theory of Justice*, p. 5. In a footnote to this quote, Rawls states that this separation between *concept* and *conception* is made following his reading of H. L. A. Hart, *The Concept of Law* (Oxford: Oxford University Press, 1961), pp. 155-159. In these passages, Hart examines the complex and nuanced relationship between justice, the law, and the administration of the law, which, although being closely related, are not the same. As Hart notes: 'there is therefore a

Following this brief but important semantic excursion, it is hoped that a conceptual clarity has been achieved when addressing the question that I raised at the outset of this chapter: what was the Enlightenment? By asking this particular question (with its focus not on *enlightenment*, but rather *the Enlightenment*), it should be clear that I am enquiring as the particular characteristics of a certain period of European (and to a lesser degree, American) history after 1680 that, speaking in the most general terms, emphasized reason and individualization over tradition.

However, even with this semantic clarification in place, we are still faced with yet another linguistic problem. We are trying to explore a particular concept that, even accepting the various semantic problems already discussed, is only a relatively recent addition to the English language, especially in the context that we are using. Garrard notes that the term *the Enlightenment* did not enter into the English language until long after the eighteenth century.¹⁰² Similarly, the Enlightenment scholar Robert Wokler notes that ‘the term *Enlightenment* seems to have made its first appearance in the late nineteenth century in English commentaries on Hegel.’¹⁰³ Furthermore, it was not until after World War Two that *the Enlightenment* as a coherent phrase replaced the previously dominant phrase *the Age of Reason*. Garrard, as well as Schmidt, trace the first recorded

certain complexity in the structure of the idea of justice. We may say that it consists of two parts: a uniform or constant feature, summarized in the precept ‘Treat like cases alike’ and a shifting or varying criterion used in determining when, for any given purpose, cases are alike or different’ (p. 156). Thus, we can have a vague and broad understanding of justice as a concept, and a very specific conception of justice expressed through the law and its administration.

¹⁰² G. Garrard, *Counter-Enlightenments*, p. 6; and G. Garrard, “The Enlightenment and Its Enemies,” p. 666.

¹⁰³ R. Wokler, “Isaiah Berlin’s Enlightenment and Counter-Enlightenment,” in *Isaiah Berlin’s Counter-Enlightenment*, eds. J. Mali and R. Wokler (Philadelphia: American Philosophical Association, 2003), p. 13.

use of the phrase *the Enlightenment* in the title of a book to Princeton philosopher Professor John Grier Hibben's 1910 text *The Philosophy of the Enlightenment*.¹⁰⁴ Although, as Schmidt notes, even here it appears that Hibben is unsure as to the precise semantic meaning of the words that he uses:

The opening of the book give the impression of a man attempting to cover all the possible bases: Within the space of two pages, Hibben referred to the period as "the Enlightenment, or Aufklärung," as the "philosophical century," as "the age of illumination, or enlightenment," and finally, that old standby: "the age of reason."¹⁰⁵

Even when trying to seek consistency and solace in the dominant continental European languages of the Enlightenment (French and German), we are faced with yet more problems. Whilst the French philosophers of the eighteenth century did not possess the French equivalent of *the Enlightenment*, they did refer to the broader concept of enlightenment (*éclaircissement*), and on occasions referred to themselves as *men of enlightenment* (*les hommes d'éclaircissement*). However, they did not use it to refer to a specific historical period or intellectual movement (*the Enlightenment*). It was not until the late eighteenth century that the expression *the century of lights* (*le siècle des*

¹⁰⁴ G. Garrard, *Counter-Enlightenments*, p. 6; G. Garrard, "The Enlightenment and Its Enemies," p. 666; J. Schmidt, "What Enlightenment Was, What It Still Might Be, and Why Kant May Have Been Right After All," *American Behavioral Scientist* 49, no. 5 (2006), p. 655; and J. Schmidt, "Inventing the Enlightenment: Anti-Jacobins, British Hegelians and the "Oxford English Dictionary"," p. 441.

¹⁰⁵ J. G. Hibben, *The Philosophy of the Enlightenment* (New York: Scriber, 1910), pp. 3-4, quoted in J. Schmidt, "What Enlightenment Was, What It Still Might Be, and Why Kant May Have Been Right After All," p. 665. In Schmidt's article "Inventing the Enlightenment", he does note that despite this issue of semantics, 'Hibben, an American Hegelian, offered a sensible, comprehensive account of eighteenth-century thought, free from the prejudices and distortions that the definition in the *Oxford English Dictionary* associated with the term' (p. 441).

lumières) gained popular usage, and *Lumières* as the French equivalent of what is known in English as *the Enlightenment* has only been popular since the 1950s.¹⁰⁶ Garrard notes that even in contemporary French, ‘there is no *l’Eclaircissement*...(definite article, capital *E*), even now.’¹⁰⁷ Comparable linguistic problems exist with the German language, where *die Aufklärung* has a distinct and separate meaning from *Aufklärung*. The former has been used to describe the historical period that we call *the Enlightenment* from the late eighteenth century, and the latter used as English speakers would use the phrase *enlightenment*. Using this important German semantic distinction, Garrard notes that ‘Kant’s famous essay ‘Was ist Aufklärung?’ (1784) is properly rendered in English as ‘What is enlightenment?’ rather than ‘What is *the Enlightenment*?’ (Was is *die Aufklärung*?)’.¹⁰⁸

2.3 The Enlightenment, or The Enlightenments?

Let us, however, accept the phrase *the Enlightenment*, whilst acknowledging both the specific meaning that I, following Garrard, have attached to it, and the many problems associated with it when it comes to finding equivalent terms in the literature of the dominant European languages of the Enlightenment. With this conceptual distinction in place, are we now able to ask with more clarity, ‘what was the Enlightenment?’ But here we are met with another issue that must be addressed – is this even the correct question to ask? *The Enlightenment* implies a singular, unified movement that spread across Europe. But to imply

¹⁰⁶ G. Garrard, “The Enlightenment and Its Enemies,” p. 666.

¹⁰⁷ G. Garrard, *Counter-Enlightenments*, p. 6; and G. Garrard, “The Enlightenment and Its Enemies,” p. 666.

¹⁰⁸ G. Garrard, *Counter-Enlightenments*, p. 7.

this would be to deny the diversity of the Enlightenment. Not only was the Enlightenment comprised of a multiplicity of intellectual opinions and political movements during the seventeenth and eighteenth centuries, but it was also a geographically diverse movement, not just within Europe, but as recent scholarship suggests, its impact was felt as far as North America.

There is a sizable body of literature dedicated to the geographic spread of the Enlightenment and its ideals. This rich and diverse field of scholarship is simply too large to address in any detail here. Roy Porter and Mikuláš Teich's comprehensive collection of essays dedicated to this precise issue include essays on countries that have generally been associated with the Enlightenment (England, Scotland, France, and Germany),¹⁰⁹ as well as countries outside the periphery of traditional Enlightenment thought (such as the Netherlands, Switzerland, Bohemia, and Sweden).¹¹⁰ John Robertson's 2005 text *The Case for the Enlightenment: Scotland and Naples, 1680-1760* compares and contrasts the culture of Scotland and Naples through the Enlightenment years, and well as looking at the work of two thinkers associated with the age, David Hume and Giambattista Vico. More recently, Ryan Hanley and Darrin McMahon published a five-volume collection of essays, with each volume dedicated to one of the main themes associated with the Enlightenment (definitions, knowledge,

¹⁰⁹ R. Porter, "The Enlightenment in England," in *The Enlightenment in National Context*, eds. R. Porter and M. Teich, (Cambridge: Cambridge University Press, 1981), pp. 1-18; N. Phillipson, "The Scottish Enlightenment," in *The Enlightenment in National Context*, pp. 19-40; N. Hampson, "The Enlightenment in France," in *The Enlightenment in National Context*, pp. 41-53; J. Whaley, "The Protestant Enlightenment in Germany," in *The Enlightenment in National Context*, pp. 106-117; and T. C. W. Blanning, "The Enlightenment in Catholic Germany," in *The Enlightenment in National Context*, pp. 118-126.

¹¹⁰ S. Schama, "The Enlightenment in the Netherlands," in *The Enlightenment in National Context*, pp. 54-71; S. S. B. Taylor, "The Enlightenment in Switzerland," in *The Enlightenment in National Context*, pp. 72-89; M. Teich, "Bohemia: From Darkness into Light," in *The Enlightenment in National Context*, pp. 141-163; and T. Frängsmyr, "The Enlightenment in Sweden," in *The Enlightenment in National Context*, pp. 164-175.

civilization, power, and revolutions). Included in this collection are essays focusing on the Enlightenment in Germany, the Netherlands, and Scotland, as well as the Enlightenment within the French Atlantic and the Spanish Americas.¹¹¹

Just as there existed diversity as to the geographical locations of the Enlightenment, there also existed a diversity of Enlightenment thought. At times this diversity did result in disagreements and antagonism among the various thinkers. When comparing the different national approaches of the French, British, and Germans, Peter Gay writes that

The French took perverse pleasure in the opposition of church and state to their campaigns for free speech and a humane penal code, and to their polemics against “superstition.” British men of letters, on the other hand, were relatively content with their political and social institutions. The German *Aufklärer* were isolated, impotent, and almost wholly unpolitical.¹¹²

Whilst Gray is of the opinion that there was an identifiable ‘Enlightenment project’, in the sense that certain dominant themes can be located within Enlightenment thought, he also acknowledges that there was diversity, both between countries, and between various Enlightenment thinkers. The Scottish Enlightenment differed substantially with some of the French *philosophes*, such

¹¹¹ L. Dubois, “An enslaved Enlightenment: rethinking the intellectual history of the French Atlantic,” in *The Enlightenment: Critical Concepts in Historical Studies*, vol. iv, eds. R. P. Hanley and D. M. McMahon (London: Routledge, 2010), p.p. 377-393; and, J. Cañizares-Esguerra, “The Spanish American Enlightenment: a characterization,” in *The Enlightenment: Critical Concepts in Historical Studies*, vol. iv, pp. 394-405.

¹¹² P. Gay, “The little flock of philosophes,” in *The Enlightenment: Critical Concepts in Historical Studies*, vol. i, p. 104.

as Condorcet. The French *philosophes* believed in the possibility of human perfectibility, or at the very least, indefinite improvement in human institutions, whereas many of the Scottish thinkers disputed this view. Differing conceptions as to the nature of rationality emerged among the Enlightenment thinkers. Some, such as Spinoza and Leibniz, adopted a highly aprioristic conception, whereas others like Hobbes and Hume adopted a more empirical conception, fully acknowledging the power and unavoidability of the passions and sentiment. The institutions that were to form part of the cosmopolitan society envisaged by Enlightenment thinkers such as Kant diverged greatly. Marx envisaged a communist society where the necessity for justice and private property, along with the means of production, had been transcended. In contrast, Herbert Spencer believed in a society where the maxims of justice were embodied in rigorously defined and defended property laws. August Comte anticipated an organic and authoritarian social order in which most forms of human liberty had become redundant because they had already served their purpose. Mill, on the other hand, believed in a civilized society where the liberty of the individual was protected against the tyranny of the majority through the liberty principle, legislation, and parliamentary reform. There was even a divergence as to the degrees of pessimism and optimism for the future among Enlightenment philosophers. Paine and Goodwin believed in the improvement of humanity, and that the future would be much better than the past, whereas Voltaire and Hume were more pessimistic, believing in a cyclic interpretation of history.¹¹³

¹¹³ J. Gray, *Enlightenment's Wake: Politics and Culture at the Close of the Modern Age* (London:

Given the sheer diversity within the Enlightenment, both geographically and thematically, one might ask whether this undermines any idea of the Enlightenment in its singular form. As Gaus correctly points out, to talk about *the* Enlightenment in the singular, runs ‘the risk of distortion...[just] as it is risky to talk about ‘*the* Protestant’ view of salvation, or of sin.’¹¹⁴ It is at this point that two opposed schools of thought emerge when addressing this exact question. There have been suggestions among some scholars of the Enlightenment (such as Robertson, Dorina Outram, Thomas Munck, and Pocock) to abandon the term *the Enlightenment* altogether as it hides from the uninformed reader the sheer diversity of movements and geographical nuances within the Enlightenment.

As identified by Robertson, many authors since the 1990s, when writing about the Enlightenment, did so in a manner that portrayed it not as a uniform and coherent intellectual movement, but rather in ‘a loose and inclusive way, characterizing it as a series of debates and concerns.’¹¹⁵ Outram, in a chapter addressing this vexed issue, writes that as a result of the research by ‘professional historians’, we are ‘now far more aware of the many different Enlightenments’:

the term ‘the Enlightenment’ has ceased to have much meaning. A more positive reaction might be to think of the Enlightenment not as an expression which has failed to encompass a complex historical reality, but rather as a capsule containing sets of debates which appear to be

Routledge, 2007), pp. 184-185.

¹¹⁴ G. Gaus, *Contemporary Theories of Liberalism*, p. 5.

¹¹⁵ J. Robertson, *The Case for the Enlightenment*, p. 3.

characteristic of the way in which ideas and opinions interacted with society and politics.¹¹⁶

Similarly, Munck, writing in 2000, defines the Enlightenment as ‘an attitude of mind, rather than a coherent system of beliefs.’¹¹⁷ But Robertson, who does not agree with this pluralist position, identifies Pocock as ‘the most powerful scholarly exponent of this position’.¹¹⁸ Pocock writes:

The position that I wish to defend is that we should abandon the attempts to define ‘The Enlightenment’ as a single unified movement with a set of shared characteristics, and speak instead of a number of ‘Enlightenments’, or phenomena it is helpful to call by that name, interacting with one another and displaying sets of characteristics occurring in more than one of them, but no one set that enables us to speak of all of them at once.¹¹⁹

It is not that Pocock intends to deprive the Enlightenment of any substantial meaning. On the contrary, his intention is to admit that its ‘richness and diversity of meanings’ cannot possibly be contained or expressed in any single formula premised with the definite article.¹²⁰ The focus of Pocock’s critique is not with the European enlightenment *per se*, but rather with the definite article

¹¹⁶ D. Outram, *The Enlightenment*, 2nd ed. (Cambridge: Cambridge University Press, 2005), p. 8.

¹¹⁷ T. Munck, *The Enlightenment: A Comparative Social History, 1721-1794* (London: Arnold, 2000), p. 7.

¹¹⁸ J. Robertson, *The Case for the Enlightenment*, p. 3.

¹¹⁹ J. Pocock, “The Re-Description of the Enlightenment,” in *The Enlightenment: Critical Concepts in Historical Studies*, p. 331. See also J. Pocock, *Barbarism and Religion. I: The Enlightenment of Edward Gibbon, 1737-1764* (Cambridge: Cambridge University Press, 1999), p. 13, where Pocock notes that ‘it is a premise of this book that we can no longer write satisfactorily of “the Enlightenment” as a unified and universal intellectual movement.’

¹²⁰ J. Pocock, “The Re-Description of the Enlightenment,” p. 331.

the (as in *the Enlightenment*), where its use suggests a singular process of enlightenment in Europe during the seventeenth and eighteenth centuries. Indeed, Pocock describes the use of the definite article in this intellectual context as ‘an exceptionally dangerous tool in the historian’s vocabulary.’¹²¹ It is dangerous because instead of providing the reader with clarity on the subject, the prefix *the* in this particular semantic construction of *the Enlightenment* blinds them to the true nature (in Pocock’s opinion) of European Enlightenment thought. This point is reinforced by the fact that, as noted earlier, the Enlightenment is a term that we (either as political philosophers or historians) have applied retrospectively. The Enlightenment that we speak of was not ‘their’ Enlightenment, but it is ‘our’ Enlightenment. Thus, Pocock urges us not to think of *the Enlightenment* (definitive article, capital ‘E’, and singular), but rather, of *Enlightenments* (no definitive article, capital ‘E’, and most importantly, plural). As Pocock writes,

The redescription of Enlightenment that I have been talking about is a search for specificity entailing diversity: the diversity of things we may mean by Enlightenment, of things that were going on and may be (or have been) denoted by that term, of the contexts in which they happened and which made them the happenings they were, and of the many connections between them, and between their contexts, in a highly cosmopolitan group of consciously diverse cultures.¹²²

Pocock’s redescriptive position finds support in Sankar Muthu, who argues that ‘the Enlightenment as such or an ‘Enlightenment project’ simply did not

¹²¹ Ibid., p. 331.

¹²² Ibid., p. 341.

exist.’¹²³ Muthu, who draws explicitly from Pocock’s sentiment, writes that it ‘is indeed high time that we pluralize our understanding of ‘the Enlightenment’ both for reasons of historical accuracy and because, in doing so, otherwise hidden or understudied moments of Enlightenment-era thinking will, as it were, come to light.’¹²⁴

Opposed to this pluralist position are those who argue that *the Enlightenment* is not dead. Instead, they argue that *the Enlightenment* still possesses value, either as a descriptive phrase, or (and more importantly as far as the focus of this thesis is concerned) to signify an intellectual movement with some common themes. Let us first focus on the semantic value of the phrase *the Enlightenment*. Common to many of those who hold the pluralist position is the view that the phrase *the Enlightenment* is too vague. Those, like Pocock and Muthu, argue that its blanket and indiscriminate use does not reflect adequately its true nature. However, as Garrard brings to our attention, the ‘fact that a word is vague does not mean that it is entirely useless.’¹²⁵

To defend his argument, Garrard draws upon a line of reasoning that Hart develops in *The Conception of Law*. Hart’s focus here is the often overlooked complexity of the important legal maxim ‘treat like cases alike’. Of particular concern to Hart are cases where even though a general term applies in a specific borderline case, it is doubtful as to whether a permanent consensus could ever be reached (on the use of such a term). As Hart notes,

¹²³ S. Muthu, “Enlightenment Anti-Imperialism,” *Social Research* 64, no. 66 (1999), p. 998.

¹²⁴ *Ibid.*, p. 999.

¹²⁵ G. Garrard, *Counter-Enlightenments*, p. 7; and G. Garrard, “The Enlightenment and Its Enemies,” p. 667.

In all fields of experience, not only that of rules, there is a limit, inherent in the nature of language, to the guidance which general language can provide. There will indeed be plain cases constantly recurring in similar contexts to which general expressions are clearly applicable ('If anything is a vehicle a motor-car is one') but there will also be cases where it is not clear whether they apply or not. ('Does "vehicle" used here include bicycles, airplanes, roller skates?') The latter are fact-situations, continually thrown up by nature or human invention, which possess only some of the features of the plain case but others which they lack.¹²⁶

In such borderline cases, we can only ask whether *in this particular case*, does it sufficiently resemble the plain non-borderline case, and 'in relevant respects to count as an instance of the same'?¹²⁷ Ultimately however, as Hart notes, we are forced to make an arbitrary choice: 'if in such [borderline] cases doubts are to be resolved, something in the nature of a choice between open alternatives must be made by whoever is to resolve them.'¹²⁸

Applying Hart's argument to the issue of *the Enlightenment*, Garrard argues that because *the Enlightenment* is firmly entrenched within popular and scholarly usage, we should not abandon it.¹²⁹ Furthermore, if we were to only use the phrase *the Enlightenment* in cases where its use was not considered to be borderline, then its usage would be so restricted as to be almost eradicated from our language, or associated only with figures such as Kant or Voltaire. Setting aside the issue of whether *the Enlightenment* existed as a single

¹²⁶ H. L. A. Hart, *The Concept of Law*, p. 123.

¹²⁷ G. Garrard, *Counter-Enlightenments*, p. 7; and G. Garrard, "The Enlightenment and Its Enemies," p. 667.

¹²⁸ H. L. A. Hart, *The Concept of Law*, p. 124.

¹²⁹ G. Garrard, *Counter-Enlightenments*, p. 8; and G. Garrard, "The Enlightenment and Its Enemies," p. 668.

coherent movement, what cannot be denied is that it did exist within the minds of the writers associated with it, irrespective of what words or phrases they used to describe it with their native languages.¹³⁰ This semantic defence is echoed by Gaus, who argues that whilst *the Enlightenment* may oversimplify its complex nature, we should not refuse 'to allow such general descriptions' to be used.¹³¹

Garrard's defence of *the Enlightenment* is concerned primarily with its value as a descriptive label. Whilst the exact dates, geographic borders, and intellectual content of the Enlightenment are disputed, for Garrard *the Enlightenment* still possesses value because there 'is a common core to their views, notwithstanding differences that separate them on many points.'¹³²

However, Garrard's semantic defence of *the Enlightenment* is not an area of research that I intend to pursue any further. Whilst I am not disputing the validity of Garrard's defence, it will not be pursued because it does not contribute further towards the construction of Enlightenment liberalism. Garrard's semantic defence is located in a separate field of enquiry, and does not help to illustrate the innate connection between certain important themes of the Enlightenment, liberalism, and Enlightenment liberalism.

¹³⁰ G. Garrard, *Counter-Enlightenments*, p. 8.

¹³¹ G. Gaus, *Contemporary Theories of Liberalism*, pp. 5-6.

¹³² G. Garrard, *Counter-Enlightenments*, p. 668.

2.4 The Enlightenment View of Reason

Certainly, an appreciation of, as Pocock writes, the ‘richness and diversity of meanings’¹³³ contained within the European Enlightenment needs to be acknowledged. There was no singular, self-consciously united, intellectual movement called the Enlightenment during the seventeenth and eighteenth centuries in Europe. By using such essentializing terms as *the Enlightenment*, it is true that we run the risk of implying that *all* thinkers of the Enlightenment were uniform in their thoughts and activities. As already noted in this chapter, this is simply not the case.

However, by acknowledging this important point, we have not removed the possibility of identifying what Baumeister refers to as certain ‘pivotal themes’¹³⁴ within the Enlightenment. It is possible, I argue, to ascertain from within the Enlightenment certain common and important intellectual themes. As I argued in relation to the discussion on liberalism, diversity *within* a dominant theme does not repudiate the existence *of* a dominant theme (or themes). Furthermore, these themes that are identifiable within Enlightenment thought are also connected intrinsically to, and are constitutive of, the form of liberalism that I have designated as Enlightenment liberalism.

Even though we may run the risk of oversimplification by using blanket terms such as *the Enlightenment*, and *the Enlightenment view of X* (that is the view that all Enlightenment thinkers were uniform in their view of X), we also run the risk of failing to appreciate certain themes and overriding concerns if we do not

¹³³ J. Pocock, “The Re-Description of the Enlightenment,” p. 331.

¹³⁴ A. Baumeister, “Two liberalisms and the ‘politics of difference,’” *Journal of Political Ideologies* 3, no. 3 (1998), p. 310.

allow such general descriptions to be used. I argue that, following Berlin, Alasdair MacIntyre, Gray, and finally Gaus, Enlightenment thinking does demonstrate certain dominant themes and concerns. Despite the arguments proposed by those who defend a pluralist interpretation of the Enlightenment (such as those outlined above by Pocock and Muthu), it is possible to discern certain constant themes within the Enlightenment view, and it is to these that I now turn.

2.4.1 Isaiah Berlin

Berlin, as I will examine later in Chapter 5, has a complex and nuanced relationship with the Enlightenment. The crux of this relationship is whether the Enlightenment has been a source of human emancipation or oppression. When writing of the Enlightenment, Berlin is also aware that to suggest that it was a united movement would be incorrect. 'The Enlightenment,' Berlin writes, 'was certainly not, as is sometimes maintained, a kind of uniform movement of which all the members believed approximately the same things.'¹³⁵ Nonetheless, he does hold that there are three 'propositions' upon which the Enlightenment, and therefore 'the whole Western tradition', is premised. Whilst these propositions are not unique to the Enlightenment, Berlin does believe that 'the Enlightenment offered a particular version of them, [and] transformed them in a particular manner.'¹³⁶

What, then, are these three propositions? First, it was characteristic of the Enlightenment that 'all genuine questions can be answered, [and] that if a

¹³⁵ I. Berlin, *The Roots of Romanticism*, ed. H. Hardy (London: Chatto & Windus, 1999), p. 24; discussed at pp. 24-25.

¹³⁶ *Ibid.*, p. 21.

question cannot be answered it is not a question'; second, 'all these answers are knowable, and...they can be discoverable by means which can be learnt and taught to other persons'; and finally, that 'all these answers must be compatible with one another, because, if they are not compatible, then chaos will result.'¹³⁷

Thus, for Berlin, the Enlightenment was characterized by the belief that all aspects of the world are discoverable and understandable. As I shall map-out later in this section, this discoverability of the world was applicable to both the natural world and the human world. The techniques used to reveal this 'true' and previously hidden nature of the world are not the sole domain of religious figures or institutions that alone possessed the means of communication with celestial powers. All individuals possess the capacity to understand such techniques, and can therefore pass them onto others. Within the realm of the natural world, this was done through the use of the natural sciences, such as physics, chemistry, geology, and biology; within the human world, primarily through the use of rational philosophical analysis. Indeed, for Berlin, it is precisely this aspect of these three propositions that gave Enlightenment thought its unique position. As Berlin writes:

The particular twist which the Enlightenment gave to this tradition was to say that the answers were not to be obtained in many of the hitherto traditional ways....The answer is not obtained by revelation, for different

¹³⁷ Ibid., pp. 21-22. Berlin has expressed similar ideas regarding the existence of a central unifying thread running through Enlightenment thought in I. Berlin, "The Decline of Utopian Ideals in the West," in *The Crooked Timber of Humanity: Chapters in the History of Ideas*, ed. H. Hardy (London: John Murray, 1990), pp. 24-5; I. Berlin, "Hume and the Sources of German Anti-Rationalism," in *Against the Current: Essays in the History of Ideas*, ed. H. Hardy (London: Hogarth Press, 1979), pp. 162-164; and I. Berlin, *The Magus of The North: J. G. Harman and the Origins of Modern Irrationalism*, ed. H. Hardy (London: Fontana Press, 1993), chap. 5.

men's revelations appear to contradict each other. It is not to be obtained by tradition, because tradition can be shown to be often misleading and false. It is not to be obtained by dogma, it is not to be obtained by the individual self-inspection of men of a privileged type, because too many imposters have usurped this role – and so forth.¹³⁸

It can be seen, therefore, that in Berlin's analysis, the source of this universal knowledge that would answer *all* questions was not to be found in any of the historically traditional and distinctly embedded locations and institutions. Instead, for Berlin, it was through the use of a universal conception of reason, such as that favoured by proponents of the Enlightenment, which allowed the rational individual to reveal the 'true' nature of the world.

2.4.2 Alasdair MacIntyre and the Enlightenment Project

For MacIntyre, despite the diversity of thought demonstrated by the dominant and seemingly disparate thinkers typically associated with the Enlightenment, the thread that binds them together is a common view regarding the nature of morality. However, this common interpretation of morality is not to be conflated with any specific conception of content or parameters. Rather, it is a shared view of the *possibility* of providing a rational and universal foundation for, and justification of, morality. Indeed, for MacIntyre, it is this attempt to ground morality in an account of rationality that is definitive of what he calls 'the Enlightenment Project'.¹³⁹ To support his argument, MacIntyre draws on the thought of Kant, Diderot, Hume, and Bentham. Despite the differences between them, for MacIntyre, they are all participants in the Enlightenment

¹³⁸ I. Berlin, *The Roots of Romanticism*, p. 22.

¹³⁹ A. MacIntyre, *After Virtue: A Study in Moral Theory*, 3rd ed. (Notre Dame, Ind.: University of Notre Dame Press, 2007).

Project because they all strive to provide a rational and universal account of morality.

It is in the moral and political philosophy of Kant that MacIntyre locates the 'essential background' of this project.¹⁴⁰ However, as I will discuss Kant at a later stage in this chapter, I will not dwell on MacIntyre's interpretation of Kant. Suffice to say, however, that MacIntyre provides what I believe to be an uncontroversial and justified account of Kant's moral and political philosophy: it is Kant's intention to discover a rational and therefore universal justification of morality, and this is achieved through the categorical imperative.¹⁴¹

For MacIntyre, Kant's moral and political philosophy was an attempt to correct the failure of both Diderot and Hume.¹⁴² Diderot grapples with the issue of trying to distinguish between those desires that we should acknowledge as a legitimate guide for our behaviour, and those that we should question, challenge, and perhaps re-educate. The question that Diderot needs to answer successfully is *how* do we make this distinction? In order to answer this question, we need to develop a set of criteria that are themselves not the product of our desires. When determining between competing sets of desires, if our choice is determined by desire itself, then it is an irrational choice, and thus, there is no guarantee that we have chosen the correct course of action. As MacIntyre writes: 'Hence those rules which enable us to decide between the claims of, and so to order, our desires – including the rules of morality – cannot

¹⁴⁰ Ibid., p. 43.

¹⁴¹ Ibid., pp. 43-47.

¹⁴² 'Kant's project was an historical response to their [Diderot and Hume's] failure just as Kierkegaard's was to his.' Ibid., p. 47.

themselves be derived from or justified by reference to the desires among which they have to arbitrate.¹⁴³

As with Diderot, Hume understands moral judgements as essentially expressions of passions and feelings. Furthermore, it is not reason, but passion, that motivates us to act.¹⁴⁴ However, as with Diderot, when we make moral judgements, it is unavoidable that we must invoke a set of general rules to aid our decision-making. Hume, therefore, attempts to explain these rules through demonstrating their utility when it comes to decision-making. 'Underlying this view,' MacIntyre notes, 'is an implicit, unacknowledged view of the state of the passions in a normal and what we might call, but for Hume's view of reason, reasonable man.'¹⁴⁵ What is common to both Diderot and Hume is an account of human nature that is distinct from any contingent social and/or political circumstances that the individual may be located within. As such, therefore, this is an account of human nature that is both universal and disembedded.

For Bentham, the dominant understanding and interpretations of morality had been distorted by superstition and tradition. In order to avoid replicating this mistake, Bentham developed a conception of human psychology upon which a rational account of moral could be (indeed, *ought* to be) premised. In place of a superstitious and traditional account of morality, Bentham argued that all human actions are driven by an attraction to pleasure and an aversion to pain. Accordingly, a course of action, such as public policy or legislation, is deemed to be morally correct if it maximizes an individual's happiness and/or minimizes

¹⁴³ Ibid., p. 48.

¹⁴⁴ Ibid., p. 48.

¹⁴⁵ Ibid., p. 48.

their pain: 'Nature has placed man under the governance of two sovereign masters, pain and pleasure. It is for them alone to point to what we ought to do, as well as to determine what we shall do.'¹⁴⁶ As MacIntyre notes, 'it is the aim of the social reformer to reconstruct the social order so that even the unenlightened pursuit of happiness will produce the greatest possible happiness for the greatest possible number.'¹⁴⁷ Thus, for Bentham, all moral and political action is grounded in a specific *telos*.¹⁴⁸

It is MacIntyre's contention, however, that the Enlightenment Project failed:

The project of providing a rational vindication of morality had decisively failed; and from henceforward the morality of our public culture – and subsequently of our own – lacked any public, shared rationale or justification. In a world of secular rationality religion could no longer provide such a shared background and foundation for moral discourse and action; and the failure of philosophy to provide what religion could no longer furnish was an important cause of philosophy losing its central cultural role and becoming a marginal, narrowly academic subject.¹⁴⁹

As will become evident as this thesis progresses, I do not agree with MacIntyre's conclusion. The Enlightenment Project, in both its philosophical and political forms, is still discernable in Rawls, Crowder, and Rorty. However, what I take from MacIntyre is the position that the failure of a project (in MacIntyre's

¹⁴⁶ J. Bentham, *An Introduction to the Principles of Morals and Legislation*, eds. J. H. Burns, H. L. A. Hart, and F. Rosen (Oxford: Oxford University Press, 1995 [1789]), pp. 10-11.

¹⁴⁷ A. MacIntyre, *After Virtue: A Study in Moral Theory*, p. 63.

¹⁴⁸ *Ibid.*, p. 62.

¹⁴⁹ *Ibid.*, p. 50.

opinion) does not negate the existence of that project in either its historical or thematic contexts.

2.4.3 John Gray and the Enlightenment Project

As with Berlin and MacIntyre, Gray acknowledges that it is incorrect to suggest that all Enlightenment thinkers were uniform in their demands. However, he does not believe that this empirical observation is mutually exclusive of the existence of what he (echoing the language of MacIntyre) refers to as an ‘identifiable Enlightenment project’:

The core project of the Enlightenment was the displacement of local, customary or traditional moralities, and of all forms of transcendental faith, by a critical or rational morality, which was projected as the basis of a universal civilization. Whether it was conceived in utilitarian or contractarian, right-based or duty-based terms, this morality would be secular and humanist, and it would set universal standards for the assessment of human institutions.¹⁵⁰

Thus, the Enlightenment project, in Gray’s interpretation, consisted of the construction of a critical morality and *universal* civilization to which *all* human beings were rationally bound. In Gray’s analysis, this core project was the same for both of the dominant political ideologies that emerged from the Enlightenment – Marxism and liberalism.¹⁵¹ This is an important point, and accordingly, it will be examined later in this chapter, especially in relation to the link between the Enlightenment and liberalism.

¹⁵⁰ J. Gray, *Enlightenment’s Wake*, p. 185.

¹⁵¹ *Ibid.*, pp. 185-186.

2.4.4 Gerald Gaus and the Enlightenment View

In a similar vein to the three authors noted above, Gaus writes of the existence of an 'Enlightenment View'. This is a specific interpretation of reason that stresses its universality, and is therefore both applicable and accessible to *all* rational actors.¹⁵² It is through the employment of a universal conception of reason that human beings could achieve objectivity; that is, they could see the world – both the natural world *and* the human world – as it *really* is. As such, therefore, it is through reason that the rational actor could discover the *truth*. For those who shared this Enlightenment view of reason (to use Gaus' terminology), it was the ideal model for a truth-centered enquiry that would produce consensus under conditions of free enquiry. In this capacity, as noted by Gaus, reason possessed similar characteristics as science.¹⁵³ According to the realist presumption of science, the world investigated by scientists through science is both real and independent of theories developed by humanity. Furthermore, the world is discoverable, and it can be known. The aim of science is, therefore, the pursuit of truth, a truth that exists independent of humanity.¹⁵⁴ The mathematic statements '2 + 2 = 4' and 'a triangle is a three-sided shape whose angles, when added together, equal 180°' are not contingent statements. These statements will always be true, irrespective of where and when, and by whom, they are uttered. Their validity exists independent of humanity. According to proponents of this view, the free enquiry of science leads to the discovery of the truth and the way in which the world *really* is. As a result, free

¹⁵² G. Gaus, *Contemporary Theories of Liberalism*, pp. 1-6.

¹⁵³ *Ibid.*, p. 5.

¹⁵⁴ J. Fetzer, *The Philosophy of Science* (New York: Paragon House, 1993), pp. 148-149.

enquiry that relies on the norms of scientific procedures will always converge on the same truth.

Following this Enlightenment conception of reason, the unrestricted enquiry of science would always converge on the same point. Gaus has identified three reasons for this: first, the truth is always the same for everyone; second, reason is a shared capacity of all human beings by virtue of our humanity; and third, the norms necessary for good reasoning are universal.¹⁵⁵ Thus, irrespective of time or place, people exercising their faculty of reason would *always* converge on the same answer. Any premise that is true for one person will therefore necessarily be true for all others.¹⁵⁶ As noted by the historian of philosophy, John Passmore, the Enlightenment philosophers believed that ‘mankind had in the seventeenth century lit upon a method of discovery, a method which would guarantee [the] future progress [of humanity].’¹⁵⁷

Thus, the pursuit of truth through the faculty of reason was not limited to the natural sciences. The application of reason would also lead to advances in the social sciences, philosophy, politics, and political institutions. Accordingly, this Enlightenment view of reason believed that it was inevitable that the use of reason would also produce a convergence of moral and political views. Just as politics, political institutions, social policy, and political philosophy, could be

¹⁵⁵ G. Gaus, *Contemporary Theories of Liberalism*, p. 3.

¹⁵⁶ *Ibid.*, p. 3.

¹⁵⁷ J. Passmore, *The Perfectibility of Man* (London: Duckworth, 1971), p. 200.

drawn out of morality, so too could morality be drawn out of rationality.¹⁵⁸ As Berlin notes, when discussing Newton's discovery of the laws of physics:

Surely, if this kind of order could be instituted in the world of physics, the same methods would produce equally splendid and lasting results in the worlds of morals, politics, aesthetics, and in the rest of the chaotic world of human opinion, where people appeared to struggle with each other, and murder each other, in the name of incompatible principles. This appeared to be a perfectly reasonable hope, and it appeared to be a very worthy human ideal. At any rate this is certainly the ideal of the Enlightenment.¹⁵⁹

Therefore, reason, if employed correctly, could be used for emancipatory purposes. As previously outlined by Berlin, Gray, and Gaus, following an Enlightenment understanding of reason, the norms of valid reasoning are the same for everyone simply by virtue of us being human. Perhaps the most cogent expression of this belief within the family of liberal political thought can be located in the moral and political philosophy of Kant, which will be examined later in this chapter. However, similar conceptions of the universal nature of the norms of valid reasoning can also be found in the work of Locke, Hobbes, and Bentham. What is common to these various thinkers is the view that reason itself will tell us what moral beliefs are universally justified.

Thus, the optimism and sense of inevitable and universal progress that was characteristic of the scientific community during this time also existed within

¹⁵⁸ A. MacIntyre, *A Short History of Ethics* (London & Henley: Routledge & Kegan Paul, 1980), p. 191.

¹⁵⁹ I. Berlin, *The Roots of Romanticism*, p. 24.

the realms of morality and politics. There appeared to be no empirical reason to suggest that what had been achieved by Newton in physics could not also be applied to the human fields of morality and politics.¹⁶⁰ This account of the Enlightenment view of reason, as advocated by Berlin, MacIntyre, Gray, and Gaus, suggests that owing to the existence of universally valid forms of reasoning, all rational actors would eventually converge on the same answer (or set of answers). This belief in the unification of all moral and political values (or, alternatively, the reduction of all moral and political values to a single point) is characteristic of an approach to moral analysis and explanation that is known as moral monism, and it is to this that I now turn.

2.5 Moral Monism

The nature of, and threats posed by, moral monism (also referred to as methodological monism), is one of the dominant themes found in the scholarship of Berlin. In its broadest sense, moral monism is the view that all ethical questions possess a single correct answer, and that it is therefore possible for all answers to be derived from a single and coherent moral system.¹⁶¹ All other forms of morality, and, by extension, forms of political association, are considered defective to the extent that they fall short of the standard set out by the monist super-value. Alternatively, they have value only

¹⁶⁰ Ibid., p. 23.

¹⁶¹ I. Berlin, "Two Concepts of Liberty," in *Liberty: Incorporating Four Essays on Liberty* [1969], ed. H. Hardy (Oxford: Oxford University Press, 2002), pp. 212-213; I. Berlin, *The Crooked Timber of Humanity: Chapters in the History of Ideas*, pp. 5-6; I. Berlin, *The Proper Study of Mankind: An Anthology of Essays*, eds. H. Hardy and R. Huasheer (London: Chatto & Windus, 1997), pp. 5-6; I. Berlin, *The Power of Ideas*, ed. H. Hardy (London: Chatto & Windus, 2000), pp. 5-7.

insofar as they are a necessary step on the trajectory towards this monist super-value.

Accordingly, a monist system will be dominated by either a single value, or a set of values. This super-value will override all other values, or will act as a common denominator for all others. Moral and political decision-making is relatively unproblematic according to the moral monist point of view – the morally and/or politically optimal action is always that which subserves or maximizes the particular super-value within any given system.¹⁶² Bentham's utilitarianism is perhaps the clearest example of a monist theory. It holds that all values and goods are either subservient to utility, or understood and quantifiable in terms of utility. In both cases, utility is the super-value against which everything else is measured. Berlin holds that monism has been the central tradition and trend within Western political thought. Indeed, the history of the Western intellectual tradition can be traced back to the theological monism of Christianity, and even further back to the ancient Greeks, who held that ethics was a subset of the larger *philosophia perennis* (eternal, or universal philosophy, unaffected by time or place), according to which the error may be many, but the truth is *always* singular, irrespective of one's field of enquiry.¹⁶³

Berlin's main concerns regarding the dangers of moral monism are twofold. First, he held that it was a historically and empirically false doctrine. Such a

¹⁶² G. Crowder, "Galston's Liberal Pluralism," refereed paper presented at the annual *Australian Political Science Studies Association Conference*, University of Adelaide, Australia, 2004, p. 13; see: http://www.adelaide.edu.au/apsa/docs_papers/Others/crowder.pdf (accessed October 20, 2009).

¹⁶³ G. Crowder, "Pluralism, Relativism and Liberalism in Isaiah Berlin," paper presented at the annual *Australasian Political Studies Association Conference*, Hobart, Australia, 2003, p. 6; see: www.utas.edu.au/government/APSA/GCrowder.doc (accessed 20 October, 2009). See also B. Parekh, *Rethinking Multiculturalism*, pp. 16-49; and C. Larmore, "Political Liberalism," p. 340.

monist outlook did not represent accurately the depth and continued persistence of conflict in the human moral experience. Instead, 'the world that we encounter in ordinary experience is one in which we are faced with choices between ends equally ultimate, and claims equally absolute, the realization of some of which must inevitably involve the sacrifice of others'.¹⁶⁴ As such, it is Berlin's contention that the world that we experience can be empirically shown to be not monist in nature, but rather, pluralist in the values that humanity possesses.

Second, the intellectual roots of the twentieth century authoritarian and totalitarian regimes, which have been the cause of so much human suffering and death in the first half of the twentieth century, could be traced back to, Berlin believes, a misplaced belief in moral monism. Berlin does not suggest that moral monism will *always* lead to authoritarian and totalitarian regimes; rather, the intellectual roots of these regimes could always be traced back to a belief in moral monism. Moral monism always possesses the potential to lead in the direction of authoritarian and totalitarian regimes. This is because both authoritarian and totalitarian ideologies require the belief in utopianism.¹⁶⁵

Using moral monism as his starting point, Berlin then continues to develop critical ideas towards the misplaced belief in utopianism, and the dangers it entails. He sets this against his thesis of pluralism, which is expressed through the plurality of values that humanity possesses. Berlin's sharp insights into the

¹⁶⁴ I. Berlin, *Liberty*, pp. 213-214.

¹⁶⁵ G. Crowder, *Isaiah Berlin: Liberty and Pluralism* (Cambridge: Polity, 2004), p. 130. A similar argument is also proposed by Karl Popper in *The Open Society and Its Enemies* (London: Routledge, 2003 [1944]). Volume 1 deals with Plato (subtitled "The Spell of Plato"), and volume 2 with Hegel and Marx (The High Tide of Prophecy: Hegel, Marx, and the Aftermath").

validity, nature, and ramifications of pluralism, lead him towards the thesis of value pluralism. This will be the focus of Chapter 5, and does not concern us at this stage. Of immediate concern to us, however, is the relationship between Enlightenment liberalism, universalism, and moral monism.

In order for the monist to show that their specific way of life is the best, they are required to ground it in something that all human beings must share, irrespective of their cultural differences. If there was no common element to humanity, then there would be no reason for those who did not share the morality of the monist, and therefore the political institutions that it entails, to be bound by that particular super-value, and its corresponding way of life. If this common element was only shared coincidentally or through random chance, then the monist viewpoint would lack a rational basis, and allegiance to it could be questioned. The obviously candidate, as identified by Parekh, is human nature.¹⁶⁶ Irrespective of the justificatory approach that the moral monist adopts, with its various strengths and weaknesses, the monist will rely upon a conception of human nature in order to both deduce and justify a particular and specific morality, and therefore, way of life. It is irrelevant whether human nature is defined in strong or weak terms; as something that determines or merely disposes humans to act in a certain way; whether it be substantive in content, or predominantly formal; the monist will still rely upon a specific conception of human nature in order to support their views.¹⁶⁷ MacIntyre has already presented evidence of this monist account of human nature in his analysis of the Enlightenment project. Recall Bentham's

¹⁶⁶ B. Parekh, *Rethinking Multiculturalism*, p. 17.

¹⁶⁷ *Ibid.*, p. 17.

conception of human psychology: we are *all* driven to maximize our pleasure and minimize our pain.

Parekh identifies five key elements that the moral monist is required to assume in order for their particular conception of human nature to work. First, human nature is understood to be uniform. Irrespective of whether humanity is divided by time and space, or sex and race, its members will always share a common human nature, which consists of certain capacities, dispositions, and desires. Furthermore, these characteristics are unique *only* to humanity. This is not to suggest that the monist holds that two humans are ever *exactly* alike; but rather, that these differences define their particularity, not their humanity, and therefore does not penetrate and corrupt their shared nature.¹⁶⁸

Second, the monist believes in the moral and ontological primacy of humanity's similarities over our differences. The monist will argue that humanity's similarities are ontologically far more important than its differences because it is precisely what we share in common that is constitutive of our shared humanity. Whilst there will inevitably be differences from individual to individual, and perhaps even community to community, these are ultimately inconsequential because they do not affect, let alone form part of, our shared humanity.¹⁶⁹

Third, the moral monist believes in the 'socially transcendental character of human nature'.¹⁷⁰ Human nature resides within human beings as part of their natural endowment. It is a product of our nature, not of our nurturing. The

¹⁶⁸ Ibid., p. 17.

¹⁶⁹ Ibid., p. 18.

¹⁷⁰ Ibid., p. 18.

monist believes that human beings are essentially always the same, even though we may reside in different times and places. Our respective cultures and ways of life make only a minor difference at best.¹⁷¹

Fourth, the moral monist assumes that human nature can be understood in its entirety. Monists may diverge on how they interpret human nature. Some may believe that it is relatively simple and consists of only readily identifiable capacities and desires, whereas others may believe that it is complex and elusive. But what is common to both interpretations of human nature is that its *true nature* may be discovered by means of sustained investigation, either through philosophy, theology, or science.¹⁷²

Finally, the moral monist believes that the basis for the good life ought to be human nature. The good and the true are unified concepts, as they both imply and require a belief in each other. In this context, 'ought' implies 'can'. What constitutes the good life is determined by the truth that has come to light through the discovery of the true content of human nature.¹⁷³

It is at this juncture that various threads within this chapter can begin to be woven together. Thus far I have examined the diverse, complex, and a times contradictory themes that are often associated with the Enlightenment. However, from this, I have isolated a particular Enlightenment view of human nature and a corresponding view of reason. A defining characteristic of this Enlightenment view of reason is that it is universal in nature, and therefore accessible by all rational actors through the use of their faculty of reason. Thus,

¹⁷¹ Ibid., p. 18.

¹⁷² Ibid., p. 18.

¹⁷³ Ibid., p. 18.

just as mathematical laws are universal (2 + 2 will *always* equal 4), so too is this interpretation of reason.

This Enlightenment view of reason is perhaps better understood when viewed through the lens of what both Berlin and Parekh refer to as moral monism. The essence of moral monism is the belief that all moral and political values can be reduced to a single super-value. Furthermore, this single value is itself derived from a characteristic that is held by all humans simply by virtue of our being human. In this context, this characteristic is often a very specific conception of human nature. Thus, morality and politics are an expression of this single super-value.

As noted in section 2.4, it is the contention of both Berlin and Gray that this Enlightenment drive towards the construction and implementation of a universally mandated form of political association that is, in turn, premised upon a specific interpretation of human nature, is embodied in both Marxism and liberalism. Accordingly, it is to these two moral and political philosophies that I now turn. First, I shall provide a brief account of the link between Marxism and this interpretation of the Enlightenment view. However, the focus of much of the remainder of this chapter will be a discussion of the link between liberalism and this Enlightenment view of reason, and this will be achieved through an examination of Kant's moral and political theory. It is from this nexus that the parameters of Enlightenment liberalism can be ascertained.

2.6 Marxism

As with the other forms of political and philosophical thought examined in this thesis (such as liberalism, communitarianism, and feminism), Marxism is not a unitary intellectual tradition, despite the attempts of those who wish to establish such an 'orthodoxy'. As such, just as there are many liberalisms, there are also many Marxisms. Indeed, Marx himself rejected the label of Marxism on occasion.¹⁷⁴ For the purpose of this thesis, I will draw out some key tenets of the Marxist argument, and to this effect, I shall be drawing specifically on the scholarship of Berlin. The Marxist project is largely (but by no means completely, as there are a number of important exceptions) indebted to what MacIntyre and Gray refer to as the Enlightenment Project. That is to say that Marxism held that the great dimensions of human experience, history, and nature, were explicable in terms of a single, all-embracing system of laws. Furthermore, these laws themselves could be revealed and understood through the lens of rational scientific analysis. As noted by Marx, 'all science would be superfluous if the outward appearance and the essence of things directly coincided';¹⁷⁵ and later, 'It is a paradox that the earth moves around the sun, and that water consists of two highly inflammable gases. Scientific truth is

¹⁷⁴ See, for example, a letter from Frederick Engels to Eduard Bernstein [November 02-03, 1882], where Engels states 'Now what is know as 'Marxism' in France is, indeed, an altogether peculiar product – so much so that Marx once said to Lafargue: '*Ce qu'il y a de certain c'est que moi, je ne suis pas Marxiste.*' [What is certain is that I am not a Marxist]. "Letters of Frederick Engels 1882: Engels To Eduard Bernstein In Zurich," Marx & Engels Internet Archive, http://www.marxists.org/archive/marx/works/1882/letters/82_11_02.htm (accessed January 10, 2012).

¹⁷⁵ K. Marx, *Economic Manuscripts: Capital*, Vol. 3, Part VII, Chapter 48 [1894]. Marxist Internet Archive, <http://www.marxists.org/archive/marx/works/1894-c3/ch48.htm> (accessed January 10, 2012).

always paradox, if judged by every-day experience, which catches on the delusive appearance of things.’¹⁷⁶

It was only once these laws of historical development were understood that the correct path to human emancipation could be identified and followed. Thus, for Marx, reason (in the form of science) could be used to differentiate between what is progressive and what is reactionary; it could be used to differentiate between what is conducive to humanity’s rationally demonstrable goals, from that which obstructs or ignores them. As Berlin writes, ‘the Russian Marxist Plekhanov was perfectly right in describing Marxism...[as] a single rational system.’¹⁷⁷ Marxism, because of its Enlightenment origins and particular interpretation of reason, is based on the assumption that all the problems that have historically plagued humanity are capable of resolution.¹⁷⁸

This rationalism can also be seen in the more strongly Hegelian aspects of Marxist thought (which were, of course, rejected by the Althusserians). In this context, we can see the origins of a Marxist humanism that is informed by the Hegelian idea of alienation. In Bielskis’ analysis, ‘Even in Marx’s mature work, i.e. *Das Kapital*, which moves beyond the German philosophical tradition by claiming to be a rigorous social science, there is the implicit idea of progressive history and the Hegelian notion of human freedom.’¹⁷⁹ As such, there is a belief in Marx’s thought that history is essentially the process of one set of structural

¹⁷⁶ K. Marx, *Value, Price, and Profit*, Chapter 6 [1898], Marxist Internet Archive, <http://www.marxists.org/archive/marx/works/1865/value-price-profit/ch02.htm> - c6 (accessed January 10, 2012).

¹⁷⁷ I. Berlin, *The Sense of Reality: Studies in Ideas and Their History*, ed. H. Hardy (New York: Farrar, Straus and Giroux, 1998), p. 119.

¹⁷⁸ *Ibid.*, pp. 119-120.

¹⁷⁹ A. Bielskis, *Towards a Post-Modern Understanding of the Political*, p. 21.

conflicts being replaced by another. To this effect, Marxists have attempted to couch their discourse within the language of reason, objectivity, and historical inevitability.

This humanistic version of Marxism, at least in its Hegelian form, is therefore driven by certain presuppositions that are linked to an Enlightenment understanding of reason and a universal conception of humanity. Within this account of history, the proletariat were understood as a universal class, and it was class struggle that would be the vehicle for progressive change. Class identity was a historical identity, and it was therefore quite distinct from other forms of identity politics (such as sex, gender, or ethnicity).¹⁸⁰ For Marxists, it is *only* class politics and conflict that is characteristic of who we actually are – it reflects a universal truth. Group conflict (again, such as sex, gender, or ethnicity) does not reflect the true essence of who we are. Rather, what is important is the essential socio-economic reality that exists behind these (contingent) identities.¹⁸¹ Eventually, however, the necessity of class conflict would finish once the project of modernity was realized. With this, Bielskis, echoing Berlin and Gray, concludes thus:

In this sense we can say that Marxism continues the philosophical project of Enlightenment. In relying on the notions of freedom, the idea of progress, technological improvement and mastery of nature it remains with the horizon of Enlightenment thought.¹⁸²

¹⁸⁰ Recall that, as noted on p.33n53, I draw a distinction between sex and gender, where sex refers to male/female, whereas gender refers to masculine/feminine.

¹⁸¹ A. Bielskis, *Towards a Post-Modern Understanding of the Political*, pp. 22-23.

¹⁸² *Ibid.*, p. 22.

2.7 Kant: Morality, Politics, and Political Association

Whilst the various strands of moral and political thought that Kant wove are open to continued interpretation and discussion, those who study his work and legacy do not dispute Kant's importance to either the Enlightenment or moral and political philosophy. For many, he is regarded as *the* key Enlightenment figure; indeed, Baumeister has referred to him as 'the arch-enlightener'.¹⁸³ Kant's relationship to liberalism (irrespective of how it is defined), however, is more nuanced than his relationship to the Enlightenment. Whilst Kant is correctly associated with liberalism, it would be a mistake to call him a *liberal* political philosopher. At best, Kant could be classified as a *proto-liberal* political philosopher. I am not disputing Kant's importance to the liberal political tradition itself, but rather, that Kant wrote with a coherent view of liberalism as his guiding light.

Kant and Locke are both important to the liberal political tradition; it is from them that various fundamental liberal principles such as autonomy, liberty, equality, private property, and individualism, are derived. But this, I argue, is a *retrospective* relationship: liberalism looks back to these important foundational thinkers and incorporates from them important philosophical and political principles (such as those noted above) into itself. This is similar to the Skinnerian claim that political philosophy often looks back across an intellectual tradition and seeks to provide what could be described as a 'mythology of coherence'. Liberal political philosophers writing after the Enlightenment have

¹⁸³ A. Baumeister, "Kant: the Arch-enlightener," in *The Enlightenment and Modernity*, eds. N. Geras and R. Wokler (London: Macmillan Press Ltd, 2000), pp. 50-65.

intentionally situated themselves within the liberal political tradition. Irrespective of any internal justificatory differences they may possess (and there are many), they are writing with the conscious decision to contribute to the liberal political tradition. Whilst the liberalism of Rawls and Nozick differs substantially, what unites them is that they are both self-consciously liberal political philosophers. But the same cannot be said of Kant and Locke. Their texts were not written with the express intention of contributing to liberalism as an existing and coherent political ideology. Rather, liberalism inverts this relationship: in order to solidify its status as a coherent ideology, liberalism draws from these authors certain fundamental principles. Thus, whilst Kant, Locke, Mill, Rawls, and Nozick are all important contributors to liberal political philosophy, it is only the latter three that I would classify as *liberal* political philosophers. The former two, for the reasons that I have outlined above, are more correctly classified as *proto-liberal* political philosophers.

What is it, then, that liberalism sees as being of value in Kant and Kantian moral and political philosophy? What are the important foundational principles that liberalism, and Enlightenment liberalism more specifically, can draw from Kant? This is the question that will be addressed throughout this section. In doing so, I will demonstrate how Kant functions as an important and necessary nexus between the Enlightenment and liberalism. Of particular importance, however, is Kant's attempt to develop a coherent and cogent account of universalism, and, as a corollary of this argument, a universal account of human moral nature. It is from this position that links can be made back to Berlin and Parekh's understanding of moral monism. To this effect, I will provide an

account of Kant's epistemology, and then focus on its normative implications. Even though Kantian scholarship is a rich area of continued research, encompassing such diverse topics as aesthetics, religion, and global governance, it is only to this specific topic that I shall confine myself. As such, what follows will not be a radical reinterpretation of Kant, but rather, a traditional and non-controversial account in order to provide an intellectual foundation.

Certainly there is much in Kant's *political* thought that shares an affinity with liberalism. As noted by Cronin, 'there can be no doubt that Kant belongs squarely in the liberal camp. He shared the liberals' commitment to individual liberty, their rejection of paternalistic government, and their concern with the ends and limits of government rather than its constitutional form'.¹⁸⁴ It is, however, certain elements of Kant's *moral* philosophy that connect liberalism with the Enlightenment, especially those forms of liberalism relying on universalist justifications that were examined in the Introduction.¹⁸⁵ Indeed, Kant's political philosophy can only make sense within the larger framework of his moral philosophy. Kant's moral philosophy addresses one of the main streams of Enlightenment thought: what are the normative foundations for society? As Kant writes in the preface to *The Moral Law: Groundwork of the Metaphysic of Morals*: 'The sole aim of the present Groundwork is to seek out and establish *the supreme principle of morality*'.¹⁸⁶ It is in addressing this question that the other important themes in Kant's moral philosophy, and therefore political philosophy, emerge.

¹⁸⁴ C. Cronin, "Kant's Politics of Enlightenment," p. 69n53.

¹⁸⁵ See sections 1.3.1.1 and 1.3.1.2. in this thesis.

¹⁸⁶ I. Kant, *The Moral Law: Groundwork of the Metaphysic of Morals*, p. 57 [392:xiii]. Emphasis in the original.

Kant attempts to derive a universal understanding of morality from reason, and it is from this position that he determines universally valid political principles. In order to achieve this, he must first solve what he believed to be *the* philosophical problem of epistemology, which Hans Reiss describes in the following passage: 'how can we formulate propositions which are necessary, universal, logically independent of sense experience and capable of being contradicted?'¹⁸⁷ Thus, Kant's moral philosophy, which is critical in nature, is driven by the desire to establish *a priori* principles that can be used to understand the external world.¹⁸⁸ This system of principles Kant developed in his *Critique of Pure Reason* (1781). This intellectual breakthrough he referred to as his Copernican revolution in philosophy, drawing comparison with the Copernican revolution in astronomy, both in terms of its importance *and* its radical break with previous intellectual paradigms.

It was Kant's intention to apply to the determination of correct and *a priori* moral principles the same methods that the newly emerging scientific community was applying to the natural world. That is to say that Kant's methodology was an attempt to achieve results that were neutral, objective, and ultimately repeatable. Thus, Kant's account of determining synthetic *a priori* principles mirrored his account of theoretical scientific enquiry: moral conduct can only be understood if the individual can discover rules or principles that are logically independent of experience, and are capable of contradiction.¹⁸⁹

¹⁸⁷ H. Reiss, "Introduction," in H. Reiss ed., H. B. Nisbet trans., *Kant: Political Writings*, 2nd ed. (Cambridge: Cambridge University Press, 1990), p. 17.

¹⁸⁸ *Ibid.*, p. 17.

¹⁸⁹ *Ibid.*, p. 18.

For Kant, these *a priori* principles can and do exist, and not only do they provide the underpinnings of all moral decisions, but they are also inherent in all arguments about moral issues. These principles Kant refers to as ‘practical synthetic *a priori* judgments’.¹⁹⁰ To account for humanity’s capacity not only to determine these practical synthetic *a priori* judgments, but also to follow them, we must first understand Kant’s bifurcation of the individual. For Kant, not only is the individual a *phenomenal* being who is subject to the causal laws of nature, but they are also a *noumenal* being that is free. But the onus here is on the noumenal capacity of the individual, because moral decisions are *only* possible if the will is free to act. That is to say, the will is free to act when it is not forced to do so due to any external forces; any decision that is willed by the individual is done so *only* on autonomous grounds. A moral choice can *only* be an autonomous choice; that is, a moral choice can only be decided from a position of freedom. The reverse of this position is also true: a moral choice cannot be a heteronomous choice. If a course of action is decided upon due to external forces, then this is not a moral choice, and therefore, by logical extension, cannot be an autonomous choice. As Kant writes:

The will in that case does not give itself the law, but the object does so in virtue of its relation to the will. This relation, whether based on inclination or on rational ideas, can give rise to only hypothetical imperatives: ‘I ought to do something *because I will something else*’.¹⁹¹

¹⁹⁰ Ibid., p. 18.

¹⁹¹ I. Kant, *The Moral Law: Groundwork of the Metaphysic of Morals*, p. 102 [441:89]. Emphasis in the original.

This, then, raises the following question: how can the individual differentiate between an action driven by desire, and one that is truly moral? How can one tell if a particular course of action is chosen for heteronomous or autonomous reasons? Whilst, as Reiss notes, ‘to will *is* to decide on [an] action,’ such an action can only be considered to be moral if it is done ‘for the sake of duty’.¹⁹² It is the concept of ‘duty’ that allows the individual to make this differentiation. Freedom is not doing what I *want* to do, as this would be a heteronomous action, but rather, what I *ought* to do, as this is my duty. To illustrate: if I had been a graduate student forty years ago, I would quite probably, as would many other people, been a smoker. I may have desired to have a cigarette during a study break. However, if I were to have acted upon this desire, I would not have been acting freely, as my desire to smoke would have been the result of heteronomous impulses (nicotine addiction). To act autonomously in this scenario, I ought to have chosen *not* to smoke.

It is at this stage, and in contrast to the hypothetical imperative outlined above, that we are introduced to the categorical imperative: ‘*Act only on that maxim through which you can at the same time will that it should become a universal law*’, and later ‘*Act as if the maxim of your action were to become through your will a universal law of nature*’.¹⁹³ Whilst there is only one categorical imperative, it can be expressed in three formulations. The first one, which is outlined above, is the Formulation of Universalization. The second formulation, the Formula of Humanity, leads logically to the liberal ideal of Kantian autonomy: ‘*Act in such a*

¹⁹² H. Reiss, “Introduction,” p. 18. Emphasis added.

¹⁹³ I. Kant, *The Moral Law: Groundwork of the Metaphysic of Morals*, p. 84 [421:52]. Emphasis in the originals.

way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.¹⁹⁴

The third formulation of the categorical imperative leads Kant to the concept of the 'kingdom of ends': 'Act on the maxims of a member who makes universal laws for a merely possible kingdom of ends.'¹⁹⁵ By 'kingdom of ends', Kant refers to a 'systematic union of different rational beings under common laws'.¹⁹⁶ This final formulation of the categorical imperative suggests an inherent connection between morality and politics, as the actions of individuals do not take place in a vacuum, but always in relation to other individuals. This third formulation suggests a specific theory of politics, a set of principles governing organized human behaviour when interacting with others.¹⁹⁷ The connection between Kant's moral and political philosophy will be discussed later in this section.

Therefore, the categorical imperative, in all three of its formulations, allows us to act in accordance with an *a priori* conception of morality: by obeying the demands of the categorical imperative we can differentiate between duty and desire, thus allowing us to choose duty, which in turn results in an individual acting in a moral and autonomous way. It may be my desire to smoke, but it is my duty not to smoke. A morally correct decision is one that is made in accordance with the categorical imperative: if a maxim can be accepted as a

¹⁹⁴ Ibid., p. 91 [429:66,67]. Emphasis in the original.

¹⁹⁵ Ibid., p. 100 [439:85]. See also p. 99 [438:83,84]: 'So act as if your maxims had to serve at the same time as a universal law (for all rational beings).'

¹⁹⁶ Ibid., p. 95 [433:74, 438].

¹⁹⁷ H. Reiss, "Introduction," p. 19.

universal law, then the maxim is also logically a moral law.¹⁹⁸ Conversely, if the maxim cannot be accepted as a universal law, no matter how applicable or beneficial it may be in certain or contingent circumstances, then logically, it cannot be a moral law. Thus, for Kant, morality is neither subjective, contingent, nor the product of historical circumstances. If the categorical imperative is the objective principle of morality, therefore morality itself must also be both objective and universal. For example, whilst it may be beneficial for me to claim for extra teaching hours that I have not actually worked, if this were to be accepted as a universal law, and therefore done by all employees, it would result in the bankruptcy of numerous institutions (such as universities) and businesses. Therefore, my desire to claim extra teaching hours that I have not worked does not meet the test of universalisability.¹⁹⁹

Kant's metaphysics, therefore, are not *substantive* in nature, but rather are *regulative*. The principles of morality that can be determined from the categorical imperative are formal. Instead of stipulating the content of a moral action, they supply the individual actor with the rules that can be used to judge what their best course of action is. If a particular course of action meets the test

¹⁹⁸ Kant had previously thought, as expressed in his 'Prize Essay' *Enquiry Concerning the Clarity of the Principles of Natural Theology and Ethics* (1763), that *a priori* universal moral principles could *not* be established. However, in his *Critique of Pure Reason*, Kant concluded that the categorical imperative is a synthetic *a priori*, and therefore requires a deduction, like the deduction that establishes the principles of pure understanding of the realm of experience. C. M. Korsgaard, *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), p. 10.

¹⁹⁹ Kant uses the example of an individual who has been entrusted with a large sum of money, the owner of which has passed away. It is Kant's claim that, irrespective of all contingent circumstances (such as economic need on the part of the entrusted individual), it would be wrong for the individual to keep it. To universalize the maxim of their action, that is, to universalize the action of embezzlement whenever it is in the best interests of the individual, or whenever they know that they will not get caught, would be an impossible act, as it would result in the destruction of the conditions of trust and confidence which are necessary for all secure agreements amongst rational individuals. See I. Kant, "On The Common Saying: 'This May Be True in Theory, But It Does Not Apply In Practice,' II: On the Relationship of Theory to Practice in Political Right" (1793), in H. Reiss ed. *Kant: Political Writings*, pp. 70-71.

of universalisability, then this is the correct course of action to follow. This is an important point, not only for Kant's understanding of morality, for also for liberalism. However, it is also a key point of disagreement between Kant and Hegel, and it is to this that I will turn to briefly.

Kantian morality is intentionally located outside the realm of human action and thought. Indeed, it is precisely this abstraction and autonomy of morality, for Kant, that gives it its force. However, for Hegel, this same point suggests a misunderstanding of morality on Kant's part. Hegel posits that morality, and therefore duty, is always in possession of a history, as it is part of a set of social and political circumstances. To conceive of morality and duty in the abstract in the ahistorical sense, as Kant does, is to deny what Hegel considers to be the unmistakable fact of human diversity.

Hegel's conception of morality and duty is in stark contrast to Kant's. For Hegel, morality is not the product of autonomous individual reflection that the philosophers of the Enlightenment would have us believe. Rather, morality, and therefore duty, is to be located in the *prereflective* customs and habits of a people or community. Hegel is not denying that morality and duty can ever be identified but, rather, he is arguing, *contra* Kant, that morality and duty are to be identified within the context of our community. Morality is not situated in an abstract realm outside of all human contingencies, but rather, within the objective structure of the norms that our community holds. Kant's methodology is to locate the timeless and pure laws of morality and duty in the external sphere, whereas Hegel argues that this approach is methodologically flawed,

and instead morality and duty are to be located within the internal sphere of our communities.²⁰⁰

Hegel's critique is important, not only because it is a coherent argument in and of itself, but because it also leads into the Romantic and communitarian critiques of both Kant and Enlightenment liberalism. These are both examined in detail in the following chapter, and accordingly, I do not wish to go into any more detail at this stage. However, what is of specific importance, especially with regards to the aims and scope of this chapter, is that Kant believed that it is possible to establish principles of morality that are not the product of circumstances, but are *universal* in nature. The categorical imperative, by its very nature, is a universal imperative. If we revisit it in its first formulation, that is, the Formulation of Universalization – '*Act only on that maxim through which you can at the same time will that it should become a universal law*'²⁰¹ – we can see that Kant is explicit in stating that whatever course of action is to be followed must be capable of being followed *universally*. It is a course of action that, given the same or a similar set of circumstances, other rational actors would also elect to follow.

However, the existence of a universal and *a priori* form of morality does not, in and of itself, guarantee that it is accessible to all members of humanity. This universal morality is only accessible through the categorical imperative, which is itself a form of reasoning that all rational actors have the capacity to access,

²⁰⁰ S. B. Smith, *Hegel's Critique of Liberalism: Rights in Context* (Chicago and London: The University of Chicago Press, 1989), p. 72. See also S. B. Smith, "Hegel's Critique of Liberalism," *The American Political Science Review* 80, no. 1 (March 1986) pp. 121-139.

²⁰¹ I. Kant, *The Moral Law: Groundwork of the Metaphysic of Morals*, p. 84 [421:52]. Emphasis in the original.

but *only* through their faculty of reason. It is precisely this mode of accessibility that underpins Kant's understanding of enlightenment. Recall that, as examined earlier in this chapter (see 2.2), for Garrard, enlightenment (no definite article, small 'e') refers to the process of increasing light and decreasing dark, as well as a metaphorical understanding of overcoming ignorance through knowledge. This is an understanding that, I posit, Kant would concur with. The following passage, taken from Kant's essay "What is Enlightenment?", demonstrates what Kant understands by 'enlightenment', and thus, what is required to access the categorical imperative. As Kant writes:

*Enlightenment is man's emergence from his self-incurred immaturity. Immaturity is the inability to use one's own understanding without the guidance of another. This immaturity is self-incurred if its cause is not lack of understanding, but lack of resolution and courage to use it without the guidance of another. The motto of enlightenment is therefore: *Supere aude!* [Dare to be wise!] Have courage to use your own understanding!²⁰²*

Accordingly, what is required to engage our faculty of reason is the capacity to think for ourselves, to stand back from our contingent circumstances; that is, to think *autonomously*. Kant acknowledges that this is not an easy task, and to achieve this we must overcome certain obstacles:

²⁰² I. Kant, "An Answer to the Question: 'What is Enlightenment?'," in H. Reiss ed. *Kant: Political Writings*, p. 54. Emphasis in the original. First published in *Berlinische Monatsschrift* VI (December 12, 1784), pp. 481-494.

Dogmas and formulas, those mechanical instruments for rational use (or rather misuse) of his natural endowment, are the ball and chain of his permanent immaturity. And if anyone did throw them off, he would still be uncertain about jumping over even the narrowest trenches, for he would be unaccustomed to free movement of this kind.²⁰³

However, as difficult as this process of Kantian enlightenment may be, it is a necessary step towards the categorical imperative. An individual who does not possess the capacity or courage to use their own understanding cannot possess the intellectual tools that are required to engage their faculty of reason, and it is only through an individual's faculty of reason that they can make moral choices that are in accordance with the categorical imperative. Thus, in Kant's moral philosophy, there is an inexorable link between autonomy and the categorical imperative: it is only the autonomous individual, acting on their own accord, who can act in accordance with the categorical imperative. As Owen notes, 'Kant links enlightenment [the process] with autonomy in a broad sense, that is, it represents enlightenment as self-determination, as a taking of responsibility for oneself.'²⁰⁴

It is at this point that we can begin to see the formation of two particular themes that are not only important to the Enlightenment, but also to Enlightenment liberalism in particular. It is from Kant that we see a coherent and cogent account and defence not only of universalism as a broad concept, but also of a universal morality that is, by definition, open to all. A necessary corollary of this argument is the universal importance of autonomy. Without the

²⁰³ Ibid., pp. 54-55.

²⁰⁴ D. Owen, *Maturity and Modernity: Nietzsche, Weber, Foucault, and the Ambivalence of Reason* (Routledge: London, 1994), p. 10.

capacity to act in an autonomous manner, this universal morality would simply be inaccessible.

Whilst, on occasion, an individual, acting in a non-autonomous manner, may follow a course of action that is congruent with the categorical imperative, this is not the same as an individual acting in *accordance* with the categorical imperative. The fundamental difference between these two courses of action resides in their motivational justification. The first individual, acting in a non-autonomous manner, that is to say, acting heteronomously, has not acted in a way that would pass Kant's universalisability test. However, the second individual, precisely because they are acting autonomously, by their very nature, has passed this test. Here we have demonstrated a point of fundamental importance, not only for Kant, but also for Kantian morality. Kant is not driven by a form of consequentialism or teleology; it is the *motivation* of an act that is important for Kant, and therefore, his moral philosophy is a form of deontology. Whilst these two individuals have both followed the same course of action, with what can only be assumed with be similar, if not the same results, there is no guarantee that the individual who is acting heteronomously would, given the same circumstances, select the 'correct' (where 'correct' equates to that which is in accordance with the categorical imperative) course of action again. However, the individual who is acting autonomously, because they reasoned about their decision, and have not chosen due to any 'dogmas' or 'formulas', would, given the same circumstances, choose 'correctly'. Thus, Kant prioritizes motivations over results, and deontology over teleology.

Kant's moral philosophy has a number of distinct political implications, some of which he has set out quite clearly in various places.²⁰⁵ However, of particular importance, especially with regards to this chapter, is the link between morality, deontology, and politics. This link, in turn, has normative implications for Enlightenment liberalism. For Kant, politics and the state are necessities: whilst it is a violation of the categorical imperative to restrict the freedom of individuals arbitrarily, it is permissible to do so 'on the basis of the universal principle of right'.²⁰⁶ Thus, a constitution is necessary as it regulates behaviour between individuals; as Kant notes 'A constitution allowing the *greatest possible human freedom* in accordance with the laws which ensure *that the freedom of each can coexist with the freedom of all the others*.'²⁰⁷ Indeed, for Kant, this is the *only* reason that the freedom of an individual can be curtailed.

However, of more importance is the normative link between Kant's conception of morality and politics. For Kant, there ought to be no schism between morality and politics. Just as reasoned enquiry can and should be used to determine moral maxims that are capable of being expressed as universal laws, so too must such forms of enquiry be used in order to establish what political arrangements are just and unjust, and therefore universally valid.²⁰⁸ Politics,

²⁰⁵ For example: "The civil state, regarded purely as a lawful state, is based on the following *a priori* principles: 1. The *freedom* of every member of society as a *human being*; 2. The *equality* of each with all the others as a subject; and 3. The *independence* of each member of a commonwealth as a *citizen*. These principles are not so much laws given by an already established state, as laws by which a state can alone be established in accordance with pure rational principles of external right.' I. Kant, "On The Common Saying: 'This May Be True in Theory, But It Does Not Apply In Practice,' II: On the Relationship of Theory to Practice in Political Right," p. 74. Here we can see a schism between Locke and Kant, who posit that rights exist prior to, and independent of, the state, and Hobbes, who argues that rights are liberties granted by the Leviathan.

²⁰⁶ H. Reiss, "Introduction," p. 23.

²⁰⁷ I. Kant, *Gesammelte Schriften*, quoted in *ibid.*, p. 23. Emphasis in the original.

²⁰⁸ H. Reiss, "Introduction," p. 21.

which is an extension of Kant's theory of morality, is essentially a metaphysics of law. Accordingly, just as Kant's moral philosophy is deontological in that it is concerned with duty and not end results, so too is Kant's politics. On this point Kant is very clear: rights 'ought never to be adapted to politics, but politics ought always to be adapted to right';²⁰⁹ and 'all politics must bend its knee before right.'²¹⁰

This is not to suggest that Kant was so utopian or optimistic as to believe that there would never be clashes between politics and morality. However, these clashes are not the result of any inherent repulsion between the two realms; rather, they are the result of political inconveniences. Here we can see Kant's separation between the 'moral politician' and the 'political moralist': the moral politician will make political concerns conform to morality, whereas the political moralist will make morality bend to the will and demands of the statesmen or the state itself. Kant's denial of the potential conflict between morality and politics is in stark contrast to the views of Machiavelli, Nietzsche, and Berlin (who calls upon both of them). This is a point that I examine in detail at later stages throughout this thesis, in particular Chapters 3 and 5, in relation to Berlin's development of value pluralism. However, for Kant, there ought to be no clash or schism between the realms of morality and politics.

Here we can see the foundation of a fundamental liberal political principle emerge: the priority of the right over the good. This is, in effect, an inversion of

²⁰⁹ I. Kant, *On an Alleged Right to Lie for the Sake of Philanthropy* (*Über ein vermeintes Recht aus Menschenlieb zu lügen*) [1797], quoted in *ibid.*, p. 21.

²¹⁰ I. Kant, "Towards Perpetual Peace," quoted in I. Kant, *Practical Philosophy*, trans. M. J. Gregor (Cambridge: Cambridge University Press, 1996), 8:380, quoted in M. La Caze, "At the Intersection: Kant, Derrida, and the Relation between Ethics and Politics," *Political Theory* 35, no. 6 (December 2007), p. 783.

Thomas Aquinas' view that 'good' is the starting point for all moral philosophy, and therefore, that laws, principles, and by extension politics, are to be derived from it.²¹¹ Indeed, this opposition between Aquinas and Kant is illustrative of the shift that is often associated with the Enlightenment. As Russell A. Fox notes, drawing upon Arthur Lovejoy's 'Great Chain of Being':

For centuries, Christendom's basic ontological claim – the idea of a "Great Chain of Being" which linked everything from the "meagerest of existents" to "the highest possible kind of creatures" ...together beneath God's absolute being – was defended in the West as the basis for all political legitimacy and moral reasoning.²¹²

However, with the Protestant Reformation, and the scientific and philosophical revolutions associated with the European Enlightenment, there was a retreat from accounts of metaphysics where the sources for both morality and politics were celestial. In their place were epistemological enquiries 'concerning the grounds and conditions of what were taken to be subjectively held axioms. Human reasoning, at least for the educated persons, became the sole source of human reason.'²¹³ This political principle of the priority of the right over the good finds its most cogent expression in Rawls' *A Theory of Justice*, which is examined in Chapter 4.

²¹¹ T. Hinton, "Kant and Aquinas on the Priority of the Good," *The Review of Metaphysics* 55, no 4 (June 2002), p. 825; and C. Larmore, *The Morals of Modernity*, (Cambridge: Cambridge University Press, 1996), pp. 21-22.

²¹² R. A. Fox, "On Metaphysics and Nationality: The Rival Enlightenments of Kant and Herder," *American Behavioral Scientist* 49, no. 5 (January 2006), p. 718.

²¹³ *Ibid.*, p. 718. See also A. Bielskis, *Towards a Post-Modern Understanding of the Political*, p. 9, 10.

To bring this section to a close then, Enlightenment liberalism can draw from Kant three important factors, factors that are fundamental to its constitutive make-up. It is in Kant that Enlightenment liberalism can locate a particularly cogent account of universalism and a universal form of morality. Linked to this is the second factor, which is the autonomous individual who can reason in such a way that they are disembedded from their contingent circumstances. Finally, there exists an inherent connection between politics and morality. Not only is politics, and therefore forms of political association, derived from morality, but there ought not to be any conflict or schism between the two. When there is, it is the result of human imperfection, rather than a fault with the morality of politics itself.

2.8 The Lockean Caveat

The traditional liberal project has always presupposed the Enlightenment view of reason, and that the application of reason would lead inevitably to a set of principles that are both universal, and would possess authority gained through rationality. When sheared of any and all contingent or particularist influences, Enlightenment reason posits that rational agents will converge on the same conclusions, and in doing so, will produce a universal consensus of liberal values and principles. As I explore in detail in Chapter 7, Mouffe refers to this as a 'rational consensus'. Freedom of thought is thought to be one of the most basic of freedoms, for it is necessary for the unrestricted use of reason. Utilizing freedom and reason, humanity will generally converge on the truth of moral

and political life.²¹⁴ Again, it is Kant and his belief in the categorical imperative premised on the use of reason that is the most explicit in the Enlightenment View that the unrestricted exercise of human reason would reveal universal and moral principles, and by extension, the correct political principles in which this form of morality could be best expressed.

At this juncture, however, a caveat needs to be noted. Although adherents of Enlightenment liberalism have embraced this Enlightenment view of reason, they are also aware that an individual's capacity to exercise their unrestricted use of reason may be limited by the particular historical circumstances in which they reside. As history progresses, so too does our understanding of reason, and this, in turn, aids in our understanding of, and reveals more of, the truth. As previously stated, to both the Enlightenment view of reason and to the monist, the truth is *always* completely knowable. When our understanding of reason is limited, it may (although not always) produce disagreement. Liberalism, throughout its history, has relied on both the idea that the unrestricted exercise of reason will produce a convergence of beliefs on many matters, whilst simultaneously recognizing that in some important aspects of life, including religious views, such enlightenment has yet to occur.²¹⁵ This is not to state that a convergence of beliefs through the unrestricted exercise of reason will never occur, rather, that it has not occurred *yet*.

²¹⁴ G. Gaus, *Contemporary Theories of Liberalism*, p. 15.

²¹⁵ *Ibid.*, p. 15.

This can be seen reflected in the work of Locke in his classic liberal text of 1689 that defends toleration of religion, *A Letter Concerning Toleration*.²¹⁶ Locke was aware that on the issue of religion, human beings, when using reason in an unrestricted fashion, had come to differing conclusions, with often horrific and violent results. Reason had failed to produce a convergence of beliefs regarding religion. Thus, it was only after it was accepted that the unrestricted use of reason failed to produce a convergence of religious beliefs that a form of liberalism began to emerge as a political philosophy. Prior to Locke's tract on the merits of toleration of a political virtue, it was generally accepted that all those who were 'decent' people would converge on the 'correct' religious beliefs. This belief, in turn, justified the persecution of those deemed foolish enough to hold dissenting views, as such views were obviously the result of error or perversion. In this sense, liberalism can be seen as a response to the failure of reason to produce a convergence of religious beliefs.²¹⁷

Kant too was aware of this issue. Despite his belief that the unrestricted exercise of reason would reveal universal moral principles, which would in turn dictate what political systems were necessary to accommodate such moral principles, he also held that on a broad range of moral issues, *actual people* may draw diverging conclusions. This problem, though, can be overcome. For Kant, relying on one's own judgment is characteristic of what he called the 'state of nature'. As with both Hobbes and Locke, this is a condition, broadly conceived, without law and government. If we, as individuals, nations, and states, want to avoid the conflict that is an inherent part of the state of nature, then we must

²¹⁶ J. Locke, *Two Treatise of Government and A Letter Concerning Toleration*.

²¹⁷ G. Gaus, *Contemporary Theories of Liberalism*, pp. 15–16.

submit to a lawful public which possesses the legal and moral authority to adjudicate disputes concerning justice.²¹⁸

Even though liberalism, especially Reformation liberalism with its distinctly Lockean origins, may have begun with the recognition that on many matters, such as religion, the unrestricted exercise of reason may lead to a divergence of beliefs, Enlightenment liberalism maintains that the only solution to this problem was further appeal to the emancipatory power of reason.²¹⁹ Therefore, it can be seen that essential to Enlightenment liberalism is the central claim that despite the fact that reason may sometimes lead to disagreements, especially in matters concerning religion, these disagreements in turn can only be managed because of our shared reason, shared by virtue of our humanity. Furthermore, this shared reason will necessarily lead us to converge on liberal political philosophy, and the political institutions that it entails. More importantly, as noted by Mill, freedom of conscience expressed through freedom of thought and speech are of fundamental importance to liberal political philosophy. This is because they can contribute to the reduction in the areas of private disagreement while simultaneously expanding our shared beliefs.²²⁰

Enlightenment liberals, such as Kant and Mill, never seriously doubted that on many issues, the unfettered use of reason would lead to a common recognition

²¹⁸ I. Kant, *Metaphysical Elements of Justice*, trans. J. Ladd (Indianapolis: Bobbs-Merill, 1965 [1797]), p. 76 (section 44). Emphasis in the original.

²¹⁹ This separation of liberalism into its Kantian and Lockean streams is examined in detail by John Gray in his *Two Faces of Liberalism* (Cambridge: Polity Press, 2002).

²²⁰ G. Gaus, *Contemporary Theories of Liberalism*, p. 16. See J. S. Mill, *On Liberty and Other Essays*, pp. 20–61. I. Hampsher-Monk, *A History of Modern Political Thought: Major Political Thinkers from Hobbes to Marx* (Oxford: Blackwell Publishing, 1992), p. 370, notes that, generally speaking, Mill's argument for freedom of expression is 'freedom of thought and expression is a condition both of overthrowing error and fully understanding the grounds on which truths are held'.

of the truth, and all that it necessarily entails. Both Kant and Mill were sufficiently close to the Enlightenment view discussed earlier, and never questioned that large segments of life were subject to what Kant referred to in his essay “What is Enlightenment?”, as the ‘public use of reason’. Science, morality, politics, and philosophy, were all open to the public use of reason, and given sufficient time, the unrestricted use of reason would also produce a convergence of beliefs relating to how life ought to be lived. Those whose views were sufficiently similar to be drawn under the banner of the Enlightenment view did not doubt that the norms required by good reasoning were themselves shared and open to all. Nor did they doubt that the public standards of reason and justification were publicly available, and that these standards demonstrated to all that allegiance to liberal political philosophy and the political institutions that it entails, were the only rational way for people to live together in a peaceful and stable environment, free from major conflicts, especially if there were disagreements on important matters such as religion.²²¹

²²¹ G. Gaus, *Contemporary Theories of Liberalism*, pp. 16–17.

3. Challenging the Political Legitimacy of Enlightenment Liberalism

3.1 Introduction

In order for any political view to exercise political power justly, it must possess a coherent principle of moral and political legitimacy. That is, it must be able to explain when and why the exercise of political power over the individual or the social group is justifiable. To simply set out an account of *how* people should order their political and social institutions is not sufficient. What is required is an explanation of *why* people should order their political and social institutions in a certain way. Justifications for state power and legitimacy must also include the reasons those people who reside within a certain state have (or, in the case of social contract theory, *could* have) for affirming those particular institutions.²²²

Just as there are a number of diverse (and often rival) political views, there also exists a set of diverse (and rival) principles of political legitimacy in order to justify these various moral and political views. Marxists, whatever their internal differences may be (and there are many), have traditionally claimed political legitimacy on the grounds of historical imperatives (the ‘inevitable march of history’) coupled with the emancipation of humanity through a focus on equality and economic redistribution. Fascists have justified their claims for political power by appeals to the needs of the state. In this fascist interpretation, a strong state is regarded as both a necessity and an organic entity, whose interests can be best served by the removal of democracy coupled with the

²²² J. Tomasi, *Liberalism Beyond Justice*, p. 3.

establishment and rule of a single leader. Theocrats have traditionally defended the use of political power by appeals to considerations that exist outside of this world, such as the salvation of the soul of the individual citizen.²²³

Despite the disparate nature of the various political views, what they have in common is that their justification for political legitimacy is grounded in what their proponents believe to be the most important in human moral and social life. It is the variations in conceptions of human beings and their moral nature that leads, in part, to different, and at times opposed, principles of social justice and public policy.²²⁴ As I have demonstrated in Chapter 2, Enlightenment liberalism defends its political legitimacy by appealing to a certain view of human moral nature. This view is premised on a conception of reason that is universal in its nature. Accordingly, only a system that allows humanity to reside in the social, political, and economic conditions that permit its true moral nature (as identified by Enlightenment liberal thinkers) to develop unimpeded is justifiable, and the contention is that Enlightenment liberalism is the only such system. Any other political system, such as Marxism, fascism, or any comprehensive religion (where the distinction between public and private is blurred, such as fundamentalist Islam and Christianity),²²⁵ would result in the hindrance of this true human moral state.

²²³ Ibid., p. 3.

²²⁴ J. B. Elshtain, "Kant, Politics, & Persons: The Implications of His Moral Philosophy," *Polity* 14, no. 2 (Winter 1981), p. 206.

²²⁵ This is not to imply that religion and liberalism (broadly construed) are mutually exclusive concepts. On the contrary, the history of liberalism is inexorably linked to Christianity, primarily through the work of John Locke and his views on toleration. It is rather *fundamentalist* religious views (Christian or otherwise) that I am referring to here.

As long as Enlightenment liberalism possesses this unshakable belief in being the *only* way in which humanity's true moral nature can be revealed, achieved, and sustained, then its justificatory foundations remain solid. However, if it can be demonstrated that there exist a number of lines of critique that pose unsettling questions for Enlightenment liberalism, then this once solid and sacrosanct justificatory argument seems less stable than previously thought. If Enlightenment liberalism no longer possesses its traditional and universal metaphysical justification for its political legitimacy (and its accompanying specific conception of human morality and the individual), then this poses serious questions regarding political legitimacy that it must address.

If the various critical lines of reasoning that I will examine throughout this chapter are valid, then this, at the very least, severely undermines the political legitimacy of Enlightenment liberalism. In particular, it raises one very important question: how can it demand the continued legitimate allegiance of its citizens if its universal justification is no longer valid?

The aim of this chapter is to examine some of the lines of reasoning that challenge the political legitimacy of Enlightenment liberalism. However, this is not to be confused with a wholesale rejection of the Enlightenment. Rather, through examining the various lines of critique offered by the Romantics, the communitarians, and finally certain feminist arguments, I will demonstrate that the specific moral conception of the individual that Enlightenment liberalism is premised upon is *not* the only valid moral conception for human beings. By demonstrating that the foundational ideas of Enlightenment liberalism are far from uncontroversial and open to reasonable disagreement, this may force it to

re-evaluate and re-situate itself in order to remain politically relevant. If it is not capable of doing this, then Enlightenment liberalism runs the risk of becoming politically irrelevant in contemporary Western society given the fact of what Rawls refers to as 'reasonable pluralism'.

3.2 The Romantic Challenge and the Superficiality of Atomistic Individualism

As with the terms liberalism and the Enlightenment, it is important to note that the Romantic movement was a complex phenomenon, and as such it is difficult to make any generalizations about it that are valid for all those who are generally considered to be *the* Romantics. There were many Romantics who did not share the views that abstract individualism was a dangerous concept. Some, instead of rejecting Kantian autonomy, embraced Promethean individualism.²²⁶ Take, for example, Shelley's account of human nature as expressed in *Prometheus Unbound*:

The loathsome mask has fallen, the man remains
Sceptreless, free, uncircumscribed, but man
Equal, unclassed, tribeless and nationless,
Exempt from awe, worship, degree, the king
Over himself, just, gentle, wise: but man
Passionless? – no, yet free from guilt or pain,
Which were, for his will made or suffered them,
Nor yet exempt, through ruling them like slaves,

²²⁶ C. Larmore, *The Romantic Legacy* (New York: Columbia University Press, 1996).

From chance and death and mutability.²²⁷

But what united the German Romantics, the French counter-revolutionary theorists (such as de Maistre and Bonald), and the British Romantics (such as Wordsworth and Scott), was a newfound respect for tradition and belonging, coupled with a rejection of what they saw as the superficial and dangerous elements of abstract individualism that were important to many of the Enlightenment philosophers, and which Enlightenment liberalism subsequently draws upon.²²⁸ Indeed, it is the crux of Lovejoy's argument that for the thinkers of the Romantic movement, not only is human life characterized by a diversity of valuable forms of human flourishing, but this diversity *itself* is valuable in its own right.²²⁹ As Lovejoy notes, the 'discovery of the intrinsic worth of diversity was...one of the greatest discoveries of the human mind.'²³⁰

So powerful is this Romantic critique that Berlin has identified it as being one of the three major turning-points in the history of Western political thought. By a turning point, Berlin means a fundamental 'transformation of outlook':

A radical change in the entire conceptual framework within which the questions had been posed; new ideas, new words, new relationships in terms of which the old problems are not so much solved as to look remote, obsolete and, at times, unintelligible, so that the agonising

²²⁷ P. B. Shelley, *Prometheus Unbound* [1820], III.iii.193.

²²⁸ C. Larmore, "Political Liberalism," p. 344; and C. Larmore, "The Moral Basis of Political Liberalism," *The Journal of Philosophy* 96, no. 12 (December 1999), p. 603.

²²⁹ A. Lovejoy, *The Great Chain of Being: A Study of the History of an Idea* (New York: Harper & Row, 1960), pp. 288-314.

²³⁰ *Ibid.*, p. 313.

problems and doubts of the past seem queer ways of thought, or confusions that belong to a world which has gone.²³¹

This is to be differentiated from the kind of change that occurs when a discovery solves even the most central and important questions. For example, important as they were, Newton's discoveries did not depose the foundations of physics and mathematics set out by Kepler and Galileo. Similarly, nor did the economic ideas of Keynes break the continuity of economics created by Adam Smith and Ricardo.²³²

The first of these three turning points in the history of Western political thought Berlin identifies as the short but 'mysterious' period between the death of Aristotle and the rise of Stoicism. In this period of less than two decades, the dominant philosophical schools of Athens no longer conceived of the individual as intelligible only in the context of social life; ceased to discuss as if no longer necessary the questions connected with public and political life that had preoccupied the Academy and the Lyceum; and began to speak of men (not women) only in terms of inner experience and inner salvation, as though they were entities whose virtue consisted only in their capacity to further insulate themselves from society at large.²³³

In Berlin's analysis, what made this such an important moment in Western political thought was the radical shift in values 'from the public to the private, the outer to the inner, the political to the ethical, the city to the individual, [and

²³¹ I. Berlin, *The Sense of Reality*, p. 168.

²³² *Ibid.*, p. 168.

²³³ *Ibid.*, pp. 168-169.

finally] from social order to unpolitical anarchism.’²³⁴ Whilst it is doubtful this dramatic change in values and language could have happened *only* in the twenty years following the death of Alexander, Berlin notes that we may never know ‘how much systematic opposition to the outlook embodied ideas of Plato and Aristotle existed during the preceding hundred years.’²³⁵ Even with this caveat, Berlin argues that ‘this was certainly one major turning-point in the history of human thought, after which nothing was the same.’²³⁶

The second turning-point that Berlin identifies came with Machiavelli. What makes Machiavelli’s thought so radical, in Berlin’s analysis, is not limited to his argument that political values are not merely *different* from Christian ethics, or that they may in principle be *incompatible* with them. What is so profound in Machiavelli’s thought goes beyond these observations. For Machiavelli, the fact that there is a differentiation between two incompatible ideals of life (the Christian and the political) implies that there exists more than one form of morality (in this case, there are two, the Christian morality and the political morality).²³⁷ As Berlin notes, ‘In other words the conflict is between two moralities...not between autonomous realms of morals and politics.’²³⁸ Whilst Machiavelli does not formally condemn Christian morality,²³⁹ he does argue that it is simply unsuitable for political affairs. For example, when comparing those who ‘were more fond of liberty’ and prepare to defend it with their lives, to those who were his contemporaries and influenced by Christianity, Machiavelli

²³⁴ Ibid., p. 169.

²³⁵ Ibid., p. 169.

²³⁶ Ibid., p. 169.

²³⁷ I. Berlin, “The Originality of Machiavelli,” *Against the Current*, pp. 25-79.

²³⁸ Ibid., p. 54.

²³⁹ Ibid., p. 48, 50.

laments the usurpation of the virtues of bold action and strength by the virtues of humility and meekness:

Our religion [Christianity] has glorified humble and contemplative men, rather than men of action. It has assigned as man's highest good humility, abnegation, and contempt for mundane things, whereas the other identified it with magnanimity, bodily strength, and everything else that conduces to make men very bold. And if our religion demands that in you there be strength, what it asks for is strength to suffer rather than strength to do bold things.²⁴⁰

This promotion of meekness over power therefore makes Christianity, in Machiavelli's analysis, simply unsuitable as a premise for political action that would promote the best interests of the republic. Christianity would make the republic 'weak' and an easy target for 'the wicked' because when attacked, instead of wreaking revenge for their injuries, the Christian citizen, 'with paradise for their goal', would rather 'consider best how to bear' the injustices done to them.²⁴¹ Furthermore, any policy that was based on Christian morality would, as Berlin notes, 'end in disaster.'²⁴²

Whilst Berlin does acknowledge that it was unlikely that Machiavelli necessarily understood the implications of this radical position, they are nevertheless profound. First, this separation of politics from morality amounts to an explicit rejection of the position held by the moral monists. Many previous moral and

²⁴⁰ N. Machiavelli, *The Discourses*, II2, ed. B. Crick (Harmondsworth: Penguin Books, 1978), p. 278.

²⁴¹ *Ibid.*, p. 278.

²⁴² *Ibid.*, p. 52. See also I. Berlin, *The Sense of Reality*, p. 168, 169.

political philosophers believed that where morality and politics should coincide but did not, this was due not to any inescapable contradiction, but rather a weakness on the part of humanity. As Berlin notes, this utopian singularity 'may be unattainable because of material difficulties or ignorance, the failures of education, [or] the inherent vices of human nature,'²⁴³ but never because of its contradictory nature. Second, by acknowledging that morality and politics do not necessarily coincide, it suggests a form of politics that acknowledges both empiricism and pluralism, and requires negotiation, compromises, and toleration, in order for the polity to remain stable and not be reduced to a state of conflict. It is the implication of both of these points that, in part, leads Berlin to his thesis of value pluralism, which will be the focus of Chapter 5.

It is Romanticism, the third turning-point in the history of Western political thought, that Berlin identifies as being 'the greatest yet.'²⁴⁴ As I argued in Chapter 2, even though the Enlightenment was a complex social, moral, and political period in European history, certain key themes can be drawn from it. This is part of the Ionian fallacy that Berlin identifies, and Gray refers to these key Enlightenment themes as 'the Enlightenment project'. As I argued in Chapter 2, in Gray's analysis, the 'core project of the Enlightenment was the construction of such a critical morality, rationally binding on all human beings, and, as a corollary, the creation of a universal civilization.'²⁴⁵ However,

²⁴³ I. Berlin, "Three Turning-Points in Political Thought: Machiavelli," (1962) in *The Isaiah Berlin Virtual Library*, ed. H. Hardy, <http://berlin.wolf.ox.ac.uk/lists/nachlass/machiavelli.pdf> (accessed August 16, 2010), pp. 2-3.

²⁴⁴ I. Berlin, *The Sense of Reality*, p. 169.

²⁴⁵ J. Gray, *Enlightenment's Wake*, p. 185.

according to Berlin, the Romantic movement undercut the central themes of the Enlightenment project:

The eighteenth century saw the destruction [by the Romantics] of the notion of truth and validity in ethics and politics, not merely objective or absolute truth, but subjective and relative truth also – truth and validity as such – with vast and indeed incalculable results. The movement we call romanticism transformed modern ethics and politics in a far more serious way than has been realised.²⁴⁶

The origins of this romantic valuing of diversity and objection to the abstract individualism of Enlightenment liberalism can be located in Fichte's celebration of will over discursive thought. Fichte believed that values, principles, morality and political goals are determined or created by the individual themselves, and are *not* to be found objectively in nature, God, or (as Kant believed) in reason.

Fichte developed a notion of the categorical imperative that both went beyond and conflicted with Kant's version. For Fichte, individuals became aware of themselves, not as an element in some larger pattern like a cog in a watch, but rather through self-creation. In contrast to Kant, it is not through following our duty that we are free; rather it is only through a clash of the self with the not-self, the *Antoss*, that the individual can become free. Freedom requires the individual to be able to resist external forces, and suppress it through their own free creative desires. The self wills, alters, and changes the world both in thought and in action in accordance to its own concepts and categories. For

²⁴⁶ I. Berlin, *The Sense of Reality*, p. 170.

Kant, this was a *preconscious* activity confined to the imagination. But for Fichte, this was a *self-conscious* creative activity.²⁴⁷ Fichte was very clear on this account: 'I do not accept anything because I must, I believe it because I will;'²⁴⁸ and again, 'If man allows laws to be made for him by the will of others, he thereby makes himself into a beast, that is, he injures his inborn human dignity;'²⁴⁹ and finally, 'I am wholly my own creation.'²⁵⁰

Whilst we cannot escape the fact that Fichte's views are innately tied to the emerging German nationalist sentiment, this should not overshadow the fact that, for Fichte, our values are made, and not found. As Baumeister notes, for Fichte, 'values, principles, morals and political goals are not objectively given by nature, God or reason, but are determined or *created* by the agent himself.'²⁵¹ To illustrate this important point, Berlin draws our attention to the following quote from Fichte, which he delivered during his famous speeches to the German nations:

Either you believe in the original principle in man – a freedom, a perfectibility...or you do not...All those who have within them a creative quickening of life, or else, assuming that such a gift has been withheld from them, at least reject what is but vanity, and await the moment when they are caught up in the current of original life, or even, if they are not yet at this point, at any rate have some confused presentiment of freedom – have towards it not hatred nor fear but a feeling of love – these are a part of primal humanity...All those who, on the other hand,

²⁴⁷ Ibid., pp. 179–180.

²⁴⁸ J. G. Fichte, *Sämmtliche Werke*, ed. I. H. Fichte (Berlin, 1845-6), vol. 2, p. 256, quoted in *ibid.*, p. 180.

²⁴⁹ J. G. Fichte, *Sämmtliche Werke*, vol. 2, p. 82, quoted in *ibid.*, p. 180.

²⁵⁰ J. G. Fichte, *Sämmtliche Werke*, vol. 2, p. 256, quoted in *ibid.*, p. 180.

²⁵¹ A. Baumeister, "Two Liberalisms and the 'politics of difference'," p. 311; and A. Baumeister, *Liberalism and the 'Politics of Liberalism'*, p. 10.

have resigned themselves to represent only a derivative, second-hand product, who are but the annex to life...considered as people they are strangers, outsiders...*All those who believe in freedom of the spirit...they are with us...all those who believe in the arrested being or retrogression, or putting inanimate nature at the helm of the world...they are strangers to us.*²⁵²

In his early writings, Fichte held that the rational individual created values, and because reason is identical for all of humanity, then it logically followed that the laws and values of life necessitated by reason were the same for all human beings. But in his later works, the self is identified with the transcendental supreme being, the creative spirit, of which we are all fragments. It is only through the community (in Fichte's case, the German community) that the individual can fulfil their true, inner, timeless, and creative self.²⁵³ As Fichte notes, 'the individual does not exist, he should not count for anything, but must vanish completely; the group alone exists.'²⁵⁴

This attack on what many believed to be the shallow universalism of the Enlightenment philosophers (particularly the French philosophers), was shared by Johann Gottfried Herder. In contrast to the Enlightenment belief in an inevitable convergence of all beliefs, Herder stressed the unique character and value of cultures, which were diverse and incommensurable. The cosmopolitan nature of the Enlightenment demanded that the individual remove those characteristics that made them most human, such as the natural bonds of language, history, habit, and tradition. It is precisely these contingent aspects

²⁵² J. G. Fichte, *Sämmtliche Werke*, vol. 7, pp. 374-375, quoted in I. Berlin, *The Sense of Reality*, pp. 180-181. Emphasis added.

²⁵³ *Ibid.*, p. 181.

²⁵⁴ J. G. Fichte, *Sämmtliche Werke*, vol. 7, pp. 37-38, quoted in *ibid.*, p. 181.

which bind us all to a specific culture and tradition: ‘The savage is...a more real being than the cultivated shadow who is enraptured with the reflection of the whole species. The former has a room in his hut for every stranger....The inundated heart of the idle cosmopolite is a home for no one.’²⁵⁵

Herder’s hostility towards the universal prescriptions of the Enlightenment also led him to reject the Kantian conception of history. Whilst Kant viewed earlier periods in time as general stages towards the final and logical end point of history, Herder would urge us to value historical periods for their own sake, and not merely because they were precursors to later periods.

Romantics such as Fichte and Herder viewed the Enlightenment vision of the perfect society in which all views converged on a single point and in which most, if not all human values could be reconciled, as false. This is because the values and ends pursued by different cultures and societies are often incommensurable. The ends pursued by two different cultures may be different, but this difference does not necessarily lead to the view that one is logically superior to the other, or that one is merely seen as a necessary stage which leads to the other. The values and virtues of ancient Greece, Baumeister notes, were not merely a precursor or a stepping-stone to Roman culture. They held value in and of themselves. Their differences only highlight the extent to which values and ends are often incommensurable.²⁵⁶

Like so many of the Romantics, Herder and Fichte want us to cultivate an appreciation and understanding of all cultures, instead of the misplaced view of

²⁵⁵ J. Herder, quoted in C. Dover, ‘The Radical Philosophy of Johann Herder,’ *The British Journal of Sociology* 3, no. 2 (June 1952), p. 127

²⁵⁶ A. Baumeister, *Liberalism and the ‘Politics of Difference’*, p. 11.

the Enlightenment thinkers that there can only ever be one truth, dictated by reason, and therefore only ever one true culture. While there will always be differences between cultures, our faculty of compassionate insight, which we can utilize to try and understand one another at the level of the individual, also gives us the capacity to understand foreign cultures, and see value in them, even though they may differ radically from our own.

Whilst the philosophers of the Enlightenment viewed morality and politics as akin to the natural sciences, the Romantics, such as Fichte, viewed the political and the moral as analogous to artistic creation. The emphasis that the Romantics placed on the creative aspect of the human self gives rise to the belief that the good life necessarily consists of developing one's distinctive life and particular values. The Romantics therefore urged people to give their fullest expression to, and to take enjoyment from, their unique and differing characteristics, whether they be identified in terms of our individual identity, family membership, nationality, race, or gender.²⁵⁷

3.3 Nietzsche's Enlightenment

The reaction that the Romantic movement had towards the Enlightenment and its views regarding the universality and emancipatory power of reason helped to provide the foundation of Nietzsche's powerful reassessment of the Enlightenment project. Nietzsche viewed the ideas of the Romantics, in particular the German Romantics, as providing the drive for a deeper and stronger realization of what the process of enlightenment ought to be and could

²⁵⁷ Ibid. p. 10.

ultimately achieve. Rather than regarding the Romantic view towards the Enlightenment in negative terms, he viewed it as the start of a more powerful movement, as a vehicle that could push emancipation further.

In redefining the contours of the Enlightenment, Nietzsche developed a powerful critique of the principle of ‘universality,’ a principle that, as I have demonstrated in Chapter 2, was *fundamental* to the Enlightenment project that was identified by Berlin, MacIntyre, and Gray. Whilst Nietzsche did agree with Kant that enlightenment was emancipation from external influences, they differed as to the *source* of these external influences. Kant held that the main source that hindered humanity’s emancipation was their blind and unquestioning obedience to authority, such as priests and doctors:

Laziness and cowardice are the reasons why such a large proportion of men, even when nature has long emancipated them from alien guidance (*naturaliter maiorennnes*), nevertheless gladly remain immature for life. For the same reasons, it is all too easy for others to set themselves up as their guardians. It is so convenient to be immature! If I have a book to have understanding in place of me, a spiritual adviser to have a conscience for me, a doctor to judge my diet for me, and so on, I need not make any efforts at all. I need not think, so long as I can pay: others will soon enough take the tiresome job for me.²⁵⁸

Nietzsche, however, viewed the idea of a universal standard of reason (which was fundamental to the Enlightenment project) as constituting, in its own right, yet another form of external influence which impeded the individual. For

²⁵⁸ I. Kant, “An Answer to the Question: ‘What is Enlightenment?’” in *Kant: Political Writings*, p. 54.

Nietzsche, reason and universality held the same capacities of indoctrination as faith and custom; these were the same capacities that Kant was trying to remove. Kate Soper characterizes this potentially oppressive indoctrination in the following manner: 'If by freeing us from deism, the Enlightenment had ended by granting legitimacy to utilitarian calculus and instrumental rationality, then it had itself issued a new form of dominance and human oppression.'²⁵⁹

For Nietzsche, the Enlightenment project with its view that morality could be premised on rational grounds that were discoverable by everyone, constituted nothing more than an endorsement of, and faith in, the prevailing morality of the seventeenth and eighteenth centuries. Those Enlightenment philosophers who championed universal reason failed to recognize that their own principles did not exist *a priori* as Kant held, but were in fact a product of their own historical and cultural conditions.²⁶⁰

The notion of a universal rational standard that was central to the Enlightenment project could, Nietzsche believed, be traced back to the ascetic ideal that was, and in many cases still is, fundamental to Christianity. This Christian ideal constructs a dichotomy between what it seen as the 'real' and the 'apparent' world in an attempt to transcend the limitations of the human existence. The world of the 'apparent' is populated with all that is transient, contingent, or animalistic. This includes things such as growth, death, desire, and lust. The 'real' world, in contrast, is conceptualized as the source of unitary value that provides the overarching goal and purpose of the human existence.

²⁵⁹ K. Soper, "Rorty: Humanist and/or Anti-Humanist?" in *Richard Rorty: Critical Dialogues*, eds. M. Festenstein and S. Thompson (Malden, MA.: Polity Press, 2001), p. 119.

²⁶⁰ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 12.

The aim of human existence is, therefore, to subject the world of 'the apparent' to the rule of the world of 'the real' by way of the universal law.²⁶¹

In Nietzsche's opinion, this is no different from the views advocated by the Enlightenment philosophers such as Kant, who promoted the principle of universal reason, and separated this universal reason from the myriad of human desires (Kant's hypothetical imperatives) and lifestyles. Just as, for the ascetic Christian ideal, the real world was the source of unitary value, the Enlightenment philosophers viewed reason as both real and essential, and it was only reason that could provide the common standard or goal for all of humanity. As noted by Dwight Allman, the 'real' world, or the 'true' world, denied irrationality, contingency, and the historicity of existence.²⁶² Again, just as the 'apparent' world was identified with all that was transient in nature, the multitude of human desire and lifestyles were regarded as nothing more than historically and socially contingent.

If, as I have previously argued, one of the central aims of the Enlightenment project was to subject the diversity that constituted humanity prior to the discovery of reason, to the universal rule of reason, then for Nietzsche, this is a paradoxical and contradictory aim. In asserting this, Nietzsche argues that the Enlightenment philosophers, such as Kant, do not help humanity achieve emancipation by removing all external influences. Instead, reason itself constitutes in its own right another external influence. Whilst the rational actor is now no longer 'immature for life' due to the blinkering effects of religion

²⁶¹ Ibid., p. 13.

²⁶² D. Allman, "Nietzscheanism Contra Nietzsche: Tensions in Postmodern Liberal Theory," *Perspectives on Political Science* 24, no. 2 (Spring 1995), p. 73.

(predominately Christianity) and unquestioned traditions, they are now equally blinkered in their behaviour and thought processes because they are required to follow the demands of reason via the categorical imperative.

The desire of many of the Enlightenment philosophers to construct a universal set of rational standards that could (and therefore *ought* to) be applied to all of humanity, irrespective of contingencies such as time and place, reflected their inability to appreciate and value the genuine diversity and deep value-conflicts which were a part of Nietzsche's 'real' world. Nietzsche regarded conflicts in values as inevitable as he rejected the notion of an ultimate and unitary source of value. His account of human history is to be viewed through the lens of a humanity which is not moving towards the principles of universal human reason, but rather which, irrespective of time, is characterized by the recognition of the plurality of values, as well as a plurality of reasoning.²⁶³ As Keith Ansell-Pearson observes, Nietzsche attacks philosophers for failing to comprehend the fundamental fact 'that the human animal is a creature which is not an *'aeterna veritas'* [eternal truth] but is one which has 'become'; the same applies to the human faculty of cognition.'²⁶⁴ In the words of Nietzsche, 'everything has become: there are no *eternal facts*, just as there are no absolute truths.'²⁶⁵

This is an important point, and I fear that its profound implications may be under-estimated by many liberal political philosophers who still hold on to the

²⁶³ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 13.

²⁶⁴ K. Ansell-Pearson, *An Introduction to Nietzsche as Political Thinker: The Perfect Nihilist* (Cambridge: Cambridge University Press, 1999), pp. 34–35.

²⁶⁵ F. Nietzsche, *Human, All Too Human: A Book for Free Spirits*, trans. R. J. Hollingdale, 2nd ed. (Cambridge: Cambridge University Press, 1996 [1878]), Chapter 1 §2, p. 13.

Enlightenment language and project of a rationally justifiable and universal form of reason, that is best expressed politically in the form of Enlightenment liberalism. Nietzsche's recognition of a plurality of values and plurality of forms of reasoning amounts to an explicit rejection of the teleological interpretation of both philosophy and history, an interpretation that is necessary in order for Enlightenment liberalism to sustain its philosophical foundations and justificatory arguments. Nietzsche's denial of absolute truth undermines the asocial individualism and the 'antecedently individuated self' that is fundamental to Enlightenment liberalism. According to Owen, in Nietzsche's analysis, this concept of 'sovereign agency' is not the result of some pre-societal truth devoid of any contingent factors, but is instead the 'product of the long pre-history of man and, in particular, the role of custom and punishment in fabricating a being with the power to make promises, while our conception of the self as antecedently individuated subject is a product of the slave revolt in morals'.²⁶⁶

It is also an early precursor to Berlin's thesis of value-pluralism (which will be the focus of Chapter 5). In the preceding section (3.2 The Romantic Challenge), I briefly explored Berlin's view that Machiavelli's political thought represented a major turning-point in the course of Western political thought. What was so profound in Machiavelli's thought, according to Berlin, was not merely that he identified that politics and the morality of Christianity are incompatible, but that they represented two *incommensurable forms of morality*. Here too, with Nietzsche, we have the recognition that there exists a plurality of both values

²⁶⁶ D. Owen, *Nietzsche, Politics & Modernity*, p. 138.

and forms of reasoning. The profound insights of both Machiavelli and Nietzsche provide Berlin with one of the central and fundamental threads of his thesis of value-pluralism: human morality and goods are multiple, conflicting, and may ultimately be incommensurable.

Whilst Nietzsche was not an Aristotelian, he did believe that politics should serve as the quest for human excellence (this is referred to by Owen as *perfectionist agonism* and will be examined in more detail in 7.6.1). But in doing so, he does not treat social and political issues from a universalist standpoint, but rather from the typological understanding and assessment of humankind. This typology is distinct from the methodology of the Enlightenment, in that it does not rest on a science, like Newtonian physics. As I examined in Chapter 2, part of the Enlightenment project was to replicate the success of mathematics and physics (following Newton) in the realm of politics and morality. But Nietzsche rejected this approach, and instead premised his views on an insight into the encompassing historicity of humanity's existence. It is precisely because of this denial of the unitary nature of human existence, especially when seen through time and place, that Nietzsche demands a standard of ethics and action that is both multiple and varying in nature, and that corresponds to a ranking of each type within an hierarchical society that is organized around the search for a superior type of being, the *Übermensch*.²⁶⁷

²⁶⁷ D. Allman, "Nietzscheanism Contra Nietzsche," p. 70, 74.

3.4 The Communitarian Critique of Enlightenment Liberalism

As I have explored in Chapter 2, Enlightenment liberalism is premised upon a conception of the individual that is both ahistorical and universal. All contingent aspects of the individual's identity, such as those given by the community in which they reside, or (in the case of the feminist critique of Enlightenment liberalism, see section 3.5) their sex, are deemed, precisely due to their contingent nature, to be unimportant, or at the very least, a distraction from the *true* nature of the autonomous individual. Owing to the conception of the individual that was developed by certain Enlightenment philosophers, upon which Enlightenment liberalism draws, this individual is both disembodied and disembedded.

This intentional removal of all contingent factors from the individual in order to ascertain their ahistorical and universal identity has resulted in an approach to political philosophy that has, traditionally, continued to ignore the role of 'community', both as something of value in its own right, and as a positive influence on the construction of the agent's identity. Rawls, for instance, only paid scant attention to the value of community in *A Theory of Justice*, as his primary focus was to provide a reinterpretation of the liberal concepts of *individual* liberty and equality.

If Enlightenment liberalism, even in its contemporary forms, does acknowledge the role of identity and the community, it is usually through two means. First, it is seen as a derivative of the fundamental liberal concepts of individual liberty and equality. Here the community is seen as possessing value only if it prioritizes and reflects these two liberal values. As Will Kymlicka notes when discussing this relationship, 'a society lives up to the ideal of community if its

members are treated as free and equal persons.’²⁶⁸ The Enlightenment liberal interpretation of morality and politics intentionally precludes any independent principle of community (such as a shared nationality or religion, linguistic communities, or a common history), as these are ways of life that are *contingent*. In order to ascertain the ahistorical and universal nature of the individual, it is precisely these contingent factors that are stripped away.

Second, the notion of community is often viewed as a dangerous stepping-stone that could be used (and indeed often was used) towards fascist, racist, or totalitarian regimes.²⁶⁹ One need only cast one’s mind back to recent events such as the ‘the Troubles’ in both the Republic of Ireland and Northern Ireland; the protracted conflict in the former Yugoslavian states; and the reclamation of white-owned farming land in Zimbabwe under Robert Mugabe for evidence of this. Whilst the community is seen as possessing value insofar as it supports and encourages the liberal concepts of individual liberty and equality (but not necessarily *economic* equality), in this second liberal view the community is perceived as a *negative* and *detrimental* factor, which undermines or violates the innate rights (in the eyes of Enlightenment liberalism) of the individual through calls to the greater good.²⁷⁰

²⁶⁸ W. Kymlicka, *Contemporary Political Philosophy: An Introduction*, 2nd ed. (Oxford: Oxford University Press, 2002), p. 208.

²⁶⁹ *Ibid.*, p. 208.

²⁷⁰ Conversely, Sandel posits that the inverse of this thesis is true: the source of totalitarianism lies in the destructive and anti-community drives that are characteristic of liberalism. M. Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), p. 7. However, this view has been criticized, notably by Allen Buchanan. Buchanan notes that not only does Sandel provide no empirical data to support his hypothesis, but he also conflates liberalism with *laissez-faire* capitalism, which by its very nature breaks down traditional forms of community and family, especially with its demands for a hyper-mobile workforce. In contrast to Sandel’s thesis, Buchanan notes that the historical record shows us that totalitarianism found root in countries such as Germany, Japan, Russia, and Italy, countries ‘in which a liberal political

However, this conscious move by Enlightenment liberalism to sideline the value of identity and community has been challenged over the last thirty years by communitarian political philosophy. Expressed in its broadest terms, the central claim of the communitarian is that the value of community exists alongside, if not prior to, the liberal notions of autonomy, individual liberty, and equality. The communitarian believes that the value of identity and community is not given sufficient recognition, either in the public culture of liberal societies, or in liberal theories of justice, such as those proposed in Locke's *Two Treatise*, Rawls' *A Theory of Justice*, or Nozick's *Anarchy State and Utopia*.²⁷¹

As with many other schools of political and philosophical thought, we need to be careful with our terminology and precise meaning when discussing communitarianism. To refer continually to 'the communitarians' would suggest that it is a coherent and unified school of thought. However, this is simply not the case: not only is communitarianism a *fragmented* school of thought, but it is a *label* that has been applied to the thought and texts of other political philosophers, and *not* a label that anyone has intentionally given to themselves. This point is perhaps best illustrated by a comparison with feminism: whilst feminism is indicative of a school of thought that is fragmented, with many opposing camps, it is a label that feminist intentionally give to themselves. Communitarianism, however, is a label that is given to others, and is not proactively claimed by its members.

culture did not exist at all or was only briefly, incompletely, and precariously realized.' A. Buchanan, "Assessing the Communitarian Critique of Liberalism," *Ethics* 99, no. 4 (July 1989), p. 861. This point is also been explored in J. Gray, *False Dawn: The Delusions of Modern Capitalism* (London: Granta Books, 2002), in particular chapter 5.

²⁷¹ W. Kymlicka, *Contemporary Political Philosophy*, p. 208.

Communitarianism, in its contemporary context, is given its most powerful expression in the work of four main theorists – Michael Sandel, Alasdair MacIntyre, Michael Walzer, and Charles Taylor.²⁷² With the benefit of history, we are now able to see that these four authors were in fact advocating quite dissimilar lines of argument. Accordingly, in applying to them the catch-all label of ‘communitarianism’, we do run the risk of being blind to the subtle differences in their arguments.²⁷³

However, we can say that they do converge in their belief that political philosophy (especially Enlightenment liberalism) needs to pay more attention to the shared practices and understandings of each culture and society. In addition, they also agree that in order to achieve this, liberalism is required to change its fundamental principles of justice and rights. It is on precisely *how* these principles need to be changed that the individual communitarians diverge in their views.

The value and role of ‘community’ is not unique to these contemporary communitarians. Within Western political philosophy alone, the community has been an important concept for both Hegel and Marx, and before them Aristotle. If we look further afield to Chinese political philosophy, the role and importance of the community and the relationship of the individual to the community, is a

²⁷² M. Sandel, *Liberalism and the Limits of Justice*; A. MacIntyre, *After Virtue: A Study in Moral Theory*; A. MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame, IN.: Notre Dame University Press, 1988); M. Walzer, *Spheres of Justice. A Defence of Pluralism and Equality* (New York: Basic Books, 1983); C. Taylor, *Philosophy and the Human Sciences: Philosophical Papers*, vol. ii (Cambridge: Cambridge University Press, 1985); and C. Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge: Cambridge University Press, 1992).

²⁷³ W. Kymlicka, *Contemporary Political Philosophy*, p. 231.

central thread of Confucianism. But the *interpretation* of this relationship is what separates the current communitarian thinkers from earlier ones.

Given the obvious etymological links between 'communism' and 'communitarianism', this may suggest that not only is there an overlap between the two in terms of theoretical *content*, but also in their *critique* of liberalism.²⁷⁴ However, this is not necessarily the case. Within traditional conceptions of Marxism, the community could only be achieved by a change in society brought about by a revolution - the overthrow of capitalist society - and the subsequent establishment of a society premised on socialist values. But the 'new' communitarians (hereafter referred to simply as 'communitarians') believe that the community *already* exists, and is constituted through existing common social practices, cultural traditions, and shared social understandings. For these communitarians, the community does not need to be established out of the rubble of the old because it already exists. It does, however, need to be rescued, protected and respected, and it is precisely at this point, in their analysis, that liberalism is found wanting.

Whilst communism does contain a strong 'community' component, contemporary communitarians are less inspired by Marx, and instead draw more from Hegel and Aristotle.²⁷⁵ As Kymlicka points out, there are in fact many similarities between the communitarian critique of liberalism and Hegel's

²⁷⁴ S. Mulhall and A. Swift, *Liberals and Communitarians*, 2nd ed. (Oxford: Blackwell Publishing, 2005), p. xv.

²⁷⁵ A. Gutmann, "Communitarian Critics of Liberalism," *Philosophy and Public Affairs* 14, no. 3 (Summer 1985), p. 308. Cf with A. Assiter, *Revisiting Universalism* (Basingstoke: Palgrave Macmillan, 2003), pp. 38-39.

critique of Kantian liberal political philosophy.²⁷⁶ Given the strong connection between Enlightenment liberalism and the proto-liberalism of Kant, both the communitarian critique and Hegel's critique address many of the same issues.

As I have examined in Chapter 2, the Enlightenment liberals, such as Kant and Locke, identified what they saw as a universal conception of history and reason. This conception was then used as a means to both evaluate past social and political arrangements, and a basis upon which new and rational social and political arrangements could be built. But for Hegel, this approach, which he referred to as *Moralität*, was too abstract to be able to provide any real guidance to society. Furthermore, it was too individualistic in nature, because it neglects the way in which humans are embedded within particular historical relationships and practices.

The strength in Hegel's alternative is in its emphasis on the way that both the good of the individual *and* their very identity and capacity for moral agency are inherently connected to the communities to which they belong, and the particular social and political roles that they occupy.²⁷⁷ For Hegel, rationality is not predicated on individuals and their actions, but rather it is their institutions and their embedded cultural context that make action possible. Hegel referred to this alternative conception as *Sittlichkeit*, which translates as 'ethical life'. The etymology of this alternative gives us more insight into what Hegel was trying to achieve: *Sitte* is derived from the Greek *ethos*, which means customary horizon or dwelling place within which life is lived. It can be seen, therefore,

²⁷⁶ Charles Taylor also makes this connection. See: C. Taylor, *Hegel and Modern Society* (Cambridge: Cambridge University Press, 1979); and C. Taylor, *Hegel* (Cambridge: Cambridge University Press, 1993).

²⁷⁷ W. Kymlicka, *Contemporary Political Philosophy*, p. 208.

that ethics is conterminous with politics, that the ethical life is also the political life.²⁷⁸ The individual's contingent circumstances, that is, the social norms into which they are born, cannot be disentangled from that individual's ethical framework. Whilst they may not be completely identical, there will always exist a substantial degree of overlap between the contingent social and rational political.

What, then, is the nature of the communitarian critique? In his sustained analysis of communitarianism, Kymlicka identifies three distinct, and at times conflicting, strands of communitarian thought, and these correspond roughly to the concepts of justice, universalism, and the nature of the autonomous self-determining individual.²⁷⁹ Let us now examine these individually.

First, some communitarians hold the view that the community does not need principles of justice because the community itself replaces the need for these principles. This is related to the Marxist view that justice is merely a 'remedial' virtue, and is not required when the new society based solely on socialist principles is finally established.²⁸⁰ It should be noted, however, that whereas

²⁷⁸ S. Smith, "Hegel's Critique of Liberalism," p. 134.

²⁷⁹ W. Kymlicka, *Contemporary Political Philosophy*, pp. 210-219.

²⁸⁰ This interpretation of the Marxist view of justice is by no means without its detractors. Writers such as Norman Geras, Gerry Cohen, and Jon Elster, argue that Marx possesses a 'trans-historical' and 'universal' account of justice which is realized in the transition from capitalism to communism [N. Geras, "The controversy about Marx and Justice," *New Left Review* 150 (1985), pp. 47-85; G. A. Cohen, *History, Labour, and Freedom* (Oxford: Clarendon Press, 1988); and J. Elster, *Making Sense of Marx* (Cambridge: Cambridge University Press, 1985)]. Sean Sayers, however, does not agree with this view. For Sayers,

As an account of Marx's thought, this is quite untenable. Not only does Marx himself explicitly and repeatedly repudiate such a conception of justice: it is entirely alien to the historical approach. For the latter entails that there is no single, universally right social order. Different social forms, governed by different principles of justice, arise in different conditions and in different times; and with time they also lose their necessity and rightness, as the conditions for a new social order develop. Principles of justice and

Marxists generally think that the flaw that required remedy is found in scarcity of material goods and their unequal distribution, the communitarians believe that this flaw is to be found in the absence of noble virtues, such as benevolence or solidarity.²⁸¹

Sandel argues in his *Liberalism and the Limits of Justice* that the need to claim one's individual rights would not exist if people responded to the needs of others. This response need not be out of a sense of duty or obligation (in contrast to Kant), but out of a sense of love and shared goals (in accordance to Hegel and Marx). The increased concern with justice can not only reflect a situation of moral improvement, as the Enlightenment thinkers would believe, but can also reflect a situation of deteriorating morality. As noted by Sandel, drawing on the Kantian notion of obligation,

When fraternity fades, more justice may be done, but even more may be required to restore the moral status quo. Furthermore, there is no guarantee that justice and its rival virtues are perfectly commensurable. The breakdown of certain personal and civic attachments may represent a moral loss that even a full measure of justice cannot redeem. Does it go without saying that a rent in the fabric of implicit understandings and commitments is fully morally repaired so long as everyone 'does what he ought to' in the aftermath?²⁸²

The second theme that Kymlicka identifies relates to the relationship between justice and the community. Some communitarians believe that justice and

right are social and historical phenomena [S. Sayers, *Marxism and Human Nature* (London: Routledge, 1998), p. 142].

²⁸¹ W. Kymlicka, *Contemporary Political Philosophy*, p. 210.

²⁸² M. Sandel, *Liberalism and the Limits of Justice*, pp. 32-33.

community are perfectly consistent concepts, but our conception of justice needs to be modified once we see the proper value of community. These communitarians may not disagree with Rawls' belief in the importance of justice, but they do claim that liberalism distorts justice as being ahistorical and *a priori* in nature, and used as an external criterion for criticizing the contingent ways of life that characterize community.

Walzer argues that this Enlightenment principle is founded on a false presumption. There can be no perspective that is external to the community simply because it is not possible to step outside of our various histories and cultures, contingent or otherwise. Identifying principles of justice is less a matter of philosophical argument and abstraction, but is instead a matter of cultural *interpretation*.²⁸³ Owing to the fact that there is no neutral position from which we can evaluate various claims to justice, our *only* option is to interpret the contingent yet real claims that we have before us.

Accordingly, the requirements of justice can only be identified by seeing how a particular community understands the value of various social goods (such as free universal health-care, welfare, or religious conformity). A society is viewed as just when it acts in a way that is congruent with the shared understandings of its members, and in accordance with its institutions and cultural practices. For example, some communities may value the right to free speech and freedom of expression over the right to be free from racial and religious vilification. But in doing so, they may be required to limit the freedom of some in order to meet this particular standard of justice. Others may prefer to live in a society where

²⁸³ M. Walzer, *Spheres of Justice*.

access to a social safety net in the form of social security is viewed as being preferable to residing in the minimalist 'night-watchman' state of Locke and Nozick. In this case, taxation is not seen as a form of theft, as Nozick²⁸⁴ would view it, but rather as being necessary in order to meet society's shared understanding of justice.

One need only compare the conflicting ways in which the welfare state and access to publically funded health-care are viewed in Australia and the United States of America. Even under former Prime Minister John Howard and his coalition government, which was generally considered to be pro-privatization and was attacked by many for his views regarding social security, access to publically funded health-care was considered to be such an important public-good and indicative of the egalitarian ethos of Australia (the extent to which Australia still is, or ever was, egalitarian, will not be explored here), that it was never under any serious threat of being dismantled. Compare this to continued and sustained moves in America *against* publically funded health-care. Whether this is due to America's distinctly Lockean philosophical roots, fear that it may lead to the gradual introduction of socialist principles, or simply mis-education, it appears that publically funded health-care is not considered to be a public good. Thus policy announcements that support publically funded health-care are considered to be congruent with the Australian community's view of it as a public good, yet announcements that are similar in nature are considered to be 'un-American' within the American context.

²⁸⁴ R. Nozick, *Anarchy, State and Utopia*.

The final strand of the communitarian critique that Kymlicka identifies is premised on liberalism's emphasis on *individualism*. According to this critique, liberalism, in basing its theories on distinct concepts of individual rights and autonomy, fails to appreciate the extent to which individual freedom and well-being are not only connected to the community, but are only possible *within* the community. Accordingly, once our dependence on community is acknowledged, then our obligations to sustain the common good are just as valid as, and given just as much weight as, individual rights and autonomy. While communitarians may not necessarily want the (Kantian inspired) Rawlsian notion of 'politics of the good' to be completely abandoned, at the very minimum, they believe that 'politics of the *common* good' should be allowed equal, if not superior value, in society.²⁸⁵

As I identified in Chapter 2, in Berlin's analysis, both liberalism and Marxism share a common origin in the Enlightenment and a certain conception of reason. They both hold that we should promote people's best interests by letting them choose for themselves what sort of life they want to lead. Where they differ is in their appreciation of what rights or resources best enable human beings to pursue optimally their own conceptions of the good. To deny people this autonomy is to treat them in an unequal way and to deny them of their most basic and fundamental right. The crux of the communitarian challenge here is that liberalism misconstrues our capacity for autonomy whilst neglecting the

²⁸⁵ W. Kymlicka, *Contemporary Political Philosophy*, p. 212.

social preconditions under which this capacity can be exercised in any meaningful way.²⁸⁶

In order for us to understand better this third leg of the communitarian challenge, let us briefly explore the concept of autonomy and self-determination. Whilst there is a broad consensus about the value of autonomy, this same broad consensus does not extend to an agreement over what conception of autonomy to adopt. There are different interpretations of what constitutes autonomy, and it is helpful to distinguish between them. Andrew Mason identifies three main conceptions of autonomy, which he refers to as the 'independent-minded', 'critical reflection', and 'formal' conceptions of autonomy.²⁸⁷

Mason claims the 'independent-minded' conception of autonomy is best characterized by Robert Wolff in his *In Defence of Anarchism*. In Wolff's view, if a person is completely autonomous, then their performance of an action is never because another person tells them that they must act that way. If an individual acts in a certain way because they have been instructed by another to do so, then they are not acting in a fully autonomous manner.²⁸⁸ A person acting in a fully autonomous manner must necessarily take *full responsibility* for their actions, and this ultimately means 'making the final decisions about what [they] should do.'²⁸⁹

²⁸⁶ Ibid., p. 212.

²⁸⁷ A. Mason, "Personal Autonomy and Identification with a Community," in *Liberalism, Citizenship and Autonomy*, eds. D. Milligan and W. Miller (Aldershot: Avebury, 1992), p. 172.

²⁸⁸ Ibid., p. 172.

²⁸⁹ R. P. Wolff, *In Defence of Anarchism* (New York: Harper and Row, 1970), p. 15.

The ‘critical-reflection’ conception of autonomy Mason traces from Mill’s *On Liberty* (even though Mill does not use the term autonomy) through to more recent scholars such as Richard Lindly, Joseph Raz, and Stanley Benn.²⁹⁰ Here an individual does not need to be independent-minded in order to be critically reflective. An individual may choose to follow a particular religious leader and their teachings, and spend their life doing so. This individual’s actions are deemed to be autonomous in the critically reflective sense if and only if they are allowed to subject their decisions to independent scrutiny from time to time. It is a necessary element of the critical-reflection conception of autonomy that an individual intermittently re-evaluate their conception of the good life, especially when crucial moments in their lives present themselves. They are not required to revise their conception of the good life, but they are required to re-evaluate it, free of any external coercion.²⁹¹

The final conception of autonomy, the ‘formal’ conception, does not place any restrictions on the content of the autonomous life. In the formal conception of autonomy, an individual who steps back and makes an informed choice to follow a religious leader and their teachings without question, still leads an autonomous life if and only if this decision meets certain preconditions which would be included in either of the two substantial conceptions outlined above, were they to be fully spelt out. That is, the decision to follow the religious leader and their teachings was not made as the consequence of an inner compulsion, any kind of manipulation, or lack of any reasonable alternatives. Furthermore,

²⁹⁰ R. Lindley, *Autonomy* (London: MacMillan, 1986); J. Raz, *The Morality of Freedom*, chapters 14–15; and S. I. Benn, *A Theory of Freedom* (Cambridge: Cambridge University Press, 1988), chapters 9–12.

²⁹¹ A. Mason, “Personal Autonomy and Identification with a Community,” p. 173.

according to this formal conception of autonomy, if this individual chose a life premised on blind obedience to this religious leader, then this decision would still be autonomous.²⁹²

What is common to these three distinct conceptions of autonomy is that they possess two elements, *action* and *capacity*. Autonomy requires *action*: the individual is required to act, to make a positive decision. On at least one occasion they are required to take a step back from their life and to determine for themselves, free from any coercion or manipulation, why and how they should lead it. Autonomy also requires *capacity*: the individual can only act in a fully autonomous manner if they are *able* to act in such a way. In this context, we can see a connection between autonomy and the Kantian claim that 'ought implies can'. The existence of a neutral standpoint from which the individual can evaluate their life and make informed decisions is of no use if they are not able to *access* it. That is, they must reside in a state that provides them with the *capacity* to act, in a state that does not pre-determine what course of action they must follow. This is characteristic of the neutral state. As Mulhall and Swift note,

A state which, when regulating the lives of its citizens, encouraged or discriminated against particular conceptions of the good life for human beings (beyond the exclusion of those whose pursuit would violate the rights of other citizens) would fail to permit the full and equal exercise by all citizens of their capacity freely to determine how they should live. In short, human beings understood as moral personalities are most fundamentally autonomous choosers of ends, and society must be

²⁹² Ibid., p. 173. For a more detailed explanation of the formal conception of autonomy, see G. Dworkin, *The Theory and Practice of Autonomy* (Cambridge: Cambridge University Press, 1988), especially chapters 1-2.

organized in such a way as to respect this feature of personhood above any other.²⁹³

However, it is precisely the value that liberalism places in the neutral state that the communitarians object to. In order for the 'politics of the common good' to gain any form of substantive recognition, or even equal footing to, 'the politics of the right', communitarians believe that the neutral state ought to be abandoned because by its very definition, it is opposed to the common good. In the liberal state, the 'good' is defined as whatever is beneficial to the politics of the 'right'; that is, what is good is conceived of in terms of that which does not violate the inalienable rights of the individual. But in this communitarian challenge, it is the common good *itself* that provides the benchmark by which these preferences are ranked and evaluated. The common good is conceived of as a substantive conception of what constitutes the good life, and which is a defining characteristic of a particular community's 'way of life'. This, then, suggests an understanding of the common good that trumps the rights of the individual.

The communitarian state, in this context, is a perfectionist state. But unlike the Marxist and Enlightenment liberal perfectionist state, which ranks ways of life against some external and ahistorical conception of the good, the communitarian perfectionist state ranks them against already existing practices. This is what distinguishes the liberal perfectionist state (recall the justificatory matrix for liberalism in section 1.3.1) from the communitarian

²⁹³ S. Mulhall and A. Swift, *Liberalism and Communitarians*, pp. 44-45.

perfectionist state: the liberal perfectionist state defines itself against a universal and ahistorical standard that is derived via the use of reason, whereas the communitarian perfectionist state defines itself against current or pre-existing conceptions of the good. For the communitarian, just because a particular conception of the good is *contingent* does not make it any less valuable.

Accordingly, the communitarian state adopts a conception of the good life that is congruent to the understanding of the good and the good life that conforms to the community's already existing way of life. The flipside of this argument is that the communitarian perfectionist state is obliged to discourage those conceptions of the good life that contradict existing interpretations of the good life. The claim of the individual to resources, liberties, and institutions, that are required to pursue their own conception of the good life in the liberal neutral state are, in the communitarian state, subservient to the public pursuit of shared ends that define the community's way of life.²⁹⁴

This communitarian challenge is in part premised on how the communitarian views the autonomous self. The liberal understanding of the autonomous self, as I have examined in Chapter 2, is premised on the belief that the individual is free to question their participation in any social and political practice. Furthermore, if they so desire, they are free to opt out of them. That is, there should be no *external impediment* that would infringe on the individual's right to question and cease certain forms of life. This is a *fundamental characteristic* of Enlightenment liberalism with its distinctly Kantian conception of the

²⁹⁴ W. Kymlicka, *Contemporary Political Philosophy*, p. 220.

autonomous individual. The community in which the individual resides, nor the practices they participate in, does not constitute who they are. Rather, the individual exists *prior* to the ends of the community.

This Kantian conception of the self finds its most cogent expression in contemporary liberal political literature in the pre-*Political Liberalism* Rawls. The autonomous self that is characteristic of Rawls' *A Theory of Justice* is distinctly Kantian in nature, and accordingly Rawls is explicit in separating the autonomous self from their *contingent* circumstances: 'the self is *prior* to the ends which are affirmed by it.'²⁹⁵ This is very different, however, from the conception of the individual that Rawls expresses in his *Political Liberalism*. Here, due to his acknowledgment of the inevitable diversity of comprehensive metaphysical doctrines that citizens of the liberal democratic state will possess, Rawls argues that within the confines of the *private sphere*, the individual may choose to understand themselves as being affirmed by pre-existing ends, but conversely within the *public political sphere*, the self is prior to these ends. Put another way, in the private sphere the individual is free to participate in any comprehensive doctrine that they desire, but within the public sphere, in order to achieve stable political outcomes that are agreeable by all, they participate as individuals who are not formed by these pre-existing external ends.

But the communitarians hold that the Kantian conception of the self that is found in Rawls' *A Theory of Justice* is a false. It is a misrepresentation of both the self and how the self is constituted. Even though the Kantian or Rawlsian

²⁹⁵ J. Rawls, *A Theory of Justice*, p. 491. Emphasis added. The Kantian influence in *A Theory of Justice*, and the problems that it creates for Rawls, is examined in Chapter 4.

rational agent may want to judge these relationships from a neutral position, they cannot always take a step back to judge them and opt out of them (if they so desire) because the self is *embedded* or *situated* in these existing social practices. Whereas the Enlightenment liberal believes that we must approach all social and political arrangements with a sense of detachment and contingency, the communitarian believes that we must approach all personal deliberations with some sort of identity that is already partially constructed by our existing social practices, arrangements, shared ends, and relationships. (The inescapably *situated* and *embedded* nature of the self is an important element of certain feminist critiques of Enlightenment liberalism, and this will be examined in the next section.)

This communitarian conception of the self that is always and inescapably embedded and situated therefore confronts head-on the Enlightenment liberal conception of the self and its inalienable capacity for self-determination. It is not that communitarians dismiss outright the notion of self-determination. The key issue here is that they conceive of self-determination as being possible only within an embedded and situated environment. Self-determination is exercised only within the wider context of pre-existing ends. This is precisely the point that MacIntyre brings to our attention:

But it is not just that different individuals live in different social circumstances; it is also that we all approach our own circumstances as bearers of a particular social identity. I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence what is good for me has to be the good for one

who inhabits these roles. As such, I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. *These constitute the given of my life, my moral starting point. This is in part what gives my life its own moral particularity.*²⁹⁶

It is just not possible, in this communitarian account of autonomy and self-determination, for the individual rational agent to make their decisions from a neutral standpoint because such a neutral standpoint is a fictional construct – with the exception of academic theory, the neutral standpoint does not, cannot, and has never, existed. MacIntyre is aware that this view is problematical and ‘is likely to appear alien’ for the Kantian conception of the self, as it rejects the fundamental belief that the individual is always free to choose what to be. But just because a view is unsettling, or alien, does not make it any less valid. MacIntyre argues that it is impossible to escape who we are, that is, somebody whose ‘life is always *embedded* in the story of those communities from which I derive my identity.’²⁹⁷ For any individual to deny this embedded and situated identity is to ‘deform’ and deny who they actually are.

The only way in which the state can respect our autonomy and self-determination is by promoting a deeper understanding of, and participation in, our own specific cultural practices and shared ends. It is at this point that I believe we see what is most fundamental to the communitarians, and what is the most challenging point for liberalism, especially in the form of Enlightenment liberalism that I have identified. The communitarian challenge

²⁹⁶ A. MacIntyre, *After Virtue*, p. 220. Emphasis added.

²⁹⁷ *Ibid.*, p. 221. Emphasis added.

attacks the strict separation of liberty (freedom) into its two formulations, positive and negative. This separation, of course, finds its most cogent expression in the work of Berlin.²⁹⁸ It is in the work of Taylor, however, that I believe this strict separation finds its most coherent challenge from the communitarians.

Taylor does not doubt the historical significance or influence of negative freedom. Indeed, as he notes,

Moreover this [negative] conception of freedom has not been a mere footnote, but one of the central ideas by which the modern notion of the subject has been defined, as is evident in the fact that [negative] freedom is one of the values most appealed to in modern times. At the very outset, the new identity as [a] self-defining subject was won by breaking free of the larger matrix of a cosmic order and its claim.²⁹⁹

However, Taylor believes that this conception of freedom is at fault because it conflates freedom with self-dependence. The problem with this conflation is that freedom is viewed as a process, a struggle, the end result of which is freedom. Freedom can never just *be*, it can only be *achieved*. But here Taylor identifies the paradox of negative freedom: 'Full freedom would be *situationless*.'³⁰⁰ The result of this paradox, in Taylor's analysis, is a conception of freedom that is essentially empty.

²⁹⁸ I. Berlin, "Two Concepts of Liberty," in I. Berlin, *Liberty: Incorporating Four Essays on Liberty*, pp. 166-217.

²⁹⁹ C. Taylor, *Hegel and Modern Society*, pp. 155-156; and C. Taylor, *Hegel*, p. 560.

³⁰⁰ C. Taylor, *Hegel and Modern Society*, p. 157; and C. Taylor, *Hegel*, p. 561.

Complete freedom in its Berlinian negative sense, is therefore something that we ought *not* to strive for. To constantly question all our contingent factors (such as our social roles and practices) would be self-defeating – to strip them all away would leave us with nothing. Whilst this is precisely what Enlightenment liberalism demands from us, for Taylor the result can only be detrimental:

Complete freedom would be a void in which nothing would be worth doing, nothing would deserve to count for anything. The self which has arrived at freedom by setting aside all external obstacles and impingements is characterless, and hence without defined purpose, however much this is hidden by such positive terms as ‘rationality’ or ‘creativity’.³⁰¹

The implication of this is that, for Taylor, true freedom, that is, freedom that possesses any meaningful and functional value, can only ever be *situated*. We must accept that the Enlightenment liberal demand to subject all aspects of our social situations to our rational self-determination is empty. This is due to the simple fact that the demand to be autonomous and self-determining is indeterminate. Instead of searching for some neutral authoritative horizon that Enlightenment liberalism demands of us, and which will inevitably lead to failure, we should instead treat the communal values and shared ends that we *already possess* as our authoritative position from which we can pass judgment.

³⁰¹ C. Taylor, *Hegel and Modern Society*, p. 157; and C. Taylor, *Hegel*, p. 561.

Taylor's critique of Berlin's interpretation of negative liberty derives from his belief in what he calls 'strong evaluation'. This is the idea that we can experience some goods, or sets of goods, to be higher, worthier, and more important, than others. Furthermore, whilst these 'strong evaluations' do not gain their validity through our own analysis or choices, they 'stand independent of these and offer standards by which they [that is, our decisions] can be judged.'³⁰² The crude and narrow interpretations of negative liberty that are characteristic of liberalism are unable to make this type of qualitative distinction, and are, in Taylor's view, inferior to the other superior versions of negative liberty which allow for the creation of space in order for us to develop significant qualities and capacities.³⁰³

So here we can see the softening of the previously steadfast border between positive and negative liberty, a dichotomy that is characteristic of Enlightenment liberalism, and indeed, of liberalism more generally. And it is here that I locate the most fundamental challenge that communitarianism poses for Enlightenment liberalism. It is not that communitarianism (through the voice of Taylor) rejects outright the positive and negative conceptions of liberty. It is rather the strict and narrow interpretation and separation that is challenged. This boundary is more porous than Enlightenment liberals claim.

It is not that the communitarians wish to revive the organic models of the state that emphasize positive liberty. As I noted at the outset of this section, many

³⁰² C. Taylor, *Sources of the Self*, p. 4.

³⁰³ R. Abbey, "Introduction: Timely Meditations in an Untimely Mode – The Thought of Charles Taylor," in *Charles Taylor*, ed. R. Abbey (Cambridge: Cambridge University Press, 2004), p. 11; and S. Mulhall, "Articulating the Horizons of Liberalism: Taylor's Political Philosophy," in *ibid.*, pp. 105-126.

liberals, such as Berlin, fear that the promotion of an organic state would result in fascist, racist, or totalitarian states. Whilst Taylor does not align himself with liberal political philosophy, this is not what he calls for either. For Taylor, we need to recognize that the liberal demand for negative liberty is an impossible and vacuous demand, and we should reject it as such. Instead, we ought to recognize that freedom is always *situated*. We are natural and social beings, and we need to accept this. Thus, there must exist a third space that overlaps the negative and positive conceptions of freedom as our free activity (negative freedom) is grounded in the *acceptance* of our defining and inescapable situation (positive freedom).³⁰⁴ As Taylor argues,

The struggle to be free – against limitations, oppression, distortions of inner and outer origin – is powered by an affirmation of this defining situation as ours. *This* cannot be seen as a set of limits to be overcome, or a mere occasion to carry out some freely chosen project, which is all that situation can be within the conception of freedom as self-dependence.³⁰⁵

Taylor's conception of freedom does not exist in a world where negative and positive freedom are seen as mutually exclusive concepts, for this is a simplistic and false dichotomy that is characteristic of Enlightenment liberalism. Taylor's situated freedom, with its Hegelian background, is a formulation where negative freedom exists *only* within a larger *situated* positive freedom.

³⁰⁴ C. Taylor, *Hegel and Modern Society*, p. 160; and C. Taylor, *Hegel*, p. 563.

³⁰⁵ C. Taylor, *Hegel and Modern Society*, p. 160; and C. Taylor, *Hegel*, p. 563.

In this section I have not engaged in any substantial detail regarding the *validity* or *coherency* of the communitarian challenge. The essence of the liberal response, however, is twofold. Firstly, they believe that communitarians overstate the atomistic and detrimental effects of liberal philosophical and political thought. Secondly, whilst many liberals openly accept that the communitarian challenge poses problems that liberalism had previously been blind to, these are issues that are best solved still within the liberal philosophical and political framework.³⁰⁶ What I have sought to achieve in this section, however, is to demonstrate that Enlightenment liberalism, with its emphasis on negative freedom and the autonomous individual who is detached from their contingent ends, is only one possible way of understanding the individual and their relationship to the larger political and social field.

3.5 The Feminist Challenge

The relationship between feminism and Enlightenment liberalism is a contentious one, comprised of nuanced and conflicting positions. Feminist views on this relationship have ranged from the unabashed celebration of the Enlightenment, and the belief that the emancipatory power of reason can be used for the liberation of women, through to more recent positions which have viewed both the Enlightenment and liberalism not as a source of liberation, but as a source of oppression in their own right. In the more recent feminist

³⁰⁶ See, for example: A. Buchanan, "Assessing the Communitarians Critique of Liberalism"; A. Gutmann, "Communitarian Critics of Liberalism"; S. Caney, "Liberalism and Communitarianism: A Misconceived Debate," *Political Studies* 40, no. 2 (1992), pp. 273-289; C. Kukathas, "Liberalism, Communitarianism, and Political Community," *Social Philosophy and Policy* 13, no. 1 (1996), pp. 80-104; W. Kymlicka, "Liberalism and Communitarianism," *Canadian Journal of Philosophy* 18, no. 2 (June 1988), pp. 181-204, W. Kymlicka, *Liberalism, Community and Culture* (Oxford: Clarendon, 1991); and S. Mulhall and A. Swift, *Communitarians and Liberals*.

writings, there has been a simultaneous call on some elements of Enlightenment liberalism, whilst embracing many of the critical ideas promoted by the second wave feminists. This may suggest at first reading that feminism, especially with regards to its views on the Enlightenment and liberalism, is beset by internal and detrimental contradictions. However, this reading would only make sense were feminism viewed as a united and singular school of moral and political thought that speaks with one voice. But this is not necessarily the case: the notion that there exists a uniform school of thought that can be referred to as 'the feminist movement' is a contested one. For example, some recent feminists such as bell hooks, refuse to use the label 'the feminist movement,' citing examples of racism within the early white feminist movement as justification.³⁰⁷

Feminism and liberalism both share a common ancestor in the Enlightenment. Kate Millet traces the ideological foundations of feminism back to the European Enlightenment.³⁰⁸ Similarly, Richard Evans notes that

The Enlightenment did assemble a whole battery of intellectual weapons to be wielded in the feminist cause: ideas of reason, progress, natural law, and the fulfillment of the individual, the beneficence of education and the social utility of freedom from restrictions and equality of rights.³⁰⁹

Andrea Nye and Rita Felski both draw attention to the influence of the (Enlightenment-inspired) French Revolution, with its radical and inspirational

³⁰⁷ b. hooks, *Ain't I a Woman: Black Women and Feminism* (London: Pluto Press, 1982).

³⁰⁸ K. Millet, *Sexual Politics* (Rupert Hart-Davis: London, 1971), pp. 64–65.

³⁰⁹ R. Evans, *The Feminists: Women's Emancipation Movement in Europe, America and Australasia 1840-1920* (London & Sydney: Croom Helm, 1977), p. 17.

ideals of *liberté, égalité, and fraternité*.³¹⁰ Even though the ideas developed through both the Enlightenment and the French Revolution were for the primary benefit of men (if women were to gain any benefit from these ideas, it was only because men now saw that it was in their own best interest to treat women better), feminists saw that they too could take advantage of these new ideas. As noted by Nye,

Women have adopted theories, systems, and categories invented by men to rationalise and justify men's activities. Perhaps in these theories which men devise to regulate their relations, they [the feminists] reasoned, there might be something that women could adapt for feminist purposes. Women could take their own opponent's arguments, turn it against him, and generate a human society inclusive of women.³¹¹

When discussing the suffragettes' inventions of tradition, Felski notes that the 'French Revolution was a key point of reference for feminists, who saw themselves as primary inheritors of the heroic mantle of oppositional struggle, reviving the radical kernel within the Enlightenment project.'³¹²

Many of the Enlightenment's key ideas were utilized by the early feminists to their advantage, with the most powerful of these being the Enlightenment's conception of reason. The Enlightenment notion of *universal reason*, which as I examined in Chapter 2, was central to the philosophy of Kant, provided the early feminists with a potent tool. The belief in universal reason could be used

³¹⁰ A. Nye, *Feminist Theory and the Philosophies of Man* (Routledge: New York, 1988), pp. 5–11; and R. Felski, *The Gender of Modernity* (Cambridge, Mass.: Harvard University Press, 1995).

³¹¹ A. Nye, *Feminist Theory and the Philosophies of Man*, p. 2.

³¹² R. Felski, *The Gender of Modernity*, p. 166.

to challenge the historically dominant social conventions that had traditionally marginalized, if not completely excluded, women. All human beings, by virtue of the fact that they are human beings with the capacity of rational thought, are naturally endowed with the faculty of reason. It therefore follows that as women are also human beings, they too are capable of reason, and should accordingly be entitled to the exact same rights and privileges that men had historically enjoyed.

Accordingly, many of the early feminists, in their attempts at gaining equality, championed the Enlightenment view that, following Locke, the differences that existed between individuals were ultimately inconsequential because these differences were premised on contingent factors. All human beings, by virtue of the fact that they are human beings, are to be considered equal, irrespective of whether they are male or female. This can be illustrated by a brief examination of Locke's understanding of equality as expressed in the second of his *Two Treatise of Government*:

A *State also of Equality*, wherein all the Power and Jurisdiction is reciprocal, no one having more than another: there being nothing more evident, than that Creatures of the same species and rank promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal one amongst another without Subordination of Subjection, unless the Lord and Master of them all, should by manifest Declaration of his Will set one above another, and confer on him by an evident and clear appointment an undoubted Right to Domination and Sovereignty.³¹³

³¹³ J. Locke, *The Second Treatise*, §4, in *Two Treatise of Government and a Letter Concerning Toleration*, p. 269. Italics in the original.

Locke does not deny that differences exist between men and women; as Peter Laslett notes, 'Locke recognized inequality in *capacity*.'³¹⁴ Rather, the crux of Locke's argument is that, when looking at human beings as a species, these differences in capacity between men and women are no greater than the differences that exist in capacity amongst men (or women) as a whole. Accordingly, these differences between men and women are so small that they ought not to be considered significant.³¹⁵ Locke's argument here builds upon an important point expressed in the *First Treatise*, which was a rebuttal of certain elements of Sir Robert Filmer's work.³¹⁶ Locke rejects Filmer's argument that there are substantial differences between Adam and Eve, and therefore between fathers and mothers, concluding that these differences are ultimately accidental. In doing so, Locke explicitly rejects Filmer's argument that the justification for patriarchal power is divinely sanctioned.³¹⁷

Following this line of reasoning, the early Enlightenment-inspired feminist argued that the differences between men and women were therefore also inconsequential, because their differences were premised on contingent factors. Thus, it was not some inherent biological difference existing between men and women that had caused women to fail in the development of their rational

³¹⁴ Ibid., p. 269 n11. Emphasis added.

³¹⁵ Locke's position regarding equality between the sexes was not necessarily consistent, and is thus open to interpretation. See K. Squadrito, "Locke on the Equality of the Sexes," *Journal of Social Philosophy* 10, no. 1 (January 1979), pp. 6-11; and C. Nyland, "John Locke and the Social Position of Women," *History of Political Economy* 25, no. 1 (1993), pp. 39-63.

³¹⁶ J. Locke, *The First Treatise*, Chapters 2-7, in *Two Treatise of Government and a Letter Concerning Toleration*, pp. 144-199

³¹⁷ K. Nash, "The feminist critique of liberal individualism as masculinist," *Journal of Political Ideologies* 2, no. 1 (1997), p. 19.

faculties, but rather this failure merely reflected both the pressures and social norms that women had historically encountered in their day-to-day lives. In the end, both men and women possess the same faculties and capacities.³¹⁸

The most obvious way to remedy this problematical situation was through the use of education. Many male Enlightenment philosophers (such as the utilitarians Bentham and Mill)³¹⁹ promoted education and education reform, as a way of removing the individual from the oppressive shackles of tradition and history. Many of the early feminists, such as Mary Wollstonecraft, encouraged education reform in the form of equal access to education.³²⁰ An education was seen as a vitally important step that would help women to develop to their full potential, and more importantly, to develop their capacity for rational thought and judgment. Education was also seen as an important step for the feminist campaign for the extension of the franchise to women. In addition to enabling women to develop their rational faculties, education would give them a foundation for autonomous action, and once rationality and autonomy had been obtained, women could not be denied the vote.³²¹ The notion of autonomy, no matter how it is defined, involves a degree of self-governance, and if this is to be truly meaningful, then it must also include the important and fundamental right to self-governance and participation in the public political arena.

³¹⁸ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 18.

³¹⁹ J. S. Mill, "The Subjection of Women," in *On Liberty and Other Essays*, pp. 469-582. For responses to Mill's provocative essay from his contemporaries, see A. Pyle, *The Subjection of Women: Contemporary Responses to John Stuart Mill* (Bristol: Thoemmes, 1995).

³²⁰ M. Wollstonecraft, *A Vindication of the Rights of Women* (London: Everyman, 1995 [1792]); and Z. Eisenstein, *The Radical Future of Liberal Feminism* (Boston: Northeastern University Press, 1993), pp. 89-112.

³²¹ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 18.

However, many contemporary feminists have been far more critical of the Enlightenment project and Enlightenment liberalism, and its relationship to feminism. The crux of this challenge is centered on the role of 'difference'. Many of the first-wave liberal feminists actively championed the Enlightenment vision of a common citizenship, and believed that once educational, electoral, and legislative reforms had been made, the resulting attainment of both legal and political rights would bring about a radical improvement in the position of women. But these expected changes failed to manifest themselves in any meaningful way. It is precisely this failure that caused many of the second-wave feminists to question the values that lie at the heart of the liberal notion of individual rights, and in particular the liberal conception of citizenship. It is, according to the second-wave feminists, the liberal exclusion and denial of any meaningful difference between men and women, and the corresponding assertion of universal and formal equality of *all* people as individuals, which is the root cause of much of women's oppression and subjection. This exclusion and denial of meaningful difference and particularity is achieved by the distinction between the public and the private spheres. As noted by Michèle Barrett and Anne Phillips,

universal claims have all too frequently turned out to be very particular, supposed commonalities false, abstractions deceptive. Feminists have become deeply suspicious of theoretical discourses that claim neutrality

while speaking from a masculinist perspective, and have at time despaired of the possibility of 'gender-neutral' thought.³²²

Following this line of feminist analysis, the public sphere is traditionally given the characteristic of the objective and impartial rule of reason. In contrast, the private sphere is where all meaningful particularities, contingencies, the differences that may exist between people (not just between the sexes), impulses and desires, are located. Many second-wave feminists have objected to what Baumeister refers to as the 'genderization' of the distinction between the public and private spheres, with the public sphere of rationality being assigned to men, whereas the private sphere of emotion and irrationality is assigned to women.³²³ Furthermore, this line of feminist analysis suggests that it is this public/private separation and distinction that has formed the basis for excluding women from complete and active citizenship within the liberal polity. Whereas men were identified with the universal norms of reason and the capacity for rational thought and action, women were identified with the sphere of the particular and the different, with nurture, reproduction, love, care, and emotion. As a result, they were seen as lacking the fundamental qualities with which reason endowed men, and which were necessary for the full participation in public life. As noted by Baumeister, for the second-wave feminists, 'this

³²² M. Barrett and A. Phillips, "Introduction," in *Destabilizing Theory: Contemporary Feminist Debates*, eds. M. Barrett and A. Phillips (Cambridge: Polity Press, 1998), p. 1. See also A. Phillips, *Engendering Democracy* (Cambridge: Polity Press, 1993).

³²³ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 19.

public/private division did not lose its potency with the advent of women's suffrage.'³²⁴

If particularity and meaningful difference are assigned to the non-political private sphere associated historically with women, then once women enter the public sphere (which is historically associated with men), the way in which women differ from men is interpreted to mean the same as the way in which women differ from the norm. This is because normality is associated with the public sphere and, by logical extension, with men. This then becomes the crux of the problem: instead of equality being seen, as the first-wave liberal feminists had hoped, in terms of access and participation in the public sphere as *equals*, equality is now defined in terms of removing the disabilities and disadvantages which have been traditionally associated with women, with these negative aspects being determined by a model that is intrinsically *male* in its outlook.³²⁵ The second-wave feminists question whether the removal of meaningful difference and particularities, and the re-modelling and re-conceptualizing of women as being essentially the same as men, is an acceptable, or even desirable, political and philosophical objective.

Not unlike the Romantic critique of the Enlightenment, and the communitarian critiques of liberalism (as outlined above), some feminist theorists such as Carol Pateman and Carol Gilligan³²⁶ have criticized liberalism because in its attempts to construct the rational liberal individual, it has removed all social, economic,

³²⁴ Ibid., p. 19.

³²⁵ Ibid., p. 19.

³²⁶ C. Pateman, *The Sexual Contract* (Cambridge: Polity Press, 1988); C. Pateman, "The Theoretical Subversiveness of Feminism," in *Feminist Challenges*, eds. C. Pateman and E. Gross (Sydney: Allen & Unwin, 1988), pp. 1-10; and C. Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1993).

and biological contingencies. Indeed, Marilyn Friedman draws attention to the similarities between feminism and communitarian in this context.³²⁷ Enlightenment liberalism needs a unified vision of the self in order to proceed; a vision of the individual that is the same for all of humanity. The Enlightenment liberal individual is disembodied and disembodied, and yet is tainted by a masculine presence. Anne Phillips notes that Pateman, building on the possessive individualism of C. B. Macpherson,³²⁸ argues that 'the individual of liberal philosophy is a man in a gender-free guise, a sexual master who possesses his body and thus self, who must be constrained in his attempt to possess others.'³²⁹

But this Enlightenment liberal account of the individual denies the extent to which our identities are shaped by the particularities and contingencies of our existence. Our physical being has an impact on our identity. But the Enlightenment liberal individual that is universal in nature and tainted by the masculine, denies this fact. There are in fact at least two bodies, the male *and* the female, and as noted in the introduction, this is a fact ignored by Enlightenment liberal political philosophy. As a result of its failure to recognize

³²⁷ M. Friedman, "Feminism and Modern Friendship: Dislocating the Community," *Ethics* 99, no. 2 (January 1989), pp. 275-290.

³²⁸ C. B. Macpherson, *The Political Theory of Possessive Individualism* (Oxford: Oxford University Press, 1962).

³²⁹ A. Phillips, *Democracy & Difference* (Cambridge: Polity Press, 1993), p. 10. See also A. Phillips, "Universal Pretensions in Political Thought," in *Destabilizing Theory: Contemporary Feminist Debates*, p. 11, where she states that 'Each candidate for universal status has presented itself in sharp contrast to the peculiarities and particularities of local identity, something that delves behind our specificity and difference and can therefore stand in for us all. But the 'individual' turns out again and again to be a male household head, the 'citizen' a man of arms, the 'worker' an assembly line slave. Each gender-neutral abstraction ends up as suspiciously male'; and A. Phillips, *Engendering Democracy*, p. 148, where she states that 'liberal democracy wants to ignore (and civic republicanism to transcend) all more local identities and differences; in reality both traditions have insulated the male body and male identity into their definitions of the norm'.

women as being separate and distinct from men (and therefore experiencing the world in a separate and distinctly non-masculine way), Enlightenment liberalism has given rise to a political and philosophical discourse that equates the real individual, the true individual, as being representative of men's experiences and reasoning, rather than inclusive of women's.³³⁰ As Adriana Cavarero notes in the preface of *Stately Bodies*, 'politics professes to base itself upon reason and tends to reject the reality of bodies.'³³¹

This conception of the rational individual that is characterized by Enlightenment liberalism as being male, has important political ramifications, for both women and marginalized groups. No one group can speak on behalf of another, because each of these groups have different experiences, histories, and views (as outlined in the communitarian challenge). But a construction of liberal citizenship premised upon the individual cipher, which is essentially male and which requires both equality and blind impartiality, not only denies the diversity which is characteristic of the modern liberal polity, but more importantly, it privileges the dominant group, which in this case is the Western, white, educated, and rational male that Enlightenment liberalism requires.

According to theorists such as Iris Marion Young,³³² both liberal and democratic theorists fail to address adequately the issue of an inclusive participatory framework. There is a systematic failure to consider the institutional arrangements for people and groups that are not identified with the

³³⁰ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 20.

³³¹ A. Cavarero, *Stately Bodies: literature, philosophy, and the question of gender*, trans. R. De Lucca and D. Shemek (Ann Arbor: University of Michigan Press, 2002), p. vii.

³³² I. M. Young, "Polity and Group Difference: A Critique of the Idea of Universal Citizenship," *Ethics* 99, no. 2 (January 1989), pp. 250-274; and I. M. Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990).

homogeneous public – the white European male norms of reason. Young notes that some

commentators have argued that in extolling the virtues of citizenship as participation in a universal public realm, modern men expressed a flight from sexual difference, from having to recognize another kind of existence that they could not entirely understand, and from the embodiment, dependency of nature, and morality that women represent.³³³

The result of this exclusion is that not only does the Enlightenment liberal construction of the individual and the notion of impartial and equal citizenship allow for the advantage of one group over the others, but they also simultaneously disadvantage the other groups, whether they be thought of in terms of sex, sexuality, race, or ethnicity, and whose identity differs from the ‘neutral’ standpoint of Enlightenment liberalism (the white European male of Young). As noted by Baumeister, ‘the liberal appeal to formal equality and impartiality prevents the members of groups such as women, whose experiences and perspectives differ significantly from those of the dominant group, from participating in the public sphere.’³³⁴

For many contemporary feminist theorists, however, this separation of the Enlightenment liberal self into the male and the female, a separation which stresses the political significance of women’s experiences, is itself

³³³ I. M. Young, “Polity and Group Difference: A Critique of the Idea of Universal Citizenship,” p. 253. Here Young is specifically referring to theorists and texts such as H. Pitkin, *Fortune is a Woman* (Berkeley: University of California Press, 1984); C. Pateman, *The Sexual Contract*; and N. Hartsock, *Money, Sex and Power* (New York: Longman, 1983), chaps. 7-8.

³³⁴ A. Baumeister, *Liberalism and the ‘Politics of Difference’*, p. 21.

problematical: it promotes a unitary version of what it is to be a woman, and their experiences. Ultimately, this approach fails to take the notion of difference seriously and far enough; it promotes an unrealistic essentialism that does not take into account the impact of race, class, ethnicity, and sexual orientation upon the lives of women. Judith Evans is aware of this issue when she points out that there are variations between groups and categories of women, and that one group does not speak for all – ‘middle-class white hetero-sexual women do not a movement make.’³³⁵ This essentialist approach to feminism that is characteristic of the liberal feminist challenge is unsustainable because it fails to appreciate the different experiences of different women. In doing so, the only difference that separates Enlightenment liberalism from liberal feminism is that instead of assuming that the white, educated, European *male* is the universal norm, the norm for women now becomes the white, educated European *female*. As Phillips concludes:

If the universalisms of humanity are suspect, so too are the universalisms of gender, or those most dubious essentialisms of ‘woman’ or ‘women’. The tendency towards universality sometimes crops up as unthinking assumptions, sometimes as grand aspirations, but in either case it should be firmly resisted.³³⁶

³³⁵ J. Evans, *Feminist Theory Today: An Introduction to Second-Wave Feminism* (Sage Publications: London, 1995), p. 6.

³³⁶ A. Phillips, “Universal Pretensions in Political Thought,” p. 13.

Feminist theorists critical of this essentialist approach, such as Elizabeth Spelman, Angela Harris, and bell hooks,³³⁷ argue that feminists must abandon this simplistic unitary approach and instead acknowledge that women are also involved in oppressive discourses that surround issues such as class, race, ethnicity, and sexual orientation. The view of the individual that this anti-essentialist feminist approach requires demands a radical rejection of the disembodied and disembedded self that is fundamental to both the Enlightenment liberal construction of the self and construction of citizenship, *and* the liberal feminist critique itself. The individual is not to be viewed either solely as male or female, masculine or feminine, but rather as series of multiple identities that are contingent and tied up in context. This in turn demands an end to the public/private dichotomy, as the differences which mark the individual out from the Enlightenment liberal norm can no longer be relegated to the private sphere. This is because they are *fundamental* to the identity of the individual, and can no longer be ignored.

It is from this critical line of reasoning that we see the emergence of a number of feminist philosophies founded on distinctly embodied and embedded conceptions of the individual and personhood. Perhaps the most prominent of these are the 'black,' 'radical,' 'post-colonial,' and 'lesbian' feminist movements,

³³⁷ E. Spelman, *Inessential Woman: Problems of Exclusion in Feminist Thought* (Boston: Beacon Press, 1988); A. Harris, "Race and Essentialism in Feminist Legal Theory," *Stanford Law Review* 42, no. 3 (1990), pp. 581–616; and b. hooks, *Ain't I a Woman*. See also N. E. Dowd and M. S. Jacobs, eds., *Feminist Legal Theory: An Anti-Essentialist Reader* (New York: New York University Press, 2003).

who are consciously grounded in tangible identities and not abstract theoretical concepts.³³⁸

These are not feminist philosophies that I will examine in any detail (due to considerations of time and space), but what is important to note about these feminist philosophies is that they are united by an explicit rejection of the Enlightenment liberal individual and conception of personhood. This, I believe, is problematical for Enlightenment liberalism. As I have examined in some detail in Chapter 2, Enlightenment liberalism requires the existence of an objective and rational universal standpoint that is accessible to all individuals via the faculty of reason. In order for the individual to act in a rational and objective way, they must be removed from all contingent circumstances; that is, they must be both disembodied and disembedded. However, the forms of personhood that this critique of both the Enlightenment and liberalism demands are both *radically* embodied and embedded. The individual simply cannot be disentangled from their myriad of identities, such as ‘female,’ ‘black,’

³³⁸ For an excellent overview of these positions, see I. Whelehan, *Modern Feminist Thought: From Second Wave to ‘Post-Feminism’*, (Edinburgh: Edinburgh University Press, 1995). For more detailed reading, see: (for black feminism) b. hooks, *Ain’t I a Woman*; b. hooks, *Talking Back: Thinking Feminist – Thinking Black* (London: Sheba Feminist Publishers, 1989); J. James and T. Denean Sharpley-Whiting, eds., *The Black Feminist Reader* (Oxford: Blackwell Publishers, 2000); P. H. Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, 2nd ed. (London: Routledge, 2000); (radical feminism) M. Daly, *Gyn/ecology: The Metaethics of Radical Feminism* (Boston: Beacon Press, 1985); C. MacKinnon, *Towards a Feminist Theory of the State* (Cambridge, Mass.: Harvard University Press, 1989); D. Thompson, *Radical Feminism Today* (London: Sage, 2001); (post-colonial feminism) A. Sa’ar, “Postcolonial Feminism, The Politics of Identification, and the Liberal Bargain,” *Gender & Society* 19, no. 5 (October 2005), pp. 680-700; G. Spivak, “Can the Subaltern Speak?,” in *Marxism and the Interpretation of Culture*, eds. C. Nelson and L. Grossberg (Basingstoke: Macmillan Education, 1988), pp. 271-313; and (lesbian feminism) S. Chambers and T. Carver, *Judith Butler and Political Theory: Troubling Politics* (London: Routledge, 2008) in particular chapters 6-8; D. Thompson, *Reading Between the Lines: a lesbian feminist critique of feminist accounts of sexuality* (Leichhardt: Lesbian Studies and Research Group, Gorgon’s Head Press, 1991); S. F. Green, *Urban Amazons: Lesbian Feminism and Beyond in the Gender, Sexuality, and Identity Battles of London* (London: Basingstoke, 1997); and, L. Garber, *Identity Poetics: Race, Class, and the Lesbian-Feminist Roots of Queer Theory* (Chichester: Columbia University Press, 2001).

lesbian', or 'working class'. The form of citizenship that Enlightenment liberalism requires is not achievable or sustainable in this radically embodied and embedded conception of the individual.

However, some feminist theorists have feared that this pluralist approach, with its commitment to the reality of embodiment and embeddedness, may lead to detrimental fragmentation among women. Removing any sense of solidarity and a common theoretical framework, not only threatens the viability of a wider inclusive feminist form of politics, but also challenges the very idea of democratic citizenship. As Susan Mendus asserts,

In a multicultural society, separatism is too often our problem, and for that very reason, it can hardly be our solution. We must therefore resist the temptation to remedy a single Kantian abstraction (the abstraction which results in the doctrine of the rational self) by recourse to multiplicities of abstractions (the liberal self, the female self, the Muslim self, and so on).³³⁹

Feminist theorists, in particular Anne Phillips, Kate Soper, Kate Nash, and Martha Nussbaum, believe that in abandoning the rich legacy and language of liberalism with its philosophical, political, and legal concepts, the feminist movement is doing itself a disservice. Phillips notes that whilst it is not inherently wrong to want to develop a 'critical distance' from one's contingent circumstances, 'much is at risk in moves against abstract individualism,

³³⁹ S. Mendus, *Feminism and Emotion: Readings in Moral and Political Philosophy* (Basingstoke: Macmillan Press, 2000), p. 67.

universal laws, [and] impartial justice'.³⁴⁰ Soper argues that the 'postmodernist feminist critique of liberalism' is flawed because it is often premised upon a 'distorted and caricatured version of liberal-Enlightenment thinking on gender issues.'³⁴¹ Nash, in her very interesting and persuasive article, argues that feminists need not reject the discourse of liberalism as being 'completely exclusionary of women'. Instead, it ought to be *reinterpreted*: liberalism's use of the terms 'woman' and 'women' can still be of emancipatory use if they are viewed in Derridean terms, 'as an undecidable that makes the key liberal distinction between public and private possible.'³⁴² Here it is not the Enlightenment discourse itself that is at fault, but rather *our* interpretation of it.

Perhaps the most cogent defence of liberalism as a valuable tool for the feminist movement comes from Nussbaum, who argues that concepts and language that are integral to the liberal Enlightenment, such as 'personhood, autonomy, rights, dignity, [and] self-respect'³⁴³ are central to human rights under international law. If it is through an international and global understanding of human rights that various women's rights are best achieved, then not only is liberalism important, but 'its radical feminist potential is just beginning to be realized.'³⁴⁴ Nussbaum concedes that liberalism will inevitably be altered by the various feminist critiques, but this modification will result in liberalism becoming *more* aligned with its foundational ideas, rather than departing from them.

³⁴⁰ A. Phillips, "Universal Pretensions in Political Thought," p. 17.

³⁴¹ K. Soper, "Liberalism, Feminism, Enlightenment," in *The Edinburgh Companion to Contemporary Liberalism*, ed. M. Evans (Edinburgh: Edinburgh University Press, 2001), p. 200.

³⁴² K. Nash, "The feminist critique of liberal individualism as masculinist," p. 14; J. Derrida, *Of Grammatology* (Baltimore: The John Hopkins Press, 1976).

³⁴³ M. Nussbaum, *Sex & Social Justice* (Oxford: Oxford University Press, 1999), p. 56.

³⁴⁴ *Ibid.*, p. 56.

Feminist theorists such as Phillips, Young, Nussbaum, and Susan Moller Okin, continue to hold that appeals to universal standards and the principle of equal moral worth are still the best vehicle for achieving and sustaining liberation and equality for women on a worldwide scale. But in order to avoid the dangers of the Enlightenment liberal construction of the individual, a reconceptualization and reconstruction of what citizenship entails is required. In doing so, the legitimate claims of difference and particularity are not only no longer ignored, but they are actively recognized.

The Enlightenment liberal understanding of universality is not rejected outright, but it is reconstructed, and appeals to it end at the point of inclusion – we, as human beings, all possess the right to participate in what has been referred to in the traditional liberal discourse as the ‘public sphere’. However, instead of the Enlightenment liberal concept of formal equality reinforced through legislation and political institutions, theorists such as Phillips and Young³⁴⁵ propose a conception of citizenship that has been reconceptualized. In order to negate the fact that under the Enlightenment liberal conception of equality, the dominant group within society has historically moulded public policy and the demands of the public sphere as a result of their own unique (but still nonetheless dominant) experiences, Young suggests that those groups who have been pushed aside to the private sphere (such as women, the poor, the elderly, and those of ethnic and racial minorities) should be allocated increased rights to group-specific representations at the political level. Young argues that

³⁴⁵ A. Phillips, *Engendering Democracy*, pp. 147-168; I. M. Young, *Justice and the Politics of Difference*, in particular pp. 96-121; and I. M. Young, *Inclusion and Democracy* (Oxford: Oxford University Press, 2000).

increased representation at the various levels of government, whether it be at the local, state or national level, should increase their opportunities for political representation, which they can then use to directly benefit themselves, and if necessary, veto policies that will have an adverse affect on them specifically.

This new conception of what citizenship needs to operate successfully is characterized by the rejection of the Enlightenment liberal conception of the self as being homogeneous and devoid of any meaningful particularities and differences. It embraces the idea of universality, but only up to the point of inclusion. Furthermore, the negative effects of equal moral worth, which have historically favoured the dominant groups, are tempered by increased participation for those who have been traditionally marginalized to the private sphere. Citizenship has moved beyond the previous rational white European male model, to now incorporate conceptions of identity that are diverse and contextual; that is, they view identity as distinctly embodied and embedded.

4. Rawls' Political Liberalism and the Departure from Kantian Normativity

4.1 Introduction

The contribution that Rawls has made to liberal political theory, social contract theory, and political philosophy broadly conceived, is hard to underestimate. This chapter, however, will focus on only one aspect of Rawls' contribution, and this concerns his thesis of *Political Liberalism*. More specifically, however, this chapter will examine and critique the extent to which Rawls' *political* interpretation of liberalism can both accommodate and support the demands of pluralism. The strength of political liberalism, according to adherents such as Rawls and Larmore, are twofold. First, it is neutral with regards to the various and competing interpretations of what constitutes the good life. Thus, political liberalism does not favour one such conception over another. Second, political liberalism itself is not grounded in any particular metaphysical doctrine, such as Kantian autonomy. In this regard, therefore, political liberalism is essentially a 'free-standing' form of political association, devoid of any substantive normative content.

However, I argue that adherents of political liberalism over estimate its capacity to generate an 'overlapping consensus' on the constitutional necessities of society. This critical weakness is inexorably linked to Rawls' limited conception of 'reasonable pluralism'. It is my contention that a consensus that is premised on an interpretation of the individual who is capable of dividing himself or herself into the 'public-political' and 'private-metaphysical' being is both unsustainable and unnecessarily exclusionary. The effect of this narrow interpretation of reasonable pluralism is the exclusion of many of those who

wish to participate in the social and political, but are barred from doing so because they are either unwilling or unable to compartmentalize themselves in such a way. This exclusion becomes more evident when Rawls' conception of reasonable pluralism is analyzed through the lens of thin and thick pluralism. I conclude, that political liberalism, at least in the version that Rawls defends, is intolerant with regards to the challenge of thick pluralism.

4.2 Theoretical Foundations: *A Theory of Justice*

The thread that unites Rawls' large body of work is his continued search for the just parameters that are capable of gaining the free support of a society's citizens. His two most prominent texts, *A Theory of Justice*³⁴⁶ and *Political Liberalism*, ought to be viewed as an attempt to refine constantly this idea, both as a result of criticisms levelled at them, and as a result of new ideas and reformulations of previously existing ideas. This chapter will focus primarily on the key ideas that Rawls develops in *Political Liberalism*, and their ramifications for addressing what I have identified as the limitations and problems of Enlightenment liberalism. However, in order for us to comprehend fully both the key ideas expressed in *Political Liberalism* and why Rawls wrote this seminal text, we must first gain an understanding of the political and philosophical ideas contained in its intellectual predecessor, *A Theory of Justice*.

³⁴⁶ For the sake of consistency and clarity, I will be using the 'revised edition' of Rawls' *A Theory of Justice* throughout this thesis. This edition, published in 1999, contains all of the changes that Rawls made in preparation of the French and German translations of this text. Rawls' major revisions include a refinement of his account of liberty (in part due to Hart's criticisms) and of primary goods. Due these modifications, the revised edition ought to be viewed as *the* definitive edition of *A Theory of Justice*. For more on these changes, see J. Rawls, "Preface for the Revised Edition," *A Theory of Justice*, pp. xi-xvi. However, given that much of the extensive literature refers to the first edition, and the fact that the changes between the various editions themselves is of interest, the first edition of *A Theory of Justice* is still in print. See J. Rawls, *A Theory of Justice* (London: The Belknap Press of Harvard University Press, 1971).

What will follow will not be a radical reinterpretation of *A Theory of Justice*, but rather a concise discussion of the key ideas expressed in this now fundamental text of the liberal intellectual canon. *Political Liberalism* was not written to be a stand-alone text, and should not be interpreted as such – it is a continuation of a project that Rawls started in *A Theory of Justice*, and it needs to be viewed in this light. Accordingly, an understanding of those key ideas contained in *A Theory of Justice* is required.

The central aim of *A Theory of Justice* is to develop a conception of justice from social contract theory, which is a form of political justification that is often associated with the ideas of Locke, Rousseau, and Kant. We learn from *A Theory of Justice* that by a ‘conception of justice’, Rawls refers to a ‘set of principles for assigning basic rights and duties and for determining...the proper distribution of the benefits and burdens of social cooperation.’³⁴⁷

In developing a form of justice that is premised upon social contract theory, Rawls was explicitly rejecting what he believed to be the two previously dominant foundational arguments, utilitarianism and intuitionism. Whilst Rawls does acknowledge that there are many different forms of utilitarianism, when compared against the social contract as a foundational argument, ‘utilitarianism remains essentially the same.’³⁴⁸ Accordingly, when Rawls refers to utilitarianism, he has in mind a form of strict and classical utilitarianism, and this ‘receives perhaps its clearest and most accessible formulation in [Henry]

³⁴⁷ J. Rawls, *A Theory of Justice*, p. 5.

³⁴⁸ *Ibid.*, p. 20.

Sidgwick.’³⁴⁹ In Rawls’ interpretation of Sidgwick, utilitarianism is the ‘idea that society is rightly ordered, and therefore just, when its major institutions are arranged so as to achieve the greatest net balance of satisfaction summed over all the individuals belonging to it.’³⁵⁰

Rawls does not deny the strength or importance that utilitarianism has held in Western political thought. Indeed, as he notes in the preface to *A Theory of Justice*, ‘during much of modern moral philosophy the predominant systematic theory has been some form of utilitarianism.’³⁵¹ Rawls identified two main reasons for this. First, he openly acknowledges ‘the long line of brilliant [utilitarian] writers’ that have collectively built up a body of work that is ‘truly impressive in its scope and refinement.’³⁵² Secondly, those who mounted attacks against utilitarianism often did so on very narrow fronts. They would point to the obscurities of the principle of utility, and would draw attention to the clash and separation between many of the implications of this principle and our shared moral sentiments. As a result, these critical voices failed in their attempt to develop a viable and defensible moral conception that could challenge utilitarianism.

But exactly what is it that Rawls has against utilitarianism as a foundation for a just society? For Rawls, the fundamental weakness of utilitarianism is that, in order for it to work, the most ‘natural’ method ‘is to adopt for society as a whole

³⁴⁹ Ibid., p. 20. Here Rawls is referring to H. Sidgwick, *The Methods of Ethics*, 7th ed. (Indianapolis: Hackett, 1981).

³⁵⁰ Ibid., p. 20.

³⁵¹ Ibid., p. xvii.

³⁵² Ibid., p. xvii.

the principle of rational choice for one man.’³⁵³ This method requires both an impartial participant and sympathetic identification: they are expected to reorganize the desires of all the people within the polity into a single coherent system of desire. In doing so, they reduce the various desires of the polity’s populace into a single persona. As Rawls notes, ‘endowed with ideal powers of sympathy and imagination, the impartial spectator is the perfectly rational individual who identifies with and experiences the desires of others as if these desires were his own.’³⁵⁴

Rawls’ objection does not arise from the fact that this position is both hypothetical and unrealistic, as these are two characteristics that he admits also describe the justificatory situation that he employs in *A Theory of Justice* (the original position and the veil of ignorance). For Rawls, the fault lies, rather, in the fact that the utilitarian reduces the search for the just parameters of society to an issue of efficient administration. If the most natural form of utilitarianism requires a single person to decide upon a system of preferences or desires for the polity as a whole, then justice is simply no more than public policy concerned with implementation. The ultimate result of this, in Rawls’ analysis, is that it ‘does not take seriously the distinction between persons’ because it erroneously conflates the desires of a single individual with the desires of the polity as a whole.³⁵⁵

The second justificatory foundation against which Rawls writes is intuitionism. Rawls’ account of intuitionism, in the context of political philosophy, is quite

³⁵³ Ibid., p. 24.

³⁵⁴ Ibid., p. 24.

³⁵⁵ Ibid., p. 24. See also S. Scheffler, “Rawls and Utilitarianism,” in *The Cambridge Companion to Rawls*, ed. S. Freeman (Cambridge: Cambridge University Press, 2003), pp. 426-459.

generic. By intuitionism, he refers to the doctrine 'that there is an irreducible family of first principles which have to be weighed against one another by asking ourselves which balance, in our considered judgments, is the most just.'³⁵⁶ This form of intuitionism Rawls locates in the work of Brian Barry, Richard B. Brandt, and Nicholas Rescher, and argues that it can be traced back to Moore's *Principia Ethica*.³⁵⁷ For the intuitionist, in contrast to both the utilitarian and the social contract theorist, there exist no external 'higher-order' criteria from which competing principles of justice can be determined. It is not that the ethical principles themselves do not exist, but rather that there is no single point, no meta-principle, from which we can construct principles of justice. This gives rise to a form of ethical pluralism and contradiction from which we cannot draw a single correct method of determination. The result of this intuitionist position, in Rawls' analysis, is that we are simply forced to 'strike a balance by intuition, by what seems to us most *nearly right*.'³⁵⁸

Thus, for Rawls, the inherent weakness of the intuitionist position is that it is devoid of any substantial ethical foundation. Principles of justice that are determined through the intuitionist approach are reached by balancing out the various competing claims (in Rawls' case, the claims of liberty and equality). Whilst the principles that are reached may be expressed in rational terms, such as geometric figures and mathematical functions,³⁵⁹ there are no constructive moral criteria that we can utilize to judge their (moral) reasonableness. As

³⁵⁶ J. Rawls, *A Theory of Justice*, p. 30.

³⁵⁷ B. Barry, *Political Argument* (London: Routledge & Kegan Paul, 1965); R. B. Brandt, *Ethical Theory: The Problems of Normative and Critical Ethics* (Englewood Cliffs, NJ.: Prentice Hall, 1959); and N. Rescher, *Distributive Justice* (New York: Bobbs-Merrill, 1966).

³⁵⁸ J. Rawls, *A Theory of Justice*, p. 30. Emphasis added.

³⁵⁹ See, for example, *ibid.*, p. 33.

Rawls notes, the weakness of the intuitionist position is that, when determining principles of justice, 'we must eventually reach a plurality of first principles in regard to which we can only say that it seems to us more correct to balance them this way rather than that.'³⁶⁰

Rawls openly concedes that there 'is nothing intrinsically irrational about this intuitionist doctrine', and indeed, that 'it may be true.'³⁶¹ However, where Rawls diverges from the intuitionists is his position regarding the possibility of first principles (as they relate to principles of justice). The intuitionist holds that given the plurality of competing principles, to try and go beyond this and to determine first principles will only result in erroneous conclusions and oversimplification; to refute intuitionism requires 'presenting the sort of constructive criteria that are said not to exist.'³⁶² Rawls, however, believes that *it is possible* to determine these elusive first principles. Indeed, it is these first principles, determined through the social contract, that provide Rawls with the important foundation of his theory of justice.

Thus, Rawls explicitly rejects both utilitarianism and intuitionism as possible foundations for a theory of justice, and instead embraces social contract theory. But why is it that Rawls believes that the social contract tradition is a more suitable position from which to develop the principles that govern a just society? Rawls appeals to the social contract tradition because he believes it is through this form of justificatory argument that he can derive a conception of justice that is more compatible with the values and ideals of a democratic

³⁶⁰ Ibid., p. 34.

³⁶¹ Ibid., pp. 34-35.

³⁶² Ibid., p. 35.

society – freedom and equality – and without considered convictions of what constitutes justice.³⁶³ The result, as Rawls himself openly acknowledges, is ‘highly Kantian in nature.’³⁶⁴ As an illustration, in the section titled “The Kantian Interpretation of Justice as Fairness”, Rawls notes that

The principles of justice are also analogous to categorical imperatives. By a categorical imperative Kant understands a principle of conduct that applies to a person in virtue of his nature as a free and equal rational being. The validity of the principle does not presuppose that one has a particular desire or aim....To act from the principles of justice is to act from categorical imperatives in the sense that they apply to us whatever in particular our aims are. This simply reflects that fact that no such contingencies appear as premises in their derivation.³⁶⁵

This is a point of fundamental importance, as much of the criticism of *A Theory of Justice* is premised on an objection to this Kantian metaphysical foundation. The result of these criticisms is *Political Liberalism*, which is essentially a restatement of the key ideas of *A Theory of Justice* in light of these criticisms.

4.2.1 The Original Position and the Veil of Ignorance

As stated above, the only conception of justice that Rawls believes to be morally acceptable to the citizens of the modern liberal democratic polity is one that respects the status of the citizen as a free and equal person. This is because, for Rawls, a commitment to individual freedom and equality is definitive of the modern liberal democratic polity. Rawls utilizes liberal social contract theory to

³⁶³ S. Freeman, *Justice and the Social Contract: Essays on Rawlsian Political Philosophy* (Oxford: Oxford University Press, 2007), p. 4.

³⁶⁴ J. Rawls, *A Theory of Justice*, p. xviii.

³⁶⁵ *Ibid.*, pp. 222–223.

determine those principles of justice that would be acceptable to a group of free and rational individuals who find themselves in an initial position characterized by equality, and who are mutually disinterested. This is the 'original position'.

The original position is not to be interpreted as a claim about a possible pre-social state of human existence. As with all social contract theories, the 'original position', irrespective of whether it is interpreted in Hobbesian, Lockean, Rousseauian, or Rawlsian terms, should be viewed as a moral argument about the absence of natural subordination among human beings. The point of the theoretical social contract and the original position is to calculate Rawls' principles of justice from a position of equality. As Rawls argues,

In justice as fairness, the original position of equality corresponds to the state of nature in the traditional theory of social contract. The original position is not, of course, thought of as an actual historical state of affairs, much less as a primitive condition of nature. It is understood as a *purely hypothetical situation* characterized so as to lead to a certain conception of justice.³⁶⁶

The original position is used here as a platform from which the principles of justice for the basic structures of society can be determined. These principles are limited to society's basic political, social and economic institutions. As Rawls places an emphasis upon individuals who are self-interested in this original position, this suggests that he views society as essentially a form of social co-operation for mutual advantage. Accordingly, the terms of social co-operation

³⁶⁶ Ibid., p. 11. Emphasis added. See also p. 104, where Rawls notes that 'it is clear, then, that the original position is a purely hypothetical situation.'

are deemed to be fair if and only if they can gain the free assent of citizens, who, as previously stated, are both free and equal.

Rawls employs a Kantian way of understanding the social contract argument. As he notes,

The description of the original position interprets the point of view of noumenal selves, or what it means to be a free and equal rational being. Our nature as such beings is displayed when we act from the principles we would choose when this nature is reflected in the conditions determining choice. Thus men exhibit their freedom, their independence from the contingencies of nature and society, by acting in ways they would acknowledge in the original position.³⁶⁷

Just as Kant tests the moral validity of a certain course of action by considering what it would be like for the 'free and equal rational being' if all people acted in a certain way (the Formulation of Universalization),³⁶⁸ it appears that Rawls' original position tests conceptions of justice in a manner similar. It does so by demanding that the deliberator who uses it consider what a society would be like for them if they were given a random allocation in that society. The results of both the Kantian and Rawlsian tests demand that they be universal and authoritative ('independent of the contingencies of natures and society')³⁶⁹ because they are supposed to represent the correct use of our practical reason.

³⁶⁷ Ibid., p. 225.

³⁶⁸ 'Act only on that maxim through which you can at the same time will that it should become a universal law', and later 'Act as if the maxim of your action were to become through your will a universal law of nature'. I. Kant, *The Moral Law: Groundwork of the Metaphysics of Morals*, p. 84 [421:52].

³⁶⁹ J. Rawls, *A Theory of Justice*, p. 225.

The logic is that the endorsement of each test is congruent with the endorsement of reason.³⁷⁰

Rawls uses the original position as a device from which a just agreement on the principles of justice can be reached. Any principles of justice determined via the original position will obviously be influenced by the circumstances and parameters of how this original position is constructed. Thus, different circumstances will inevitably produce different results. Rawls is aware of this potential problem, and constructs his particular interpretation of the original position accordingly. By intentionally excluding all 'arbitrary contingencies' and 'the relative balance of social forces', Rawls' original position places the participants in a position of moral equality.³⁷¹ By constructing his original position in this way, he has solved the problem of finding 'some point of view, removed from and not distorted by the particular features and circumstances of the all-encompassing background framework, from which a fair agreement between persons regarded as fair and equal can be reached'.³⁷² Rawls' original position is not a 'neutral position', in the sense that its parameters have no effect on the principles of justice that are determined. Rather, by constructing it in a certain way, Rawls intends to shape the outcome so that any agreements that are reached will be fair.

The unequal bargaining power of those involved, however, prevents any notion of justice developed from this original position from being fair. As Rawls notes, when addressing this exact issue, 'somehow we must nullify the effects of

³⁷⁰ J. Hampton, "Should Political Philosophy Be Done without Metaphysics?" *Ethics* 99, no. 4 (July 1989), p. 792.

³⁷¹ J. Rawls, *A Theory of Justice*, p. 104.

³⁷² J. Rawls, *Political Liberalism*, p. 23.

specific contingencies which put men at odds and tempt them to exploit social and natural circumstances to their own advantage.³⁷³ To negate this temptation, Rawls places those involved in this original position behind what he has termed the 'veil of ignorance'.³⁷⁴ Behind this, people are denied all areas of knowledge about themselves that would influence their decisions in deciding what principles to adopt. These members of society are oblivious to their natural or social advantages or disadvantages, such as sheer physical strength, intelligence, deprived or privileged upbringing, educational background, income and employment status, and social status. Even basic factors such as age, sex, and even the time period in which they are to reside, are completely unknown to those behind the veil of ignorance.³⁷⁵

The original position, coupled with the veil of ignorance, is designed to advance the idea that, when we come to propose and structure ideas about justice, differences between people should be irrelevant, and more importantly, people should be regarded as being equal.³⁷⁶ In denying people knowledge about their personal and social attributes, Rawls attempts to guarantee that the principles of justice they would agree upon are not distorted by these 'chance inequalities'

³⁷³ J. Rawls, *A Theory of Justice*, p. 118. See also p. 122, where Rawls notes that the 'arbitrariness of the world must be corrected for by adjusting the circumstances of the initial contractual situation.'

³⁷⁴ *Ibid.*, pp. 118-123.

³⁷⁵ *Ibid.*, pp. 118-119. See also B. M. Barry, *Theories of Justice: A Treatise on Social Justice* (London: Harvester-Wheatsheaf, 1989), p 184. Thomas Nagel goes further than the parameters outlined by Rawls, and those behind the veil of ignorance 'also possess general knowledge about economics, politics and sociology, and they know that the circumstances of justice, conflicting interests and moderate scarcity obtain...they believe that they have a sense of justice that will help them to adhere to the principles selected, but they know enough about moral psychology to realise that their choices must take into account the strains of commitment...and thereby acquire psychological stability.' T. Nagel, *Other Minds: Critical Essays 1969-1994* (New York: Oxford University Press, 1995), pp. 127-128.

³⁷⁶ S. Mulhall and A. Swift, *Liberals and Communitarians*, p. 4.

that, in the real world, would result in biased distributive outcomes.³⁷⁷ Thus, Wolff suggests that the final result 'will be to eliminate what Rawls and many other moral philosophers consider the social injustice of rewarding individuals for the accident of their possession of economically profitable native talents.'³⁷⁸

Rawls addresses the question of freedom in the original position through his conception of the person. He maintains that in the original position, the person should be conceived of as being characterized by two elements. The first of these elements are our two 'moral powers'. Moral power (i) 'is the capacity for a sense of justice,' that is, the ability to 'understand, to apply, and to act from (and not merely in accordance with) the principles of justice that specify the fair terms of social cooperation.'³⁷⁹ Moral power (ii) is the capacity for a conception of the good; 'it is the capacity to have, to revise, and rationally to pursue a conception of the good.'³⁸⁰ Accordingly, the rational agents in the original position see themselves as autonomous and are not permanently tied to any particular conception of the good, irrespective of how it may be defined.³⁸¹

The second of these two elements is connected to the first: the conception of the person that pervades Rawls' theory also possesses a higher order interest in

³⁷⁷ Ibid., pp. 4-5.

³⁷⁸ R. P. Wolff, *Understanding Rawls: A Reconstruction and Critique of A Theory of Justice* (Princeton: Princeton University Press, 1977), p. 62. This is of course in contrast with Nozick's account of the way individual ought to be able to profit from their native talents. See R. Nozick, *Anarchy, State, and Utopia*, pp. 160-164, in particular the Wilt Chamberlain example (pp. 161-162).

³⁷⁹ J. Rawls, *Justice as Fairness: A Restatement*, ed. E. Kelly (London: The Belknap Press of Harvard University Press, 2001), pp. 18-19. See also J. Rawls, "Kantian Constructivism in Moral Theory," *Journal of Philosophy* 77, no. 9 (1980), p. 525; and J. Rawls, "Justice as Fairness: Political not Metaphysical," *Philosophy and Public Affairs* 14, no. 3 (1985), p. 233.

³⁸⁰ J. Rawls, *Justice as Fairness: A Restatement*, p. 19. See also J. Rawls, "Kantian Constructivism in Moral Theory," p. 525; and J. Rawls, "Justice as Fairness: Political not Metaphysical," p. 233.

³⁸¹ 'The parties conceive of themselves as free persons who can revise and alter their final ends and who give priority to preserving their liberty in this respect.' J. Rawls, *A Theory of Justice*, p. 475.

both pursuing and exercising the two powers outlined above. That is, not only do they possess a sense of justice and a conception of the good, but they also have ‘at any given time a particular conception of the good that they then *try to achieve*.’³⁸² To clarify, Rawls does not deny that there will always be people who, through no fault of their own, are unable actively to pursue a particular conception of the good. As Rawls notes, there will always be those with ‘permanent physical disabilities or mental disorders so severe as to prevent persons from being normal and fully cooperating members of society in the usual sense.’³⁸³ But rather, since his conception of a society is one where there is a fair system of cooperation, we must therefore also assume that all its members have the capacity that enables them to be normal and functioning members of that society. Thus, it is also assumed that, in Rawls’ conception, the agent who possesses reason also has the corresponding faculties of judgment, thought, and inference. It is because the person in the original position is in possession of these two moral powers in addition to their capacity for reason that Rawls can consider them to be free.³⁸⁴

Rawls’ emphasis on freedom and equality is further reinforced by his belief that ‘a well ordered society is divided and pluralistic.’³⁸⁵ As human beings are essentially diverse and (in the original position) mutually disinterested, they will always choose a variety of doctrine-informed life plans. Thus, in Rawls’ conception of society, there will always remain ‘deep and pervasive differences

³⁸² J. Rawls, “Justice as Fairness: Political not Metaphysical,” p. 234. Emphasis added.

³⁸³ *Ibid.*, p. 234.

³⁸⁴ A. Baumeister, *Liberalism and the ‘Politics of Difference’*, p. 52.

³⁸⁵ J. Rawls, “Kantian Constructivism in Moral Theory,” p. 540.

of religious, philosophical, and ethical doctrine.³⁸⁶ It follows that a society conforming to Rawls' conception of society does not need to be united by an overarching ideology in order to achieve and sustain political and social stability. The principles of justice that are chosen from the original position do not require uniformity, but instead they promote diversity. As Rawls argues, 'a well ordered society does not require an ideology in order to achieve stability, understanding 'ideology' (in Marx's sense) as some form of false consciousness or delusory scheme of public needs.'³⁸⁷

Given what we know about the original position, the veil of ignorance, and the free and equal condition of the agents in this position, what specific principles of justice does Rawls envisages they will choose? Those behind the veil of ignorance will ultimately want to be able to lead their own conception of the good life, and will therefore desire the tools that enable them to do so. Rawls believes that given the evidence provided, those in the original position would inevitably adopt his two principles of 'justice as fairness'.

The first of these two principles guarantees that each person 'is to have an equal right to the most extensive system of basic liberties, compatible with a similar system of liberties for all.'³⁸⁸ The first part of the second principle guarantees equality of opportunity, while the second part ensures that any social and economic inequalities are to be arranged so that they benefit the least well off members of society.³⁸⁹ These principles of justice are ranked, so that the first

³⁸⁶ Ibid., p. 539.

³⁸⁷ Ibid., p. 539n.

³⁸⁸ J. Rawls, *A Theory of Justice*, p. 266, 53.

³⁸⁹ Rawls' Second Principles of justice as fairness states that 'Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least advantaged,

principle is taken as prior to the second. The result of this intentional ordering on Rawls' part is that it stops the potential erosion of basic equal liberties (those that are protected by the first principle) in order to compensate those who are at a social and economic disadvantage.³⁹⁰

Whilst Rawls admits that his two principles of justice and their accompanying lexical ordering are 'no doubt incomplete' and 'modifications will surely have to be made,'³⁹¹ he does believe them to be superior to any previous conception of justice. This claim is grounded in the fact that that they are not teleological, nor are they a loose collaboration of principles based on emotions or the arbitrary balancing of competing claims, on which the intuitionist premised their theories of justice. As Rawls argues, it is a superior conception (of justice) because

justice as fairness is not at the mercy, so to speak, of existing wants and interests. It sets up an Archimedean point for assessing the social system without invoking a priori considerations. The long range aim of society is settled in its main lines irrespective of the particular desires and needs of its present members.³⁹²

4.3 Political Liberalism and the Problem of Political Legitimacy

Fundamental to the arguments Rawls develops in *A Theory of Justice* is the belief that the original position is an exact representation of an individual's true moral nature. This is to say that, free from any external impediments or influences, individuals are both free and equal moral agents. Furthermore, this position of

consistent with the just savings principle, and (b) attached to offices and positions open to all under conditions of fair equality of opportunity.' Ibid., p. 266, 53.

³⁹⁰ Ibid., pp. 53-54.

³⁹¹ Ibid., p. 267.

³⁹² Ibid., p. 231.

freedom and equality must also be transferred to the principles of justice that are ultimately determined. As Rawls clarifies,

they each have, and view themselves as having, fundamental aims and interests in the name of which they think it legitimate to make claims on one another; and they each have, and view themselves as having, a right to equal respect and consideration in determining the principles by which the basic structure of their society is to be governed.³⁹³

Rawls' claim that individuals must be considered as free and equal moral agents possesses a distinctly Kantian element. In his interpretation of Kantian autonomy, Rawls writes that

Kant held, I believe, that a person is acting autonomously when the principles of his action are chosen by him as the most adequate possible expression of *his nature as a free and equal rational being*. The principles he acts upon are not adopted because of his social position or natural endowments, or in view of the particular kind of society in which he lives or the specific things that he happens to want. To act on such principles is to act heteronomously.³⁹⁴

Thus it can be seen that Rawls, following Kant, believes that the rational individual agent is in possession of a particular conception of human nature; that is, that the rational individual agent is a free and equal moral agent.

³⁹³ Ibid., p. 475.

³⁹⁴ Ibid., p. 222. Emphasis added.

Furthermore, to act in an autonomous manner is to act in a way that is congruent with this particular conception of human nature.

Accordingly, it should be expected that any conception of justice derived from a particular conception of human nature should be recognized by people as reflecting who they really are. To act according to principles derived from our human nature would be congruent with our own good, because in expressing our true moral nature, we would not be submitting to any form of justice premised upon contingency or anything other than who we actually are (as moral beings).³⁹⁵

This concept is reflected in the liberal principle of political legitimacy (which I have explored in Chapter 3). To summarize, each political view includes, either explicitly or implicitly, a principle of legitimacy which explains the parameters of political power, and when the use of political power is justified.³⁹⁶ The liberal principle of legitimacy is a reflection of what the advocates of liberalism hold to be most important in human social and political life, and this is premised upon the individual citizen. More specifically, it is premised upon political principles that the autonomous individual would freely choose and consent to. As Rawls notes of the liberal principle of legitimacy, the 'exercise of political power is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to

³⁹⁵ J. Tomasi, *Liberalism Beyond Justice*, p. 4.

³⁹⁶ See section 3.1 in this thesis.

endorse in the light of principles and ideals acceptable to their common human reason.’³⁹⁷

It is from this exact issue, the issue of political legitimacy, that political liberalism (both as a *concept* and as a *text*) emerges. Rawls’ *political* interpretation of liberalism is born out of a crisis of political legitimacy, a crisis he had sought to finally resolve with *A Theory of Justice*. Common to all forms of liberalism, irrespective of whether it is interpreted in perfectionist or neutral terms, has been the desire to define the common good of political association in terms of a minimal moral conception. Liberalism has sought to develop a set of values that most of its advocates share even though, as individuals, they may possess many important but contingent differences. Fundamental to the justification of the political legitimacy for liberalism is the belief that liberalism can operate without reference to shared values, and without requiring the validity or truth of any single particular conception of the good life.³⁹⁸ That is to say that liberalism *itself* does not constitute a substantial conception of the good life.

The liberalism that emerged from the work of Kant and Mill secured the liberal commitment to state neutrality by referring to a particular conception of human

³⁹⁷ J. Rawls, *Political Liberalism*, p. 137. See also J. Tomasi, who states that the ‘liberal principle of legitimacy says that a system of social order is justified only if it is conducted on the basis of principles that citizens may be expected to endorse after asking their questions and considering the best answers the defenders of that social order might give.’ J. Tomasi, *Liberalism Beyond Justice*, p. 3. Along similar lines, J. Waldron states that a ‘social and political order is illegitimate unless it is rooted in the consent of all those who have to live under it; the consent or agreement of these people is a condition of it being morally permissible to enforce that order against them.’ J. Waldron, “Theoretical Foundations of Liberalism,” p. 148. C. Larmore also discusses the liberal principle of legitimacy, specifically in relation to Rawls, in “The Moral Basis of Political Liberalism.”

³⁹⁸ J. Tomasi, *Liberalism Beyond Justice*, p. 3; C. Larmore, “Political Liberalism,” p. 340; and R. Alejandro, “What is Political about Rawls’ Political Liberalism?” *The Journal of Politics* 58, no. 1 (February 1996), p. 5.

nature. As outlined in the second chapter of this thesis, in the case of Kant and Enlightenment liberalism, this is a conception of human nature premised upon universal autonomy (as required by the categorical imperative) and the demands of reason. For accounts of liberalism that owe an intellectual debt to Mill, this is a conception of human nature that emphasizes individualism. For their own reasons, both Kant and Mill argued that the state should not impose any particular conception of the good life upon its citizens other than a form of life that is characterized by either autonomy or individualism respectively.

According to this liberal view, what is both important to the life of the rational agent and what they have in common, is a moral commitment to the fundamental importance of individual choice-making as opposed to any particular outcome of choice. It is from this shared ideal of Kantian autonomy or Millian individualism that a rights-based political system can be developed that meets the requirements of liberal political legitimacy, as set out earlier.³⁹⁹ This defence of the capacity for choice-making is seen in the work of certain contemporary liberal political philosophers, such as Ronald Dworkin, Will Kymlicka, and Joseph Raz, who continue to defend the liberal principle of politics in this manner.

However, as has been examined in detail in the third chapter of this thesis, a conception of philosophy and politics premised upon Kantian autonomy (in the case of Enlightenment liberalism), or even Millian individualism, is something with which many people may, and indeed do, disagree. The liberal foundation of the *minimal moral conception* couched in terms of autonomy is an ideal that is

³⁹⁹ J. Tomasi, *Liberalism Beyond Justice*, p. 4.

far from uncontroversial. As I have already argued, despite the differences between them, the Romantics, the communitarians, and various feminist thinkers, can present a common front in that they all question (if not reject outright) the Enlightenment emphasis on and prioritization of autonomy over other values.

If the principles of political legitimacy are not met, then the political doctrine in question loses any appeal it has to legitimacy and acceptance. In the specific case of the political legitimacy of *liberal* political principles (irrespective of what particular form of liberalism is being discussed), what is required is the free assent of those citizens who reside within the liberal polity. If this assent is not freely given, then we are left with two options. Either the political principles in questions must be rejected and a new set offered in their place, or alternatively, they must be imposed upon the citizens, and in doing so, are stripped of what makes them *liberal* political principles (that is, the fact that they are freely assented to). Rawls provides us with an apt illustration of this second point:

If we think of political society as a community united in affirming one and the same comprehensive doctrine, then the oppressive use of state power is necessary for political community. In the society of the Middle Ages, more or less united in affirming the Catholic Church, the Inquisition was not an accident; its suppression of heresy was needed to preserve that shared religious belief. The same holds, I believe, for any reasonable comprehensive philosophical and moral doctrine, whether religious or nonreligious.⁴⁰⁰

⁴⁰⁰ J. Rawls, *Political Liberalism*, p. 37. See also pp. 304-305, where Rawls talks about the 'autocratic use of state power' which would be required in order to remove the existence of diverse ways of life that are characteristic of the modern liberal democratically polity.

If this is in fact the case, then liberalism is in danger of degenerating into a form of tyranny. We may be left with the paradox of the illiberal application of liberal political principles.

As Rawls acknowledged in *Political Liberalism*, one of the defining and most basic characteristics of the modern liberal democratic polity is ‘the fact of reasonable pluralism.’⁴⁰¹ By reasonable pluralism, Rawls means the demonstrable fact that there exists a ‘plurality of conflicting reasonable comprehensive doctrines, religious, philosophical and moral’, and that this ‘is the normal result of its [the modern liberal democratic polity’s] culture of free institutions.’⁴⁰² The fact of reasonable pluralism is not a ‘mere historical condition’ that will eventually wither away; rather it is a ‘permanent feature’ of the public culture of democracy.⁴⁰³ It is not simply the result of ‘self- and class-interests, or of peoples’ understandable tendency to view the political world from a limited standpoint.’⁴⁰⁴ Rather, the fact of reasonable pluralism comes about precisely because the liberal democratic polity promotes the use of ‘free practical reason within the framework of free institutions’; this diversity is ‘the inevitable outcome of free human reason.’⁴⁰⁵ As long as freedom exists within the polity, the fact of reasonable pluralism and diversity will also be present. In order to achieve moral homogeneity, nothing less than tyranny would be required.⁴⁰⁶ Rawls’ notion of reasonable pluralism makes no comment as to its desirability. It simply confirms the existence of diverse conceptions of the good.

⁴⁰¹ J. Rawls, “The Idea of Public Reason Revisited” (1997), quoted in *ibid.*, p. 441.

⁴⁰² *Ibid.*, p. 441.

⁴⁰³ J. Rawls, *Political Liberalism*, p. 36.

⁴⁰⁴ *Ibid.*, p. 37.

⁴⁰⁵ *Ibid.*, p. 37.

⁴⁰⁶ *Ibid.*, pp. 36–37.

This may be because any statement confirming the desirability of social and cultural pluralism may take his theory too far in the direction of comprehensive liberalism.⁴⁰⁷

It is, however, against this concept of reasonable pluralism that Rawls' 'justice as fairness', as expressed in *A Theory of Justice*, flounders. What Rawls had presented in *A Theory of Justice* was, in fact, a comprehensive doctrine – albeit a liberal one – that had overlooked the fact of reasonable pluralism. Rawls states the reason for the cause of this failure in the following way:

The reason is that any such idea [such as autonomy and individuality], when pursued as a comprehensive ideal, is incompatible with other conceptions of the good, with the forms of personal, moral, and religious life consistent with justice and which, therefore, have a proper place in a democratic society. As comprehensive moral ideals, autonomy and individuality are unsuited for a political conception of justice. As found in Kant and J. S. Mill, these comprehensive ideals, despite their very great importance in liberal thought, are extended too far when pressed as the only appropriate foundation for a constitutional regime. *So understood, liberalism becomes another sectarian doctrine.*⁴⁰⁸

The fact of reasonable pluralism within modern democratic society is at odds with Rawls' liberal vision because *A Theory of Justice* presupposes the possibility of agreement on certain liberal values, such as Kantian autonomy and Millian individuality. But given the fact of reasonable pluralism, any

⁴⁰⁷ M. Deveau, *Cultural Pluralism and Dilemmas of Justice*, p. 51.

⁴⁰⁸ J. Rawls, "Justice as Fairness: Political not Metaphysical," pp. 245-246. Emphasis added. Cf with B. Barry, "John Rawls and the Search for Stability," *Ethics* 105, no. 4 (1995), pp. 874-915. Barry argues that *A Theory of Justice* did not present 'justice as fairness' as premised on a comprehensive doctrine.

attempt (successful or otherwise) to unite a polity through a shared comprehensive doctrine, such as *A Theory of Justice*, would necessarily require the use of oppressive state power in order to restrain competing reasonable comprehensive doctrines.⁴⁰⁹

This, then, leads us to the reason why Rawls wrote *Political Liberalism*. There exists a widespread perception that Rawls made his revisions to *A Theory of Justice* primarily as a response to the criticisms proposed by the communitarians. However, this is not the case.⁴¹⁰ *Political Liberalism* is a development and extension of the original project that Rawls had started with *A Theory of Justice*; it was not written with the intent to change its central theme. Where *Political Liberalism* differs, however, is on the issue of *justification*. It was written to *resituate* how we are to conceive and justify ‘justice as fairness’. As Glen Newey notes, Rawls ‘still thinks that the theory [contained within *A Theory of Justice*] in its essentials is right, but his understanding of its *justification* has changed.’⁴¹¹ Specifically, as Rawls argues, the problem that he wishes to address in *Political Liberalism* is ‘how is it possible that there may exist over a time a stable and just society of free and equal citizens profoundly divided by reasonable though incompatible religious, philosophical, and moral doctrines?’⁴¹²

⁴⁰⁹ G. Gaus, *Contemporary Theories of Liberalism*, p. 178.

⁴¹⁰ ‘The changes in the later essays are sometimes said to be replies to criticisms raised by communitarians and others. I don’t believe there is a basis for saying this.’ J. Rawls, *Political Liberalism*, p. xviii.

⁴¹¹ G. Newey, “John Rawls: Liberalism at the Limits of Intolerance,” in *Reflections on Rawls: An Assessment of His Legacy*, ed. S. P. Young (Farnham: Ashgate Publishing, 2009), p. 137. Emphasis added. See also S. Freeman, *Justice and the Social Contract*, p. 175.

⁴¹² J. Rawls, *Political Liberalism*, p. xviii.

4.4 Embracing the Political: The Departure from Normative Metaphysics

Both *Political Liberalism* and the collected writings that led up to its publication demonstrate that Rawls sees both the nature and task of political philosophy in a radically different way than expressed in *A Theory of Justice*. Justice as fairness is no longer to be connected with a universal normative moral philosophy, such as the Kantian approach that is characteristic of Enlightenment liberalism. Instead, justice as fairness should be viewed as a *political* problem that is to address the distinctly modern issue of reasonable pluralism.

Political philosophy should not be concerned with revealing a theory of justice that is universal and therefore has normative implications. But rather, political philosophy is to perform the more practical, social, and political task of determining solutions to problems within a particular society or range of societies.⁴¹³ As Rawls notes, ‘the aims of political philosophy depend upon the society which it addresses.’⁴¹⁴ Accordingly, in our own particular context, the aims of political philosophy must relate to the constitutional liberal democratic polity. For Rawls then, the aim of justice as fairness, as redescribed in *Political Liberalism*, is essentially a *practical* and *political* one, as opposed to any normative aim that would be premised upon Kantian metaphysical considerations. As Rawls notes, the ‘aim of justice as fairness, then, is *practical*: it presents itself as a conception of justice that may be shared by citizens as a

⁴¹³ A. Ingram, “Rawlsians, Pluralists and Cosmopolitans,” in *Philosophy and Pluralism*, ed. D. Archard (Cambridge: Cambridge University Press, 1996), p. 148.

⁴¹⁴ J. Rawls, “The Idea of an Overlapping Consensus,” *Oxford Journal of Legal Studies* 7, no. 1 (Spring 1987), p. 1.

basis of a reasoned, informed, and willing *political* agreement. It expresses their shared and public political reason.’⁴¹⁵

This is what separates the Rawls of *Political Liberalism* from the Rawls of *A Theory of Justice*: *Political Liberalism* is an intentional departure from the normative Kantian foundations of ‘justice as fairness’ upon which Rawls explicitly relied in *A Theory of Justice*. Whilst *Political Liberalism* does affirm and develop certain features that are Kantian (such as the ideal of political constructivism and the conception of the moral person as free and equal), Rawls argues that it no longer has in common with Kantian moral thought a shared conception of the good that would be linked to the true representation of our human nature. *A Theory of Justice* did rely on a ‘partially comprehensive’ conception of the good which Rawls believed was common to all those who reside in a well-ordered liberal democratic polity. This fact is most prominent in the argument that Rawls develops for his ‘congruence argument’ in relation to stability in part three of *A Theory of Justice*.⁴¹⁶

What separates *Political Liberalism* from *A Theory of Justice* is that it no longer relies on this partially comprehensive Kantian conception in addition to the general Kantian moral conception that underpins justice as fairness. Both *Political Liberalism* and *A Theory of Justice* suggest that as a necessary condition of social and political unity, there must exist some shared conception of the good of justice, but with differing degrees, and for differing reasons. *Political Liberalism*, unlike *A Theory of Justice* demands that this conception of the good

⁴¹⁵ J. Rawls, *Political Liberalism*, p. 9. Emphasis added.

⁴¹⁶ J. Rawls, *A Theory of Justice*, pp. 499–505.

of justice not be publicly recognized or affirmed as part of any normative and comprehensive ethical world-view.⁴¹⁷

In removing this political interpretation of liberalism from the realm of Kantian normativity, Rawls is abandoning any metaphysical search for the truth, and instead develops a theory of justice that serves certain practical and political needs. The *political* theory of justice as fairness is still a moral theory, but it is not connected to any metaphysical truth, nor is it a pragmatic solution to the problem of social unity in conditions of reasonable pluralism. As noted by Ingram, the role of both the political philosopher and the legislator is no longer the traditional one of finding the theory of justice that corresponds to the truth, but is concerned rather with identifying and extracting the meaning and consequences of suitable premises for political justification and political legitimacy in our existing liberal democratic polities.⁴¹⁸

Given the fact of reasonable pluralism, when searching for the basis of an agreement on justice, it is imperative that we abstain from insisting on the truth of our own particular and contested conception of justice. Just as we may view other religious and morally comprehensive doctrines as a part of the reasonable pluralism characteristic of the modern liberal democratic polity, so too does 'the other' see our views in this light. As Newey neatly characterizes, 'I realize that you reasonably disagree with me; you realize that I reasonably disagree with you; therefore we have to agree on a set of "political" arrangements which cater

⁴¹⁷ S. Freeman, *Justice and the Social Contract*, p. 177.

⁴¹⁸ A. Ingram, "Rawlsians, Pluralists and Cosmopolitans," p. 148.

for the fact of reasonable pluralism.⁴¹⁹ It is only from this position of restraint that we can engage in the Rawlsian project of political liberalism, that is, the project of determining an acceptable theory of justice for the institutions of our pluralistic society.

Starting from the premise of the desire for mutually agreeable principles of justice, as well as an acknowledgement that there exist rival and contested conceptions of the good, political liberalism can only progress on the basis of whatever moral, political, and practical agreements can be obtained among these rival views. Rawls locates these agreements and shared ideas in the shared public political culture of the liberal democratic polity. It is here, for Rawls, that we already find certain points of agreement, such as the idea of our status as free and equal citizens, and that liberal political and social principles need to be freely assented to by all who are to recognize them.⁴²⁰

This is an important point and it must be made with clarity: political liberalism appeals to the public political culture of liberal democratic polities. The justification of liberal political principles and the institutions that it requires presuppose a society in which liberal values are *already* established and accepted. Liberal traditions and institutions must precede political liberalism in order for it to function as Rawls envisages it. The background moral culture of liberalism must already exist in order to create the conditions necessary for the justification offered by political liberalism. Political liberalism is historically specific and as such depends on a prior history of liberal institutions to

⁴¹⁹ G. Newey, "John Rawls: Liberalism at the Limits of Intolerance," p. 139.

⁴²⁰ A. Ingram, "Rawlsians, Pluralists and Cosmopolitans," pp. 148–149; S. Scheffler, "The Appeal of Political Liberalism," *Ethics* 105, no. 1 (October 1994), pp. 18–19.

function.⁴²¹ As Rawls argues in “The Law of Peoples,” this political defence of liberalism does not aspire to universal status, as some defenders of Enlightenment liberalism would prefer.⁴²²

How is it, then, that Rawls believes that his political liberalism can gain the free assent of a liberal democratic polity characterized by the fact of reasonable pluralism? Two particular features that were absent in *A Theory of Justice* gives *Political Liberalism* both its strength and its persuasiveness: first, political liberalism is a *free-standing* political doctrine, which centres on the reasonableness of the person; and second, political liberalism is the focus of an *overlapping-consensus* among reasonable comprehensive doctrines.

Political liberalism is understood to be a *free-standing* political doctrine in that it is not grounded in any particular comprehensive doctrine (Kantian or otherwise).⁴²³ While the citizens of the modern liberal democratic polity may subscribe to a myriad of comprehensive doctrines, political liberalism is developed separate from any wider background doctrine of a citizen’s comprehensive doctrine. Rawls refers to this as ‘doctrinal autonomy’.⁴²⁴ As Rawls notes,

While we want a political conception [of justice] to have justification by reference to one or more comprehensive doctrines, it is neither presented as, nor derived from, such a doctrine applied to the basic

⁴²¹ S. Scheffler, “The Appeal of Political Liberalism,” p. 20, 21.

⁴²² J. Rawls, “The Law of Peoples,” *Critical Inquiry* 20, no. 1 (Autumn 1993), pp. 36–68.

⁴²³ J. Rawls, *Political Liberalism*, pp. 9–11 (§1.4).

⁴²⁴ *Ibid.*, p. 98. See also, C. Larmore, “The Moral Basis of Political Liberalism,” p. 610.

structure of society, as if this structure were simply another subject to which that doctrine applied.⁴²⁵

Here we can see how political liberalism differs from traditional liberal conceptions of justice, in particular that of Enlightenment liberalism. The Enlightenment liberalism of Kant aims to provide, I have argued, a particular moral conception of a person's life. In the case of the Kantian rational agent, it is a moral conception of life premised upon autonomy and the demands of reason. Like Enlightenment liberalism, political liberalism is a moral conception of justice, but unlike Enlightenment liberalism, it applies *only* to the basic public structures of the liberal democratic polity. Political liberalism confines itself to determining the principles that apply only to the basic political, social and economic institutions of the state.⁴²⁶ These principles are only applicable to the public political sphere, and are not transferable to the private, non-political sphere. Nor does political liberalism attempt to impose policies that are to be adopted regarding issues beyond the basic constitutional essentials of society.⁴²⁷ Even though political liberalism does use certain moral ideas (such as the notion that citizens are both free and equal), these ideas are used only in a political context, and are not connected to any comprehensive moral doctrine. Furthermore, these ideas, and the principles of justice as fairness, reflect certain

⁴²⁵ J. Rawls, *Political Liberalism*, p. 12. See also p. 10, where Rawls notes that 'Political liberalism, then, aims for a political conception of justice as a freestanding view. It offers no specific metaphysical or epistemological doctrine beyond what is implied by the political conception itself.'

⁴²⁶ *Ibid.*, p. 11.

⁴²⁷ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p, 53.

ideas that are already implicit in the existing public political culture of the modern liberal democratic polity.⁴²⁸

Unlike the comprehensive liberalism of Enlightenment liberalism, with its distinctly Kantian heritage, political liberalism does not use as its starting point a fixed conception of moral personality, and then go on and determine what single political form would best support and express the requirements that are necessary for people to realize this singular ideal. Political liberalism is the reverse of this position: it starts with the idea of a pre-existing society that is characterized by the fact of reasonable pluralism. It does *not* start with the moral monism required of Enlightenment liberalism. Unlike Enlightenment liberalism, the conception of moral personality required for a liberal understanding of politics is not fixed in advance through any (Kantian) metaphysical understanding. As Tomasi brings to our attention, 'political liberalism does not rest ultimately on any theory of the good of persons. Strictly in terms of its justificatory structure, political liberalism is a radically new liberal view.'⁴²⁹

Rawls posits that, as political liberalism is a free-standing conception of justice, people would acknowledge the two principles of justice as a *political* conception of justice that are not linked to any larger comprehensive doctrine of the good. In order for this acceptance to take place, people must draw upon their twin faculties of rationality and reasonableness. These are two terms that are often used interchangeably, implying that for many people there is no substantial

⁴²⁸ Ibid., p. 53.

⁴²⁹ J. Tomasi, *Liberalism Beyond Justice*, p. 9.

difference between them. But for Rawls, following his reading of Kant,⁴³⁰ this is not true, as they refer to two basic virtues. Rationality in this context refers to empirical practical reason: people are considered to be rational in that the principles they choose benefit both their short-term interests and their larger overall life-plan.⁴³¹ Citizens are considered to be reasonable when 'among equals...they are ready to propose principles and standards as fair terms of cooperation and abide by them willingly, given the assurance that others will likewise do so.'⁴³²

Reasonableness of the person implies an acceptance of the reality of reasonable pluralism within the modern liberal polity. Citizens will recognize that the free and unfettered use of reason will inevitably result in people coming to differing and often conflicting judgments. This has obvious political implications for the legitimate exercise of political power within the liberal state. As the fact of reasonable pluralism entails, there exists a wide variety of reasonable comprehensive doctrines. If, as Rawls believes, this is the case, then reasonable people will not seek to utilize political power to impose their comprehensive doctrines upon others, nor would they suppress other competing doctrines. Owing to this, reasonable people would endorse a free-standing conception of justice, a conception that is grounded in politics, and not morality.⁴³³

To strengthen further the commitment of the citizen of the modern liberal democratic polity to a Rawlsian political conception of justice, and to enhance political stability, Rawls also appeals to the reasonableness of comprehensive

⁴³⁰ J. Rawls, *Political Liberalism*, p. 48n.

⁴³¹ *Ibid.*, pp. 50-51.

⁴³² *Ibid.*, p. 49.

⁴³³ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 54.

doctrines. In order for a political conception of justice to be accepted and to function, it must be compatible with the content of the various comprehensive doctrines to which the citizens subscribe. Citizens must personally believe that, given the fact of reasonable pluralism, they should accept political liberalism. Furthermore, if political liberalism is to be freely assented to, citizens must also see that it is congruent with their own reasonable – and at times contested – comprehensive moral doctrines.

This brings us to the second key feature of political liberalism – the concept of an *overlapping consensus*. Rawls argues that it is because it is capable of generating an overlapping consensus among reasonable comprehensive doctrines that political liberalism is able to generate the assent of citizens within the liberal democratic polity who follow these diverse reasonable doctrines. This overlapping consensus is only possible, Rawls argues, because a political interpretation of liberalism is grounded in certain fundamental ideas that already exist in the public political culture of a liberal democratic polity. In such an overlapping consensus, each reasonable comprehensive doctrine would endorse this political interpretation of liberalism from their own point of view.

As Rawls writes,

Social unity is based on a consensus on the political conception; and stability is possible when the doctrines making up the consensus are affirmed by society's politically active citizens and the requirements of justice are not too much in conflict with citizens' essential interests as formed and encouraged by their social arrangements.⁴³⁴

⁴³⁴ J. Rawls, *Political Liberalism*, p. 134.

What Rawls means here is that not only is it possible, but it is also *desirable*, for a narrowly defined political liberalism to be derived from a myriad of broader and more comprehensive, reasonable moral doctrines. Accordingly, person W will freely assent to political liberalism as they have been brought up in a background and familial culture of comprehensive Enlightenment liberalism; X will freely assent to it as the implication of her preference for utilitarianism; Y will freely assent to it as an implication of their religious views; and Z will freely support it because it is compatible with her loose mixture of other moral commitments.⁴³⁵ The supporters of political liberalism all begin from different starting points, but these different points, for differing reasons, all converge on the same final point – a *political* interpretation of liberalism.⁴³⁶

It is imperative to note, however, that Rawls differentiates this overlapping consensus from a Hobbesian *modus vivendi*.⁴³⁷ Not only are they fundamentally different, but, as Rawls argues, a *modus vivendi* should be rejected outright as a means of providing stability within a modern liberal polity. As Alejandro poetically describes, a *modus vivendi* ‘suggests an unstable truce between tired combatants who stop the fight to plot a better strategy against their enemies or to wait for a better opportunity to destroy them.’⁴³⁸ If we accept a *modus*

⁴³⁵ J. Rawls, “Justice as Fairness: Political not Metaphysical,” pp. 247-248.

⁴³⁶ C. Mills, ““Not a Mere Modus Vivendi”: The Bases for Allegiance to the Just State,” in *The Idea of a Political Liberalism: Essays on Rawls*, eds. V. Davion and C. Wolf (Oxford: Rowman & Littlefield Publishers, 2000), p. 191.

⁴³⁷ J. Rawls, *Political Liberalism*, pp. 144-150, in particular p. 147; and J. Rawls, *Justice as Fairness: A Restatement*, 194. The term *modus vivendi* is used both in the italicized and plain form by various writers. Rawls appears to be in the minority, as he uses it in its plain form. For the sake of consistency, however, I shall use it in its italicized form.

⁴³⁸ R. Alejandro, “What is Political about Rawls’ Political Liberalism?” p. 3.

vivendi, then we reject ‘any hope of a political community,’ and must settle for something less desirable and less stable.⁴³⁹

4.5 Reasonable Pluralism and Liberal Neutralism

What Rawls has sought to achieve with his political conception of liberalism ought to be commended. Through *Political Liberalism* he has essentially redefined both what political philosophers ought to be doing, and the role of political philosophy. Socrates, considered by many to be the founder of philosophy, characterized it as the pursuit of the truth. Plato, his student, concurred with Socrates on this point. Rawls does not reject the pursuit of truth completely. He endorses it in fields such as ethics, aesthetics, and the philosophy of science. But he rejects it when we apply political philosophy to the modern liberal democratic polities. Not only is metaphysics to be avoided in the political realm, but, more importantly, we are supposed to avoid attempts at philosophical proof through argumentation that involves recourse to particular and contested metaphysical foundations. Our goal should no longer be the pursuit of the truth, but of non-coerced social agreements achieved through an overlapping consensus. If this goal can be achieved through definitive demonstration, this is desirable. But when it cannot, and controversy is inevitable, then we are to strive for consensus as opposed to conversion, persuasion rather than proof.⁴⁴⁰

⁴³⁹ J. Rawls, *Political Liberalism*, p. 146. Cf with N. Rescher *Pluralism: Against the Demand for Consensus* (Oxford: Oxford University Press, 1996); J. Gray, *Two Faces of Liberalism*; and S. Hampshire *Justice is Conflict* (Princeton: Princeton University Press, 2001).

⁴⁴⁰ J. Hampton, “Should Political Philosophy Be Done without Metaphysics?” pp. 807–808.

In redefining what the role of political philosophy is, Rawls has attempted to provide a template that can be utilized to solve the problem of instability and potential conflict within the modern liberal democratic polity. This instability and conflict is brought about by differing and competing comprehensive doctrines held by those who reside within the modern liberal democratic polity. Rawls' acknowledgement of the shortcomings of *A Theory of Justice*, and the systematic way in which he attempts to solve them, must be praised. The real question, however, especially as it relates to the scope of this thesis, is the extent to which Rawls' *political* solution (admirable as I feel his attempt is) can move beyond the limited scope of Enlightenment liberalism (as expressed in *A Theory of Justice*), and truly embrace and support a polity that is characterized by the challenge of pluralism.

4.6 Liberal Neutralism

In order to achieve his goal, Rawls appeals to the liberal understanding of political neutrality. The central claim of neutral liberalism is that the concept of neutrality can provide the basis for liberal political legitimacy in states characterized by the fact of reasonable pluralism by ensuring that citizens can agree on the basic political principles and procedures that govern the basic structures of society.⁴⁴¹

Liberal neutralism can be interpreted as an extension of the seventeenth and eighteenth century contractarian liberal thinking in that it reflects the position of the social contract theorists, such as John Locke, that consent to the

⁴⁴¹ M. Deveaux, *Cultural Pluralism and Dilemmas of Justice*, pp. 67–68. For an extensive survey of recent debates on liberal neutralism, see S. Wall and G. Klosko, eds., *Perfectionism and Neutrality: Essays in Liberal Theory* (Landham, MD: Rowman and Littlefield, 2003).

government underwrites the legitimacy of the liberal state. Just as many early liberals believed that that stability of the state required limited political tolerance (especially as it related to religious freedom as a result of the Reformation and the violence that flowed from it in Europe), contemporary neutral liberals see that political neutrality and tolerance as integral features of liberal justice. The liberal principle of neutrality is not viewed as a radical departure from toleration, but rather, as its contemporary defenders such as Larmore and Rawls understand it, it is a kind of parallel strategy. It is, however, more demanding and systematic than simple toleration, especially as it relates to the obligations and role of the liberal state.⁴⁴²

Whist there may exist a degree of commonality between an understanding of liberalism that is premised upon toleration, and one premised upon neutralism, neutral or political liberalism tends to associate toleration-based liberalism with a comprehensive liberal morality that is simply not acceptable to all (given the fact of reasonable pluralism in the modern liberal democratic polity). As such, therefore, toleration is problematical for many liberals.⁴⁴³ As Newey writes, 'their fundamental objection to toleration is that it both presupposes and fosters inequality, as a consolatory bone tossed by the mighty to the weak or humble. Toleration, as permission on sufferance, serves only to prolong the

⁴⁴² M. Deveaux, *Cultural Pluralism and Dilemmas of Justice*, p. 68.

⁴⁴³ See, for example, C. McKinnon, *Toleration: A Critical Introduction* (London: Routledge, 2005), p. 14; G. Newey, *Virtue, Reason and Toleration: The Place of Toleration in Ethical and Political Philosophy* (Edinburgh: Edinburgh University Press, 1999), pp. 19-52; M. Deveaux, *Cultural Pluralism and Dilemmas of Justice*, p. 64; and P. Jones, "Toleration and Recognition: What Should We Teach?" *Educational Philosophy and Theory* 42 no. 1 (February 2010) pp. 38-56. For a conceptual analysis of toleration, see A. Cohen, "What Toleration Is," *Ethics* 115, no. 1 (October 2004), pp. 68-95 (this article also concurs that toleration disapproves of that which is tolerated) and M. Walzer, *On Toleration* (London: Yale University Press, 1997).

latter's subordination.'⁴⁴⁴ In a similar vein, Gutmann and Thompson write that toleration 'provides no positive basis on which citizens can expect to resolve their moral disagreements in the future...[and ultimately] mere toleration locks into place the moral divisions in society and makes collective moral progress far more difficult.'⁴⁴⁵

When discussing issues of neutrality as it pertains to contemporary liberal political philosophy, it is important that we make the distinction between two forms of analysis: between neutrality of *outcomes*, and neutrality of *aims* (or justifications).⁴⁴⁶ According to the concept of neutrality of outcomes, state policy is considered neutral if the outcome is the same for all, irrespective of their individual conceptions of the good. When referring to neutrality of aims, state policy is considered neutral if its justification or purpose is not grounded in any particular and contested conception of the good. Accordingly, it may be that a particular course of action that is neutral in its aim may nevertheless impact differently upon different conceptions of the good.⁴⁴⁷ My primary concern here, however, is with neutrality of aims and how it relates to Rawls' political liberalism.

⁴⁴⁴ G. Newey, "John Rawls: Liberalism at the Limits of Intolerance," p. 150.

⁴⁴⁵ A. Gutmann and D Thompson, *Democracy and Disagreement* (Cambridge, MA: Belknap Press, 1996), pp. 62-63.

⁴⁴⁶ G. Long, *Relativism and the Foundations of Liberalism* (Exeter: Imprint Academic, 2004), p. 196. There exist several variations describing these two forms of neutrality. Deveaux refers to them as neutrality of outcome or consequence, and neutrality of justification. See her *Cultural Pluralism and Dilemmas of Justice*, p. 73. Andrew Masan draws a distinction between 'neutrality of justification' and 'neutrality of effect.' A. Mason, "Autonomy, Liberalism and State Neutrality," *Philosophical Quarterly* 40, no. 161 (October 1990), pp. 433-452. Peter Jones distinguishes between 'strong' neutrality (neutrality of consequence) and 'weak' neutrality (neutrality of justification). P. Jones, "Ideal of Neutral State," in *Liberalism and Neutrality*, eds. R. Goodin and A. Reeves (London: Routledge, 1989).

⁴⁴⁷ G. Long, *Relativism and the Foundations of Liberalism*, p. 196.

Rawls' political conception of liberalism is essentially a neutralist conception regarding aims. His political conception of liberalism 'seeks common ground, or if one prefers, neutral ground – given the fact of pluralism.'⁴⁴⁸ As Rawls writes, political liberalism 'hopes to satisfy neutrality of aims in the sense that basic institutions and public policy are not to be designed to favour any particular comprehensive doctrine.'⁴⁴⁹ The neutrality of aims contained within political liberalism requires that both citizens and legislators must adhere to the norms of public reasoning when deliberating on public political principles. Accordingly, liberal neutrality and public reason require the observation of certain practical constraints. In particular, moral, religious, and philosophical views that are attached to comprehensive doctrines are not to be introduced and relied upon when discussing the constitutional elements and the basic questions of society. In practice, this means that any justification for political action needs to be stripped of any substantial moral content.⁴⁵⁰

However, as I will demonstrate, the reality is that in order to remain neutral (regarding aims), Rawls' political liberalism ultimately excludes many forms of life that differ substantially from that characteristic of Enlightenment liberalism. In order to remain stable, which is one of the underlying aims of Rawls' political reconceptualization of justice as fairness, the Rawlsian liberal polity must exclude those who are either incapable, or unwilling, to use public norms of reasoning and the burdens of judgement when deliberating on constitutional matters.

⁴⁴⁸ J. Rawls, *Political Liberalism*, p. 192.

⁴⁴⁹ *Ibid.*, p. 194.

⁴⁵⁰ M. Deveau, *Cultural Pluralism and Dilemmas of Justice*, p. 90.

4.7 Thin and Thick Pluralism

When discussing issues of difference and diversity, Rawls relies on the rather simple term ‘reasonable pluralism’. This term, we are led to believe, can represent the plurality of positions that are held within the modern liberal polity. But it can be argued that this term is insufficiently nuanced, as it is incapable of adequately describing the breadth and depth of difference and diversity within the liberal polity, and the challenges that this pluralism poses for it. Instead it may be more accurate and useful to break the ‘reasonable pluralism’ that is characteristic of the modern liberal polity into two distinct categories. Thus, while Rawls talks about ‘reasonable pluralism’, my discussion will focus on ‘thin pluralism’ (broadly defined as conflicts of interest) and ‘thick pluralism’ (broadly defined as conflicts of principles).

The liberal polity has the capacity to meet the challenges posed by the fact of thin pluralism because, to use Rawls’ own terminology, they are *reasonable* challenges. Bohman’s article, published in 1995, discusses the debates then within in the United States of America regarding taxation increases. These debates, Bohman argues, all take place within ‘the same moral and political framework of the modern European nation-state and the role of private property.’⁴⁵¹ These debates are situated within a shared framework within which ‘conflicts of interest’ (to use Bohman’s point of differentiation) can exist. Whatever internal disagreements there may be, there is also a broad agreement on the practical liberal-democratic procedures required to meet such challenges.⁴⁵² Bohman’s argument, even though it was published fifteen years

⁴⁵¹ J. Bohman, “Public Reason and Cultural Pluralism,” p. 254.

⁴⁵² *Ibid.*, p. 254.

ago, is still valid even if we transpose this debate to the contemporary American political context, especially in light of the recent 2010 US mid-term elections. The recent rise of the Tea Party, with their claims of ‘taking America back’,⁴⁵³ and rejecting what they perceive as a betrayal of the American dream through an encroachment on their liberties by the government (through such reforms as the medical insurance changes), all take place *within* a shared framework.

These types of challenges can be incorporated into Rawls’ political liberalism because they are what Rawls would deem to be reasonable. That is to say, both the character of the challenge itself as well as those who propose and defend them, are reasonable.⁴⁵⁴ Rawlsian political liberalism requires a conception of the individual as both rational and reasonable. They are rational in that they are self-interested and are concerned with securing their own ends. They are reasonable in that they recognize the ‘burdens of judgement’ and the implications that these have for their public use of reason. The reasonable citizen would only accept principles of justice that are acceptable to all, irrespective of their private (and contested) comprehensive form of the good. By definition, reasonable citizens will refrain from making public truth claims about their own privately held views and beliefs. The logical counter-point of this is that an unreasonable citizen is one who asserts publicly that their particular beliefs, and their beliefs alone, are true. Such truth-claims are

⁴⁵³ The emergence of this populist slogan as it relates to the Tea Party can perhaps be traced back to the conservative and evangelical Christian political commentator Joseph Farah and his proto-Tea Party text *Taking America Back: A Radical Plan to Revive Freedom, Morality, and Justice* (Nashville, Tenn.: WND Books, 2005).

⁴⁵⁴ The role of the reasonable is vital to Rawls’ *Political Liberalism*. Yet, as it is used interchangeably with so many other terms, its precise meaning and parameters become blurred. This is an important issue that Leif Wenar examines at length in “Political Liberalism: An Internal Critique,” *Ethics* 106, no. 1 (October 1995), pp. 32-65.

unreasonable because they ignore the burdens of judgement and the fact of reasonable pluralism.

But a significant assumption underlies this process. This is the assumption that all reasonable citizens are both willing *and* able to modify their reasons and explanations (for their desired proposed political and/or legal changes) in order to meet the demands of political liberalism and its appeal to liberal neutrality. More importantly, however, it may be that, in some cases, demands and claims that are otherwise reasonable can *only* succeed by ignoring the constraints that liberal neutralism require. In order to make claims and demands resulting in special constitutional recognition and/or for an increased say in matters that directly affect their communities, such as language and education policies, some communities may have to ground their arguments in issues and facts that are beyond the demands of the use of public political reason and liberal neutrality.⁴⁵⁵

The deliberative constraints that Rawlsian neutralist liberalism imposes on its citizens may disadvantage certain cultural minorities when it comes to the issue of the neutral liberal social and political consensus. Not only is the reasonable citizen expected to endorse a political conception of justice, but this conception is also expected to shape that citizen's *own* ideals and comprehensive views. There needs to be a strong sense of connection between the individual's private comprehensive morality and the public political conception of justice.

⁴⁵⁵ M. Deveaux, *Cultural Pluralism and Dilemmas of Justice*, p. 94.

But this strict understanding of what is and what is not allowed to enter into the public political sphere ignores the fact that there are cultural and religious communities that are less likely than others to see their particular views as being congruent with the norms of liberal neutrality. These cultural and religious communities may find themselves at a distinct disadvantage and unable (as far as they are concerned) to receive equal justice because their particular religious and cultural demands do not cohere with the demands of liberal neutral ideals.

On the surface, it appears that political liberalism is capable of incorporating the challenge of thick pluralism, as Rawls believes that such non-liberal groups will accept its general precepts. According to Rawls, it is its limited scope, especially in comparison to the comprehensive liberalism of its intellectual predecessor, that gives political liberalism its functional and justificatory superiority. Under the rubric of political liberalism, the individual is only required to follow liberal values in their capacity as public citizens. The corollary of this argument is that in their capacity as private citizens they are free to follow any lifestyle that is compatible with basic conditions of justice.⁴⁵⁶

Clearly this separation of the individual into the public and private citizen is easier for some than others. This capacity and willingness to split the individual is not a natural condition, but rather it is a learnt skill. In order to be able to function within a Rawlsian liberal polity, the individual will have to be educated to both understand and appreciate the role of the individual and where they stand in relation to society. 'Education,' as Baumeister points out, 'therefore

⁴⁵⁶ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 58.

plays a vital role in a Rawlsian society.⁴⁵⁷ While education may have the effect of predisposing children to valuing autonomy both as a public and private good, Rawls does not believe that this is a threat to those life-styles that do not prioritize autonomy. Rawls would defend this position by stating that autonomy, in this context, is a *political* good, and not a *moral* good linked to any comprehensive doctrine.

However, I believe that Rawls seriously underestimates the potential for conflict with this required separation of the individual. Autonomy, by its very nature, cannot be isolated or quarantined. In order for an individual to be a good liberal citizen, they are required to use autonomous reasoning within the public sphere. It is, however, doubtful (perhaps even foolish), to believe that this skill of autonomous reasoning can be isolated from the private sphere of an individual's life. As Baumeister correctly points out, autonomy is not like mathematics or geography in the sense that it can be considered to be a stand-alone skill, to be called upon only when required.⁴⁵⁸ It is at this point that we can see the clash between Rawls' ideal of the isolated public use of reason, and the unintended but inevitable effect that it has on certain values that are held within the private sphere. For Rawls, this distinction ought not to be a problem, but for many people, it is.

The teaching and prioritizing of autonomy in the public sphere, even as a political good, is deeply problematic for some people as it may undermine certain private values. Take, for example, the debate on the role of religious

⁴⁵⁷ A. Baumeister, "Cultural Diversity and Education: the Dilemma of Political Stability," p. 922. See also A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 59.

⁴⁵⁸ A. Baumeister, "Cultural Diversity and Education: the Dilemma of Political Stability," p. 922; and, A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 60.

education within the modern liberal democratic polity. In secular schools, religious education ought not to promote a particular religion, but should rather address the merits of a variety of religious traditions. Students should be able to make up their own mind about which religion they wish to follow, if any. In secular schools, the focus should be on education and critical evaluation, not indoctrination.

Yet, for those within the liberal polity who do follow certain religious traditions, this epistemological challenge undermines important aspects of their faith. To be taught, for example, that Islam is as valid as other religious perspectives does not recognize the significance of the Qur'an as the revealed word of God for many Muslims.⁴⁵⁹ For many, faith, by its very nature, cannot, and should not, be examined critically. But this is exactly what would be required within a Rawlsian liberal secular education. My position here is not meant to defend the role of religion within society, or to argue that it ought to be exempt from critical evaluation. (Indeed, within the modern *secular* liberal democratic polity, I believe that the critical evaluation of religion, especially with regards to the political public sphere, is a necessity.) Rather, I am merely demonstrating that the isolation of autonomy from the private sphere, and its valuation solely as a political good, is not as simple as Rawls may believe.⁴⁶⁰

Yet, perhaps even this bifurcation of Rawls' concept of reasonable pluralism into thin and thick pluralism is itself too rigid. It is possible to conceive of a third pluralist division whose boundaries overlap both the thin and thick

⁴⁵⁹ A. Baumeister, "Cultural Diversity and Education: the Dilemma of Political Stability," p. 927; and, A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 64.

⁴⁶⁰ S. Mulhall and A. Swift, "Rawls and Communitarianism," in *The Cambridge Companion to Rawls*, p. 476.

pluralists. This third group – an intermediate group if you will – also poses challenges to both the liberal polity and the neat division required by political liberalism. The crux of this challenge is that their political claims and arguments are linked to comprehensive doctrines (which Rawls would deem unsuitable for public discourse), but that they refrain from insisting on the truth-claims of these beliefs (thus meeting Rawls’ test of reasonableness).

Rawls’ notion of the reasonable citizen is grounded in a binary conception of the citizen, characterized by a private comprehensive form of the good that is in contrast to their public political outlook. Yet this binary separation is not as simple and uncontroversial as Rawls maintains. Despite what Rawls may argue, it is possible to conceive of cultural groups and communities who present a reasoned political dialogue that is grounded in particularist beliefs, but do not assert them as being true and applicable to all within the liberal polity.

In this context, Deveaux provides us with the example of Nunavut, which is the newly autonomous area of Canada’s Eastern Arctic.⁴⁶¹ In their demands for significant changes to their political arrangements, the Inuit did not base their appeals on the political principles that would be acceptable to all reasonable Rawlsian citizens who agreed on the burdens of judgement. Rather, they appealed to ‘their community’s distinct history, ways of life, and special requirements for cultural survival.’⁴⁶² These context-specific arguments were important not only as a means to justify indigenous claims to land use rights for hunting and fishing, but also because it allowed them to gain important

⁴⁶¹ M. Deveaux, *Cultural Pluralism and Dilemmas of Justice*, p. 92. For further reading on the unique situation of Nunavut, see A. Henderson, *Nunavut: Rethinking Political Culture* (Vancouver: The University of British Columbia, 2007).

⁴⁶² M. Deveaux, *Cultural Pluralism and Dilemmas of Justice*, p. 92.

constitutional changes. The negotiations, when taking place, were not premised on the Rawlsian political liberal ideal of procedures requiring the separation of non-neutral claims from the public political sphere, but on mutual decision-making and political bargaining.⁴⁶³

4.8 The Intolerance of Political Liberalism

When attempting to deal with the complex issue of moral disagreement and differing judgements in societies characterized by the fact of reasonable pluralism, Rawls' method of diffusing any potential conflict is to partition off into two separate camps what the reasonable citizen is allowed to utilize in their political arguments, and what they are not. The reasonable citizen is only allowed to use views that are readily acceptable in public political discussions. They are simply not allowed to call upon any view or belief that is not readily acceptable by all into the public sphere; any view that may be grounded in the contingent, or contested comprehensive views of the good, is simply not allowed to be called upon when discussing public political matters.

Yet this narrow and limited account of what is reasonable and allowed to be brought into the public sphere can, and does, act as a hindrance to some claims of cultural recognition, and the demands that this recognition may entail. By partitioning off what can and cannot be used when discussing political matters, political liberalism denies certain cultural minorities acceptable grounds for discussing political norms and procedures.⁴⁶⁴ Rawls does not address the very real issue of political liberalism's exclusionary implications, via its appeals to neutrality, for certain cultural, ethnic, and religious communities and

⁴⁶³ Ibid., p. 92.

⁴⁶⁴ Ibid., p. 93.

minorities. Although Rawls does acknowledge some limitations and imperfections of a neutralist political liberalism, he does not acknowledge the extent to which the norms and requirements of liberal neutralism requires a problematic and stark distinction between the public and political life and their private and social life. More importantly, however, it is this necessary binary separation into the public and private, the political and the non-political, that makes political liberalism, and neutralist liberalism generally, problematic at best, and at worst unfit to tackle the concerns and demands of various cultural, religious, and ethnic minorities within the modern liberal democratic polity.

The implications of a political interpretation of liberalism are that it is inevitable that certain ways of life that are incapable, or unwilling, to draw the distinction between the public and the private, will not be provided with the conditions that they need to flourish, and in some cases, survive. But the fact that some forms of life flourish, and others may not, does not contradict the aims of political liberalism and its neutralist underpinnings. Nor, for Rawls, does it suggest that political liberalism is unnecessarily exclusionary. For Rawls, when those comprehensive doctrines are excluded from political liberalism it is done so for two possible reasons. First, the doctrine may be in direct contradiction with the political principles of justice; or second, they are admissible, but fail to survive because they do not attract the critical mass of supporters and believers that its viability requires within the 'political and social conditions of a just constitutional regime'.⁴⁶⁵ Obviously, the majority of cultural, ethnic, or religious groups that may be excluded from a neutralist

⁴⁶⁵ J. Rawls, "The Priority of the Right and Ideas of the Good," *Philosophy and Public Affairs* 17, no. 4 (Autumn 1988), p. 265.

liberal conception of politics and justice will be due to the first reason that Rawls outlines. But when elaborating upon this point, Rawls resorts to the use of extreme examples. As Rawls writes, 'the first case is illustrated by a conception of the good requiring the repression or degradation of certain persons on, say, racial, ethnic, or perfectionist grounds, for example, slavery in ancient Athens or in the Antebellum south.'⁴⁶⁶ Whilst it is easy to agree with Rawls when it comes to issues such as slavery, or the denigration of people on ethnic, or racial grounds, this is not the same as excluding cultural, ethnic or religious groups because they are unable, or unwilling to acknowledge the separation of the public political life from the private non-political life.

Rawls appears to be resigned to the fact that certain forms of life may be lost due to the demands of political liberalism and its appeals to liberal neutrality. When discussing the natural and inevitable biases of political liberal and neutralist approaches to justice, Rawls writes that 'no society can include within itself all forms of life. We may indeed lament the limited space, as it were, of social worlds, and of ours in particular, and we may regret some of the inevitable loss of our culture and social structure.'⁴⁶⁷

⁴⁶⁶ Ibid., p. 265. However, as noted by Kevin Bales, slavery is still an unfortunate reality in the contemporary globalized world. K. Bales, *Disposable People: New Slavery in the Global Economy*, Rev. ed. (Berkeley, California; London: University of California Press, 2004).

⁴⁶⁷ J. Rawls, "The Priority of the Right and Ideas of the Good," p. 265.

5. Crowder's Liberal Value Pluralism

5.1 Introduction

Political liberalism is a distinctly *political* approach to the issue of reconciling liberalism and the challenge of pluralism. However, value pluralism differs from political liberalism in this regard, as it is a theory about the plural nature of values. As such, it is not a political theory or philosophy in and of itself. It does, however, possess certain political implications, and it is these that will be the focus of this chapter. At its core, value pluralism is the belief that values are universal, plural, conflictual, and at times, incommensurable. The political dimensions of value pluralism appear when attempts are made to construct a form of political association that both acknowledges and reflects this plurality of values. Indeed, it is from the differing visions of this form of political association that we see the differences emerge between the various political philosophers who call upon value pluralism, such as Berlin, Crowder, Galston, and Gray. This chapter, however, will confine itself to the value pluralism and political implications of Berlin and Crowder.

It is from Berlin that we see the emergence of value pluralism as an area of intellectual enquiry. Accordingly, this chapter will start with an examination of the nature and constitutive elements of Berlin's thesis of value pluralism. From this foundation, I will then analyze critically two attempts to ground liberalism in value pluralism, that of Berlin and Crowder. Following Crowder, I reject Berlin's attempt because it violates Hume's law, in that it attempts to derive values from facts. In turn, Crowder defends a form of liberalism that not only avoids falling foul of Hume's law, but, is also capable of supporting the demands

of pluralism within the modern liberal democratic polity. However, upon analysis, I conclude that Crowder's form of liberal political association is beset with a paradox, and is therefore unsuitable to meet the demands of pluralism, especially thick pluralism. At the core of Crowder's paradox is the acceptance of forms of pluralism that are congruent with a strong account of autonomy. This has the detrimental effect of excluding forms of pluralism that do not prioritize such an account of autonomy. Let us first, however, turn to Berlin and his thesis of value pluralism.

5.2 Berlinian Origins – The Hedgehog and the Fox

The contribution that Isaiah Berlin makes to this thesis is perhaps, at first glance, less clear and direct than those of the other political philosophers upon whom I call. In contrast to, for example, the work of Rawls, Berlin does not offer for us a direct and coherent moral, philosophical, or political position, that we may draw upon in order to address the focus of this thesis. This is not to deny that Berlin has an important contribution to make; on the contrary, Berlin's contribution to contemporary liberal political philosophy, and indeed political thought itself, is substantial. Berlin's primary contribution to political thought and the history of ideas concerns a very specific interpretation of pluralism; it is a form of pluralism that exists between *and* within moral and political values.

However, where Berlin differs from the other political thinkers examined in this thesis is in the location and accessibility of his key contributions. Berlin did not develop his ideas relating to value pluralism in a systematic or coherent fashion. Rather, his important contributions are distributed throughout his substantial

oeuvre. In contrast with the ideas of, for example, Rawls, Rorty, or Mouffe, whose central intellectual arguments can be located within key texts, Berlin's arguments are dispersed throughout his work. As noted by George Crowder and Henry Hardy, 'Berlin had not written a systematic account of this topic [value pluralism], central though it was to his thought, and his scattered remarks were tantalizingly incomplete and, at times, frustratingly unclear or even (it seemed) contradictory.'⁴⁶⁸ Thus, when discussing important concepts that arise from Berlin's work, we must be aware that these concepts are not located within a central core-text, but rather, are to be found as important *themes* that can be located consistently in his work.

The dominant theme that runs throughout Berlin's work is, as noted by Steven Lukes,

his lifelong effort to defend and advocate a certain *way of thinking* about moral and political questions, rather than a particular explanatory or normative theory, a set of what Collingwood called 'absolute presuppositions' that govern how we are to understand the world, rather than a distinctive set of propositions about it.⁴⁶⁹

Thus, whereas, for example, Rawls is correctly associated with normative or regulatory political *theory*, Berlin focuses on forms of *thought* that have distinct and important political ramifications.

⁴⁶⁸ G. Crowder and H. Hardy, "Berlin's Universal Values – Core or Horizon?" in *The One and the Many: Reading Isaiah Berlin*, eds. G. Crowder and H. Hardy (Amherst, NY.: Prometheus Books, 2007), p. 293.

⁴⁶⁹ S. Lukes, *Liberals and Cannibals: The Implications of Diversity* (London: Verso, 2003), p. 84. Emphasis in the original.

This distinction between two dichotomous forms of thinking and interpretation of the world is perhaps best illustrated by Berlin's use of a line of poetry from the Greek poet Archilochus (seventh-century BCE): 'The fox knows many things but the hedgehog knows one big thing.'⁴⁷⁰ The stark contrast between the nimble fox and the slow but persistent hedgehog is an apt zoological metaphor for the fundamental distinction that Berlin draws between two ways of thinking: the fox represents a *pluralist* understanding of human nature and values, whereas the hedgehog is representative of a *monist* understanding.

Berlin's early intellectual output at Oxford was often critical of logical positivism, and also of the phenomenalist tenets expounded by his Oxford friend, the philosopher A. J. Ayer.⁴⁷¹ The main focus of his critiques, according to Berlin scholar Claude Galipeau, was that they were guilty of 'reducing all provinces of human experience to one standard of analysis,'⁴⁷² that of methodological monism. Whilst many of his contemporaries, such as Ayer, were the direct target of his attacks, Berlin was making a broader critique against the history of philosophical analysis and what he saw as the continued search for a set of underlying or empirical rules that could verify *all* knowledge.⁴⁷³

This search was not a recent development within the Western intellectual tradition. Indeed, Berlin traces this methodological monist approach to knowledge as far back as the ancient Ionian physicists of the sixth and fifth

⁴⁷⁰ I. Berlin, *Russian Thinkers*, ed. H. Hardy (London: Hogarth, 1978), p. 22. Berlin's first use of this famous line appeared in his 1953 essay "The Hedgehog and the Fox".

⁴⁷¹ See, for example, I. Berlin, "Logical Translation," in *Concepts and Categories: Philosophical Essays*, ed. H. Hardy (Oxford: Oxford University Press, 1980), pp. 56-80.

⁴⁷² C. Galipeau, *Isaiah Berlin's Liberalism* (Oxford: Clarendon Press, 1994), p. 15. See also G. Crowder and H. Hardy, "Introduction: The One and the Many," in *The One and the Many: Reading Isaiah Berlin*, p. 19, 20.

⁴⁷³ C. Galipeau, *Isaiah Berlin's Liberalism*, pp. 15-16.

centuries BCE. It is from the Ionians that Berlin develops his concept of the Ionian fallacy, an intellectual approach 'that holds that final and eternal answers to questions about the genuine ends of man can be discovered.'⁴⁷⁴ This is an approach that been the central component within the Western intellectual tradition 'from Plato to Kant, from Descartes to Marx and beyond.'⁴⁷⁵

In asking the question 'What is everything made of?' the Ionian physicists concluded that 'everything is made of water, fire, air, and earth, but that water, or fire, or air, or earth is primary.'⁴⁷⁶ For the Ionian physicists, *everything* could be reduced to these four component parts. But for Berlin this is a fruitless exercise, as it is impossible to reduce either the human or the natural world to common elements without the corresponding loss of important meaning. There are certain forms of knowledge, such as morality, that are impossible to reduce to basic formal or empirical propositions. Owing to this irreducibility, and therefore the permanent presence of pluralism, Berlin concludes that the search undertaken by those driven by methodological monism is pointless. With an acknowledgement to the originators of this reductionist method, Berlin calls this search for basic proposition the 'Ionian fallacy'. More explicitly, and as I have stated in Chapter 2, for Berlin, the Ionian fallacy was the flawed belief that

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; [and] in the third place, that the true answers, when found, must necessarily be compatible

⁴⁷⁴ Ibid., p. 50.

⁴⁷⁵ Ibid., p. 50.

⁴⁷⁶ Ibid., p. 16.

with one another and form a single whole, for one truth cannot be incompatible with another – this we know *a priori*.⁴⁷⁷

In contrast with the methodological monism that had preceded him, Berlin advocated a form of analysis that promoted methodological *pluralism*. Whilst, in his early work, Berlin had already advocated this methodological pluralism in the field of literary criticism, it was not until the 1950s that he began to apply these methods to the humanities more widely. As noted by Galipeau, in Berlin's 1953 August Comte Lecture entitled 'Historical Inevitability' and his 1960 essay 'The Concept of Scientific History,' he argued that historical knowledge is not a form of scientific knowledge, and therefore they ought not be approached in the same way. In order to understand history, which is about human agency (both individual and collective), one needs to understand motives and purposes.⁴⁷⁸ But, for Berlin, these are not terms that exist in the scientific vocabulary, for the scientist need not know the intention or purpose of an eco-system, an atom, or a chemical compound, as they have none. The knowledge required for, and acquired by, the study of the natural sciences, is fundamentally different from that required for, and acquired by, the study of history and historical actors. As Galipeau notes, 'we observe non-human phenomena from the outside; it is only human phenomena that we come to know 'from the inside'.'⁴⁷⁹

⁴⁷⁷ I. Berlin, "The Pursuit of the Ideal," in *The Crooked Timber of Humanity*, pp. 5-6.

⁴⁷⁸ C. Galipeau, *Isaiah Berlin's Liberalism*, pp. 16-17. For a recent and sustained examination of Berlin's analysis of the methodological disjunct between scientism and historical understanding, see R. P. Hanley, "Berlin and History," in *The One and the Many*, pp. 159-180.

⁴⁷⁹ C. Galipeau, *Isaiah Berlin's Liberalism*, p. 17. See also J. Ferrell, "Isaiah Berlin: Liberalism and pluralism in theory and practice," *Contemporary Political Theory* 8, no. 3 (2009), pp. 303-305.

When methodological monism is applied to morality and politics, it results in a utopian belief in 'the discoverability and harmony of objectively true ends, true for all men, at all times and places.'⁴⁸⁰ Against this monism as it is applied to morality and politics, and in defiance of the Ionian fallacy, Berlin advocates a specific form of pluralism – the pluralism of *values*. This is not a form of pluralism that Berlin develops himself; rather, he derives this particular form of pluralism from a number of intellectual sources, such as Machiavelli, Giambattista Vico, Georges Sorel, and Herder. It is to Berlin's understanding and teasing out of pluralism from these authors that I now turn.

As I have examined in Chapter 3, Berlin regarded the ramifications of Machiavelli's political thought as one of the three major turning-points in the history of Western political thought.⁴⁸¹ It was Machiavelli who, in the eyes of Berlin, was the first to notice that not only did the worlds of paganism and Christianity at times conflict, but in actual fact, they represent two *different* and *incompatible* forms of morality. Indeed, it is from his reading of Machiavelli that Berlin first came to the realization that 'not all the supreme values pursued by mankind now and in the past [such as politics and religion] were necessarily compatible with one another.'⁴⁸²

At the urging of Collingwood, Berlin examined the work of Vico, in particular his *La scienza nuova*. Vico was concerned with the nature of human culture, and, in particular, the succession of cultures. As Berlin notes, 'Vico is, I believe, the first man, who understood (and told us) what human culture is. He established,

⁴⁸⁰ I. Berlin, "The Apotheosis of the Romantic Will. The Revolt Against the Myth of an Ideal World," in *The Crooked Timber of Humanity: Chapters in the History of Ideas*, p. 211.

⁴⁸¹ See section 3.2 in this thesis.

⁴⁸² I. Berlin, "The Pursuit of the Ideal," in *The Crooked Timber of Humanity*, p. 8.

without knowing it, the idea of culture.⁴⁸³ In noticing that the virtues of the Homeric Greeks were different from those of his native Naples of the time, Vico formed the view that different societies had their own view of reality and, furthermore, that the values of these cultures were quite different and therefore not necessarily compatible with one another.⁴⁸⁴ The profound insight that Vico offers us, Berlin notes, lies in his 'insistence on the plurality of cultures and the consequently fallacious character of the idea that there is one and only one structure of reality which the enlightened philosopher can see as it truly is.'⁴⁸⁵ Indeed, so powerful is Vico's analysis that Berlin concludes that 'if his view is correct, it was subversive of the very notion of absolute truths and of a perfect society founded on them, not merely in practice but in principle.'⁴⁸⁶

The relationship that Berlin has with Sorel is less straightforward than that which he has with Vico. Berlin admired Vico; indeed, he thought of Vico as a genius who was ahead of his time.⁴⁸⁷ However, whilst Berlin was fascinated by the independence and originality of Sorel's thought, he was not in favour of his ideas, nor did he have any sympathy for him. As Berlin notes, 'I am not an admirer, but I am fascinated by him, because he is a remarkable, independent political thinker.'⁴⁸⁸ Indeed, this nuanced relationship that Berlin has with Sorel, this dichotomy between Berlin's fascination with Sorel's style of thinking and a

⁴⁸³ R. Jahanbegloo, *Conversations with Isaiah Berlin* (London: Phoenix Press, 2000), p. 76.

⁴⁸⁴ C. Aarsbergen-Ligtvoet, *Isaiah Berlin: A Value Pluralist and Humanist View of Human Nature and the Meaning of Life* (Amsterdam: Rodopi, 2006), p. 19.

⁴⁸⁵ I. Berlin, "The Counter-Enlightenment," in *Against the Current: Essays in the History of Ideas*, ed. H. Hardy (London: Hogarth, 1979), p. 6.

⁴⁸⁶ *Ibid.*, p. 6.

⁴⁸⁷ 'Vico was a thinker who was in advance for his time....Vico's ideas only began to be understood in the nineteenth century. Vico was discovered late; he was a prophet before his time. He is really one of the few true cases of the romantic image of the unsuccessful artist or lonely thinker, neglected in his day, until later generations realized what a genius he was.' R. Jahanbegloo, *Conversations with Isaiah Berlin*, pp. 78-79.

⁴⁸⁸ *Ibid.*, p. 203, 204.

rejection of his actual ideas, is often overlooked by Berlin scholars. The only reference that mentions this disjuncture comes from Berlin himself, in his conversations with Ramin Jahanbegloo.

What is it, then, that makes Sorel's thought so original and remarkable according to Berlin? In Sorel, Berlin saw a philosopher who was rebelling against what he believed to be the shallow nature of the Enlightenment ideals. Sorel disagreed with the Enlightenment notion that, through the use of reason, we could discover a harmonious social system in which all moral questions could be dissolved into their most basic components and solved by the application of appropriate techniques. Fundamentally, Sorel rejected the Enlightenment idea that reality could be reduced to a single harmonious whole. As Berlin notes, Sorel believed in 'absolute moral ends that are independent of any dialectical or other historical pattern, and in the possibility, in conditions which men can themselves create, of realising these ends by the concerted power of the free and deliberate collective will.'⁴⁸⁹

Within the Romantic tradition, Berlin was particularly intrigued by the work of two German thinkers, one of whom is considered to be a leading Romantic thinker, while the other is generally less well known. The first of these is Herder, whose work I have examined in Chapter 3 in the context of the Romantic movement broadly speaking. However, specifically as it relates to the development of Berlin's conception of pluralism, Herder's work also plays an important role. Herder argues that each civilization possesses its own unique

⁴⁸⁹ I. Berlin, "The Counter-Enlightenment," in *Against the Current: Essays in the History of Ideas*, pp. 329-330.

way of thinking and acting, and accordingly, they ought to be judged only on their own scale of values.⁴⁹⁰ As Berlin notes, using Herder's insights, the

ancient Hebrews must not be judged by the standards of classical Greece, still less by those of Voltaire's Paris or of his imaginary Chinese mandarins; nor should Norsemen or Indians or Teutons be looked at through the spectacles of an Aristotle or a Boileau.⁴⁹¹

It is from Herder's work that Berlin derives one of the constitutive elements of value pluralism, the concept of *incommensurability*. This is demonstrated through the following passage from Berlin (indeed, much of what is central to value pluralism can be located in the following passage):

The denial, at any rate in Herder's earlier writings, of absolute and universal values carries the implication, which with time has grown increasingly disturbing, that the goals and values pursued by various human cultures may not only differ, but may, in addition, not all be compatible with one another; that variety, and perhaps conflict, are not accidental, still less eliminable, attributes of the human condition, but, on the contrary, may be intrinsic properties of men as such.⁴⁹²

The second of the two German Romantics upon whom Berlin calls is Johann Georg Hamann. To this particular thinker, whom Berlin believes to have been unfairly neglected in favour of the other dominant German Romantics, he

⁴⁹⁰ C. Aarsbergen-Ligtvoet, *Isaiah Berlin*, p. 19.

⁴⁹¹ I. Berlin, *Three Critics of the Enlightenment: Vico, Hamann, Herder*, ed. H. Hardy (Oxford: Princeton University Press, 2000), p. 15.

⁴⁹² *Ibid.*, p. 15.

attributes the discovery that perhaps has the most important and far-reaching ramifications for value pluralism: this is the idea that there is no objective order, no *rerum natura*, from which all knowledge and values can be traced.⁴⁹³

As Berlin notes,

Hamann, while apparently engaged in confused and incomprehensible theological tracts, lit a fuse – ...which set off the great romantic revolt, the denial that there was an objective order, a *rerum natura*, whether factual or normative, from which all knowledge and all values stemmed, and by which all action could be tested.⁴⁹⁴

A corollary of this concept is that there exists no external measuring rod, no *summum bonum*, against which all other values can be measured. In opposition to the empiricism of Hume (against whom he wrote in order to clarify his position) and the rationalism of the French *philosophes*, Hamann believed that the ethical doctrines of the Enlightenment were too simplistic and abstract to 'solve the agonizing problems of life.'⁴⁹⁵ For Haman, 'God is not a mathematician, God is an artist.'⁴⁹⁶

As with Machiavelli, neither Vico, Sorel, Herder, nor Hamann, were aware of the impact that their (at times radical) political thought would have; nor could they have foreseen that they would provide, in their own fragmented way, a foundation for Berlin's concept of value pluralism. Indeed, this reveals part of the genius of Berlin: he has managed to draw important and consistent themes

⁴⁹³ S. Lukes, *Liberals and Cannibals*, p. 89.

⁴⁹⁴ I. Berlin, *The Magnus of the North*, pp. 122-123.

⁴⁹⁵ R. Jahanbegloo, *Conversations with Isaiah Berlin*, p. 69.

⁴⁹⁶ J. G. Hamann, quoted in *ibid.*, p. 69.

from seemingly disparate political thinkers. These thinkers, with the exception of Machiavelli, maintained a rather holistic view of cultures. In Aarsbergen-Ligtvoet's analysis, this suggests that they were only aware of value conflicts *between* cultures themselves.⁴⁹⁷ Crowder doubts this interpretation, suggesting they these 'proto-pluralists' must have been aware of conflict among specific values because it is precisely this distinction that separates value pluralism from relativism.⁴⁹⁸ However, as argued by Aarsbergen-Ligtvoet, the strength and originality of Berlin's analysis lies in the fact that he 'also saw the incompatibility of values and values systems of groups within the same cultures, between individuals and even within single individuals.'⁴⁹⁹

Given his intellectual interest in certain Counter-Enlightenment and Romantic thinkers (in addition to elements of Machiavelli's political thought), one might begin to question whether Berlin is a proponent of the Enlightenment, or a critic.⁵⁰⁰ This is especially so when one takes into account his critical views regarding the relationship between the Enlightenment and methodological monism. Indeed, it must be acknowledged that Berlin's position regarding the Enlightenment is a rather nuanced one. In his conversations with Jahanbegloo, Berlin states that 'Fundamentally, I am a liberal rationalist.'⁵⁰¹ He believes the Enlightenment to be a positive force, and is sympathetic to the values promoted by Voltaire, Helvétius, Holbach, and Condorcet. For Berlin,

⁴⁹⁷ C. Aarsbergen-Ligtvoet, *Isaiah Berlin*, p. 20.

⁴⁹⁸ G. Crowder, e-mail correspondence with the author, April 11, 2011.

⁴⁹⁹ C. Aarsbergen-Ligtvoet, *Isaiah Berlin*, p. 20.

⁵⁰⁰ See, for example, P. Lassman, "Pluralism and Liberalism in the Political Thought of Isaiah Berlin," paper presented at the *Political Studies Association Conference*, The University of Nottingham, England, 1999, p. 11, 16; see: www.psa.ac.uk/journals/pdf/5/1999/lassman.pdf (accessed April 03, 2009).

⁵⁰¹ R. Jahanbegloo, *Conversations with Isaiah Berlin*, p. 70.

These people were great liberators. They liberated people from horrors, obscurantism, fanaticisms, monstrous views. They were against cruelty, they were against oppression, they fought the good fight against superstition and ignorance and against a great many things which ruined people's lives. So I am on their side.⁵⁰²

It is within this context that Roger Hausheer describes Berlin as a 'patron saint of the Enlightenment'.⁵⁰³

However, the Enlightenment, for Berlin, was also the source of a great paradox. In Berlin's unsettling analysis, the Enlightenment was not only a source of human liberation, but, when perverted through the lens of monism, it was also, more so than any other intellectual movement, 'responsible for the slaughter of individuals on the altars of the great historical ideals.'⁵⁰⁴ Yet, to temper this perversion of the Enlightenment project, Berlin calls upon certain themes and thinkers found within the Counter-Enlightenment and German Romanticism movements that support pluralism.

As already noted in Chapter 2, an important point of clarification is required here regarding the Enlightenment and the dangers of monism. Berlin is careful *not* to argue that methodological monism will *inevitably* result in disaster. As Dworkin notes, 'the hedgehog need not be a tyrant – it is a great mistake...to think that because value monism may serve as the banner of tyranny it must

⁵⁰² Ibid., p. 70.

⁵⁰³ R. Hausheer, "Enlightening the Enlightenment," in *Isaiah Berlin's Counter-Enlightenment*, eds. J. Mali and R. Wokler, p. 43.

⁵⁰⁴ I. Berlin, *Liberty*, p. 212.

always do so.⁵⁰⁵ But the inverse of this argument, in Berlin's analysis, is often true: monism has served as the foundation for political authoritarianism, and this has seen its nadir in the extremes of twentieth century totalitarianism. Whilst Berlin links fascism to anti-Enlightenment irrationalism, he does draw a direct connection between the monistic scientific stream in the Enlightenment (such as in Saint-Simon and Marx) to Soviet Communism.⁵⁰⁶

It is at this point that, following Lukes' analysis,⁵⁰⁷ we can see the emergence of a second paradox. Berlin's methodological pluralism provided the foundation for his conception of value pluralism, which in turn he links to liberalism. However, the very thinkers that Berlin draws upon for his specific conception of pluralism are also the same figures who were the forerunners of irrationalism and fascism, especially in Germany.

Yet, these two paradoxes lead to a seemingly contradictory situation: both the Enlightenment *and* the Counter-Enlightenment (coupled with German Romanticism) are being blamed for many of the atrocities that took place in the late nineteenth and twentieth centuries. How does one reconcile the view that the Jewish Holocaust was simultaneously the logical result of the perverse application of Enlightenment rationalist thinking to what the Nazi's saw as a 'problem', as well as the interpretation that the Holocaust was the result of a denial of objective values and the promotion of one 'culture' (Nazism) over another (Judaism)?

⁵⁰⁵ R. Dworkin, "Do Liberal Values Conflict?" in *The Legacy of Isaiah Berlin*, eds. M. Lilla, R. Dworkin, and R. Silvers (New York: New York Review of Books, 2001), p. 76. Emphasis added. Dworkin goes on to say that 'nor, of course, does value pluralism inevitably lead to either selfishness or indifference.'

⁵⁰⁶ G. Crowder, *Isaiah Berlin: Liberty and Pluralism*, pp. 128-131.

⁵⁰⁷ S. Lukes, *Liberals and Cannibals*, pp. 89-90.

5.3 Berlinian Value Pluralism

Value pluralism plays an important role in Berlin's political thought; however, it is *fundamental* to his defence of liberalism. But, because Berlin does not offer any systematic exposition or analysis of value pluralism, the inattentive reader may dispute its importance. Berlin does, however, let the thesis of value pluralism emerge when he discusses other key issues and concepts. As we have already seen, Berlin draws pluralist strands from certain Counter-Enlightenment and German Romantic thinkers. The pluralism that can exist within values is also prominent in his seminal essay "Two Concepts of Liberty",⁵⁰⁸ where Berlin distinguishes between positive and negative liberty. Here Berlin defines positive liberty as the desire for the individual to be their own master: 'I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men's acts of will.'⁵⁰⁹ It is the freedom *to act*. Opposed to this interpretation is Berlin's concept of negative liberty, which is essentially *freedom from*. This is the area in which 'man can act unobstructed by others.'⁵¹⁰

Despite the fragmented nature of Berlin's writing, it is possible to determine distinct elements of his value pluralism. In the analysis of both Crowder and Lukes, Berlin's value pluralism is characterized by four key elements: (1) the existence of universal values; (2) the plurality of values; (3) conflict among

⁵⁰⁸ I. Berlin, "Two Concepts of Liberty," in *Liberty*, pp. 166-217.

⁵⁰⁹ *Ibid.*, p. 178.

⁵¹⁰ *Ibid.*, p. 169.

values; and (4) the incommensurability of many, but not all, values.⁵¹¹ Let us now explore these four key elements in more detail.

5.3.1 The existence of universal values

Berlin argues that there are some goods that are universal; there are goods that are either valuable *for*, or are valued *by*, all human beings. This universalist claim is very important, for without it, Berlin's pluralism would be open to the charge of relativism. Indeed, if it turned out that Berlin's pluralism were nothing more than a species of relativism, then his claim that pluralism can counter the authoritarianism of (certain forms of) monism collapses. Our understanding of historical events and philosophy suggests that there *is* a non-arbitrary distinction between good and bad, or even good and evil. This non-relativist distinction is important, as without it, it would not be possible to provide a rational basis for a minimum level of moral decency for the life of the individual, or society as whole.⁵¹² Furthermore, without some form of 'common moral horizon', it would be impossible to set limits to 'goods' that human beings value in any meaningful way, and therefore 'the kinds of cultures that liberals can legitimately support.'⁵¹³

⁵¹¹ G. Crowder, *Isaiah Berlin: Liberty and Pluralism*, p. 132; G. Crowder, *Liberalism & Value Pluralism*, p. 2, 45; and S. Lukes, *Liberals and Cannibals*, p. 90. Crowder and Lukes are not entirely aligned in their analysis. For example, Lukes does not include the existence of conflict *between* values in his analysis. Furthermore, Lukes separates values *incomparability* with value *incommensurability*, whereas I interpret Crowder's definition to collapse these two points under the single banner of *value incommensurability*.

⁵¹² W. Galston, "Value Pluralism and Liberal Political Theory," *The American Political Science Review* 93, no. 4 (December 1999), p. 770; and E. Mack, "Isaiah Berlin and the Quest for Liberal Pluralism," *Public Affairs Quarterly* 7, no. 3 (July 1993), p. 219.

⁵¹³ N. Burtonwood, *Cultural Diversity, Liberal Pluralism and Schools* (London: Routledge, 2006), p. 10. See also M. Kenny, "Isaiah Berlin's Contribution to Modern Political Theory," *Political Studies* 48, no. 5 (2000); and A. Zakaras, "Isaiah Berlin's Cosmopolitan Ethics," *Political Theory* 32, no. 4 (2004).

Berlin derives this defence of universalism (over relativism) primarily from his reading of the Counter-Enlightenment and Romantic thinkers, in particular from Vico's understanding of *fantasia* (sympathy). As previously noted, Berlin argues that when we examine historical affairs, we should not view them as an external observer, like the scientist does, but rather as an actor who can *understand*. As Berlin notes at length:

The world of natural science is the world of the external observer noting as carefully and dispassionately as he can the compresence or succession (or lack of it), or the extent of correlation, of empirical characteristics....But in human affairs, in the interplay of men with one another, of their feelings, thoughts, choices, ideas about the world or each other or themselves, it would be absurd (and if pushed to extremes, impossible) to start in the manner [of the detached scientist]. I do not start from an ignorance which leaves all doors – or as many of them as possible – open, for here I am not primarily an external observer, but myself as actor; I understand other human beings, and what it is to have motives, feelings, or follow rules, because I am human myself, and because to be active – that is, to want, intend, make plans, speculate, do, react to others self-consciously, be aware of my situation *vis-à-vis* other conscious beings and the non-human environment – is *eo ipso* to be engaged in a constant fitting of fragments of reality into the single all-embracing pattern that I assume to hold for others besides myself, and which I call reality.⁵¹⁴

Here, according to Aarsbergen-Ligtvoet, Berlin is following Vico's critique of Descartes.⁵¹⁵ Unlike the detached scientist, we are actors because we all, by virtue of being self-aware, participate in human life. We share a common nature, and this allows us to recognize this in the life of others, even though we

⁵¹⁴ I. Berlin, "The Concept of Scientific History," in *Concepts and Categories*, pp. 129-130.

⁵¹⁵ C. Aarsbergen-Ligtvoet, *Isaiah Berlin*, p. 123.

may not share the same values or ends. It is through the use of Vico's *fantasia* that we are able to understand 'otherness', not only in a trans-historical context, but also in a cross-cultural one. Following Vico, Berlin posits that, through this faculty of understanding and sympathy, we can not only imagine the problems that ordinary people must face in their daily lives, but also their political and moral concepts.⁵¹⁶

This spectrum of understanding that Berlin proposes is obviously very broad, in that the ends that humans can follow and that we are capable of understanding, are quite extensive. However, they are not infinite. As Berlin argues,

Thus, if I say of someone that he is kind or cruel, loves truth or is indifferent to it, he remains human in either case. But if I find a man to whom it literally makes no difference whether he kicks a pebble or kills his family, since either would be an antidote to *ennui* or inactivity, I shall not be disposed, like consistent relativists, to attribute to him merely a different code of morality from my own or that of most men, or declare that we disagree on essentials, but shall begin to speak of insanity and inhumanity; I shall be inclined to consider him mad, as a man who thinks he is Napoleon is mad; which is a way of saying that I do not regard such a being as being fully a man at all.⁵¹⁷

Thus, while the actions of the Nazis are considered to be morally reprehensible to most people, Berlin argues that they are not incomprehensible within this context. Once we understand that their actions were carried out in pursuit of a distinct end (or set of ends), we can see the logic behind their actions, and thus acknowledge them as human. According to this view, the Nazi regime would not

⁵¹⁶ Ibid., p. 123. See also R. Jahanbegloo, *Conversations with Isaiah Berlin*, pp. 35-37.

⁵¹⁷ I. Berlin, "Does Political Theory Still Exist?" in *Concepts and Categories*, p. 166.

be excluded from Berlin's common moral horizon.⁵¹⁸ Indeed, as Crowder notes, Berlin 'is quite explicit about this.'⁵¹⁹ However, it is important to note that in this context, being able to understand someone's actions does not necessarily mean that one agrees with them. Understanding is not a synonym for agreement.

The common moral horizon that Berlin defends can be found in other places. It is similar to Hart's conception of a minimum content of natural law.⁵²⁰ Similar themes also appear in Stuart Hampshire. In *Morality and Conflict*, Hampshire argues that 'there are obvious limits set by common human needs to the conditions under which human beings flourish and human societies flourish. History records many ways of life which have crossed these limits.'⁵²¹ Building upon this, Hampshire argues later that this minimum conception of justice must be a form of procedural justice. Hampshire notes that 'a rock-bottom and preliminary morality of justice and fair-dealing is needed to keep a balance between competing moralities and to support respected procedures of arbitration between them. Otherwise any society becomes an unsteady clash of fanaticisms.'⁵²²

Whilst Berlin is quite specific as to the *form* that the universals that make up his minimum moral horizon may take, he is less specific as to their *content*. In his conversations with Jahanbegloo, Berlin states that 'there are certain goods –

⁵¹⁸ Cf. with S. Hampshire, *Innocence and Experience* (Cambridge, MA.: Harvard University Press, 1989), p. 68.

⁵¹⁹ G. Crowder, *Isaiah Berlin*, p. 133.

⁵²⁰ H. L. A. Hart, *The Concept of Law*.

⁵²¹ S. Hampshire, *Morality and Conflict* (Cambridge, MA.: Harvard University Press, 1983), p. 155.

⁵²² S. Hampshire, *Innocence and Experience*, p. 72.

freedom, justice, pursuit of happiness, honesty, love – that are in the interest of all human beings...and that it is right to meet these claims and to protect people against those who ignore or deny them.⁵²³ However, Berlin is also aware that (negative) freedom is only of value if certain other standards have been met: 'It is true that to offer political rights, or safeguards against intervention by the State, to men who are half-naked, illiterate, underfed and diseased is to mock their condition; they need medical help or education before they can understand, or make use of, an increase in their freedom.'⁵²⁴

5.3.2 The plurality of values

The second element of Berlin's pluralism is that the values that exist above this minimum moral horizon are irreducibly plural. These goods are valuable in their own right, and are not reducible or subservient to other goods.⁵²⁵ As Galston argues, there is 'a multiplicity of genuine goods that are qualitatively heterogeneous and cannot be reduced to a common measure of value.'⁵²⁶ Other political philosophers, such as Thomas Nagel, John Kekes, and Martha Nussbaum, have also acknowledged this plurality of values.⁵²⁷ This irreducibility of values is not to be mistaken as representing an infinite number of values, for as we saw in the previous section, there are certain values that violate the minimum moral horizon.

⁵²³ R. Jahanbegloo, *Conversations with Isaiah Berlin*, p. 39. Emphasis added.

⁵²⁴ I. Berlin, *Liberty*, p. 171.

⁵²⁵ G. Crowder, *Isaiah Berlin*, p. 135; and S. Lukes, *Liberals and Cannibals*, p. 90.

⁵²⁶ W. Galston, "Value Pluralism and Liberal Political Theory," p. 770.

⁵²⁷ T. Nagel, "The Fragmentation of Value," in *Mortal Questions* (Cambridge: Cambridge University Press, 2003), pp. 128-141; J. Kekes, *The Morality of Pluralism* (Princeton, NJ: Princeton University Press, 1993); and, M. Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge: Cambridge University Press, 2000).

In his analysis of this issue, Crowder raises an important question: what exactly is there a plurality of? The crux of Crowder's question is that a 'plurality of values' can be interpreted in a number of different ways, as 'value' has multiple meanings in this context.⁵²⁸ This has important ramifications, not just for our understanding of pluralism, but also in its political applications. In Gray's analysis of this question (which Crowder calls upon), there are three different levels of value plurality to be found in Berlin. First, there may be a plurality *among* the goods themselves. Gray notes that Berlin affirms that 'within any morality or code of conduct such as ours [liberalism], there will arise conflicts among the ultimate values of that morality, which neither theoretical nor practical reasoning about them can resolve.'⁵²⁹ Within liberalism, this is reflected in contested opinions regarding the relative worth of values such as liberty, equality, and the redistribution of wealth.

Second, there may be plurality *within* the goods themselves: 'each of these goods or values is internally complex and inherently pluralistic, containing conflicting elements, some of which are constitutive incommensurables.'⁵³⁰ Berlin's division of liberty into its positive and negative forms perhaps best demonstrates this plurality. Gray notes that equality, a characteristically liberal value, is also plural in this context, as equality of opportunity is often at odds

⁵²⁸ G. Crowder, *Isaiah Berlin*, p. 135.

⁵²⁹ J. Gray, *Isaiah Berlin* (London: Harper Collins, 1995), p. 43.

⁵³⁰ *Ibid.*, p. 43.

with equality of outcomes.⁵³¹ Similarly, Albert Dzur notes that equality can also be interpreted as meaning individual and group equality.⁵³²

Finally, there may be a plurality of different ways of life and cultures. As Gray writes,

different cultural forms will generate different moralities and values, containing many overlapping features, no doubt, but also specifying different, and incommensurable, excellences, virtues and conceptions of the good....This is the sort of incommensurability that applies to goods that are constitutive ingredients of whole ways of life.⁵³³

Whilst Gray believes that all three of these interpretations of pluralism are valid, it is the third one that he holds to be the most significant, and this he refers to as 'the stronger version of value-pluralism.'⁵³⁴ For Gray, this interpretation denies any positive link between Berlin's pluralism and liberalism, as pluralism *undermines* liberalism. If ways of life *and* the political and moral goods that they entail – that is to say, 'values' – are both plural and incommensurable, then we have no rational or *a priori* reason to prioritize liberalism over any other political philosophy. In Gray's reading, Berlin's pluralism undermines the Enlightenment desire for universal metaphysical values upon which a rational political system – Enlightenment liberalism – can be constructed. Whilst Gray has been attacked for failing to understand Berlin's

⁵³¹ Ibid., p. 43.

⁵³² A. Dzur, "Value Pluralism versus Political Liberalism?" *Social Theory and Practice* 24, no. 3 (Fall 1998), p. 376.

⁵³³ J. Gray, *Isaiah Berlin*, pp. 43-44. See also W. Galston, "Value Pluralism and Liberal Political Theory," p. 770.

⁵³⁴ J. Gray, *Isaiah Berlin*, p. 47.

political and moral intentions,⁵³⁵ he maintains that this is not the case. He has never sought to reproduce Berlin's ideas, but rather to develop them to their logical conclusions, irrespective of how troubling this may be for liberalism.⁵³⁶ It is Gray's interpretation of Berlin that leads him to develop his thesis of 'agonistic liberalism':⁵³⁷

Agonistic liberalism is that species of liberalism that is grounded, not in rational choice, but in the limits of rational choice – limits imposed by the radical choices we are often constrained to make among goods that are inherently rivalrous, and often constitutively uncombinable, and sometimes incommensurable, or rationally incomparable. Agonistic liberalism is an application in political philosophy of the moral theory of *value-pluralism* – the theory that there is an irreducible diversity of ultimate values...and that when these values come into conflict or competition with one another there is no overarching standard or principle, no common currency or measure, whereby such conflicts can be arbitrated or resolved.⁵³⁸

However, this is not an interpretation that Crowder shares. In Crowder's analysis, Gray's plurality of cultures cannot be reconciled with the common moral horizon that Berlin advocates.⁵³⁹ Accordingly, for Crowder, what Gray advocates is essentially a species of relativism. Instead, it is Crowder's

⁵³⁵ S. Lukes, "Pluralism is not Enough," *Times Literary Supplement* (10 February 1995); P. B. Mehta, "Pluralism After Liberalism?" *Critical Review* 11, no. 4 (Fall 1997), pp. 503-518; M. Walzer, "Are There Limits to Liberalism?" *New York Review* (19 October 1995); and D.M. Weinstock, "The Graying of Berlin," *Critical Review* 11, no. 4 (Fall 1997), pp. 481-501.

⁵³⁶ J. Gray, *Isaiah Berlin*, pp. 150-151; and J. Gray, *Enlightenment's Wake*, pp. 102-103.

⁵³⁷ J. Gray, *Isaiah Berlin*, pp. 141-168; and J. Gray, *Enlightenment's Wake*, pp. 96-130.

⁵³⁸ J. Gray, *Enlightenment's Wake*, p. 103.

⁵³⁹ G. Crowder, *Isaiah Berlin*, pp. 135-136.

contention that the pluralist element of value pluralism refers to the plurality of values themselves, rather than with cultures.⁵⁴⁰

Does the existence of a plurality of values, in and of itself, negate that claims of the monists that all values can be reduced to a single value, or set of values? If there is more than one value, does this not undermine monism? The answer to this question is no; pluralism in and of itself does not negate monism. The existence of multiple values is still consistent with the belief that everything can be reduced to a single value, or set of values. This is possible if we consider these other values to be instrumental or subordinate to the monist ultimate value.⁵⁴¹ As Crowder argues, ‘the idea of plurality *alone* does not distinguish value pluralism from monism.’⁵⁴²

5.3.3 The existence of conflicts among values

The third element of Berlin’s pluralism is that there will always exist the potential, if not the reality, for conflicts among values, including universals. This conflict, both potential and real, exists both at the level of the state, and within the individual.⁵⁴³ It is obvious that values are not *always* in a state of conflict, but when they are, we are forced to make a choice. When one is forced to choose, the decision to prioritize one value will always come at the expense of the other. As Berlin writes, ‘total liberty for wolves is death to the lambs.’⁵⁴⁴

⁵⁴⁰ G. Crowder, “Multiculturalism: A Value-Pluralist Approach,” in *Political Theory & Australian Multiculturalism*, ed. G. B. Levey (New York: Berghahn Books, 2008), p. 48.

⁵⁴¹ G. Crowder, *Liberalism and Value Pluralism*, p. 48.

⁵⁴² *Ibid.*, p. 48.

⁵⁴³ G. Crowder, *Isaiah Berlin*, p. 136.

⁵⁴⁴ I. Berlin, “The Pursuit of the Ideal,” in *The Crooked Timber of Humanity*, p. 12. Similarly, Berlin also quotes Richard Henry Tawney, stating that the ‘freedom of the pike is the death of the minnows.’ R. H. Tawney, *Equality*, 3rd ed. (London, 1938), p. 208, quoted in I. Berlin, *Liberty*, p. 171.

Even though the range of human values is finite, there will be times in which some of these values will come into conflict with each other. No matter how one may decide to live one's life, and irrespective of how many forms of the good life one may sample throughout one's rich life, no single life can ever realize fully *all* human values. Indeed, a life that is spent attempting to sample as many forms of the good as possible will necessarily come at the expense of a life that is spent focusing solely on developing one form of life to its fullest extent, such as that of the religious devotee or professional musician.

If values, both moral and political, can be in a state of conflict, then for Berlin, this undermines the utopian vision of moral and political perfection, a vision that is necessary within the monist interpretation of the world. As Berlin argues,

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 also 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.⁵⁴⁵

The result of this value conflict is that in order to achieve certain values, others will need to be sacrificed. Newey refers to this phenomenon of tragic choice-making in the face of plurality as 'agent-regret'.⁵⁴⁶

⁵⁴⁵ I. Berlin, "The Pursuit of the Ideal," in *The Crooked Timber of Humanity*, p. 13.

⁵⁴⁶ G. Newey, "Metaphysics Postponed: Liberalism, Pluralism, and Neutrality," *Political Studies* 45, no. 2 (1997), p. 299.

5.3.4 The incommensurability of values

The final element in Berlin's pluralism is what makes it such a distinctive philosophical approach. At the core of value incommensurability is the idea that because some values are so distinct and incomparable from each other, it is not possible to determine a common unit of measurement. As each value is equally ultimate in its own right, it is also its own independent moral force.⁵⁴⁷ Take, for example, the values of freedom of speech and freedom of religion, both of which are usually seen as being of value within the liberal democratic state. Each of these values makes a claim on us, but each of the claims are independent of the other. Accordingly, neither of these claims can be expressed in the terms of the other; each can only be viewed in its own terms. Accordingly, no amount of religious freedom will be able to compensate for the amount of freedom of speech that is lost if we are forced to choose between the two.⁵⁴⁸

In his analysis, Crowder identifies three different forms that value incommensurability can take: values may be incommensurable in that they are first, *incomparable*; second, *immeasurable*; and third, *unrankable*.⁵⁴⁹ I will now examine these in more detail. The first of these Crowder demonstrates by drawing upon Kekes, who writes that 'there are some things that are so unlike as to exclude any reasonable comparison among them. Square roots and insults, smells and canasta, migrating birds and X ray seem to *exclude any common yardstick* by which we could evaluate their respective merits or demerits.'⁵⁵⁰ Crowder rejects this interpretation of value incommensurability as being too

⁵⁴⁷ G. Crowder, *Isaiah Berlin*, p. 138.

⁵⁴⁸ *Ibid.*, p. 138.

⁵⁴⁹ G. Crowder, *Liberalism and Value Pluralism*, pp. 49-54.

⁵⁵⁰ J. Kekes, *The Morality of Pluralism*, p. 21, quoted in *ibid.*, p. 49. Emphasis added.

strong. If value incommensurability were to equate with value incomparability, then we would never have any rational basis for deciding upon certain values when they come into conflict, even in particular cases. Yet this appears to go against our general experiences in life; whilst we may have no rational basis to compare 'smells and canasta', there are often good reasons to prioritize procedural fairness and impartiality over corruption within the courts. As Crowder concludes, this interpretation of incommensurability is too strong because 'reasoned choice among plural values may be 'hard' in certain ways, but that is not to say impossible.'⁵⁵¹

Crowder does not reject outright the second interpretation of incommensurability, but he does argue that it is too weak or narrow. This interpretation posits that even given that some values may be comparable for the purposes of decision making, they cannot be weighed or measured against each other in any exact fashion.⁵⁵² To continue with a previous example to illustrate this, while it may be preferable to prioritize religious freedom over freedom of speech in certain situations, we will never know *exactly* how much religious freedom will be required to compensate for this corresponding loss of freedom of speech because they possess no common unit of measurement. Moral and political values cannot be expressed as an equation, in the sense that X units of moral/political value A will equal Y units of moral/political value B.

Textual evidence can be found in Berlin's "Two Concepts of Liberty" that appears to support this interpretation. Here he writes of a situation where

⁵⁵¹ G. Crowder, *Liberalism and Value Pluralism*, p. 50.

⁵⁵² *Ibid.*, p. 50.

others are in a situation of 'poverty, squalor and chains', yet I am free. In order to avoid this 'glaring inequality' I am willing to sacrifice some, or even all, of my freedom:

But a sacrifice is not an increase in what is being sacrificed, namely freedom, however great the moral need or the compensation for it. Everything is what it is: liberty is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience. If the liberty of myself or my class or nation depends on the misery of a number of other human beings, the system which promotes this is unjust and immoral. But if I curtail or lose my freedom in order to lessen the shame of such inequality, and do not thereby materially increase the individual liberty of others, an absolute loss of liberty occurs. This may be compensated for by a gain in justice or in happiness or in peace, but the loss remains, and it is a confusion of values to say that although my 'liberal', individual freedom may go by the board, some other kind of freedom – 'social' or 'economic' is increased.⁵⁵³

But this lack of a common unit of measurement does not necessarily preclude comparative judgements. If one was a utilitarian or rational choice theorist, then judgements could still be made through the model of practical reasoning as 'calculation' or 'maximization'.⁵⁵⁴ If we were to determine that, within a given context a certain end was desirable, then moral and political values could be measured against each other using the desired end as a common denominator. For example, within the context of Peter Singer's preference utilitarianism, pleasure is a desirable end for both humans and animals; conversely, pain is an

⁵⁵³ I. Berlin, *Liberty*, pp. 172-173.

⁵⁵⁴ G. Crowder, *Liberalism and Value Pluralism*, p. 50.

end that is to be avoided for both humans and animals.⁵⁵⁵ Using the promotion of pleasure and the reduction of pain as our desired ends, moral and political values can be weighed against each other to the extent that they help to achieve this. Thus, whilst the right of animals not to be slaughtered and my desire for steak tartare may not possess any common unit of measurement, within the context of promoting animal pleasure over pain, and using the ends of pleasure and pain as a common denominator, it can be argued that not slaughtering an animal is worth more than my desire for steak tartare (no matter how much I may desire it).

It is the third interpretation of value incommensurability that is most consistent with value pluralism. This is the interpretation that Crowder holds, and he can find support for this position in Galston and Lukes.⁵⁵⁶ This interpretation is situated between the other two, in that it does not go so far as to deny that values can be compared (the first interpretation), but it does more than merely reject the view that values can be measured according to specific ends (the second interpretation). This interpretation of value incommensurability questions, if not the outright denies, the notion that we can rank values for good reason, either in the abstract or in general. At the core of this approach is a denial that there exists a *summum bonum* or ultimate-value that overrides all other values, and against which other values can be measured. Examples of this

⁵⁵⁵ P. Singer, *Practical Ethics*, 3rd ed. (Cambridge: Cambridge University Press, 2011).

⁵⁵⁶ G. Crowder, *Liberalism and Value Pluralism*, pp. 51-54; W. Galston, "Value Pluralism and Liberal Political Theory," p. 770; and S. Lukes, *Liberals and Cannibals*, pp. 90-91.

ultimate-value include Plato's 'Form of the Good' and Bentham's 'happiness' as it relates to the promotion of pleasure within a utilitarian calculus.⁵⁵⁷

However, this third interpretation of value incommensurability does not mean that values can never be ranked. The form of ranking that it does call into question is that which is done in the abstract, devoid of any context. If we lack an ultimate-value against which to judge all other values, then we have no reason to rank values in such a way that is not arbitrary. However, within a specific context, we may well have good reason to rank values in a certain way. Thus, this third interpretation of value incommensurability does not rule out any ranking of values, but this ranking can only take place within specific contexts and cases.⁵⁵⁸ As Galston argues, 'it is not unreasonable for a particular individual to organize his or her life around a single dominant good [an ultimate-value], only that there is *no rational basis* for extending that decision to, or imposing it on, others who understand their lives differently.'⁵⁵⁹

Given this third interpretation of incommensurability, it is at this point that we can see how pluralism clashes with certain elements of the Enlightenment and Enlightenment liberalism that I identified in Chapter 2. The Enlightenment project, as interpreted by theorists such as Berlin, MacIntyre, and Gray, did prioritize certain values in the abstract. Within Enlightenment liberalism, the value promoted as being a universal good is autonomy. But this third interpretation of incommensurability questions the validity of this Enlightenment universalist approach. It is perfectly rational to prioritize certain

⁵⁵⁷ G. Crowder, *Liberalism and Value Pluralism*, p. 52.

⁵⁵⁸ *Ibid.*, p. 53; G. Crowder, *Isaiah Berlin*, p. 140; and A. Dzur, "Value Pluralism versus Political Liberalism?" p. 377.

⁵⁵⁹ W. Galston, "Value Pluralism and Liberal Political Theory," p. 770.

values, such as the Enlightenment liberal value of autonomy, but *only* within particular contexts and cases. Thus, according to this third interpretation, autonomy can be promoted, but it must be *resituated*; instead of being understood as a *universal* good, it must be understood as a *context-specific* good. This tends to suggest that Berlin's pluralism implies a particularist approach to ethics, and demands that we must decide value-related questions by giving due consideration to the particular context and circumstances in which we find ourselves, as opposed to any overarching set of rules, whether they be Kantian, utilitarian, or other.⁵⁶⁰

5.4 A Berlinian Value Pluralism?

What, then, are the political implications of Berlin's pluralism? More specifically, what is the relationship between pluralism and liberalism: can pluralism provide liberalism with a justificatory foundation; indeed, can liberalism even be reconciled with pluralism? On the relationship between pluralism and liberalism, Berlin is not consistent in what he writes. Given the diverse subjects covered within Berlin's oeuvre, and the time-span through which he wrote, perhaps it is not surprising that an element of inconsistency can be found retrospectively in his work.

Berlin's earliest statement on this relationship can be found in "Two Concepts of Liberty". Here Berlin writes that 'pluralism, with the measure of "negative" liberty that it entails, seems to me a truer and more humane ideal than the goals of those who seek in the great, disciplined, authoritarian structures the ideals of

⁵⁶⁰ G. Crowder, *Liberalism and Value Pluralism*, p. 53.

“positive” self mastery.’⁵⁶¹ The key issue here, as correctly identified by Ferrell, is what does Berlin actually mean by ‘entail’? Does Berlin mean that pluralism leads logically to liberalism, or is there some other form of relationship?⁵⁶² If Berlin is positing that there is a logical progression from pluralism to liberalism, then, as we shall examine in more detail shortly, he falls foul of Hume’s law, confusing ‘fact’ with ‘value’.⁵⁶³

At other times, Berlin has been more cautious about this relationship, and hesitant to make such definite proclamations. In response to an early article by Crowder, Berlin and his co-author Bernard Williams move the debate away from logical possibilities, and argue that the focus should be on concrete situations instead:

There are indeed well-known and very important issues about the social and political stability of liberalism and of those outlooks historically associated with it. It is from concrete discussions of those issues, rather than from debate about logical possibilities, that the weaknesses of liberalism, and the problems of a self-conscious pluralism, are likely to emerge.⁵⁶⁴

⁵⁶¹ I. Berlin, *Liberty*, p. 216.

⁵⁶² J. Ferrell, “Isaiah Berlin: Liberalism and Pluralism in Theory and Practice,” p. 298.

⁵⁶³ The relationship between ‘is’ and ‘ought’, and ‘fact’ and value’, is a contested area of debate within moral and political philosophy, and needs to be acknowledged as such. See, for example, W. D. Hudson, ed., *The Is-Ought Question: A Collection of Papers on the Central Question in Moral Philosophy* (London: Macmillan, 1969).

⁵⁶⁴ I. Berlin and B. Williams, “Pluralism and Liberalism: A Reply,” *Political Studies* 42, no. 2 (June 1994), p. 309. This is a response to G. Crowder, “Pluralism and Liberalism,” *Political Studies* 42, no. 2 (June 1994), pp. 293-305. Indeed, it is this response from Berlin and Williams that provided Crowder with the original impetus to re-evaluate his position regarding the relationship between pluralism and liberalism. In his article, Crowder had argued that there was *no* positive relationship between the two, whereas in subsequent publications, Crowder argues that pluralism can and does provide a justification for liberalism. G. Crowder, conversation with author, November 14, 2008.

Recently, however, Berlin has been more explicit in arguing against the idea that there is a logical link between pluralism and liberalism. In response to a question from Jahanbegloo, Berlin states that 'Pluralism and liberalism are not the same or even overlapping concepts. I believe in both liberalism and pluralism, *but they are not logically connected.*'⁵⁶⁵ Berlin has also expressed similar sentiments in an exchange of letters with Beata Polanowska-Sygulska, noting that 'there is no logical nexus between pluralism and liberalism.'⁵⁶⁶

Thus, it can be inferred from Berlin's writings that the relationship between pluralism and liberalism is not straightforward, and any connection must be nuanced. There are, however, within Berlin's work, two main arguments that specifically link liberalism to pluralism. Following the work of Crowder, I will show that the first of these is the weakest as it conflates fact with value, and that the second is the strongest as it is grounded in the acknowledgement of the impossibility of political perfectionism.

The first argument that we can find in Berlin is based on 'choice', both as a means to an end, and as something of value in its own right. If Berlin's pluralism is valid, then it necessarily gives rise to the value of freedom, as freedom is required to be able to choose between competing and absolute claims. As Berlin argues, because of pluralism, 'the necessity of choosing between absolute claims is then an inescapable characteristic of the human condition. This gives its value

⁵⁶⁵ R. Jahanbegloo, *Conversations with Isaiah Berlin*, p. 44. Emphasis added.

⁵⁶⁶ I. Berlin and B. Polanowska-Sygulska, *Unfinished Dialogue* (Amherst, NY.: Prometheus Books, 2006), p. 91, and again at p. 84. The nature of the relationship between pluralism and liberalism is discussed in more detail in Polanowska-Sygulska's article "Value-Pluralism and Liberalism: Connection or Exclusion?" in *ibid.*, p. 279-300.

to [negative] freedom.⁵⁶⁷ Given that Berlin's pluralism emphasizes the inescapability of conflict both between and within a plurality of goods and values, this promotes the capacity for *choice* as something that is both important and necessary. The implication is that it is from a position of negative liberty that we are able to make these choices, and therefore the emphasis on negative liberty necessitates a liberal political order.⁵⁶⁸ If we are required to choose, then it is better that we reside in a liberal state where there is no interference in our choice-making.

Crowder posits that, in its present form, this argument for liberalism as the political context that is best able to accommodate the fact of pluralism, is beset by 'an obvious logical flaw': it is a violation of 'Hume's law' in that it attempts to derive values from facts.⁵⁶⁹ More specifically, Berlin attempts to move directly from arguing that choice is unavoidable to valuing freedom of choice itself. However, just because something is *unavoidable* does not necessarily mean that it is *valuable*.⁵⁷⁰ Take, for example, the following scenario: imagine that I am rock climbing and discover two fellow climbers in difficulty. Due to various limitations that I am unable to control (such as weather and time), I am only able to save one of them, and the other climber will ultimately die of exposure while waiting to be rescued. Which climber should I choose to rescue, especially

⁵⁶⁷ I. Berlin, *Liberty*, p. 214.

⁵⁶⁸ G. Crowder, *Isaiah Berlin*, p. 144.

⁵⁶⁹ G. Crowder, "Value Pluralism and Liberalism," in *The One and the Many*, p. 211. Prior to the publication of this chapter, Crowder, on more than one occasion, referred to this illogical jump from fact to value as a 'naturalistic fallacy'. See, for example, G. Crowder, *Isaiah Berlin*, p. 144, and G. Crowder, "Pluralism, Relativism and Liberalism in Isaiah Berlin," p. 6. However, Crowder now rejects this description, as he believes that it does not reflect accurately the nature of Berlin's mistake. G. Crowder, e-mail correspondence with the author, April 11, 2011.

⁵⁷⁰ G. Crowder, *Isaiah Berlin*, p. 144. See also G. Crowder, "Pluralism, Relativism and Liberalism in Isaiah Berlin," p. 6; G. Crowder, *Liberalism and Value Pluralism*, pp. 81-82; and W. Galston, *Liberal Pluralism* (Cambridge: Cambridge University Press, 2002), p. 53.

knowing that the other will die? More importantly, why is this choice inherently valuable? Whilst, as a climber and a human being, I acknowledge that being able to save one of them is better than saving none of them, I may prefer to be told who to choose by a more experienced rescuer, and therefore not be forced to make such an agonizing choice. To be denied the freedom of choice in this scenario, and having a particular course of action dictated to me by an external authority, may be better for both myself *and* the party of climbers who are in distress. As Crowder notes, the ‘necessity of moral choice, alone, is compatible with authoritarian as well as liberal politics.’⁵⁷¹

Crowder has identified in Berlin a second line of argument from pluralism to liberalism. At the core of this argument is the claim that because pluralism denies the possibility of political perfection, it should promote a form of politics that both accommodates and facilitates this imperfection, rather than a form of politics that attempts to deny or overcome it. As we have seen from the examination of the four constitutive elements of Berlin’s pluralism, there is no singular conception of the good, understood either morally or politically, that can fully realize *all* human goods and values. Accordingly, to prioritize one good or value will always be at the expense of the others.⁵⁷²

The reality of this pluralism is that disagreements and conflict concerning basic and important moral and political questions are inescapable, and to think otherwise is to fall into the same trap as the methodological monists. It is unavoidable that there will be tensions regarding important questions such as

⁵⁷¹ G. Crowder, *Isaiah Berlin*, p. 144.

⁵⁷² *Ibid.*, p. 145.

what goods and values should be prioritized over others; how such goods and values should be redistributed (if at all); and, what to do in order to mediate and mitigate such tensions.

In Crowder's analysis, there are two political implications here. First, pluralism automatically rules out as utopian any political form that reduces issues to a methodological monist matrix. Crowder lists as examples political forms such as classical anarchism and Marxism, both of which, he notes, are 'prominent historical opponents of liberalism.'⁵⁷³ Second, the political upshot of the denial of political perfectionism due to pluralism is that the only forms of politics that are viable are those that both acknowledge and accommodate this imperfection. In terms of liberal political philosophy, this suggests that the liberalism that is historically associated with Locke, with its emphasis on toleration and human imperfection, is better suited to accommodating a world characterized by Berlin's pluralism.⁵⁷⁴ If we resituate this debate in terms of the justificatory arguments that were examined in the introduction to this thesis, we would see a shift of the terms of discourse from universal or particular *perfectionism* to universal or particular *neutralism*.⁵⁷⁵

Whilst this second argument from Berlin is superior to the first, it still does not provide us with a logical connection that argues from pluralism to liberalism *and only liberalism*. It is true that neutralist forms of liberalism are better suited to accommodate pluralism than perfectionist liberalism because they are anti-utopian, but this does not establish that they are the *only* political forms that are

⁵⁷³ Ibid., p. 146.

⁵⁷⁴ Ibid., p. 146.

⁵⁷⁵ See Table 1 in section 1.3.1 of this thesis.

capable of this. Conservatism also denies the utopian drive towards the perfectibility of the human condition but, unlike liberalism, it does not do so within the framework of negative liberty or autonomy. Instead, it views society as an organic whole, and tends to find solutions in local traditions. Thus, while this second argument has its merits, it does not single out liberalism as being the sole political form that can best accommodate and facilitate Berlin's pluralism.⁵⁷⁶ The question now becomes, how is it possible to argue from pluralism to liberalism and *only* liberalism? This will be the focus of the next section.

5.5 A Distinctly *Liberal Value Pluralism*?

In order to avoid the violation of Hume's law that Berlin falls foul of, Crowder will need to demonstrate that his argument does not pass from *fact* to *value*, but rather from *value* to *value*. It is not enough to show that liberalism is one possible outcome; rather, if Berlin's pluralism is true, then Crowder will need to show that liberalism is a *necessary* outcome, and is best suited to both accommodate and facilitate pluralism. Crowder believes that this is indeed possible, and to do so, he turns away from the defence of Reformation liberalism that I discussed in the previous section, and instead moves back towards a formulation of liberalism that has much in common with Enlightenment liberalism. In other words, what Crowder proposes can be characterized as a move away from neutralist liberalism, back towards a form of perfectionist liberalism.

⁵⁷⁶ G. Crowder, *Isaiah Berlin*, p. 147.

As with the first argument from pluralism to liberalism that Berlin proposes, Crowder's defence of liberalism revolves around the issue of choice. However, whereas Berlin focuses on the transition from the necessity of choice to valuing being able to make such choices, Crowder focuses on the character traits that are required by those who must make these choices, in particular those hard choices that are produced by value incommensurability. Furthermore, central to Crowder's defence of liberalism is an argument for personal autonomy that is shaped distinctively by his reading of Berlin.

Pluralism forces the individual to make choices. Owing to the fact that there exists a plurality of values and goods, which are at times in conflict, and which it is impossible to order against some other ultimate-value, Berlin's pluralism, if correct, *forces* the individual to make choices. It is at the point that the individual makes such a choice that Crowder's argument from pluralism to liberalism is situated. At this point, we essentially have two options: we could select one option over the other on a purely arbitrary, if not random, basis; or, we could follow a particular course of action 'for a good reason'.⁵⁷⁷ Crowder's argument from pluralism to liberalism is contingent upon providing the individual with the intellectual tools that enables them to formulate such 'good reasons'. In Crowder's reformulation of Berlin's argument from choice, these intellectual tools are only associated with the specific liberal virtue of personal autonomy, as it is only through the use of autonomy that such choices can be made 'for a good reason', as opposed to arbitrarily or randomly.

⁵⁷⁷ G. Crowder, "Pluralism and Universalism," in *Islam Beyond Conflict: Indonesian Islam and Western Political Theory*, eds. A. Azra and W. Hudson (Aldershot: Ashgate Publishing, 2008), p. 150. See also G. Crowder, "Pluralism, Relativism and Liberalism in Isaiah Berlin," p. 14; and G. Crowder, "Value Pluralism and Liberalism," p. 225.

There is at play here, however, a rather important assumption on the part of Crowder, and this is something that he openly admits.⁵⁷⁸ Crowder's defence will only be successful if the individual actually *wants* to make choices 'for a good reason'. If the individual in question wishes to submit their life to the winds of fate and choose arbitrarily or at random, then Crowder's argument fails. However, Crowder believes that there is sufficient justification for the individual to be committed to reason and reasoned decision-making in this context.

To this extent, Crowder draws upon the work of Nussbaum, who argues that reason – interpreted widely as to incorporate practical reasoning and critical reflection – is a vital human function, as it allows the individual to 'organize and arrange all of the others [human functions], giving them in the process a characteristically human shape'.⁵⁷⁹ Without this capacity for reason, it would be impossible to select between incommensurable values and goods. Any choices that we did make in this condition would be random, 'arbitrary, incoherent and perhaps self-defeating'.⁵⁸⁰ Crowder is not so bold as to argue that a life without the capacity for reasoned decision-making is without value.⁵⁸¹ Rather, if pluralism is true, those individuals who do possess this capacity for reasoned

⁵⁷⁸ G. Crowder, "Pluralism and Universalism," p. 150.

⁵⁷⁹ M. Nussbaum, "Aristotelian Social Democracy," in *Liberalism and the Good*, eds. R. Douglass, G. Mara, and H. Richards (London: Routledge, 1990), p. 216.

⁵⁸⁰ G. Crowder, "Pluralism and Universalism," p. 150.

⁵⁸¹ '...I do not claim that lives in which personal autonomy plays little or no part are wholly without value. Such lives may exhibit many other goods that are valuable from a pluralist point of view, and must therefore be judged to be good in some degree. Indeed, such lives may well be better than autonomous lives in certain respects.' *Ibid.*, p. 152. Elsewhere, Crowder notes that 'People who are not equipped to think critically will be to that extent ill-equipped to cope well with the hard choices that, on the pluralist view, will inevitably confront them. This does not mean that heteronomous lives are valueless. Such lives may exhibit many genuine goods. But heteronomous lives cannot be among the best possible overall, judged from a pluralist perspective, since they lack a capacity for good decision-making in the fact of inevitable and profound value conflict.' G. Crowder, "Value Pluralism and Liberalism," p. 226.

decision-making are better situated to make such important decisions given the options that are presented to them, when compared to those who do not possess such capacities. As Crowder argues,

Pluralism does not imply indifference; on the contrary, it stresses the intrinsic value of many goods. Practical reasoning is essential to the honouring of these goods. Since practical reasoning under pluralism requires personal autonomy, respect for plurality requires autonomous thinking.⁵⁸²

To aid our capacity for reasoned decision-making in the harsh light of incommensurability (where, it must be remembered, every choice also results in a corresponding loss), Crowder argues that we need to develop four particular dispositions of character and virtues. The first of these is ‘open-mindedness’, which is required in order for us to take the plurality of values seriously.⁵⁸³ Berlin’s pluralism shows us that there is a wide variety of valid human values and goods, and these possess moral parity because they are all intrinsically good. Furthermore, there are also a wide variety of valid forms of human flourishing connected to these values and goods.

Whilst Crowder makes no specific mention of it, incorporated under this first ‘virtue’ are the characteristics of Reformation liberalism, in particular its promotion of tolerance as a *political* virtue. Tolerance, at its simplest, is demonstrated when an individual or institution refrains from interfering with, or extends a form of permission for, the practices or beliefs with which they

⁵⁸² G. Crowder, “Value Pluralism and Liberalism,” p. 226.

⁵⁸³ G. Crowder, “Pluralism and Universalism,” p. 150.

disagree with.⁵⁸⁴ Whilst, as specific individuals or members of a particular group, we may not see the merit in *all* of the values and forms of human flourishing that are validated through Berlin's pluralism, we do need to acknowledge that, for other people, they are of merit and are therefore valued.

Secondly, because of the implications of value incommensurability, we need to be aware of the reality of the consequences of our decisions.⁵⁸⁵ The choices that we make have real consequences, both moral and political. Recall the example of the two rock climbers that are in trouble: no matter which climber I choose to rescue, it is unavoidable that one will die. Whilst I acknowledge that this is an extreme example, it does illustrate the point that, when forced to choose, we must do so from a position that allows us to evaluate our options, and to acknowledge that our decision may have both positive and negative outcomes.

Thirdly, as pluralism necessarily entails the rejection of abstract rules and forms of thinking and ordering that exist *a priori*, it should make pluralists both aware of, and attentive to, the particular details of choice-making situations, 'including the claims and circumstances of those people affected by the choice.'⁵⁸⁶ Here it appears that Crowder is influenced by Kant's doctrine of respect for the individual.

Finally, we come to the value of mental flexibility. As pluralism rejects monism and recourse to a monist ultimate-value, the individual who is attempting to determine a course of action through practical reasoning will need to make decisions that relate to their specific situation. As these situations change, the

⁵⁸⁴ M. Deveaux, *Cultural Pluralism and Dilemmas of Justice*, p. 43.

⁵⁸⁵ G. Crowder, "Pluralism and Universalism," p. 150.

⁵⁸⁶ *Ibid.*, p. 150.

pluralist must possess sufficient flexibility within their 'mental architecture' (my phrase) to be able to accommodate such changes. As Berlin notes, 'the concrete situation is almost everything.'⁵⁸⁷

In order for the individual to be able to make reasoned choices between incommensurable moral or political values in any given situation, they must be able to judge for themselves what to do. They no longer have recourse to the monist ultimate-value, as this is ruled out by pluralism; thus, the individual is forced to make these difficult decisions independently, taking into account the specifics of each particular case. Furthermore, as the nature of the good life is subject to constant disagreement and will inevitably change over time, we cannot use it as a base from which to permanently premise our decision making. These bases themselves must be open to constant analysis and revision, and this is only possible through the exercise of personal autonomy.⁵⁸⁸

The argument that Crowder proposes is that these four pluralist virtues and character traits are also distinctively *liberal* virtues. The crux of his argument is that in order for an individual to not only choose, but to be able to choose for good reason, among any given set of incommensurables, they require a particular mental architecture that allows them to do so. This mental architecture is best expressed as the ability to exercise personal autonomy. As Crowder concludes, 'Pluralism, in short, imposes on us choices that are demanding to a degree such that they can be made well only by autonomous

⁵⁸⁷ I. Berlin, "The Pursuit of the Ideal," in *The Crooked Timber of Humanity*, p. 18.

⁵⁸⁸ G. Crowder, "Pluralism and Universalism," p. 151.

agents. If pluralism is true, then the best lives will be characterized by personal autonomy.⁵⁸⁹

5.6 The Paradox of Crowder's Liberal Pluralism

Thus far, drawing extensively on Berlin and Crowder, I have examined a form of liberalism that takes seriously the issue of pluralism. Indeed, pluralism, as it is interpreted by Berlin – that is to say value pluralism – is at the core of Crowder's liberalism. Given the importance of pluralism for both Berlin and Crowder, this form of liberalism is perhaps better suited to the demands of those who do not recognize themselves as being driven by the Kantian metaphysics that is characteristic of Enlightenment liberalism.

The emphasis that a value pluralist understanding of liberalism places upon the diversity and pluralism that is inherent in human nature may prove beneficial to those who are concerned with the demands of thin pluralism. Recall that thin pluralism is characterized by forms of pluralism that already operate under a broad set of shared liberal values. Value pluralism recognizes that diversity and conflict are an inevitable part of not only the liberal tradition, but also of being human. A liberalism grounded in value pluralism is potentially more likely to be open to the desires and needs of groups that have been historically marginalized, such as women and various cultural or ethno-religious communities. It will allow these groups to challenge the strict and narrow application of values such as liberty and equality, as well as the traditional classification of life into the public political and private non-political spheres.

⁵⁸⁹ G. Crowder, "Multiculturalism: A Value-Pluralist Approach," p. 53.

Furthermore, it will allow the state space from which it can re-evaluate the construction and implementation of these various structures and values, given the detrimental effects (as discussed in Chapter 3) that they have on these marginalized groups.⁵⁹⁰

Accordingly, it is precisely because the demands of the liberal feminists are made within the existing liberal paradigm that they may be able to take advantage of the political implications of Crowder's value pluralism. Liberal feminists, as examined in Chapter 3, do not want to undermine the liberal project. Rather, they want an expansion of liberalism to more fully recognize and incorporate the demands of women. Furthermore, the demands of contemporary feminists such as Phillips, Young, Nussbaum, and Okin, may also be met under a value pluralist framework. As already examined in Chapter 3, whilst these feminists wish to avoid the narrow Enlightenment liberal construction of the individual, they still hold that universal standards and equal moral worth are valuable tools for both achieving and sustaining the liberation and equality of women. Accordingly, a liberal polity premised upon value pluralism would acknowledge the potential for conflict, and, as Baumeister argues, would therefore 'be sensitive to the desire of marginalized groups, such as women, to re-evaluate traditional liberal conceptions of liberty, equality, and the public/private distinction.'⁵⁹¹ Indeed, given that Crowder places an emphasis both on the public use of autonomy, and a form of autonomy-facilitating education, this may not only give voice to women in the public

⁵⁹⁰ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 186.

⁵⁹¹ *Ibid.*, p. 186.

sphere, but would furnish them with the critical reasoning skills necessary to question practices within their own particular communities.

Similarly, a Crowderian liberal polity premised upon value pluralism may be congruent with certain forms of multiculturalism and cultural minorities. As this reformulation of the liberal polity places an emphasis on the public use of autonomy, it may be acceptable to those who demand special or differentiated rights for such ethno-religious communities whilst simultaneously positing that such communities still hold that individual autonomy is a value of fundamental importance. (This can be seen in Crowder's defence of a robust right to exit and an account of autonomy-facilitating education, both of which will be examined in the following sections.) Indeed, Crowder notes that on this point there are similarities between his work and that of Kymlicka, who argues that cultural membership is important, as it allows the individual to make sense of their life choices.⁵⁹² Whilst Crowder and Kymlicka take very different justificatory paths, their conclusions are quite similar.

To draw a tentative conclusion then, the boundaries that liberalism has historically drawn between the public and private spheres have often been a source of concern and tension for advocates of diversity, and, as already noted, for certain feminist theorists. However, the flexible, open-minded, and pluralistic understanding of liberalism that value pluralism entails may not only avoid the problems that are associated with the Rawlsian attempt to enhance

⁵⁹² G. Crowder, "Multiculturalism: A Value-Pluralist Approach," p. 54. For more on Kymlicka's argument, see W. Kymlicka, *Liberalism, Community, and Culture*; W. Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995); W. Kymlicka, *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship* (Oxford: Oxford University Press, 2001); and W. Kymlicka, *Contemporary Political Philosophy*.

this public/private dichotomy, but it also suggests that liberal value pluralists acknowledge that tensions and conflict exist both within cultures, and between cultures and the liberal polity.⁵⁹³

However, it is my contention that, as with Rawls' political liberalism, Crowder is blind to the potentially restrictive and exclusionary effects of his liberal value pluralism. This problem is not located in any theoretical deficiency or misreading of Berlin, but rather in the actual social and political *implications* of his thesis. As I have examined, value pluralism forces the individual to make choices – often tragic choices – between incommensurable options. For Berlin, this means that being free to choose is of importance, and this is best achieved through liberalism, as liberalism can be characterized as the political expression of negative liberty. However, as Crowder notes, this is a violation of Hume's law. What is important, Crowder argues, is not only being free to make decisions, but also being able to make decisions for good reasons within any given context. As the contexts for our decisions change, so too must our reasons for making such decisions. It is only liberalism that allows us to develop the mental architecture necessary to make such decisions in fluid contexts. Thus, a liberalism that is grounded in value pluralism not only frees the individual to make decisions, but it also furnishes them with the skill set that is necessary to make such decisions for good reason.

In order to secure the social and political conditions that are necessary for an agent to be able to make decisions for 'a good reason', Crowder believes that the promotion of personal autonomy is therefore a legitimate aim of public policy.

⁵⁹³ A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 186.

As Crowder writes, ‘I conclude, then, that pluralist multiculturalism will be framed by Enlightenment liberal principles that include a public commitment to the facilitation of personal autonomy among all citizens.’⁵⁹⁴ Indeed, for Crowder, this gives rise to both negative and positive duties on behalf of the state: not only should the state remove boundaries that restrict an individual’s ability to exercise personal autonomy (negative duties), but it is also obliged to help the individual acquire the skills that allow them to make such decisions (positive duties). To this effect, negative duties are achieved through a robust account of an individual’s ‘right to exit’, and positive duties are achieved through a distinct form of liberal education that facilitates or enables the individual to develop and employ autonomy when it is deemed necessary.⁵⁹⁵

It is, however, in the implementation of these two duties through public policy (and ultimately the legislation that is necessary to enforce such public policy) that, I argue, we can see the emergence of a paradox in Crowder’s account of liberal value pluralism that may, ultimately, undermine the extent to which it can facilitate and accommodate a true plurality of values. The exact nature of this paradox will become clear through a detailed examination of the right to exit and an autonomy-facilitating liberal education.

5.6.1 Autonomy and the Right to Exit

Freedom of association is an important characteristic of the modern liberal democratic polity.⁵⁹⁶ Within such polities, citizens are often members of one or

⁵⁹⁴ G. Crowder, “Multiculturalism: A Value-Pluralist Approach,” p. 54.

⁵⁹⁵ G. Crowder, “Two Concepts of Liberal Pluralism,” *Political Theory* 35, no. 2 (April 2007); G. Crowder, “Multiculturalism: A Value-Pluralist Approach,”; and G. Crowder, “Value Pluralism and Liberalism: Berlin and Beyond.”

⁵⁹⁶ I use the term *characteristic* instead of *value* quite intentionally in this context, as I believe that freedom of association is the product of the liberal values of liberty and toleration, rather

more association, such as academic associations, sporting clubs, political parties, or churches. Membership in such diverse forms of association reflect the heterogeneous nature of the modern liberal democratic polity. A corollary of freedom of association is freedom of disassociation, or the right to exit. Within the modern liberal democratic polity, membership of any of these forms of associations must be voluntary. It would be a distinctly illiberal polity if an individual were forced to join, against their will, a particular association, such as a (state sanctioned) political party or religion.⁵⁹⁷

Voluntary membership is perhaps most clearly expressed when an individual chooses to join an association of which they are currently not a member. For example, I may currently not be a member of a cricket club, and in order to demonstrate my appreciation for the game, decide to join the Kent Cricket Club. Similarly, due to a change in my geographic circumstances, I may choose not to renew my membership with Kent, and instead become a member of Cricket Tasmania in Australia. These two examples demonstrate an uncontroversial account (at least within the liberal discourse) of voluntary membership – I have chosen, without external coercion, to join association A, or to switch my allegiance from association A to association B. This form of voluntary

than a value in its own right. Liberty and toleration may be described as fundamental liberal values, whereas freedom of association is merely the product of the exercise of these. Whilst freedom of association is commonly associated with liberalism, it would be a mistake to think that it is unique to liberalism. I see no reason why freedom of association would not be a viable characteristic within a polity grounded in, for example, conservative political philosophy (especially when it is noted that a *viable* characteristic need not be considered a *valuable* characteristic).

⁵⁹⁷ This raises the question of whether liberal democratic polities that continue to enforce a form of compulsory military service (such as Austria, Denmark, Finland, and Greece) are, in fact, acting *illiberally*.

association is most evident in sporting clubs and political parties within liberal democracies.

However, this is very different from membership in an association into which one is *born*, rather than *choosing* to enter, such as an ethno-religious community. How does one demonstrate that they have chosen freely to remain a member of an association or community they were born into? Person A's decision to join religion X is a less problematical demonstration of voluntary membership than person B's membership of religion X, which was due to the circumstances of their birth. Whilst they are both members of religion X, it is more difficult for B to demonstrate that their continued membership is voluntary.⁵⁹⁸ In this context, an individual demonstrates genuine – that is to say voluntary – freedom of association through their continued membership even though they are given the option to leave. When an individual refuses to exercise their right of exit from an association, their continued membership could be considered to constitute *voluntary* membership. Thus the focus of debate has now shifted from freedom of association to freedom of exit.

However, this specific interpretation of voluntary association and freedom of exit assumes that the *only* reason why an individual has not exercised their

⁵⁹⁸ Some religious traditions, such as Catholicism, have specific rituals that demonstrate full acceptance of that religion. Such rituals, broadly referred to as 'confirmation', are said to demonstrate voluntary membership of the religious community. In Eastern Churches, confirmation is often conferred on infants straight after their baptism. In Western Churches, such rituals are usually performed at a later age, where the participants are deemed to have reached the 'age of reason', that is, they are old enough do understand fully the consequences and obligations of their promises to the Church. However, even here, confirmation is taken under the age of eighteen, often as young as twelve. In these cases, the crux of the issue of whether such decisions are indeed voluntary and fully informed, free from family and/or societal pressures. Accordingly, I do not consider this form of voluntary membership to be as voluntary or un-coerced as an individual whose decides to join a new cricket club due to geographic changes.

right to exit is because they desire to continue their membership. It does not take into account situations where an individual may wish to exercise this right, but the costs involved are too prohibitive to do so. As Neil Burtonwood notes, 'Membership of communities based on religion or culture is, for the most part, the outcome of birth and [therefore] exit from such a community is of a different order from resigning membership of the local golf or tennis club.'⁵⁹⁹ This may be an issue for minorities, but it is a more pressing issue for those members who feel oppressed *within* such minorities.

Within the modern liberal democratic polity, members of minorities tend to be at a greater disadvantage than members of the dominant demographic. Individuals within minorities often face challenges that individuals from the dominant demographic would not encounter. However, it would be incorrect to assume that these minority groups are homogenous; even within such groups internal minorities can develop. These sub-groups are often particularly vulnerable. As Leslie Green brings to our attention, 'Minorities are badly off, but internal ones are often worse off. They suffer from being members of minority groups who need to defend themselves not only from the majority but also from other members of their own minority.'⁶⁰⁰ As previously noted, this is referred to in feminist theory as intersectionality.⁶⁰¹ Within the specific context of

⁵⁹⁹ N. Burtonwood, *Cultural Diversity, Liberal Pluralism and Schools*, p. 88.

⁶⁰⁰ L. Green, "Internal Minorities and their Rights," in *The Rights of Minority Cultures*, ed. W. Kymlicka (Oxford: Oxford University Press, 1995), p. 268.

⁶⁰¹ See section 1.3.2 of this thesis.

minorities, Avigail Eisenberg and Jeff Spinner-Halev refer to this as ‘minorities within minorities’.⁶⁰²

Examples of such vulnerable groups within minorities often include women and children,⁶⁰³ as well as members of the LGBT (lesbian, gay, bisexual, and transgender) community. Women within such communities are often confronted with limited educational opportunities, limits to their control over their own sexuality (sometimes enforced through violence), and forced marriages. Children, as Dwyer notes, are often ‘involuntary and unwitting participants’ in such communities.⁶⁰⁴ In such situations, particular members of these communities within the liberal state may feel that their cultures are excessively patriarchal, and are therefore detrimental to women and children. Similarly, those who identify as LGBT and who are members of such restrictive communities, may feel unable to express their true sexuality for fear of isolation, expulsion, or violent acts.⁶⁰⁵

The traditional liberal defence against such patriarchal behaviour is the individual’s right of exit. That is to say that all individuals are protected against such intra-group oppression if they are free to leave such a (oppressive) group.

⁶⁰² A. Eisenberg and J. Spinner-Halev, “Introduction,” in *Minorities Within Minorities: Equality, Rights and Diversity*, eds. A. Eisenberg and J. Spinner-Halev (Cambridge: Cambridge University Press, 2005).

⁶⁰³ See, for example, S. M. Okin, “Feminism and Multiculturalism: Some Tensions,” *Ethics* 108, no. 4 (April 1998), pp. 661-684; S. M. Okin, “ ‘Mistresses of Their Own Destiny’: Group Rights, Gender, and Realistic Rights of Exit,” *Ethics* 112, no. 2 (January 2002), pp. 205-230; A. Shachar, *Multicultural Jurisdictions: Cultural Differences and Women’s Rights* (Cambridge: Cambridge University Press, 2001); J. G. Dwyer, *Religious Schools v. Children’s Rights* (Ithaca, NY: Cornell University Press, 1998); and R. Reich, *Bridging Liberalism and Multiculturalism in American Education* (Chicago: University of Chicago Press, 2002).

⁶⁰⁴ J. G. Dwyer, *Religious Schools v. Children’s Rights*, p. 106.

⁶⁰⁵ See, for example, E. Addley, “The Muslim men convicted over gay hate leaflets,” *The Guardian* (January 20, 2012), <http://www.guardian.co.uk/world/2012/jan/20/three-muslims-convicted-gay-hate-leaflets> (accessed January 24, 2012).

If they are denied this right, either in theory or practice, it becomes very difficult, if not impossible, for the individual to escape such oppressive practices.⁶⁰⁶ But what does it mean to be *free* to leave a group in this context? What is it that actually constitutes the ability to leave?

Does a strict negative interpretation of liberty help us here? In a negative liberty understanding of the right to exit, all that is required to be free is that the individual is not prevented from doing so by the use of force, or the threat of such use.⁶⁰⁷ But this does not take into account the various ‘costs’ that the individual may entail as a direct, or even indirect, result of their decision to exercise their right to exit. An individual may be so embedded within a community that they know of no other way of life. It may be that not only are their friends and families connected to this way of life, but also their way of thinking. Even if we exclude issues of violence (directed towards the body and/or the mind), to exit this way of life would not only mean (potentially) losing one’s friends and family, but also being removed from an environment that gives one’s life meaning through context. To what extent do these ‘costs’ restrict my freedom to exit?

In *The Liberal Archipelago*, Chandran Kukathas identifies two opposed positions regarding this important question. The first concludes that these additional costs in fact negate this ‘freedom to exit’. In reality, an individual ‘would be

⁶⁰⁶ This traditional liberal approach of framing the problem in such an ‘either/or’ way (*either* the individual accepts this patriarchal behaviour as being part of their community, *or* they choose the exercise their right to exit, and leave their community) tends to ignore a viable third option, of where the individual chooses to remain a member of their community, and attempts to implement reforms from within. An example of this third option would be the feminist theology movement, with their desire to reform certain aspects of religious practice from *within* the various religious traditions themselves.

⁶⁰⁷ G. Crowder, “Two Concepts of Liberal Pluralism,” p. 127.

unfree...if exit were extremely costly – as it often is.’⁶⁰⁸ Kukathas provides us with the example of Amish teenagers: whilst they are free in the sense that they are at liberty to remove themselves from their community, this freedom comes at the unreasonable cost of their family, friends, and property. Whilst no one is physically forcing them to stay, their freedom to exit is not as simple as merely not being actively prevented from doing so. As Kukathas concludes, ‘they are not [free].’⁶⁰⁹ The Amish teenager is embedded too deeply in their community to simply walk away without incurring substantial costs to themselves, both mental and financial.

Opposed to this position one could argue that these additional costs, extreme as they may well be, do not negate an individual’s right to exit. At the core of this position is the belief that ultimately, within a liberal democratic polity, an individual still has the *choice* to leave their community. These additional costs may make this process more difficult, but they do not remove this course of action as a legitimate and viable option. As Kukathas notes, these costs ‘may have a large bearing on the decision taken; but it has no bearing on the individual’s freedom to take it.’⁶¹⁰ Whilst there are undoubtedly substantial obstacles that make the decision of the Amish teenager to leave her community a difficult one, she still does possess the option to do so. A difficult option is still an option.

⁶⁰⁸ C. Kukathas, *The Liberal Archipelago: A Theory of Diversity and Freedom* (Oxford: Oxford University Press, 2003), p. 107.

⁶⁰⁹ *Ibid.*, p. 107.

⁶¹⁰ *Ibid.*, p. 107.

Kukathas rejects this second approach, and instead advocates a strict negative liberty interpretation of the right to exit. This is demonstrated in the following extract from *The Liberal Archipelago*:

Consider the case of Fatima, the wife of a Malay fisherman living in the state of Kelantan on Peninsular Malaysia. She is a Muslim, a mother, and a wife; and her life is very much shaped by these aspects of her identity, and also by her membership of the village community, which reinforces the view – her view – that her life should be governed by her religion and her duties as wife and mother. She has no desire to live elsewhere or otherwise. If she did wish to live in some other way she probably would have to live elsewhere, since it is unlikely that the village would tolerate – let alone welcome – any deviation. Is Fatima free?⁶¹¹

It is Kukathas' contention that Fatima is, in fact, free. Whilst there are still costs involved, she is free to leave the community in which she is embedded; no one, other than herself, is stopping her from leaving. By implication, therefore, she is also free 'if she does not have any wish to leave – even if she is ignorant of the possibility of leaving or living differently – and simply continues to live her life. A society of villages such as Fatima's is, on the view offered here, a free society – whatever else may be said about it'.⁶¹² Kukathas is aware that his specific interpretation of the right to exit is open to objection. He concedes that it would be wrong to think that Fatima is free because she is autonomous and has chosen freely her particular course of action, as this is simply not the case. As Kukathas

⁶¹¹ Ibid., p. 113.

⁶¹² Ibid., p. 113.

notes, 'she has not 'chosen' it; she has simply not rejected it. She has acquiesced in a life she has been raised to lead, but she has not embraced it'.⁶¹³

How is it, then, that Kukathas comes to consider Fatima to be free? It is his opinion that Fatima is free 'because she may live a life she has not rejected and is not forced to live a life she cannot accept'.⁶¹⁴ This is not a form of freedom that, contrary to Kant's reasoning, is dependent upon autonomy or any form of self-direction. Rather, for Kukathas, Fatima is free because she possesses 'liberty of conscience'. Whilst this may be a deviation from the traditional negative liberty informed liberal interpretation of freedom, and therefore the free society, it *is* consistent with Kukathas' understanding of what a liberal, and therefore free, society *should* be. As Kukathas argues,

A society is free to the extent that its members do not have to live lives they cannot, in good conscience, accept. If this is so, then a society will not be free simply because there are many options open to individuals. It can only be free if individuals can dissociate themselves from options they cannot abide'.⁶¹⁵

Thus, whilst Kukathas does not deny that there may be costs involved – indeed, quite high costs – when an individual wishes to exercise their right to exit, this does not constitute a barrier to that individual's freedom to exercise such a right.

⁶¹³ Ibid., p. 113.

⁶¹⁴ Ibid., p. 113.

⁶¹⁵ Ibid., pp. 113-114.

However, this is not a position that Crowder shares. For Crowder, a viable right to exit is more than simply the lack of restrictive practices. It is in this context that Kukathas' argument is problematic, as it refuses to acknowledge the reality that these additional costs have for the individual in question. This can be illustrated by returning to the example of women within the liberal democratic polity who wish to leave their community due to excessive patriarchal practices that are inimical to their personal autonomy. Here we can see how difficult their right to exit is in reality. As Crowder, drawing on the work of Okin,⁶¹⁶ correctly points out, women's 'choices in these contexts are severely limited by lack of education, since girls are frequently thought less worthwhile educating than boys, and by damaging education designed to train girls to accept confining gender roles.'⁶¹⁷ The unfortunate result of these restrictive practices is that they tend to leave the individual in such a limited state that the idea of exiting from such communities is rarely an option. Okin provides us with the following example:

The words of a seventeen-and-a-half-year old Indian student from Fiji capture the dilemmas such young women face. Suddenly faced with a coerced marriage that would not allow her to graduate from high school, she said: "I don't know what to do now. My dreams and plans are all messed up....I am tormented." But when a teacher suggested that she need not, perhaps, go through with the marriage, she responded indignantly: "In our religion, we have to think of our parents first. It would kill them if I ran away and disobeyed them....For me, I couldn't

⁶¹⁶ S. M. Okin, " 'Mistresses of Their Own Destiny': Group Rights, Gender, and Realistic Rights of Exit."

⁶¹⁷ G. Crowder, "Two Concepts of Liberal Pluralism," p. 127.

marry someone who wasn't a Muslim. I will do it the Muslim way. And I would never go against my parents!"⁶¹⁸

What is required, therefore, is a right to exit that is more than simply not being obstructed, or threatened with violence. We need an understanding of the right to exit that takes into account the various obstacles and costs that one may encounter. As Crowder argues, 'Crucially, it seems, real freedom of exit seems to involve the capacity to stand back from the group's norms and to assess them critically – that is, the capacity for *autonomous judgement*.'⁶¹⁹ How is it that the individual develops this capacity for autonomous judgement? As in the case of a hypothetical liberal society that would be characterized by Rawls' political liberalism, in order for the individual to have the capacity to make autonomous judgements, they must be *educated* to do so.⁶²⁰

5.6.2 Autonomy-Facilitating Liberal Education

In order to prevent the type of social conditioning that works against the capacity for autonomous judgement, and therefore restricts an individual's ability to exercise their right to exit, Crowder argues that we need to encourage 'the development in children of a form of character in which serious thought along these [autonomous] lines is possible and valued.'⁶²¹ It is not enough that autonomy is required; but rather, this is an argument that actively promotes the '*facilitation* of individual autonomy.'⁶²² Crowder is aware that by linking

⁶¹⁸ L. Olsen, *Made in America: Immigration Students in Our Public Schools* (New York: New Press, 1997), p. 124, quoted in S. M. Okin, " 'Mistresses of Their Own Destiny': Group Rights, Gender, and Realistic Rights of Exit," p. 222.

⁶¹⁹ G. Crowder, "Two Concepts of Liberal Pluralism," p. 128. Emphasis added.

⁶²⁰ See section 4.7 in this thesis.

⁶²¹ G. Crowder, "Two Concepts of Liberal Pluralism," p. 128.

⁶²² *Ibid.*, p. 128. Emphasis added.

autonomy to education, he could be guilty of advocating a form of comprehensive liberalism, and thus suggesting a move towards a moral monist account of liberal perfectionism. In order to avoid such a charge, Crowder, drawing upon the work of Harry Brighouse,⁶²³ draws a distinction between ‘autonomy-promoting’ and ‘autonomy-facilitating’ forms of liberal education.⁶²⁴

An autonomy-promoting form of liberal education would be inexorably linked to a comprehensive doctrine (such as Enlightenment liberalism), as it would shift autonomy to the centre of a student’s life in an attempt to ensure that they employ it whenever possible. In contrast, an autonomy-facilitating form of liberal education aims to ‘enable them to live autonomously should they wish to’.⁶²⁵ It would operate in the same abstract way that the teaching of languages or mathematics does, in the sense that a student would have the capacity to use these skills, but need not use them continuously. Whilst a student may have the capacity to speak a foreign language, they will only do so when the need arises. As Brighouse notes, ‘The [autonomy-facilitating] argument suggests that, other things being equal, people’s lives go better when they deploy the skills associated with autonomy, but does not yield any obligation to persuade them

⁶²³ H. Brighouse, “Civic Education and Liberal Legitimacy,” *Ethics* 108, no. 4 (April 1998), pp. 733-34; and H. Brighouse, *School Choice and Social Justice* (New York: Oxford University Press, 2000), chaps. 4 and 5. Brighouse is not the only author to draw such a distinction. David Johnston makes a distinction between ‘moral’ and ‘personal’ autonomy [D. Johnston, *The Idea of a Liberal Theory* (Princeton: Princeton University Press, 1994), pp. 71-74]; Kwame Anthony Appiah makes a similar distinction between ‘strong’ (Kantian) autonomy and a ‘core of personal autonomy’ that furnishes the individual with an ‘availability of options, an endowment with minimum rationality, an absence coercion’ [K. A. Appiah, *The Ethics of Identity* (Princeton: Princeton University Press, 2005), p. 40]; and Martha Nussbaum distinguishes between ‘practical reason’, which is necessary to ‘organize’ other goods, and a stronger and more comprehensive form of liberal autonomy [M. Nussbaum, *Women and Human Development: The Capabilities Approach*, p. 82, 220].

⁶²⁴ G. Crowder, “Multiculturalism: A Value-Pluralist Approach,” p. 54.

⁶²⁵ H. Brighouse, “Civic Education and Liberal Legitimacy,” p. 734. Emphasis in the original.

to deploy them: autonomy must be facilitated, not necessarily promoted'.⁶²⁶

Crowder concurs explicitly with Brighthouse on this point. As Crowder writes:

the Enlightenment-liberal state need only facilitate autonomy, not promote it. Such a state need only ensure, principally through the education system, that its citizens have the capacity to live autonomously; it need not demand that its citizens' lives be comprehensively autonomous in content, like the energetically innovative lives celebrated by J. S. Mill.⁶²⁷

It is Crowder's contention, therefore, that a form of liberal education that is autonomy-facilitating, as opposed to autonomy-promoting, will enable individuals to make decisions autonomously without undermining any of their other cultural values. Whilst Crowder does acknowledge this may 'bring changes to a traditional society,'⁶²⁸ the central thrust of his argument is that it is erroneous to think that traditional (ethno-religious) practices are necessarily mutually exclusive of the liberal facilitation of an individual's capacity to make decisions autonomously.⁶²⁹

5.6.3 Exclusion Through Restriction

Whilst I am sympathetic to what Crowder is trying to achieve in his bifurcation of autonomy into its moral (autonomy-promoting) and instrumental (autonomy-facilitating) aspects, it is my contention that he is too optimistic regarding the extent to which this division can be maintained successfully,

⁶²⁶ Ibid., p. 734.

⁶²⁷ G. Crowder, "Multiculturalism: A Value-Pluralist Approach," p. 55.

⁶²⁸ Ibid., p. 55.

⁶²⁹ Ibid., p. 55.

especially with regards to the challenge of thick pluralism. The distinction that Crowder envisages may work at the abstracted level of ideal theoretical scenarios. However, when this distinction is actually implemented at the level of real-world application (that is to say in the classroom environment), I suggest that the boundaries that separate these two forms of autonomy would be less robust and more porous than Crowder imagines. Accordingly, at the level of practice, it would be very difficult to disentangle autonomy-facilitating education from autonomy-promoting education. This is an important point that Crowder fails to acknowledge. Indeed, this oversight on Crowder's behalf is exacerbated by the fact that Brighouse acknowledges openly that the collapse between these two forms of autonomy is a distinct possibility: 'Although the methods recommended will be more somber than evangelizing, it may be hard to distinguish autonomy-facilitating from autonomy-promoting education in practice.'⁶³⁰

It is on this important point that parallels can be drawn between Crowder's emphasis on a form of autonomy-facilitating liberal education and the educational demands of Rawls' promotion of autonomy within the public political sphere. As I examined in the previous chapter, Rawls promotes autonomy as a political good, as opposed to a moral good. This is in an attempt to avoid the restrictive effects of a comprehensive form of perfectionist liberalism. Furthermore, autonomy is to be promoted only insofar as it allows individuals to make decisions in relation to the constitutional essentials of

⁶³⁰ H. Brighouse, "Civic Education and Liberal Legitimacy," p. 734. I find this oversight by Crowder to be all the more problematical as Brighouse's warning is clearly stated on the same page (p. 734) that Crowder cites with approval.

society. Yet, as Baumeister correctly brings to our attention in relation to Rawls, and contrary to what Crowder argues, it is wrong to assume that autonomy can be compartmentalized, and brought out only when required. In this sense, autonomy, even in its *facilitating* context, cannot be equated with mathematics or languages.⁶³¹

Recall that, as examined in the previous chapter, for many students in secular schools, the teaching and prioritization of autonomy does not pose as a problem. However, for some (but by no means all) religious students, the teaching and prioritization of autonomy, even in its facilitating context, may challenge and undermine certain aspects of their faith, such as challenging the epistemological foundations of the Qur'an as the revealed word of God. Furthermore, how would this autonomy-facilitating education sit with the school curriculums of what are referred to in the United Kingdom as 'faith schools'? Whilst many of these schools may reject an autonomy-promoting based curriculum, would they also place restrictions on autonomy-facilitation if the results of such a programme included the questioning of fundamental beliefs? If so, would this mean they are to be deemed unreasonable, and therefore excluded from Crowder's value pluralist liberal polity?

This move towards the active promotion of autonomy has important implications regarding the role of the state. If personal autonomy is a necessary attribute that is required, given Berlin's value pluralism, then this presents, *prima facie*, an argument that the state ought not only to prevent restrictive

⁶³¹ A. Baumeister, "Cultural Diversity and Education: the Dilemma of Political Stability," p. 922; and, A. Baumeister, *Liberalism and the 'Politics of Difference'*, p. 60.

actions that discourage the development of autonomy, but to actively promote its development. What is required is more than negative liberty regarding the development of autonomy; non-interference in its own right does not go far enough. Crowder argues that the existence of a liberal society outside the walls of a non-liberal community will not prevent the restriction of autonomy within such non-liberal communities because such attributes are often actively discouraged, and such groups have developed means of isolating themselves from these external influences.⁶³² One need only think of the Amish or Mennonite communities in America as examples of groups who have been very successful in nullifying external influences that go against their traditional beliefs.

It is perhaps only now, after a detailed analysis of Crowder's particular interpretation of a liberalism that is premised upon value pluralism, that the paradox contained within becomes more evident. Value pluralism tends to go against forms of perfectionist liberalism, such as Enlightenment liberalism, because the latter uses autonomy as the ultimate value against which everything is measured. Value pluralism may, at least on an initial reading, suggest a form of liberalism that does not prioritize autonomy. (Indeed, given the plurality of acceptable values entailed by value pluralism, perhaps Reformation liberalism, with its emphasis on toleration, may be more applicable.) But when Crowder's liberal value pluralism is examined in more detail, we see that autonomy re-emerges as a value of particular importance.

⁶³² G. Crowder, "Two Concepts of Liberal Pluralism," p. 139.

This is not to suggest that Crowder's reformulation of autonomy takes on the same degree of importance as a super-value does within a monist form of political association. Crowder's prioritization of autonomy is done for instrumental reasons; it is a value that is necessary in order for individuals to both make choices 'for a good reason', and to actively exercise their right of exit from groups as they see fit. As Crowder concludes, 'the exigency of choosing well among incommensurables points to an emphasis on personal autonomy.'⁶³³ In this context, Crowder shares with Rawls an interpretation of autonomy that is not linked to a specific formulation of Kantian metaphysics, but is, rather, implemented and valued as a political tool; not for *what is it*, but for *what it does*.

However, by assigning to autonomy (even when restricted to its instrumental aspect) a privileged position, Crowder's liberal value pluralism is effectively pre-determining the parameters of his liberal polity. It is only those who are willing to accept a liberal polity that upholds individual autonomy as a necessary public good who will be accepted. Those who, for whatever reason, do not share this specific liberal formulation, will be forced to either modify their internal practices (and perhaps, ultimately, their beliefs), or alternatively, reject the liberal polity. The effect of pre-determining the parameters of a value pluralist liberal polity in such a way, either through design or unintended consequence, is to restrict the forms of pluralism that can be incorporated successfully. Thin pluralism, that is to say forms of pluralism that operate under a shared set of liberal values, are perhaps more amenable to a value pluralist

⁶³³ G. Crowder, "Value-pluralism and Liberalism," p. 227.

liberal polity that upholds individual autonomy as a public good, than forms of thick pluralism, whose challenge is often centered on fundamental elements of the liberal framework itself. Thus, the issue becomes a question of the extent to which forms of pluralism can be translated successfully into a liberal discourse and polity that intentionally promotes autonomy as a public good.

If forms of pluralism are both able *and* willing to do such a thing, then they can be incorporated under Crowder's value pluralist liberal paradigm. However, if they are either unwilling or unable, then, in Crowder's analysis, they cannot be incorporated. As we have already seen, Berlin's thesis of value pluralism provides the foundation for both an ethical and political defence of a broad array of values. However, Crowder's specific interpretation of value pluralism excludes many of these values through his continued emphasis on autonomy. Thus, it is my contention that a value pluralist liberal polity may have the *potential* to accommodate a wide variety of values, including those contained within the more challenging demands of thick pluralism, but not in the specific form that Crowder presents it.

6. Rorty's Post-Foundational Liberalism

6.1 Introduction

Chapters 4 and 5 of this thesis examined two different liberal approaches that may be capable of sustaining and supporting the politics of difference and pluralism. Both Rawlsian political liberalism and Crowder's value pluralism offer differing accounts of ways to mediate and reduce the tensions that may arise when conflicting metaphysical principles and values meet within the modern liberal democratic polity. Despite their disparate approaches, what unites them is that they both reject an explicit connection between liberalism and metaphysical foundations.

In the case of Rawls' political liberalism, this does not entail a rejection of the validity of metaphysics *per se*. Rather, in order to promote political and social stability, Rawls confines metaphysics to the private sphere. The thesis of value pluralism takes as its core the acknowledgement of the existence of plural values, which may not only be in conflict with each other, but may also be incommensurable. As with Rawls' political liberalism, this does not entail a denial of the validity or existence of metaphysics. But it does undermine the narrow view that a single philosophical and/or political system, such as Enlightenment liberalism, can be representative of all human goods and values, and therefore forms of human flourishing.

However, as I have examined, both of these contemporary liberal political approaches are beset by a fundamental problem: in different ways, they both fall back upon Kantian archetypal metaphysical positions, albeit tacitly. Both

political liberalism and value pluralism have attempted to provide a philosophical and political model that will allow for the accommodation of different metaphysical voices under the umbrella of a single polity, and for this fact alone, they ought to be commended. But where they both become problematic is that this umbrella itself (both in its political liberal and value plural liberal manifestations) is a representation of a Kantian metaphysical belief structure. This, to my mind, raises the following question: is it possible to conceive of a political system that not only allows for different metaphysical voices to be heard, but is itself severed explicitly from any metaphysical foundation? It is this question, and the issues that surround it, which will be the focus of this chapter. In answering this question, I will focus on the work of Richard Rorty. What Rorty offers us is a political approach that is not only congruent with liberalism and the desire to accommodate and promote pluralism, but more importantly, it is an approach that rejects explicitly any reliance upon metaphysical foundations, irrespective of whether they be Kantian, Lockean, or Millian.

6.2 Pragmatism and the Rejection of Truth

In order to understand, and ultimately critique, Rorty's 'redescription' of Enlightenment liberalism, we must first gain an adequate insight into the philosophical views that drive his political position. Rorty's philosophical development mirrors his intellectual development: it is a personal journey that started within the analytical philosophy tradition, with its desire to escape the contingency of history by anchoring knowledge to truth, and ends with his deconstructing and ultimately 'redescribing' the dominant philosophical

paradigm and its political manifestation in the form of liberal political structures and institutions. Ultimately, Rorty wishes to shear liberalism, in particular Enlightenment liberalism, of its metaphysical foundations. However, unlike a building that has had its foundations removed, Rorty does not envisage that liberalism will collapse due to this structural intervention. Rather, Rorty theorizes a conception of liberalism that is not contingent upon metaphysics, and therefore rejects claims of universalism, yet is capable of accommodating the demands of diversity and pluralism.

The central thrust of Rorty's *Philosophy and the Mirror of Nature* and *Contingency, Irony, and Solidarity*⁶³⁴ is a rejection of the Platonist and Kantian conception of the world. Rorty holds that none of the dominant notions of Western philosophy, such as 'objectivity', 'rationality', 'truth', and 'correspondence' can meet their own demands, and that they ultimately fail under the pressure of close scrutiny. Rorty finds support for this position in philosophers such as Hegel, Nietzsche, Heidegger, Wittgenstein, Dewey, Foucault, Quine, Derrida, and Davidson. In place of these essential terms, Rorty gives us the concept of a 'vocabulary,' which is a complete system that comprises our 'reality' – it organizes our thoughts and guides our actions.

Thus, the issue that we must first address is why Rorty rejects the validity of important concepts such as 'objectivity' and 'truth' in Western philosophy. Rorty does not deny that there is a world 'out there'. However, he does argue that we must make a distinction between the claim that the world is out there,

⁶³⁴ R. Rorty, *Philosophy and the Mirror of Nature* (Oxford: Blackwell Publishers, 1993); and R. Rorty, *Contingency, Irony and Solidarity* (Cambridge: Cambridge University Press, 1995).

and 'the claim that truth is out there.'⁶³⁵ The crux of his argument is that it is impossible to draw anything other than a contingent connection between our current belief system and the objects to which it professes to refer. As Rorty argues:

The notion of reality as having a "nature" to which it is our duty to correspond is simply one more variant of the notion that the gods can be placated by chanting the right words. The notion that some one among the languages mankind has used to deal with the universe is the one the universe prefers – the one which cuts things at the joints – was a pretty conceit.⁶³⁶

Here we see that Rorty is explicitly rejecting the correspondence theory of truth. For philosophers in both the Enlightenment and modernist traditions, language is seen as a medium; there is a belief that there exists non-linguistic things called 'meanings', and it is the task of language to accurately express these meanings. This is what Rorty refers to as the 'subject-object picture': it is the use of 'language as a medium, something standing between the self and the nonhuman reality with which the self seeks to be in touch.'⁶³⁷ Here language is viewed as being a third concept that exists between the concepts of the self and reality. It is nothing more than a bridging mechanism that joins the self to reality, and the subject to the object.

⁶³⁵ R. Rorty, *Contingency, Irony, and Solidarity*, pp. 4-5.

⁶³⁶ R. Rorty, *Objectivity, Relativism and Truth: Philosophical Papers*, vol. 1 (Cambridge: Cambridge University Press, 1991), p. 80.

⁶³⁷ R. Rorty, *Contingency, Irony, and Solidarity*, pp. 10-11.

Rorty denies that it is the role of the philosopher to expose the true intrinsic nature of the world as it really is. He argues that the truth 'cannot be out there – cannot exist independently of the human mind – because sentences cannot so exist, or be out there. The world is out there, but descriptions of the world are not. Only descriptions of the world can be true or false.'⁶³⁸ Contrary to Kant's moral philosophy, what we think of as being true, as being objective and independently verifiable according to some external notion of reason, only works for us because these conceptions of truth exist within *our own* language vocabularies and communities. As Matthew Festenstein clarifies, the 'justification of beliefs is...understood as intelligible only within particular social practices of reason-giving.'⁶³⁹ The issue is not that we are incapable of giving an accurate description of the world 'as it really is', but rather, that 'the criteria by which we judge accurately in description are given sociologically, by the language game or vocabulary in which we are making the judgement.'⁶⁴⁰

This implies, therefore, that a Rortyan understanding of truth suggests that it is essentially a *contingent* concept. In both the Enlightenment and modernist conceptions of truth that Rorty writes against, the world possessed an identifiable intrinsic nature, and it was the role of philosophy to search for a vocabulary or set of criteria that best resembled and represented these features. However, for Rorty, the reality is that the world is indifferent to our descriptions of it, as it has no intrinsic nature. Thus, no matter what vocabulary we choose to use, none of them will represent adequately or accurately the true

⁶³⁸ Ibid., pp. 4-5.

⁶³⁹ M. Festenstein, "Rorty: Pragmatism, Irony and Liberalism," in *Richard Rorty: Critical Dialogues*, eds. M. Festenstein and S. Thompson (Malden, MA.: Polity Press, 2001), p. 5.

⁶⁴⁰ Ibid., p. 5.

nature of the world 'as it really is', because it does not possess one. Consequently, following this line of logic, we ought to accept the Romantic notion that instead of the truth being found, it is *created*.⁶⁴¹ As Rorty argues, 'What is true about this claim is...that *languages* are made rather than found, and that truth is a property of linguistic entities, of sentences.'⁶⁴²

6.3 Contingency: Neither Relativism or Universalism

Now we are better able to understand how Rorty argues that truth is contingent. Instead of statement X being deemed as true because it corresponds to some external authority, in this Rortyan conception, it is deemed as being true because truth is the *property* of a sentence. The implication of the contingency of what we hold to be true is that it becomes impossible for us to reach the objectivity or transcendence that is required to usurp and disprove 'truths' that are held by other communities through their use of a different language, truths that may contradict 'our truth'. If Rorty's conception is correct, then truth is nothing more than conformity to current norms of language and thought, and therefore there are no longer any objective grounds from which the sceptic can be refuted.⁶⁴³

For both the philosopher and the political philosopher, the view that truth is nothing more than an agreed upon set of linguistic phrases that are contingent, and therefore unverifiable, may be a deeply unsettling one. This may be especially so for those whose ideas contain a strong metaphysical element, such

⁶⁴¹ R. Rorty, *Contingency, Irony, and Solidarity*, p. 6.

⁶⁴² *Ibid.*, p. 7. Emphasis in the original.

⁶⁴³ J. Tambornino, "Philosophy as the Mirror of Liberalism: The Politics of Richard Rorty," *Polity* 30, no. 1 (Autumn 1997), p. 60.

as Enlightenment liberalism with its reliance on the primacy of Kantian autonomy. Indeed, the modernist and Enlightenment philosopher may fear that this Rortyan contingency could give rise to irrationalism, relativism, or nihilism. If we have no bedrock to which we can anchor our beliefs, then on what grounds can we defend them when challenged?

But this is a view that Rorty rejects explicitly, stating that ‘We pragmatists shrug off charges that we are ‘relativists’ or ‘irrationalists’ by saying that these charges presuppose precisely the distinctions that we reject.’⁶⁴⁴ He holds that the idea of contingency leading automatically to irrationalism, relativism, or nihilism, only makes sense within the context of a limited Enlightenment or modernist vocabulary. Indeed, even to accept the *possibility* of relativism would be to accept that there are *a priori* criteria that exist *outside* of our particular language community. As Honi Haber argues, “Those of us who feel compelled to answer charges of relativism are implicitly accepting the notion that there are criteria to appeal to beyond the pragmatics of our situation or particular game.”⁶⁴⁵ It is Rorty’s position that once these vocabularies are rejected, and we stop ‘clinging’ to an Enlightenment conception of rationality, then the charge of relativism no longer makes sense. Rorty defends his position by arguing that

Our opponents like to suggest that to abandon that [absolutist and relativist] vocabulary is to abandon rationality – that to be rational consists precisely in respecting the distinction between the absolute and

⁶⁴⁴ R. Rorty, “Introduction: Relativism: Finding and Making,” in *Philosophy and Social Hope*, ed. R. Rorty (London: Penguin Books, 1999), p. xix.

⁶⁴⁵ H. F. Haber, *Beyond Postmodern Politics: Lyotard, Rorty, Foucault* (London: Routledge, 1994), p. 45.

the relative, the found and the made, object and subject, nature and convention, reality and appearance. We pragmatists reply that if that were what rationality was, then no doubt we are, indeed, irrationalists. But of course we go on to add that being an irrationalist in that sense is not to be incapable of argument. We irrationalists do not foam at the mouth and behave like animals. We simply refuse to talk in a certain way, the Platonic way. The views we hope to persuade people to accept cannot be stated in Platonic terminology. So our efforts at persuasion must take the form of gradual inculcation of new ways of speaking, rather than of straightforward argument within old ways of speaking.⁶⁴⁶

Rorty is not alone in suggesting that this rigid dichotomy between rationalism and irrationalism, between objectivism and relativism, is mistaken. Support for this position can be found in the work of Richard Bernstein, who writes of the 'Cartesian Anxiety': the fear of the inevitable collapse towards relativism or nihilism if our moral foundations are dissolved.⁶⁴⁷ The root of this anxiety lies in the binary interpretation of morality and metaphysics. As Bernstein notes, this is characterized by a simplistic either/or view: '*either* there is some support for our being, a fixed foundation for our knowledge, *or* we cannot escape the forces of darkness that envelop us with madness, with intellectual and moral chaos.'⁶⁴⁸ Bernstein posits that this binary view is too limited, as that it is possible to understand our beliefs, values, and commitments, without relying on any 'foundation or Archimedean point.'⁶⁴⁹ Bernstein, and other pragmatists such as Stanley Fish,⁶⁵⁰ argue that moral commitments are essentially unmoved when

⁶⁴⁶ R. Rorty, "Introduction: Relativism: Finding and Making," pp. xvii-xix.

⁶⁴⁷ R. J. Bernstein, *Beyond Objectivism and Relativism: Science, Hermeneutics, and Praxis* (Philadelphia: University of Philadelphia Press, 1983), p. 18.

⁶⁴⁸ *Ibid.*, p. 18. Emphasis in the original.

⁶⁴⁹ *Ibid.*, p. 18.

⁶⁵⁰ S. Fish, *There's No Such Thing as Free Speech, and It's a Good Thing Too* (Oxford: Oxford University Press, 1994).

they are deprived of their metaphysical foundations, because they remain cemented to the real-world contingent communities within which we all reside.

It is at this point that we can see a fundamental disjuncture between the pluralism of both Berlin and Crowder that I examined in the previous chapter, and that of Rorty. In their respective analyses of value pluralism, Berlin and Crowder both posit the existence of universal goods and values. This is an important claim, for without it value pluralism would be open to the charge of relativism as it would be incapable of making the distinction between objectively good and bad values. Thus, the strength of value pluralism, it may be argued, is that it promotes pluralism within a very broad common moral horizon. Berlin and Crowder reject the Ionian fallacy, but they still accept the distinction between rational and irrational, and objectivism and relativism.

However, Rorty's pluralism operates not by accepting the existence of an Archimedean metaphysical foundation, or Hampshire's broad 'common moral horizon', but rather by shifting the locus of the debate. Rorty does note that there are parallels between what he refers to as his 'liberal utopia'⁶⁵¹ and Berlin's defence of negative liberty, especially with regards to the rejection of teleological moral and political views.⁶⁵² But where Rorty differs from Berlin is with regards to the location of the debate. In defending his conception of pluralism against the charge of relativism, Berlin implicitly accepts the existence of external criteria against which values and goods ought to be judged. But Rorty refuses to even defend his liberal utopia against the charge of

⁶⁵¹ R. Rorty, *Contingency, Irony, and Solidarity*, variously at p. xv, xvi, 61, 65, and 69.

⁶⁵² *Ibid.*, pp. 45-47.

relativism because he does not want to accept, either implicitly or explicitly, the existence of external criteria that correspond to our conception of the truth, irrespective of what that conception may be. For Rorty, relativism can only exist if truth also exists. But, because Rorty rejects the existence of any conception of truth that exists outside of our language communities, the charge of relativism does not, and indeed cannot, come into play. Thus relativism is rejected because Rorty holds that 'since truth is a property of sentences, since sentences are dependent for their existence upon vocabularies, and since vocabularies are made by human beings, so are truths.'⁶⁵³

In his rejection of a correspondence theory of language, Rorty argues that the self is *created* rather than *represented* through a vocabulary. Accordingly, not only are the ways that we say certain things open to redescription, but the self is also open to redescription through the use of a new vocabulary, or the modification of a current one. Here Rorty goes beyond seeing language as either a means of representation (following the Enlightenment) or expression (following the Romantics),⁶⁵⁴ but rather, as a tool that one can utilize for redescription. As Rorty notes, the

proper analogy is with the invention of new tools to take the place of old tools. To come up with such a vocabulary is more like discarding the lever and the chock because one has envisaged the pully[sic], or like discarding gesso and tempera because one has now figured out how to size canvas properly.⁶⁵⁵

⁶⁵³ Ibid., p. 21.

⁶⁵⁴ Ibid., p. 11.

⁶⁵⁵ Ibid., p. 21.

If language is viewed as a tool for modification and redescription, then this suggests that it is possible for anything to be redescribed negatively. Redescription might result in the reversal of the values we associate with certain ideas or concepts.⁶⁵⁶ This is indeed an unsettling question, and it is one that Rorty acknowledges when he states that ‘anything could be made to look good or bad, important or unimportant, useful or useless, by being redescribed.’⁶⁵⁷ However, it does not appear to trouble Rorty, with his Nietzschean-inspired pluralism and commitment to contingency. It is not that Rorty has more faith in humanity than those who fear a slide towards relativism or nihilism, but rather that he simply does not accept the argument in the first place. Once the concepts of truth and grand narratives are rejected, no matter how painful this rejection may be, and replaced with a new tool, a vocabulary of self-creation and redescription, the fear of relativism is redundant because it has no context in which to operate. Once relativism is removed from the discourse, it serves no purpose for Rorty.⁶⁵⁸

The fear of the collapse towards relativism is a remnant that the committed pragmatist no longer has any use for. Pragmatists such as Rorty reject the traditional analytical linguistic separation of objectivity and relativism, rational and irrational, moral and immoral, because they are the tools used by a dead linguistic community. In their place, the Rortyan pragmatist would utilize a

⁶⁵⁶ H. F. Honi, *Beyond Postmodern Politics*, p. 45. See also M. A. Casey, *Meaningless: The Solutions of Nietzsche, Freud, and Rorty* (Oxford: Lexington Books, 2002), pp, 115-129, especially pp. 122-125.

⁶⁵⁷ R. Rorty, *Contingency, Irony, and Solidarity*, p. 7, 71.

⁶⁵⁸ H. F. Honi, *Beyond Postmodern Politics*, p. 46.

vocabulary that uses the metaphors of self-creation and transformation; they would hold the view that this new vocabulary is more useful than the previous one. It is not that the previous vocabulary has been disproved, as this would implicitly accept the existence of external criteria to which we can compare it against. Rather, the new vocabulary is seen as a tool that can *better describe* new circumstances and new concepts.

6.4 Conflict: Private Irony and Public Solidarity

What, then, are the political implications of Rorty's pragmatism? What are the political ramifications of his redescriptive efforts in order to both preserve and extend freedom and pluralism by severing them from their metaphysical foundations? To foreshadow my final conclusion, I suggest that ultimately, at the level of 'real world' *political* application, Rorty's liberal utopia changes nothing. However, this is an issue that will be examined in detail in the final stages of this chapter. For the moment, I will focus on the form that Rorty's post-metaphysical liberal utopia takes at the level of *theory*.

The post-metaphysical liberalism that Rorty defends is an attempt to solve what he believes to be *the* fundamental clash in contemporary social and political theory. Rorty holds that at the heart of the public/private dichotomy that is central to liberalism (however it is interpreted) is a clash between two competing forces: the desire for private autonomy and self-creation is in conflict with the desire for solidarity and social justice. These two conflicting forces are characterized by different sets of authors. Those who defend the self-created and autonomous life include authors such as 'Kierkegaard, Nietzsche,

Baudelaire, Proust, Heidegger and Nabokov'; whereas the desire for solidarity and social justice are expressed best in the works of 'Marx, Mill, Dewey, Habermas and Rawls.'⁶⁵⁹ Thus, what Rorty attempts to achieve with his post-metaphysical liberal utopia is to do justice to both sets of authors by distinguishing clearly the ways in which their thoughts can be useful to us without, however, creating an unnecessary hierarchy between them. As Rorty notes, 'I urge that we not try to choose between them but, rather, give them equal weight and then use them for different purposes.'⁶⁶⁰

What, then, is the nature of this clash? This is not a clash that can be characterized by two warring factions who both want the *same thing*, like two armies fighting over the same stretch of land. Rather, this is a clash of two parties that both want *different things* but within the same space, and in Rorty's analysis, a victory for one would necessarily be at the expense of the other. Rorty characterizes this clash thus:

The attempt to fuse the public and the private lies behind both Plato's attempt to answer the question "Why is it in one's interest to be just?" and Christianity's claim that perfect self-realization can be attained through service to others. Such metaphysical or theological attempts to unite a striving for perfection with a sense of community require us to acknowledge a common human nature. They ask us to believe that what is most important to each of us is what we have in common with others – *that the springs of private fulfillment and of human solidarity are the same.*⁶⁶¹

⁶⁵⁹ R. Rorty, *Contingency, Irony, and Solidarity*, p. xiv.

⁶⁶⁰ *Ibid.*, p. xiv.

⁶⁶¹ *Ibid.*, p. xiii. Emphasis added.

The authors that Rorty characterize as being liberal are driven by the desire to make society more just. ‘They are engaged in a shared, social effort,’ Rorty writes, ‘the effort to make our institutions and practices more just and less cruel.’⁶⁶² They are not driven, as Rorty sees it, by the desire solely to expand or solidify their personal autonomy (although, as I concluded in Chapters 4 and 5, a Kantian conception of autonomy still plays a substantive role for both Rawls and Crowder in this context). Rather, they are driven by the desire to reduce cruelty and increase solidarity among the citizens of the liberal polity. Indeed, it is their collective focus on ‘reducing cruelty’ that allows Rorty to classify these writers as characteristically liberal, as opposed to using any other form of political taxonomy that relies upon a metaphysical commonality. Rorty makes this connection between liberalism and a desire to reduce cruelty explicit when he states that ‘I borrow my definition of “liberal” from Judith Shklar, who says that liberals are people who think that cruelty is the worst thing we do.’⁶⁶³ To quote Shklar at length:

To put cruelty first is to disregard the idea of sin as it is understood by revealed religion. Sins are transgressions of a divine rule and offenses against God; pride – the rejection of God – must always be the worst one, which gives rise to all others. However, cruelty – the willful inflicting of physical pain on a weaker being in order to cause anguish and fear – is a wrong done entirely to *another creature*. When it is marked as the supreme evil it is judged so in and of itself, and not because it signifies a denial of God or any other higher norm. It is a judgement made from

⁶⁶² Ibid., p. xiv.

⁶⁶³ Ibid., p. xv, 74. See J. N. Shklar, *Ordinary Vices* (Cambridge, Mass.: Harvard University Press, 1984); and, J. N. Shklar, “The Liberalism of Fear,” in *Liberalism and the Moral Life*, ed. N. L. Rosenblum (Cambridge, MA.: Harvard University Press, 1989), pp. 21-38. See also P. Lassman, “Disenchantment and the Liberalism of Fear,” in *The Edinburgh Companion to Contemporary Liberalism*, ed. M. Evans (Edinburgh: Edinburgh University Press, 2001), pp. 125-147.

within the world in which cruelty occurs as part of our normal private life and our daily public practices. By putting it unconditionally first, with nothing above us to excuse or to forgive acts of cruelty, one closes off any appeal to any order other than that of actuality.⁶⁶⁴

From this passage we can see that for Shklar, cruelty is an act that not only causes pain and suffering for another, but it is an act that is done for *no other reason*. It is not merely the end result that designates an act to be cruel, but it is the *motivation* behind the act. Recall Ivan Fyodorovich's comments in *The Brothers Karamazov*, where he distinguished between human and animal violence:

Actually, people sometimes talk about man's "bestial" cruelty, but that is being terribly unjust and offensive to the beasts: a beast can never be so cruel as a human being, so artistically, so picturesquely cruel. The tiger simply gnaws and tears and that is the only thing it knows. It would never enter its head to nail people to fences by their ears and leave them like that all night, even if it were able to do such a thing.⁶⁶⁵

This is, however, a rather problematical and superficial characterization of what constitutes a 'liberal'. Indeed, it raises two immediate questions: first, is it Rorty's claim that non-liberals, such as socialists and anarchists, are not concerned with, or are incapable of being concerned with, cruelty; and second, once someone demonstrates that they believe that 'cruelty is the worst thing we do', do they come to the conclusion that their current philosophical and/or

⁶⁶⁴ J. N. Shklar, *Ordinary Vices*, pp. 8-9.

⁶⁶⁵ F. Dostoyevsky, *The Brothers Karamazov*, trans. D. McDuff (London: Penguin Books, 2003), p. 311.

political system is in error, and transfer their allegiance to the liberal camp? Surely liberals are not the only people who believe that cruelty is the worst thing that we can do?

Rorty's characterization does a grave injustice to those who are situated in other philosophical, political, or religious traditions, who are also motivated, at least in part, by the desire to reduce and/or eradicate cruelty. Differences may exist as to the interpretations of the causes or locations of cruelty, and the manner in which it should be addressed, but this does not equate to a lack of concern with the detrimental effects of cruelty, to either the individual or society. Take, for example, Marxism: both Marx and Engels were concerned with the issue of cruelty, but unlike liberals, they believed that the source of this cruelty and oppression lay in the alienation of the proletariat, which arose due to a loss of control over productive activity. To deny that Marxism, in all of its various permutations, believes that cruelty is the worst thing that we can do, is to neglect important aspects of its rich history and legacy.

Furthermore, Rorty is quite vague as to what he means specifically by cruelty. What are the exact parameters of cruelty? This is an important question, with ramifications. Are we to be concerned with *all* those who are the subjects of acts of cruelty and humiliation, irrespective of who they are and why it is they feel this way? Many non-liberals have experienced cruelty and humiliation, either directly or indirectly, yet whether they are deserving of a liberal's concern is a contested issue. As John Horton notes, 'former communist secret policemen and white South Africans can tell sentimental stories about their own suffering and

humiliation but these are unlikely to commend themselves to liberals.’⁶⁶⁶ The issue is not whether these individuals *experienced* cruelty and humiliation, but whether, following Rorty’s guidance, liberals ought to be concerned with it. Rorty needs to be more specific about the characteristics of cruelty and humiliation, otherwise, as Horton argues, ‘to characterize it [solely] in terms of redescriptions which humiliate others will not do, unless Rorty really does want to say that *any* such redescriptions is what the liberal most wants to avoid.’⁶⁶⁷ In order to bolster his argument regarding the innate connection between liberalism and the desire to reduce acts of cruelty and humiliation, it would be beneficial for Rorty to provide not only a more detailed account of cruelty, but also of the exclusive nature (in Rorty’s opinion) of this relationship.

Rorty, in his response to Horton’s criticisms, does concede that cruelty is a multifaceted concept. Acts that are performed with the intent of helping others may be interpreted as being cruel and humiliating:

Lots of people, liberals and non-liberals, have wondered whether Rushdie, by publishing *The Satanic Versus*, was trying to be helpful to the Muslim world (in the way in which Socrates was trying to be helpful to the Athenian world) or was just being sadistic. I should not be surprised if Rushdie himself had not, during his worst nights, wondered about this.⁶⁶⁸

⁶⁶⁶ J. Horton, “Irony and Commitment: Irreconcilable Dualism,” in *Richard Rorty: Critical Dialogues*, p. 26.

⁶⁶⁷ *Ibid.*, p. 26.

⁶⁶⁸ R. Rorty, “Response to John Horton,” in *Richard Rorty: Critical Dialogues*, p. 32.

Indeed, one needs only to survey the competing interpretation of various military actions carried out by 'liberating forces' to see how acts committed 'for the greater good' can also be cruel and humiliating. Even if we restrict ourselves to ongoing conflicts, such as Iraq, Afghanistan, and Israel and Palestine, we can see how problematic this issue is. Ignoring the contested debates on the legality, necessity, and motivations, of the Iraq invasion by US forces, how do we weigh the (unintended) suffering caused by this act against the (intended) continued suffering inflicted by Saddam Hussein if he had been allowed to remain in power?

However, whilst Rorty does acknowledge that cruelty is a complex issue, he refuses to concede that a 'thicker' description of what it is to be a liberal is required. He does so on the grounds that a more extensive account would still not be capable of solving these types of moral dilemmas, and would entail a retrospective move towards a metaphysical culture:

no matter how thick I make this description [of what it is to be a liberal], I still would not be able to equip the liberal with a criterion for detecting her own unconscious sadism, or for resolving the sorts of dilemma which Socrates, Voltaire and Rushdie faced. The unfortunate effects of the aspiration to have such criteria are among the reasons I should cite in favour of experimenting with a non-foundationalist culture.⁶⁶⁹

In conflict with these liberal authors, in Rorty's analysis, are those such as Nietzsche, Heidegger, and Foucault, who are driven by the desire for perfection,

⁶⁶⁹ Ibid., p. 32.

and who want a self-created and distinctly private and autonomous life. They are driven in part by a fear of socialization, that is, the fear that they are not unique, that they are in fact a clone:

The words (or shapes, or theorems, or models of physical nature) marshaled to one's command may seem merely stock items, rearranged in routine ways. One will not have impressed one's mark on the language but, rather, will have spent one's life shoving about already coined pieces. So one will not really have been an I at all. One's creations, and one's self, will just be better or worse instances of familiar types.⁶⁷⁰

Here Rorty calls upon Harold Bloom, who writes of the poets' fear of realizing that what they have produced is merely a replica or an imitation of what has gone before.⁶⁷¹ To quote Bloom in full,

*Where it, the precursor's poem, is there let my poem be; this is the rational formula of every strong poet, for the poetic father has been absorbed into the id, rather than into the superego. The capable poet stands to his precursor rather as Eckhart (or Emerson) stood to God; not as part of the Creation, but as the best part, the un-created substance of the Soul. Conceptually the central problem for the latecomer necessarily is repetition, for repetition dialectically raised to re-creation is the ephebe's road of excess, leading away from the horror of finding himself to be only a copy or a replica.*⁶⁷²

⁶⁷⁰ R. Rorty, *Contingency, Irony, and Solidarity*, p. 24. See also p. 28, where Rorty writes that 'to fail as a poet – and thus, for Nietzsche, to fail as a human being, is to accept somebody else's description of oneself, to execute a previously prepared program, to write, at most, elegant variations on previously written poems.'

⁶⁷¹ *Ibid.*, p. 24.

⁶⁷² H. Bloom, *The Anxiety of Influence: A Theory of Poetry* (Oxford: Oxford University Press, 1973), p. 80. Emphasis in the original.

They view this process of socialization as being contrary to something that exists deep within us all, such as the will to power (Nietzsche), libidinal impulses (Freud), or Being (Heidegger). 'Their point is,' Rorty argues,

that at the "deepest" level of the self there is *no* sense of human solidarity, that this sense is a "mere" artifact of human socialization. So such skeptics become antisocial. They turn their backs on the very idea of a community larger than a tiny circle of initiates.⁶⁷³

Against the detrimental effects of socialization, these authors promote the importance of self-discovery and creation. Following the Romantic poets, they break with Plato and Kant, and reject the belief that freedom is inexorably connected to the discovery of universal truths. Rather, freedom is the 'recognition of contingency.'⁶⁷⁴ For the individual to be free, they must reject external demands for socialization and conformity, and instead *create* their own life: 'they accept Nietzsche's identification of the strong poet, the maker, as humanity's hero – rather than the scientist, who is traditionally pictured as a finder.'⁶⁷⁵

It is now that we are able to begin to understand the exact nature and parameters of the clash that Rorty refers to. The crux of the issue is not just that these two sets of authors want different things, as differences in desire do not, in and of themselves, automatically lead to mutually exclusive outcomes. Rather, the central issue here is that if the desires of one set of authors prevail,

⁶⁷³ R. Rorty, *Contingency, Irony, and Solidarity*, p. xiii.

⁶⁷⁴ *Ibid.*, p. 26.

⁶⁷⁵ *Ibid.*, p. 26.

it must be at the expense of the other. In other words, compromise does not appear to be a viable solution to this problem.

This can be explained better if we view this clash as a zero-sum game, in that whatever territory is gained by one side is lost by the other. In order for the self-creative and autonomous desires to be met fully, there can be no space allocated for the process of socialization. This is because the process of socialization is an *external* force that wants to restrict and retard the *internal* urges of the individual for a life that is fully self-created and autonomous. The inverse of this scenario is also true: in order for the demands of social justice to be met, the actions of the autonomous individual must inevitably be curbed. This point is illustrated very clearly by Keith Topper, who states that the

overriding regard for social justice and the cessation of cruelty places them [the liberal authors] deeply at odds with their ironist counterparts, whose pursuit of private perfection seems frequently imbued with a decidedly antiliberal proclivity for “irrationalism” and “aestheticism”.⁶⁷⁶

Recall that when discussing the existence of conflicts among values in the previous chapter, Berlin noted that ‘total liberty for wolves is death to the lambs.’⁶⁷⁷

The traditional philosophical solution to this problem of reconciliation between these competing groups was to try and unite them under the rubric of a single

⁶⁷⁶ K. Topper, “Richard Rorty, Liberalism and the Politics of Redescription,” *The American Political Science Review* 89, no. 4 (December 1995), p. 956.

⁶⁷⁷ I. Berlin, *The Crooked Timber of Humanity*, p. 12.

comprehensive philosophical or political doctrine, such as Enlightenment liberalism. By uniting them under such a comprehensive doctrine, it was envisaged that it would be possible to hold public solidarity and private perfection within a single vision. Recall that, for Kant, there was no inherent schism between morality and politics, as politics is essentially the solidification of morality through the application of mutually agreed upon laws. Hence, as observed by Topper,

we find debates among neo-Kantian rationalists like Habermas, neo-Nietzschean anarchists like Foucault, communitarians like Michael Sandel, and philosophically orientated liberals like Rawls and Ronald Dworkin – all seeking to commensurate opposing claims by bringing them under a more synoptic philosophical view.⁶⁷⁸

But this attempt at unifying two disparate drives will only work, in Rorty's analysis, if they are viewed as being merely *opposed*, instead of *incommensurable*. 'We shall only think of these two kinds of writers as *opposed*,' Rorty argues, 'if we think that a more comprehensive philosophical outlook would let us hold self-creation and justice, private perfection and human solidarity, in a single vision.'⁶⁷⁹ However, Rorty holds that this is not possible because they are fundamentally incommensurable, and therefore, it is impossible to unify self-creation and solidarity at the level of theory. As Rorty

⁶⁷⁸ K. Topper, "Richard Rorty, Liberalism and the Politics of Redescription," p. 956.

⁶⁷⁹ R. Rorty, *Contingency, Irony, and Solidarity*, p. xiv.

notes, 'there is no way in which philosophy, or any other theoretical discipline, will ever let us do that.'⁶⁸⁰

This distinction that Rorty draws between being *opposed* and *incommensurable* in this context needs to be unpacked, as it is not a distinction that he addresses directly in *Contingency, Irony, and Solidarity*. However, Rorty does discuss this issue in his earlier text *Philosophy and the Mirror of Nature*,⁶⁸¹ and it is from here that this important distinction can be inferred. Whilst Rorty does not discuss explicitly what he means by *opposed*, I can find no textual evidence that would suggest that he uses it in anything other than its generally accepted and non-controversial interpretation, as meaning two or more things that contrast or conflict with each other. Again, Rorty does not provide us with an explicit definition of *incommensurable*, but he does give us a definition of *commensurable*:

By "commensurable" I mean able to be bought under a set of rules which will tell us how rational agreement can be reached on what would settle the issue on every point where statements seem to conflict. These rules tell us how to construct an ideal situation, in which all residual disagreements will be seen to be "noncognitive" or merely verbal, or else merely temporary – capable of being resolved by doing something further.⁶⁸²

⁶⁸⁰ Ibid., p. xiv.

⁶⁸¹ R. Rorty, *Philosophy and the Mirror of Nature*, pp. 320-333

⁶⁸² Ibid., p. 316.

Thus, we can infer from this clear statement that for Rorty, *incommensurability* is that which is incapable of being settled through the application of a rational agreement.

In order to clarify this important distinction, Rorty calls upon Thomas Kuhn's *The Structure of Scientific Revolutions*.⁶⁸³ In this text, Kuhn challenged the prevailing view of scientific progress. Previously, it had been thought that the sciences progressed through incremental increases in facts and theories. However, Kuhn challenged this position, and argued that what was previously considered to be progress was instead the introduction of new scientific paradigms that not just challenged, but changed these accepted facts and theories. This paradigm change has three phases: the pre-paradigm phase; normal science; and, revolutionary science. It is, however, the distinction that Kuhn draws between normal and revolutionary science that concerns us with regards to teasing out the differences between opposition and incommensurability.

Normal science operates within an environment of consensus as to what counts as a good explanation of what is being examined, and what is required in order for a problem to be solved. It relies upon the promise of success 'discoverable in selected and still incomplete examples.'⁶⁸⁴ Kuhn goes on to say that

Normal science consists in the actualization of that promise, an actualization achieved by extending the knowledge of those facts that the

⁶⁸³ T. Kuhn, *The Structure of Scientific Revolutions*, 3rd ed. (London: The University of Chicago Press, 1996).

⁶⁸⁴ *Ibid.*, p. 23-24.

paradigm displays as particularly revealing, by increasing the extent of the match between those facts and the paradigm's predictions, and by further articulation of the paradigm itself.⁶⁸⁵

Revolutionary science, in contrast, 'is the introduction of a new "paradigm" of explanation, and thus a new set of problems.'⁶⁸⁶ It is the introduction of new concepts and problems from outside of the currently accepted norms of scientific discourse. Unlike the normal conception of science, revolutionary science is not cumulative because, by its very nature, it involves the revision of existing scientific beliefs and practices.⁶⁸⁷

Let us now return to Rorty's distinction between values that are incommensurable, and those that are merely opposed. We can see, using Kuhn's conception of normal and revolutionary science, that opposed values are analogous to normal science because they (the values) are translatable without loss of meaning, whereas incommensurable values are analogous to revolutionary science because when translation occurs, there is a loss of meaning.⁶⁸⁸ This is perhaps better illustrated by the following example: whilst the interpretations that Rawls and Nozick have with regards to the redistribution of wealth within the liberal polity conflict with each other, they

⁶⁸⁵ Ibid., p. 24.

⁶⁸⁶ R. Rorty, *Philosophy and the Mirror of Nature*, p. 320.

⁶⁸⁷ Data collected as part of the OPERA (Oscillation Project with Emulsion-tRacking Apparatus) Experiment by the European Organization for Nuclear Research (CERN) that suggest the existence of neutrinos that can travel faster than light are an example of revolutionary science because, if verifiable, they would be in contravention of the currently accepted laws of physics.

⁶⁸⁸ For more on Kuhn's thesis of incommensurability, and normal science versus revolutionary science, see W. Sharrock and R. Read, *Kuhn: Philosopher of Scientific Revolutions* (Cambridge: Polity Press, 2002), pp. 140-198; J. Worrall, "Normal Science and Dogmatism, Paradigms and Progress: Kuhn 'versus' Popper and Lakatos," in *Thomas Kuhn*, ed. T. Nickles (Cambridge: Cambridge University Press, 2003), pp. 65-100; J. Rouse, "Kuhn's Philosophy of Scientific Practice," in *Thomas Kuhn*, pp. 101-122; and I. Lakatos and A. Musgrave, eds., *Criticism and the Growth of Knowledge* (Cambridge: Cambridge University Press, 1999).

are both compatible within the broader framework of liberal political thought. The differences that they possess reflect differing interpretations of the same broad liberal values within a dominant philosophical paradigm. Thus, Rawls and Nozick may be *opposed* to each other, but they are not *incommensurable*. However, if we try to find common ground between the different theories of Rawls and Nietzsche, we will find that they are not reducible to a dominant philosophical paradigm, and what one desires cannot be translated into the terms of the other. Thus, it may be said that Rawls and Nietzsche are not only *opposed* to each other, but they are also *incommensurable*.

Owing to the incommensurability of the two sets of authors that Rorty identifies, we ought to cease attempting to do the impossible; that is, we should stop trying to unify these differing groups under the banner of a single comprehensive philosophical or political doctrine (such as Enlightenment liberalism). Instead, Rorty suggests that we need to re-examine how we perceive these two groups:

If we could bring ourselves to accept the fact that no theory about the nature of Man or Society or Rationality, or anything else, is going to synthesize Nietzsche with Marx or Heidegger with Habermas, we could begin to think of the relationship between writers on autonomy and writers on justice as being like the relationship between two kinds of tools – as little in need of synthesis as are paintbrushes and crowbars.⁶⁸⁹

⁶⁸⁹ R. Rorty, *Contingency, Irony, and Solidarity*, p. xiv.

Both sets of authors have a lot to offer us, and we need to be receptive to this fact. Those authors who are concerned with autonomy and perfection teach us that social virtues, such as justice and equality, important though as they are, are not the *only* virtues, and that some individuals have successfully re-created themselves. The liberal authors teach us to recognize that there is often a chasm between the values espoused by the public vocabulary that we use on a daily basis (both individually and at the level of the state), and the exact nature of our existing political, social, and economic institutions and practices. There is often a gap between what values we want our political and social institutions to reflect, and what, in reality, they do actually reflect.⁶⁹⁰ By showing to us what many would wish to deny or choose not to see, these liberal authors help us to acknowledge that as well as our private impulses, we also possess a sense of social obligation towards other human beings.

However, just because these two sets of authors are incommensurable, we should not assume that we cannot preserve their valuable lessons. The issue, however, is in the form of this preservation. What is needed is not an all-encompassing comprehensive solution, which was the previous and elusive approach. Rather, what Rorty advocates is a *practical compromise*. This compromise solution will only be successful if we admit that the values that each set of authors espouse are valuable, but *only* within separate domains. 'Both are right,' Rorty concludes, 'but there is no way to make both speak a single language.'⁶⁹¹ What is most challenging about this situation is that it forces us to accept that our 'vocabulary' contains two independent and

⁶⁹⁰ Ibid., p. xiv.

⁶⁹¹ Ibid., p. xv.

incommensurable sets of values that make competing demands on us. The first of these is necessary for private perfection, and the other is required for solidarity and social justice. This raises an important question, and it is the answer that gives form to Rorty's liberal utopia: what are the characteristics of this compromise solution?

6.5 Rorty's Liberal Utopia: Reconciling Private Irony and Public Solidarity

The best way to achieve this workable solution is to develop a system that allows for the demands of autonomy and perfection, yet insists that this be a purely private affair; that is, that it be confined to the private sphere. It is in relation to the cultivation of private perfection and autonomy that we see the importance of Rorty's 'ironist'. In this specific context, an ironist is someone who fulfils three conditions:

(1) She has radical and continuing doubts about the final vocabulary she currently uses, because she has been impressed by other vocabularies, vocabularies taken as final by people or books she has encountered; (2) she realizes that arguments phrased in her present vocabulary can neither underwrite nor dissolve these doubts; (3) insofar as she philosophizes about her situation, she does not think that her vocabulary is closer to reality than others, that it is in touch with a power not herself. Ironists who are inclined to philosophize see the choice between vocabularies as made neither within a neutral and universal metavocabulary nor by an attempt to fight one's way past appearances to the real, but simply by playing the new off against the old.⁶⁹²

⁶⁹² Ibid., p. 73.

It is at this point that Rorty introduces us to his concept of an individual's 'final vocabulary'. These are the words that we use to justify our actions, beliefs, and even our lives, within both the public and private sphere.⁶⁹³ But what is it specifically that makes this vocabulary 'final'? Rorty's response is that

It is "final" in the sense that if doubt is cast on the worth of these words, their user has no noncircular argumentative recourse. Those words are as far as he can go with language; and beyond them is only helpless passivity or a resort to force. A small part of a final vocabulary is made up of thin, flexible, and ubiquitous terms such as "true," "good," "right," and "beautiful." The larger part contains thicker, more rigid, and more parochial terms, for example, "Christ," "England," "professional standards," "decency," "kindness," "the Revolution," "the Church," "progressive," "rigorous," [and] "creative." The more parochial terms do most of the work.⁶⁹⁴

In this context, ironists, with their acknowledgement of the contingency of their particular 'final vocabulary', are located between nihilists and metaphysicians: unlike the nihilists, ironists do possess values, but unlike metaphysicians, they acknowledge that their commitments are inexorably linked to contingent circumstances.⁶⁹⁵ However, just because the vocabulary that one chooses to use is contingent and open to redescription, does not mean that it cannot be the source of either motivation or regulation. Rorty is very clear on this point, when he states that 'a belief can still regulate action, can still be thought worth dying for, among people who are quite aware that this belief is caused by nothing

⁶⁹³ Ibid., p. 73.

⁶⁹⁴ Ibid., p. 73.

⁶⁹⁵ K. Topper, "Richard Rorty, Liberalism and the Politics of Redescription," p. 956.

more than contingent historical circumstance.⁶⁹⁶ Similar sentiments have been expressed by John L. Mackie, who writes of an individual who ‘could hold strong moral views, and indeed ones whose content was thoroughly conventional, while believing that they were simply attitudes and policies with regard to conduct that he and other people held.’⁶⁹⁷

Thus, within the confines of the private sphere, one may choose to use a vocabulary with distinct Nietzschean overtones, and cultivate virtues that are congruent with the *übermensch*. However, not only would the ironist acknowledge that this chosen vocabulary is contingent and open to redescription, but they would also accept that those who have chosen a different vocabulary have not erred in some fundamental way. In this context, difference does not mean deviation from a universally mandated correct vocabulary.

However, whilst this quest for personal exploration and self-creation has merit, Rorty denies that irony can have a positive role to play within the public sphere. ‘Ironist theorists like Hegel, Nietzsche, Derrida, and Foucault seem to me invaluable in our attempt to form a private self-image, but pretty much useless when it comes to politics.’⁶⁹⁸ Indeed, Rorty warns specifically against the application of ‘Nietzschean-Sartrean-Foucauldian attempt[s] at authenticity and purity’ within the public sphere, as to do so may result in ‘slipping into a political attitude which will lead you to think that there is some social goal more

⁶⁹⁶ R. Rorty, *Contingency, Irony, and Solidarity*, p. 189.

⁶⁹⁷ J. L. Mackie, *Ethics: Inventing Right and Wrong* [1977] (London: Penguin Books, 1990), p. 16.

⁶⁹⁸ R. Rorty, *Contingency, Irony, and Solidarity*, p. 83.

important than avoiding cruelty.⁶⁹⁹ His fear is that unless irony is kept within the private sphere, it may result in the implementation of potentially cruel and humiliating practices within the public sphere, stemming from the belief that these are required in order to achieve the greater good of perfection. Recall O'Brien's conversation with Winston in George Orwell's *Nineteen Eighty-Four*: 'Always, at every moment, there will be the thrill of victory, the sensation of trampling on an enemy who is helpless. If you want a picture of the future, imagine a boot stamping on a human face – for ever.'⁷⁰⁰ When ironic philosophers are situated within the public sphere, they are often dismissive of liberalism and its political and social institutions. This is because they tend to fail to recognize that autonomy is not the type of value that is conterminous with solidarity or just political and social institutions.⁷⁰¹

In order to prevent this potentially detrimental overflow, Rorty solidifies the public/private dichotomy. He posits that it is necessary that we make 'a firm distinction between the private and the public.'⁷⁰² Indeed, so important is this dichotomy that Rorty believes that it may be the last *conceptual* revolution that Western political and social thought needs: 'J. S. Mill's suggestion that governments devote themselves to optimizing the balance between leaving people's private lives alone and preventing suffering seems to me pretty much the last word.'⁷⁰³ This separation is important, because it allows Rorty to restrict the ironist's urges to the private sphere, thus not undermining the

⁶⁹⁹ Ibid., p. 65.

⁷⁰⁰ G. Orwell, *Nineteen Eighty-Four* (London, Penguin Books, 1990), p. 280.

⁷⁰¹ K. Topper, "Richard Rorty, Liberalism and the Politics of Redescription," p. 956.

⁷⁰² R. Rorty, *Contingency, Irony, and Solidarity*, p. 83.

⁷⁰³ Ibid., p. 63.

important moves towards social justice that are advocated by liberal political philosophers. Here Rorty can utilize important values from both sets of authors, without attempting to unite two incommensurable drives. Rorty supports the desires of the ironists in their pursuit of autonomy and constant self-creation and perfection. He supports their utopian vision of a society characterized by the constant proliferation of alternative descriptions, which he refers to as the 'poeticized culture'. Furthermore, not only are these ideals welcomed, they are encouraged, as Rorty believes them to be exemplary private ideals. But these desires must be restricted to the private sphere, because, as noted, when applied to the public sphere, they may result in practices that are detrimental to the individual.

The public sphere, however, is characterized by shared social practices and a sense of social justice, which stems from the belief that we are part of a larger social and moral community. The overriding concern within the public sphere is the reduction of cruelty achieved through the expansion of the 'we community'. As these are shared concerns, then the vocabulary used must permit both criticism and consensus, as these are both required for just outcomes.

However, if Rorty's claim that we lack a common human essence is true, then how can we feel a sense of solidarity with others; how can we expand our 'we community'? Rorty believes that this is entirely possible, but it involves *inverting* the Kantian conception of duty. Kant tells us that we have obligations towards others because they are rational beings. Recall Kant's second formulation of the categorical imperative (the Formula of Humanity): 'Act in such a way that you always treat humanity, whether in your own person or in

the person of any other, never simply as a means, but always at the same time as an end.⁷⁰⁴ As Rorty writes of Kant, 'In his most rigorous mood, Kant tells us that a good action toward another person does not count as a *moral* action, one done for the sake of duty as opposed to one done merely in accordance with duty, unless the person is thought of *simply* as a rational being rather than as a relative, a neighbor, or a fellow citizen.'⁷⁰⁵

However, it is Rorty's claim that it is *precisely* because someone is a relative, a neighbour, or a citizen, that we are more inclined to express solidarity with them. Rorty argues that we (assuming that we are American citizens, like himself) are more likely to help 'young blacks in American cities' that are suffering from 'unending hopelessness and misery' not because we view them primarily as fellow human beings, but rather because we see them as fellow *Americans*.⁷⁰⁶ For Rorty, this demonstrates that 'our sense of solidarity is strongest when those with whom solidarity is expressed are thought of as "one of us," where "us" means something smaller and more local than the human race.'⁷⁰⁷

Instead of identifying those who are 'one of us' and are therefore worthy of our solidarity, and those who are not and are therefore not worthy of our solidarity, the issue becomes one of enlarging our sense of 'we' by including those previously thought of as 'they'. For example, women were once excluded from the political process and denied many of the same basic rights as men. However,

⁷⁰⁴ I. Kant, *The Moral Law: Groundwork for the Metaphysic of Morals*, p. 91 [429; 66, 67].

⁷⁰⁵ R. Rorty, *Contingency, Irony, and Solidarity*, p. 191. Emphasis in the original.

⁷⁰⁶ *Ibid.*, p. 191.

⁷⁰⁷ *Ibid.*, p. 191.

in recognizing the differences that exist between men and women are in fact unimportant, especially when compared to the pain and humiliation that women suffered by being excluded from the political process, men expanded their 'we' to include what had previously been thought of as 'they'. Using this Rortyan logic, women were not included because they shared a common human essence with men, but rather, because men came to view them as part of 'us'. The same method can be applied to others who are usually thought of as being 'they', such as those of differing religions, ethnicity, and sexuality.

This desire for greater human solidarity, as noted by Norman Geras, is therefore representative of Rorty's conception of moral 'progress'.⁷⁰⁸ Thus, Rorty's understanding of progress does not conform to the Enlightenment understanding suggested in Chapter 2, in that it is linked to distinct teleological ends. Rather, it is progress within a contingent historical community. Progress can be made within a community that need not be linked to any external 'objective' ends.

Despite Rorty's arguments to the contrary, Geras holds that Rorty's commitment to progress *does* include a conception of human nature. Geras identifies three conceptions of human nature, to all of which Rorty's denial are meant to apply. Human nature may refer to:

- (1) Claims about characteristics held to be shared by human beings cross-cultural and transhistorically;
- (2) attempts to focus on some putative *differentia specifica*, on a shared characteristic or set of

⁷⁰⁸ N. Geras, "Progress without Foundations?" in *Richard Rorty: Critical Dialogues*, p. 167.

characteristics that distinguishes humankind from other species; [or] (3) the identification of traits thought to be of normative importance, guiding us towards better ways to live or constraining how we should treat one another.⁷⁰⁹

There are two main arguments that Geras develops which suggest that a conception of human nature operates within Rorty's appeal for solidarity through the expansion of a 'we' community. The first of these centres on the arbitrary nature of where the 'we' finishes and 'they' start:

Starting, for instance, from fellow American, you might begin to extend your sense of 'we' to Mexicans, Brazilians, Chileans and so forth, and thence to the peoples of Europe. Or starting from fellow Catholics, you might move on to every kind of Christian, then to Jews and Muslims. *But this process either stops short somewhere within humanity, on account of the needed contra-effects, or it does not.*⁷¹⁰

If the expansion of the 'we' does stop, why does it stop? On what grounds are certain communities excluded? How is this exclusion defended? What makes them un-worthy of inclusion into our 'we'? Conversely, if we can think of no reason why we ought not to include anyone, taken to its logical conclusion, our 'we' community will include *everyone*. But if all of humanity is encompassed, then does this suggest some form of common identity, an implicit expression of

⁷⁰⁹ N. Geras, *Solidarity in the Conversation of Humankind: The Ungroundable Liberalism of Richard Rorty* (London: Verso, 1995), p. 48.

⁷¹⁰ *Ibid.*, p. 77. Emphasis added.

human nature?⁷¹¹ Either Rorty's 'we' community includes everyone, or it excludes people on indefensible and arbitrary grounds.

The second of Geras' arguments is directed towards the issue of *how* it is that we identify with those whom we wish to include within our moral community. I have previously stated that Rorty believes that we are more likely to feel solidarity for our fellow countrymen (in his case, Americans) than we are for human beings broadly considered. The justification that Rorty provides hinges upon his belief that we are more likely to feel solidarity, and therefore help, those who 'are thought of as "one of us," where "us" means something smaller and more local than the human race.'⁷¹² The more of ourselves that we can see in 'the other', the more likely it is that we will be able to empathize with their suffering.

This is what Geras refers to as 'imaginative identification': 'the inclusion of others within one's range of sympathy and moral reckoning.'⁷¹³ However, this approach appears to be problematic. It is not that it is incapable of producing the solidarity that Rorty desires, but rather, the reasons for this solidarity appear to be arbitrary. The first issue that Geras raises here is why it is that Rorty posits that it may be impossible to identify with the whole of humanity. 'Perhaps it is because of the sheer size of this particular set', Geras writes, 'or the wide geographical distribution of its members, puts it beyond the reach of

⁷¹¹ Ibid., p. 77.

⁷¹² R. Rorty, *Contingency, Irony, and Solidarity*, p. 191.

⁷¹³ N. Geras, *Solidarity in the Conversation of Humankind: The Ungroundable Liberalism of Richard Rorty*, pp. 77-78.

even the largest mental and emotional capacity. Humanity is just not small or local enough.’⁷¹⁴

This certainly does appear, at first reading, to be a valid concern. With the Earth’s current population estimated to be over seven billion people, it is perhaps difficult to see how an individual can feel solidarity for *all* of them, as opposed to *some* of them. It might be possible to feel solidarity for them all if we were in possession of a common human essence, but this is something that Rorty denies. Our capacity for imaginative identification struggles when faced with the sheer size of the world’s current population. But this raises the question ‘how many is too many?’ If seven billion is too many, where does the threshold lay that draws a distinction between ‘too many’ and ‘enough’? Rorty seems to imply that the population of America, which is currently over 300 million, is a number that is not considered to be ‘too many’. This is obviously a much smaller number than the current global population, but it is still a substantially large number. It is also a number that increases on a daily basis. But at what point does the American population become so large that it is too big for an individual to empathize with it *en masse*?

Let us accept, however, that being able to empathize with a population the size of America is an uncontroversial statement. Rorty also claims that we should strive to enlarge the membership of our moral community by including those whom we had previously considered not to be one of us. Accordingly, if I were an American citizen, like Rorty, I ought to strive to include non-Americans within my moral community. Geographically speaking, I could broaden the

⁷¹⁴ Ibid., p. 78.

borders of my moral community to include Mexicans and Brazilians. But by doing this, I have added another 290 million people. If I were to broaden the borders of this moral community based in terms of similar political and social values, and include countries such as the United Kingdom, Canada, and Australia, this would add an addition 115 million people. Again, this forces us to raise the question of how many is too many? As Geras argues, 'You either can identify, in a certain meaning and despite the size of this 'community', with fellow Americans plus whoever; in which case you can identify with humanity also. Or else, for reasons of size, you cannot identify with humanity, and then nor can you with Americans plus whoever.'⁷¹⁵

The second issue that Geras raises questions what it is exactly that unites us within 'our' moral community?⁷¹⁶ It is Rorty's contention that it is more likely that American citizens would empathize with young black Americans, not because of a common human essence, but rather because they are 'fellow Americans'.⁷¹⁷ But why is it that the mere fact that someone holds the same citizenship as me means that is it more likely that I will feel solidarity with them? What are these threads that unite us? It could be a common language, in this case English. However, if it is English that unites us, then why does this not include automatically anyone else who speaks English *outside* of America? What about a common or shared history? Given that the history of any one country is a contested issue, it is doubtful that this alone could constitute a sufficiently robust thread to unite all Americans. Take, for instance, the challenge that

⁷¹⁵ Ibid., p. 78.

⁷¹⁶ Ibid., pp. 77-81.

⁷¹⁷ R. Rorty, *Contingency, Irony, and Solidarity*, p. 191. Emphasis in the original.

African-American interpretations of American history have had on many previously held assumptions.⁷¹⁸ The idea of a 'common' or 'shared history' is, I believe, something of a misnomer.

Following from Geras, I am not arguing that it is impossible to uncover threads that may act to unite Americans. Rather, whatever threads are used to unify people are very thin and abstract, and it is doubtful that these threads could be used to unite *only* and *all* Americans. Indeed, returning to Rorty's example, one might ask: if a sense of common citizenship was all that was required to generate solidarity with the 'young blacks in American cities', then why did their 'unending hopelessness and misery' emerge in the first place? Did other Americans forget that African-American *are* fellow Americans, or did the fact that they are *African-Americans* mean that they are not one of 'us'?

However, let us leave Geras' critique behind, and return to the parameters of Rorty's liberal utopia. It needs to be acknowledged that the final vocabulary within this liberal utopia does contain a degree of mild ethnocentrism; that is, it reflects the values of the 'bourgeois liberal society',⁷¹⁹ in particular those of North America and Western Europe. This is not, however, because the 'bourgeois liberal society' has any claim to truth, but because, in Rorty's analysis, it has demonstrated experimental success:

⁷¹⁸ See, for example, M. E. Spencer, "Multiculturalism, "Political Correctness," and the Politics of Identity," *Sociological Forum* 9, no. 4 (December 1994), pp. 547-567; L. P. Masur, ed., *The Challenge of American History* (Baltimore: The John Hopkins University Press, 1999); S. Kawash, *Dislocating the Color Line: Identity, Hybridity, and Singularity in African-American Narrative* (Stanford: Stanford University Press), 1997; M. Gomez, "Of Du Bois and Diaspora: The Challenge of African American Studies," *Journal of Black Studies* 35, no. 2 (November 2004), pp. 175-194; and R. J. C. Young, *White Mythologies: Writing History and the West* (London: Routledge, 2004).

⁷¹⁹ R. Rorty, *Contingency, Irony, and Solidarity*, p. 84.

We pragmatists are not arguing that modern Europe has any superior insight into eternal ahistorical realities. We do not claim any superior rationality. We claim only an experimental success: we have come up with a way of bringing people into some degree of comity, and of increasing human happiness, which looks more promising than any other way which has been proposed so far.⁷²⁰

When questions are raised over the suitability of bourgeois liberal values to the problems that are faced by Western societies, instead of asking what metaphysical or philosophical arguments were used to justify it, we should instead ask what alternatives are available.⁷²¹ What other language game could we use to address better and solve these problems? Thus, the issue is no longer one of metaphysical justification, but of practicalities. The question that we must address is ‘what works best?’

Therefore, it can be seen that Rorty prioritizes politics over metaphysics and philosophy because of the practical advantages that it allows, and which philosophy, in his analysis, is incapable of producing. It is politics that allows him to mediate between two competing, and, as he sees them, incommensurable, value sets. In this sense, Rorty has committed himself to both postmodernism *and* liberalism. It is this separation that characterizes Rorty’s liberal utopia. His commitment to postmodernism is essentially a *philosophical* one, whereas his commitment to liberalism is a *political* one. Here we can interpret Rorty’s action as an attempt to disentangle Enlightenment politics

⁷²⁰ R. Rorty, “Afterword: Pragmatism, Pluralism and Postmodernism,” in *Philosophy and Social Hope*, p. 273.

⁷²¹ J. Horton, “Irony and Commitment: Irreconcilable Dualism,” p. 23.

from Enlightenment philosophy: he wishes to criticize the normative philosophy of the Enlightenment from a postmodernist point of view, but praise its politics from a liberal perspective. It is precisely this separation of politics from philosophy that is at the heart of Rorty's liberal utopia.⁷²²

Thus, Rorty's use of liberalism possesses a very distinct meaning: it is a 'final vocabulary' that is devoid of any specific metaphysical or philosophical content. Liberalism, in this context, does not have recourse to any non-circular argument for its justification. Rorty has liberated the political and practical significance of liberalism from its Kantian metaphysical foundations. Instead of metaphysics, Rorty's liberalism is linked to its historical association of freedom, emancipation, and solidarity. Conversely, under this Rortyan defence, liberalism would lose its practical effectiveness and appeal if it were to be fused with metaphysical or philosophical arguments, such as a Kantian conception of autonomy.⁷²³

6.6 The Anti-Political Nature of Rorty's Liberal Utopia

Given the unique, and for some, no doubt unsettling nature of Rorty's liberal critique and subsequent redescription, it is perhaps not surprising that his views – both philosophical and political – have been challenged. However, without dismissing the validity of these critiques, I do not wish my critical voice to be seen as nothing more than a broad survey of these criticisms. Rather, the

⁷²² C. Mouffe, "Deconstruction, Pragmatism and the Politics of Diversity," in *Deconstruction and Pragmatism: Simon Critchley, Jacques Derrida, Ernesto Laclau and Richard Rorty*, ed. C. Mouffe (London: Routledge, 1996), p. 1; and Y. Dazhi, "Postmodernist Liberalism: A Critique of Richard Rorty's Political Philosophy," *Frontiers of Philosophy in China* 3, no. 3 (2008), pp. 459-460.

⁷²³ A. Malachowski, *Richard Rorty* (Chesham: Acumen, 2002), p. 132.

focus of the critique that I propose must be associated with the aims of this thesis. That is, I wish to address the extent to which Rorty's philosophical and political views are adequately coherent and deep enough to deal with the issues associated with diversity and pluralism.

Rorty's philosophy (or rather, his 'antiphilosophy'),⁷²⁴ with its political implications, do not offer anything particularly useful for those who wish to escape from a conception of Kantian metaphysics, and yet desire a strong conception of the *political*. Despite Rorty's (admittedly very eloquent) redescription of liberalism and its foundations, what he leaves us with is a conception of liberalism that is essentially unchanged. Whilst Rorty has resituated liberalism from the philosophical to the political, many of the problems that I identified in Chapter 3 of this thesis still remain. In order to defend my position, I will utilize the excellent exposition and analyses of Justin Cruickshank and Honi Haber.⁷²⁵ Whilst the foci of their work differs, they both come to similar conclusions regarding the suitability of Rorty's liberal utopia to address issues of pluralism and the political.

The aim of Cruickshank's article is to examine three separate arguments that he believes Rorty proposes to solidify and justify the link between pragmatism and liberalism. These are (1) the 'pragmatist-ethnocentric argument' for liberalism;

⁷²⁴ J. B. Elshtain, "Don't Be Cruel: Reflections on Rortyan Liberalism," in *Richard Rorty*, eds. C. Guignon and D. R. Hiley (Cambridge: Cambridge University Press, 2003), p. 142.

⁷²⁵ J. Cruickshank, "Ethnocentrism, Social Contract Liberalism and Positivist-Conservatism: Rorty's Three Theses on Politics," *Res Publica* 6, no. 1 (2000), pp. 1-23; H. F. Haber, *Beyond Postmodern Politics*, pp. 43-72; and H. F. Haber, "Richard Rorty's Failed Politics," *Social Epistemology* 7, no. 1 (1993), pp. 61-74. For a reply to Haber's argument, see B. Martin, "Liberalism: modern and postmodern," *Social Epistemology* 7, no. 1 (1993), pp. 75-81; and Haber's reply to Martin, H. F. Haber, "Thoughts upon reading Martin's comments," *Social Epistemology* 7, no. 1 (1993), pp. 83-84.

(2) the 'social contract argument'; and (3) the 'positivistic-conservatism argument'. Cruickshank finds ultimately that none of these three arguments can provide a sufficiently robust argument linking pragmatism to liberalism. The 'pragmatist-ethnocentric argument' for this link fails because it ultimately collapses back towards relativism;⁷²⁶ and the social contract argument is unsuccessful because it results in an extreme form of individualism, and a liberal state that cannot provide any justification for intervention to protect its population of poets.⁷²⁷ It is, however, Cruickshank's third argument that is directly relevant to this thesis. The crux of this argument is that the positivistic-conservative approach can only justify liberalism by fiat, and in doing so, it removes any space for the examination of normative issues, either metaphysical or political, that question and challenge the status quo. That is to say, Rorty's liberal utopia is devoid of any substantive *political* content, where politics is conceived as being a clash of beliefs and opinions, as opposed to mere administration, or, to use Rorty's phrase, 'experimental tinkering'.⁷²⁸

For Rorty, the strength of his liberal utopia lies in the fact that we are no longer burdened with the need to either conceive of coherent and rational metaphysical grounds for liberalism, or to construct theoretical critiques (of liberalism). This desire is immature, and once it is removed, we can (to misappropriate Kant) overcome our self-imposed immaturity. With the need for metaphysical justifications rejected, we can simply 'get on' with the *practical*

⁷²⁶ J. Cruickshank, "Ethnocentrism, Social Contract Liberalism and Positivistic-Conservatism: Rorty's Three Theses on Politics," pp. 4-10.

⁷²⁷ *Ibid.*, pp. 10-17.

⁷²⁸ R. Rorty, "Thugs and Theorists: A Reply to Bernstein," p. 565.

political matters that we face within the modern liberal democratic polity. Metaphysics is a fetish that we need to break our addiction to.

This rejection of metaphysical discourse, with its reliance on a discovered truth of the world 'as it really is', may suggest that Rorty is sympathetic to the claims of the post-structuralists. But this is not the case, for Rorty believes that the post-structuralists are guilty of the same immature fetishization of metaphysics and grand narratives as Enlightenment and modernist philosophers. In Rorty's analysis, the post-structuralists have simply replaced one discourse with another; one form of ideology critique for another. Concepts such as metaphysics, grand narratives, and the correspondence theory of truth, have been jettisoned in favour of new concepts such as 'language' or 'discourses', around which the post-structuralists can weave their 'fantasies'.⁷²⁹ Rorty is just as dismissive of those who espouse the 'idiot jargon'⁷³⁰ of the new left as he is of those who demand a central place for metaphysics in the contemporary political discourse:

Belief in the utility of this genre [post-structuralism] has persuaded a whole generation of idealists in the First World that they are contributing to the cause of human freedom by, for example, exposing the imperialistic presuppositions of Marvel Comics, or campaigning against the prevalence of "binary oppositions." This belief has helped produce the idiot jargon that Frederick Crews has recently satirized as "Leftspeak" – a dreadful, pompous, useless mishmash of Marx, Adorno, Derrida, Foucault, and Lacan.⁷³¹

⁷²⁹ R. Rorty, *Truth and Progress: Philosophical Papers*, vol. 3 (Cambridge: Cambridge University Press, 1998), p. 242.

⁷³⁰ R. Rorty, "Thugs and Theorists: A Reply to Bernstein," p. 570.

⁷³¹ *Ibid.*, pp. 569-570.

Similarly, in a reaction to what he views as the detrimental growth of 'identity politics', Rorty laments that

Nowadays...we are getting a lot of political and social philosophy which takes its starting point not from a historical narrative but rather from philosophy of language, or from psychoanalysis, or from discussion of the traditional philosophical *topoi* as 'identity' and 'difference', 'self' and 'subject', 'truth' and 'reason'. This seems to me the result of a loss of hope – or, more specifically, of an inability to construct a plausible narrative of progress.⁷³²

Whilst this 'new left' may have redescribed the nature of philosophy and philosophical analysis, all they have succeeded in doing is to replace one fantasy with another.

In order to transcend this self-imposed immaturity, Rorty argues that metaphysical, philosophical, and political *theorizing* must be replaced by political *practice* with regards to the public sphere. However, in order to achieve this demand, Cruickshank suggests, Rorty requires that we 'have to accept the [existing] liberal political order as a functioning and legitimate 'given'.'⁷³³ Thus, I suggest, following from Cruickshank, that Rorty's liberal utopia is a form of liberal political practice that favours the status quo, with therefore very little room for political analysis and change. Therefore

⁷³² R. Rorty, "Globalization, the Politics of Identity and Social Hope," in *Philosophy and Social Hope*, p. 232.

⁷³³ J. Cruickshank, "Ethnocentrism, Social Contract Liberalism and Positivist-Conservatism: Rorty's Three Theses on Politics," pp. 18-19.

theoretical concepts that problematize and examine the political status quo and its power relations – such as using feminism to criticize ascribed gender relations, or the politics of exclusion to examine how certain political minorities are excluded from the political process – are simply not allowed. Problem solving within the Rortyan liberal utopia must confine itself to dealing with tangible facts that are neither theoretical nor normative. Politics has been reduced to mere administration. As Cruickshank argues:

Instead of theories being used to question the status quo, or to conceptualise problems recognised by all (such as economic recessions) from different perspectives, we have a positivism which holds that politics deals with ‘facts’, which are practical, non-normative and a-perspectival. The ‘facts speak for themselves’ and require no theoretical elucidation.⁷³⁴

Cruickshank provides the reader with an example of how Rorty’s ‘facts only’ approach to political problem solving can run aground when challenged by theoretical and/or normative issues. The positivistic-conservative approach that Rorty favours would limit us to ‘tinkering’ with the problem at hand, and restricting ourselves only to the facts. When discussing the failures of centralized governmental planning, and the need to find ‘an economic setup that satisfactorily balances decency and efficiency,’⁷³⁵ Rorty notes that ‘there is

⁷³⁴ Ibid., p. 19.

⁷³⁵ R. Rorty, “Thugs and Theorists: A Reply to Bernstein,” p. 565.

nothing sacred about either the free market or about central planning; the proper balance between the two is a matter of *experimental tinkering*.⁷³⁶

But the reality is that economic policy and problem solving are complex issues, and it is influenced as much by normative theory as it is by mere 'facts'. Indeed, the very concept of what a successful economy may resemble is a highly normative and contested issue. Even if I limit this discussion to competing economic views *within* liberalism (and thus exclude a myriad of anarchist, socialist, and Marxist views), we can see substantial differences. For those who are influenced by Locke, Hayek, or Nozick, a successful economy would recognize the right to private property acquisition and disposal, minimal taxation, and a laissez-faire economy. Conversely, there are those, such as Rawls, who believe that a redistribution of resources is just if it helps to improve the wealth and life of those who, through no fault of their own, are less well off.

This is only a brief sketch of the complex issues involved with economic policy. But what Cruickshank does demonstrate successfully is that very often what are considered to be raw facts are, in fact, influenced by normative values. Whilst Rorty may suggest that his approach is superior because we have moved away from simply *thinking* about problems (and running the risk of producing more questions via philosophy) to actually *solving* them, it hinges upon a rather one-

⁷³⁶ Ibid., p. 565. Emphasis added. In David Cameron's recent speech on the proposed reforms for the 'modern public service', the Prime Minister spoke in a way that mimicked Rorty's 'facts only' approach to political problem solving. Cameron argued explicitly that the proposed reforms were not linked to political theory or ideology, but were a matter of *problem solving*. In the words of the Prime Minister, 'These reforms aren't theory or ideology – they are about people's lives.' D. Cameron, "Prime Minister's speech on modern public service," (January 17, 2011), <http://www.number10.gov.uk/news/speeches-and-transcripts/2011/01/prime-ministers-speech-on-modern-public-service-58858> (accessed February 20, 2011). Emphasis added.

dimensional interpretation of what facts are. As Cruickshank concludes, 'Rorty's views of politics may be useful for getting the trains to run on time, but it cannot deal with politics as a sphere for legitimate problematization of the given and for normative contestation.'⁷³⁷

The strength of Rorty's liberal utopia lies in the fact that his politics do not require a metaphysical or philosophical justification. However, it is the lack of space for philosophical *content* and *questioning*, as opposed to philosophical *justification*, which is at the heart of Cruickshank's critique. This argument can be bolstered by incorporating a line of critique against Rorty developed by Chantal Mouffe. Mouffe does not dismiss outright Rorty's politics; indeed, she believes that Rortyan pragmatism (along with Derridean deconstructionism) 'could contribute to the elaboration of a non-foundationalist thinking about democracy.'⁷³⁸ For Mouffe, the strength of Rorty's work can be located in his critical views relating to 'the pretensions of Kantian-inspired philosophers...who want to find a viewpoint standing above politics from which one could guarantee the superiority of democracy.'⁷³⁹ The crux of Mouffe's dispute with Rorty is not his relevance for politics, but rather, the form in which his conception of politics manifests itself. In demanding a strong separation between the public and private spheres in his liberal utopia, Rorty's view of politics is driven by pragmatic and short-term solutions, and ultimately promotes piecemeal type social engineering. Mouffe's fear is that Rorty's liberal

⁷³⁷ J. Cruickshank, "Ethnocentrism, Social Contract Liberalism and Positivist-Conservatism: Rorty's Three Theses on Politics," p. 19.

⁷³⁸ C. Mouffe, "Deconstructionism, Pragmatism and the Politics of Diversity," p. 2.

⁷³⁹ *Ibid.*, p. 4.

utopia is incapable of doing justice to the ‘multiplicity of struggles which call for a radicalization of the democratic ideal.’⁷⁴⁰

There is a distinct shift away from an approach that advocates more normative analysis in favour of one whose solution to political problems is the expansion of liberalism. Mouffe characterizes Rorty’s solution in the following way:

What ‘we liberals’ should aim at is to create the largest possible consensus among people about the worth of liberal institutions. What is needed is a bigger dose of liberalism – which he [Rorty] defines in terms of encouraging tolerance and minimizing suffering – and a growing number of liberal societies. Democratic politics is only a matter of letting an increasing number of people count as members of our moral and conversational ‘we’.⁷⁴¹

Through the use of Cruickshank and Mouffe’s analysis, the argument that I propose against Rorty is that his liberal utopia is actually anti-political, in that it negates the *political* in its antagonistic form. In believing that a harmonization and consensus of values is possible within the public sphere, Rorty is denying the thesis of value pluralism, and its political implications. Rorty does not accept, as Berlin, Crowder, and Gray all do,⁷⁴² that conflicts between fundamental values, such as liberty and equality, can never be resolved. Any conception of liberal and democratic politics necessarily entails a particular understanding of the conflicted nature of politics, and this is something that Rorty’s conception is unable to provide. Whilst Rorty has provided us with a form of liberal politics

⁷⁴⁰ Ibid., p. 3.

⁷⁴¹ Ibid., p. 6.

⁷⁴² See Chapter 5 of this thesis.

that is not hindered by restrictive metaphysical claims, it is also a form of politics that is unable to cope adequately with the demands of pluralism and diversity.⁷⁴³

The second line of critique that I draw against Rorty calls upon the insightful analysis of Haber, and her text *Beyond Postmodern Politics*. Much of her text is directed at determining whether postmodern politics can sustain a ‘politics of difference’. Specifically, ‘can postmodernism remain true to the ideals of radical pluralism it borrows from the poststructuralist critique of language and the self and at the same time accommodate such pluralism with a new political program?’⁷⁴⁴ Concluding her line of enquiry, Haber determines that ultimately, Rorty’s liberal utopia is unsuitable as a philosophical or political model to allow radical pluralism. In order for any philosophical or political model to be used for such a purpose, it must not only be ‘able to accommodate a sense of self-identity...[but] self-identity in turn requires identity with others.’⁷⁴⁵ Solidarity, in Haber’s analysis, requires that we be able to see parts of our story in those told by others, and when enough of us do, we are able to form a vocabulary from which we can voice our oppression. This is not to argue that significant points of difference ought to be ignored – indeed, identity can be a powerful source of strength – but rather it is only from this position of solidarity that points of resistance can be constructed and maintained.⁷⁴⁶ Thus, solidarity may be considered to be the political expression of empathy. Accordingly, pluralism

⁷⁴³ C. Mouffe, “Deconstructionism, Pragmatism and the Politics of Diversity,” p. 7; and C. Mouffe, *On The Political* (London: Routledge, 2005), p. 88, 89.

⁷⁴⁴ H. F. Haber, *Beyond Postmodern Politics*, p. 43.

⁷⁴⁵ *Ibid.*, p. 43.

⁷⁴⁶ *Ibid.*, p. 43.

requires a form of solidarity that is more than just a political expression of toleration. (In this context, Haber is arguing against the liberal neutralism of Locke and Rawls.) Haber's exposition of the nature of solidarity can be interpreted as an apt reflection of the development of the feminist movements that I examined in Chapter 3, where the third-wave feminists such as Soper, Nash, and Nussbaum, argued against the increased fragmentation of the feminist movements that eroded notions of a sisterhood and solidarity.

However, the degree of commonality that is required to support and sustain this solidarity cannot be achieved by Rorty's liberal utopia. The primary source of this shortcoming lies in Rorty's continued insistence on the strict separation of the public and private spheres. It is precisely this separation that 'does not allow for the fluidity of the public space' that is needed for the development and nurturing of solidarity.⁷⁴⁷ As I have already examined, Rorty, following on from Mill, is insistent with regards to this separation. The public sphere ought to be dedicated to social justice, whilst the private sphere is the space for self-creation and perfection. Not only do the demands for social justice conflict with the drive for self-creation, but more importantly, what the poet or philosopher may have to offer public life may be dangerous or detrimental to the public sphere. As Rorty notes, 'irony has little public use.'⁷⁴⁸ The separation between theory and practice, which Cruickshank has already criticized, is necessary for Rorty's liberal utopia. But what Rorty sees as a necessary separation is, for Haber, the source of his failing.

⁷⁴⁷ Ibid., p. 50.

⁷⁴⁸ R. Rorty, *Contingency, Irony, and Solidarity*, p. 120.

The poet or philosopher that inhabits Rorty's liberal utopia ought to be interpreted as an autonomous and self-created individual, as can be seen in his continued praise of Nietzsche.⁷⁴⁹ But it is at this point that it becomes obvious that Rorty is still situated within the Anglo-American tradition. For Habermas, this is a philosophical and political approach that 'sees the self as being fully human *only* to the extent that he or she is a participant in the public realm, but the presupposition of that participation is the independent and autonomous citizen.'⁷⁵⁰ But as I have already explored at length earlier in this thesis, this conception of the autonomous agent is inexorably linked to the Enlightenment tradition, and has been criticized by the Romantics, communitarians, and feminists. It appears as though Rorty has fallen into the same trap as many Enlightenment thinkers, in that he *assumes* that the private autonomous individual already exists, and their existence is completely separate from their public one. That is to say, Rorty either neglects or intentionally ignores the social origins and influences of the self.⁷⁵¹

By arguing that the self is antecedent to society, Rorty ignores the influences that the political and social dimension can have on the formation of the self. By ignoring or denying that the individual is, at least in part, culturally and socially constructed, Rorty is blind to the fact that the social and the cultural are themselves constructed with a discourse of power relations.⁷⁵² This point is illustrated by Nancy Fraser:

⁷⁴⁹ Ibid., pp. 23-43.

⁷⁵⁰ H. F. Habermas, *Beyond Postmodern Politics*, p. 61. Emphasis added.

⁷⁵¹ Ibid., p. 61.

⁷⁵² Ibid., p. 61.

Worker's movements, for example, especially as clarified by Marxist theory, have taught us that the economic is the political. Likewise, women's movements, as illustrated by feminist theory, have taught us that the domestic and the personal are political....Finally a whole range of New Left social movements, as illuminated by Gramscian, Foucauldian...even by Althusserian theory, have taught us that the cultural, the medical, the educational – everything that Hannah Arendt called “the social,” as distinct from the private and the public – that all this too is political.⁷⁵³

It is my contention, therefore, that with regards to the politics of identity, diversity, and pluralism, Rorty's liberal utopia is no utopia. It is essentially nothing more than Enlightenment liberalism with a new name; Enlightenment liberalism has been redescribed, but it still retains the same problematical features. This is because Rorty refuses to acknowledge that many of the issues that he argues ought to be restricted to the private sphere do in fact possess a distinct *political* element, with power-laden overtones. By privatizing philosophy, he has ensured that the political discourse of radical pluralism has been rendered ineffective. The dominant political paradigm, indeed, the *only* political paradigm, within Rorty's liberal utopia, is that of the 'bourgeois liberal', which amounts to Enlightenment liberalism merely with a different name. As Haber argues, 'anyone who speaks with a voice of the 'other' is only allowed [to do so] in the private sphere.'⁷⁵⁴

⁷⁵³ N. Fraser, *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory* (Minneapolis: The University of Minnesota Press, 1989), p. 102.

⁷⁵⁴ H. F. Haber, *Beyond Postmodern Politics*, p. 62.

The crux of my critique against Rorty, which I have made through the voices of Cruickshank and Haber, is that Rorty's liberal utopia, which is his final word regarding the reconciliation of pluralism and politics, is simply not equipped to serve those who have been marginalized or excluded by the traditional Enlightenment liberal process and its underlying metaphysical assumptions. In order for a form of politics that is capable of accommodating the demands of identity, diversity, and pluralism, to be viable, it must be able to bring into the political and social arena those who have been traditionally marginalized or excluded, as well as to allow for the critique of previously normative considerations. In order to be able to do this, Rorty would need to politicize what he has confined to the poet and the philosopher. Issues such as class, sex, sexuality, religion, and ethnicity, need to be included in the public sphere *in addition to* the private sphere, and it is clear that Rorty does not allow for this. Rorty needs to acknowledge something that has been at the forefront of feminist thought since at least the second-wave feminists: that the personal *is* the political.

Whilst Rorty does not provide an explicit rebuttal of either Cruickshank or Haber's critique, he has addressed similar concerns elsewhere, in particular in relation to feminism and ideological critique.⁷⁵⁵ Despite what I believe to be the

⁷⁵⁵ R. Rorty, "Feminism, Ideology, and Reconstruction: A Pragmatist View," in *Feminist Interpretations of Richard Rorty*, ed. M. Janack (The Pennsylvania State University: The Pennsylvania State University Press, 2010), pp. 103-112. This first version of this chapter was a conference paper that Rorty presented at "The Future of Deconstructionism: Reading Marx's *The German Ideology*" in February 1992 at the Interdisciplinary Humanities Centre of the University of California, Santa Barbara. For more on this issue specifically, see N. Fraser, "Solidarity or Singularity? Richard Rorty between Romanticism and Technocracy," in *Reading Rorty*, ed. A. Malachowski (Oxford: Basil Blackwell, 1996), pp. 303-321; and M. Janack, ed., *Feminist Interpretations of Richard Rorty*. However, Rorty argues that contrary to the concerns of many

valid and necessary critique on the part of Cruickshank and Haber, Rorty is adamant that philosophy (in the form of ideological critique) is only of very limited value insofar as it can be used as a tool for progressive political changes:

Neither philosophy in general, nor deconstructionism in particular, should be thought of as pioneering, path-breaking, tool for feminist politics....When philosophy has finished showing that everything is a social construct, it does not help us decide which social constructs to retain and which to replace.⁷⁵⁶

Instead of critique, pragmatism itself is a tool that is better suited to delivering these positive changes. Rorty's defence of pragmatism in this context hinges upon the terms of the feminist discourse and critique, their relationship to reality, and therefore their ultimate usefulness. In Rorty's analysis, there is a disjuncture between the philosophical views about 'truth, knowledge, and objectivity', which are held by most 'contemporary feminist intellectuals', and the objects to which they purportedly refer.⁷⁵⁷ Rorty contends that these feminists argue that the 'masculinist ideology' *distorts* reality, and thus, also distorts what many women, and indeed men, are led to believe. The result of this distortion is that what are considered to be the 'innate' and 'inevitable' differences between the sexes, are in fact a perversion of 'the truth'.

feminists, pragmatism is in fact capable of sustaining a feminist agenda. See R. Rorty, "Feminism and Pragmatism," in *Feminist Interpretations of Richard Rorty*, pp. 19-45.

⁷⁵⁶ R. Rorty, "Feminism, Ideology, and Reconstruction: A Pragmatist View," p. 103.

⁷⁵⁷ *Ibid.*, p. 106.

However, Rorty argues this view *presupposes* that there are, in fact, such things as truth, knowledge, and objectivity. But, if the pragmatist analysis is correct, then this particular line of feminist ideology critique (against the masculinist ideology) collapses: if everything is a social and/or linguistic construction, then there is no truth or objective reality that the masculinist ideology distorts. The only assistance that philosophy can offer feminism is not at the level of uncovering the cause of this distortion, but rather to show us that any given masculinist description, practice, or object (such as the innate sexual division of labour, or even what constitutes 'man' and 'woman') are social constructs. Rorty doubts that, beyond this level, philosophy can be of any use.⁷⁵⁸

This is not to suggest that there can be no remedy to female oppression. Rather, the terms in which the solutions are to be couched have changed: instead of 'natural' remedies, we ought to think in terms of 'cultural' or 'societal' ones.⁷⁵⁹ In this sense, feminism ought to view itself as a reformist movement, rather than one seeking ideological revolution. Rorty suggests that 'political goals are fairly concrete and not difficult to envisage being achieved; these goals are argued for by appeals to widespread moral intuitions about fairness.'⁷⁶⁰ Here Rorty believes that feminism is analogous to the eighteenth century abolition movement, rather than nineteenth century Communism, in the sense that its goals are about specific political reforms, not ideological revolution.⁷⁶¹

⁷⁵⁸ Ibid., pp. 107-108.

⁷⁵⁹ Ibid., p. 106.

⁷⁶⁰ Ibid., p. 105.

⁷⁶¹ Ibid., p. 105.

However, whilst it may be ‘relatively easy to *envisage* a world with equal pay for equal work, equally shared domestic responsibilities, [and] as many women as men in positions of power’,⁷⁶² the reality of women’s lived experience is very different. These demands, which align with those made by the liberal feminists discussed in section 3.5, are hardly what one could characterize as ‘radical’, or ‘revolutionary’. Yet these are demands that have yet to be achieved in full, even with the Western liberal democratic polities: women *still* have not achieved pay parity with men; they *still* do more domestic work than men; and there are *still* far more men than women in positions of power.

For example, the 2010 National Management Salary Survey (UK) showed that while there had been a 2.8% increase in female salaries in the preceding twelve months (compared to a 2.3% increase for men), the average annual salary for a male manager in the UK was £10,071 more than that of a female manager. Furthermore, women would have a fifty-seven year wait before their take-home salary was equal to that of their male colleagues.⁷⁶³ In his 2011 report on women in the boardroom, former minister Lord Davies of Abersoch states that currently ‘18 FTSE 100 companies have no female directors at all and nearly half of all FTSE 250 companies do not have a woman in the boardroom.’⁷⁶⁴ Responding to this report, Stephen Alabritis, the Commissioner at the Equality and Human Rights Commission, stated that at ‘the current rate of

⁷⁶² Ibid., p. 105. Emphasis added.

⁷⁶³ M. Petrook, “Equal pay for women still 57 years away,” (August 18, 2010), Chartered Management Institute, <http://www.managers.org.uk/news/equal-pay-women-still-57-years-away> (accessed March 6, 2011).

⁷⁶⁴ Lord Davies, quoted in “Davies report calls for more women in boardroom,” (February 24, 2011), <http://www.bbc.co.uk/news/12560121> (accessed March 6, 2011).

change it will take 73 years for women to achieve equal representation in the boards of FTSE 100 companies.⁷⁶⁵

In their 2010 Triennial Review *How Fair is Britain?*, the British Equality and Human Rights Commission found that by the time women reach the age of forty, they ‘earn on average 27% less than men of the same age.’⁷⁶⁶ This difference increases when other factors, such as disability and race, are included. The report also found that in Britain, ‘40% of female jobs are in the public sector compared to 15% of male jobs.’⁷⁶⁷ When one takes into account the projected public sector budget cuts in Britain, it can be extrapolated that these cuts will disproportionately affect substantially more women than men. Is this outcome to be rectified through more ‘experimental tinkering’, as Rorty would argue, or is this symptomatic of deeper systemic and patriarchal issues?

To *envisage* change is one thing, but the evidence suggests that to *achieve* it is a different issue altogether. Owing to the fact that Rorty institutionalizes the public/private dichotomy, he also institutionalizes marginalization and oppression. As correctly identified by Cruickshank and Haber, the issues that Rorty has confined to the private sphere need to be brought into the open so they can be made the focus of political critique and debate. Those, like feminists, who argue that ‘the personal is the political’, should be troubled by Rorty’s liberal utopia. Opening the private sphere to political critique and debate would

⁷⁶⁵ S. Alambritis, “Response to the Lord Davies report on women in the boardroom,” (February 24, 2011), <http://www.equalityhumanrights.com/news/2011/february/response-to-the-lord-davies-report-on-women-in-the-boardroom/> (accessed March 6, 2011).

⁷⁶⁶ Equality and Human Rights Commission, *How Fair is Britain? Equality, Human Rights and Good Relations in 2010* (October 2010), p. 650. An on-line summary of this 750-page report can be found at <http://www.equalityhumanrights.com/key-projects/how-fair-is-britain/online-summary/> (accessed March 6, 2011).

⁷⁶⁷ *Ibid.*, p. 649.

have the effect of opening the larger public sphere to modifications and changes in directions that would allow for the participation of those who had been previously marginalized and excluded. But Rorty's liberal utopia is unable to engender this form of solidarity, as it is not capable, I conclude, of offering a critique of power relations, especially as they affect the public/private dichotomy.

7. Mouffe's Radical Democratic Project

7.1 Introduction

Chapters 4, 5, and 6 of this thesis have sought to examine and address the pressing issues raised in Chapters 2 and 3. Each theoretical model examined in this thesis has, for various reasons, been found to be problematic, especially with regards to the challenge of thick pluralism. Whilst Rawls' political liberalism and Crowder's value pluralist liberalism acknowledge that pluralism is an inescapable political reality and therefore must be taken into account when determining political principles, they both fall back upon a form of liberal political association that, in my analysis, still allocates priority to the disembodied autonomous individual. Rorty's post-metaphysical liberal utopia has the potential to avoid – or at the very least mitigate – these problems, as he intentionally separates the *politics* of the Enlightenment (self-assertion) from the *philosophy* of the Enlightenment (self-foundation). However, as I have demonstrated, Rorty's particular conception of liberalism is unsatisfactory because not only does he fail to address adequately the relationship between the public and private spheres, but he also removes any scope for debate from which a critique of liberalism can be mounted.

What unites these three different approaches is that despite their internal differences, they all believe that, given ideal theoretical conditions, it is possible to theorize away any and all conflict between liberal political principles and pluralism. Those pluralist challenges that, for whatever reason, fail to fall within this rational consensus are deemed to be irrational, and are thus excluded from the political process. Thus, politics and political discourse is only allowed to

exist within a pre-determined sphere whose parameters are determined through the instrumental use of reason.

This focus of this final chapter will draw a sharp line between it and the liberal ideals that were examined in the previous three chapters. In contrast to what has preceded, this chapter will shift focus from the *liberal* end of the liberal-democratic spectrum, to the *democratic* end. In doing so, it will reject explicitly liberal appeals to philosophical and political conceptions of consensus (especially as it relates to the construction and use of the instrumental use of reason within the public political sphere) in favour of a form of radical democratic politics that acknowledges that not only is this consensus an impossibility, but in its place we are left with a permanent state that is characterized by both conflict and pluralism.

In order to achieve this, the ideas of Ernesto Laclau and Chantal Mouffe will be examined, as they each offer a different yet complimentary element. Laclau addresses the dichotomy of the universal and the particular, a debate that has underpinned much of this thesis. It is Laclau's contention that the traditional interpretation of the universal and the particular as distinct and separate concepts is a false view, and a third approach is possible. Here the universal is devoid of any specific and normative content, but can be utilized temporarily by the fluid demands of the particular. In this context, the constant renegotiation of the content of the (empty) universal is of particular importance, as it provides the terrain on which the challenge of pluralism (in both its thin and thick forms) can be negotiated. It is at this juncture that the important work of Mouffe becomes particularly relevant, as it is through her agonistic account of

democratic politics that this constant renegotiation gains form through an acknowledgement of the ontology of both pluralism and conflict.

7.2 Laclau and the Empty Universal

Within the confines of both classic ancient philosophy and the Enlightenment liberal political and philosophical discourse, universalism and particularism (or, alternatively, universalism and the contingent) are understood as distinct and separate concepts; there is, as Laclau notes, 'an uncontaminated dividing line' between the two.⁷⁶⁸ Furthermore, the universal and the particular are understood to be mutually exclusive concepts. That is to say that if value X is conceived of as universal, it cannot simultaneously be particular, because any claim to the universal automatically excludes any claim to the particular. Either value X is universal, or it is particular. As Laclau clarifies,

Either the particular realizes in itself the universal – that is it eliminates itself as particular and transforms itself in a transparent medium through which the universal operates – or it negates the universal by asserting its particularism (but as the latter is purely irrational, it has no entity of its own and can only exist as corruption of being).⁷⁶⁹

In addition to this dichotomy, not only is the universal incompatible with the particular, but part of its defining character is also that it 'is entirely graspable by reason.'⁷⁷⁰ However, this is not an understanding that Laclau shares. In order

⁷⁶⁸ E. Laclau, *Emancipation(s)* (London: Verso, 1996), p. 22.

⁷⁶⁹ *Ibid.*, p. 22.

⁷⁷⁰ *Ibid.*, p. 22.

to better understand why this is, I will briefly map out Laclau's interpretation of the universal and the particular, and the ways in which they intersect.

Laclau rejects the post-1989 narrative that with the fall of the Berlin Wall we saw the end of two universals competing for global dominance. For many, the collapse of the Soviet Empire saw the victory of capitalism and liberal-democracy over socialism and communism. As Fukuyama argued, this collapse resulted in 'the end of history' (following a Hegelian understanding of history) because one universal had finally triumphed.⁷⁷¹ But this is not a conclusion that Laclau accepts. If Laclau's discourse were to be located within that of traditional liberalism, it could be inferred that, by not accepting the dominance of the universal, he embraces its mutually exclusive opposite, the particular. But this is not the case, for Laclau does not accept the premise that by rejecting universalism one is forced to embrace the particular, or the reverse. For Laclau, both the universal and the particular, as concepts, are too restrictive and problematic. Accordingly, he rejects them both on two grounds.

First, Laclau does not accept the apparent victory of a single dominant universal concept. The historical and political realities of the post-1989 world do not reflect the continued dominance and unquestioning acceptance of a single victorious idea. In its place we are witnessing a world that appears to be fragmenting. As Laclau notes:

This period [1991-1995] witnessed momentous changes in the world scene: the restructuring of the world order as a result of the collapse of

⁷⁷¹ F. Fukuyama, "The End of History?"

the Eastern bloc; the civil war in former Yugoslavia; the growth of a populist right in Western Europe, whose racist policies were focused on its opposition to immigrants from Southern Europe and North Africa; the expansion of multicultural protests in North America; the end of apartheid in South America.

If we wanted briefly to characterize the distinctive features of the first half of the 1990s, I would say that they are to be found in the rebellion of various particularisms – ethnic, racial, national and sexual – against the totalizing ideologies which dominated the horizon of politics in the preceding decades.⁷⁷²

To this list one could easily add the events of September the 11th 2001 and the subsequent armed conflicts in Afghanistan and Iraq; the large anti-war protests seen in England and other countries that make up the ‘coalition of the willing’; the protest groups that converge when major bodies such as the G-8 meet; and more recently the increasing public reaction against financial institutions in the wake of the global economic crisis. As Samuel A. Chambers writes, ‘If universalism has won out, then why does the world seem so much more fractured and fractious?’⁷⁷³

Whilst Laclau’s first objection to the dominance of universalism is couched in terms that suggest an almost empirical counterpoint (in that much of the violence witnessed post-1989 has been carried out in the name of ‘the particular’), his second argument is a philosophical one. Laclau challenges the

⁷⁷² E. Laclau, *Emancipation(s)*, p. vii. See also p. 21, where Laclau writes of ‘the multiplication of the new – and not so new – identities as a result of the collapse of the places from which the universal subjects spoke – the explosion of ethnic and national identities in Eastern Europe and in the territories of the former USSR, struggles of immigrant groups in Western Europe, new forms of multicultural protest and self-assertion in the USA, to which we have to add the gamut of forms of contestation associated with the new social movements.’

⁷⁷³ S. A. Chambers, “Giving Up (on) Rights? The Future of Rights and the Project of Radical Democracy,” *American Journal of Political Science* 48, no. 2 (April 2004), p. 194.

classic philosophical discourse of universalism. He accepts that the social and political world is contingent, and therefore the universal can only be achieved by arbitrarily setting boundaries.⁷⁷⁴

However, as already noted, Laclau's rejection of universalism ought not be equated with a wholesale embrace of the particular. An approach to the social or political that is premised *solely* on the particular will also present its own unique set of problems. If, against a background that is devoid of any normative understanding of universalism, we accept one group's claim for self-determination, then we have no coherent reason to reject any other group's claim for self-determination. As Chambers notes, 'A principle for pure particularism rules out, by default, any form of exclusion.'⁷⁷⁵ Whilst, at first glance, a normative principle of pure particularism may appear to possess some degree of emancipatory potential, Laclau writes that, in fact, it presents us with an 'unsolvable paradox' that is, ultimately, 'a self-defeating enterprise': 'I can defend the right of sexual, racial and national minorities in the name of particularism; but if particularism is the only valid principle, I also have to accept the rights to self-determination of all kinds of reactionary groups involved in antisocial practices.'⁷⁷⁶ In a social and political space in which all claims for self-determination must be accepted, it is inevitable that clashes will

⁷⁷⁴ This is an argument that Laclau first proposed in his short essay "The Impossibility of Society" [first published in the *Canadian Journal of Political and Social Theory* 15, no. 1 (1983), pp. 24-27; and subsequently republished in E. Laclau, *New Reflections on the Revolution of Our Time* (London: Verso, 1990), pp. 89-92], and later elaborated upon by himself and Mouffe in *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics* (London: Verso, 1985). See also O. Marchart, *Post-Foundational Political Thought: Political Difference in Nancy, Lefort, Badiou and Laclau* (Edinburgh: Edinburgh University Press, 2007), pp. 134-155.

⁷⁷⁵ S. A. Chambers, "Giving Up (on) Rights?," pp. 194-195.

⁷⁷⁶ E. Laclau, *Emancipation(s)*, p. 26.

eventually occur (between such valid claims). In order to manage such clashes, we would have to appeal to a set of more general principles. As Laclau notes,

In actual fact, there is no particularism which does not make appeal to such principles in the construction of its own identity. These principles can be progressive in our appreciation, such as the right of peoples to self-determination – or reactionary, such as social Darwinism or the right to *Lebensraum* – but they are always there, and for essential reasons.⁷⁷⁷

Laclau also develops a second line of argument to support his case that recourse to a form of pure particularism is self-defeating. Even if we assume that some form of non-conflictual utopian harmony is possible within a social and political space that is characterized by pure particularism, its constituent groups would only coexist in relation to each other as a coherent unit. This understanding of pure particularism does not suggest a form of interaction or relationship that is porous or antagonistic in nature; instead, it assumes that identities are only differential and relational.⁷⁷⁸ The negative consequence of this approach, as noted by Linda M. G. Zerilli, is that ‘Multicultural groups which cling too closely to a fantasy of pure difference risk at once pure ghettoization by, and complicity with, the dominant community.’⁷⁷⁹

⁷⁷⁷ Ibid., p. 26.

⁷⁷⁸ Ibid., p. 27.

⁷⁷⁹ L. M. G. Zerilli, “This Universalism Which Is Not One,” in *Laclau: A Critical Reader*, eds., S. Critchley and O. Marchart (London: Routledge, 2004), p. 94. This review article was first published in *Diacritics* 28, no. 2 (Summer 1998), pp. 2-20.

But this approach is not only blind to the relations of power *between* groups, it also has the detrimental effect of solidifying *existing* relations of power. As Laclau clarifies:

if particularity asserts itself as mere particularity, in a purely differential relation with other particularities, it is sanctioning the *status quo* in the relation of power between groups. This is exactly the notion of 'separate developments' as formulated in apartheid: only the differential aspect [between pure particularisms] is stressed, while relations of power on which the latter is based are systematically ignored.⁷⁸⁰

It is not just that each group is different from the others, but it is this difference itself that can and does provide the justification for the subordination and exclusion of other groups. Laclau suggests that, if a form of social and political understanding and association premised upon pure particularism is accepted, then positive change is impossible. As Chambers concludes, 'a politics of pure particularism results in conservatism, where the establishment of identity only maintains the status quo.'⁷⁸¹

Thus, for Laclau, neither universalism nor particularism can provide an adequate framework within which the challenge of pluralism can be met. In a traditional understanding of the universal/particular dichotomy, this rejection of both would result in a theoretical impasse: there is no ground outside of the universal or the particular that can be called upon. This suggests that all

⁷⁸⁰ E. Laclau, *Emancipation(s)*, p. 27.

⁷⁸¹ S. A. Chambers, "Giving Up (on) Rights? The Future of Rights and the Project of Radical Democracy," p. 195.

theoretical options have been exhausted. However, this is not an understanding of the universal/particular dichotomy that Laclau accepts. Whilst he still uses the key terms of the universal/particular discourse, he ascribes to them radically different meanings. In this linguistic context, as Zerilli correctly points out, Laclau calls upon Wittgenstein's concept of 'language games' which he developed in his *Philosophical Investigations*. Related to the concept of family resemblances I discussed in the Introduction,⁷⁸² language games are concerned with why it is that we ascribe certain qualities to a word in order to give it a consistent and coherent meaning. In Wittgenstein's analysis, it is wrong to think that words possess a consistent meaning that exists outside of that which we allocate to them. Accordingly, for Laclau, it is still possible to utilize the universal and the particular, without being tied down to the mutually exclusive traditional understanding of how they are used. As Zerilli observes,

Playing a different language game with the universal, however, Laclau does not come home to a universalism which is One. Rather, he interprets universality as a site of multiple significations which concerns not the singular truths of classic philosophy but irreducibly plural standpoints of democratic politics. Even those who want nothing to do with this or any other universal, says Laclau, can never quite escape the pull of its orbit.⁷⁸³

It is not that Laclau abandons the discourse of the universal or the particular; rather, in what resembles a Wittgensteinian language game, he rejects 'that

⁷⁸² See section 1.4 in this thesis.

⁷⁸³ L. M. G. Zerilli, "This Universalism Which Is Not One," p. 93.

there is an uncontaminated dividing line⁷⁸⁴ between the two. Through reconceptualizing our understanding of these two terms, he argues we will be able to see that their relationship need not be that of mutually exclusive concepts, but rather one of imbrication. Instead of being forced to choose between the two concepts, 'one must attempt a *political* articulation of the relation between them.'⁷⁸⁵ Furthermore, it is this political articulation that provides fertile ground for the project of radical democracy that both Laclau and Mouffe defend.

The specific name that Laclau gives to this political articulation is hegemony.⁷⁸⁶ Therefore, for Laclau, democratic politics is the practice of hegemonic articulations.⁷⁸⁷ That is to say that democratic politics (or more precisely, radical democratic politics) is the political articulation of the overlapping relationship between the universal and the particular. But what is the exact nature of this relationship? More specifically, how is it possible to provide a non-mutually exclusive articulation of the universal/particular relationship? In order to grasp this, we need to see how Laclau reconceptualizes both of these concepts.

For Laclau, any appeal to the particular will always involve an inescapable relationship with the universal. Whenever a group makes a claim for a particular right, it can never simply be a claim to (or for) particularity, as the

⁷⁸⁴ E. Laclau, *Emancipation(s)*, p. 22.

⁷⁸⁵ S. A. Chambers, "Giving Up (on) Rights? The Future of Rights and the Project of Radical Democracy," p. 195.

⁷⁸⁶ The original formulation of the hegemonic relationship was presented by Laclau and Mouffe in *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*.

⁷⁸⁷ S. A. Chambers, "Giving Up (on) Rights? The Future of Rights and the Project of Radical Democracy," p. 195.

right to difference must be made as a right itself. As Chambers notes in his reading of Laclau, 'Rights lay claim to the universal simply by being enunciated within a political context – given the background condition of differential power relations.'⁷⁸⁸ As such, purely particular rights do not exist, as they are a theoretical impossibility; they can exist *only* in their relationship to the universal. It is therefore inevitable that there will always be a degree of cross-fertilization between the particular and the universal.

Similarly, Laclau also holds that it is impossible for the universal not to contain any element of the particular, as the universal can *only* emerge from *within* the particular. It is not that Laclau rejects the Enlightenment project as being the *wrong* universal, as this would imply that a *right* universal exists, and that it is therefore the task of philosophical and political analysis to uncover what form it would take. The Enlightenment itself, even though it was often couched in terms of a universal, was informed by elements of the particular. As Laclau writes, 'The universal had found its own body, but this was still the body of a certain particularity – European culture of the nineteenth century. So European culture was a particular one, and at the same time the expression – no longer the incarnation – of universal human essence.'⁷⁸⁹ Similarly, in her commentary on Laclau, Zerilli notes that universalism is rejected 'because, historically speaking, it has been a fraud, an inflated particular.'⁷⁹⁰

This suggests a paradox in Laclau's reconceptualization of the universal/particular dichotomy: whilst it is impossible for any particular to

⁷⁸⁸ Ibid., p. 195-196.

⁷⁸⁹ E. Laclau, *Emancipation(s)*, p. 24.

⁷⁹⁰ L. Zerilli, "This Universalism Which Is Not One," p. 10.

assimilate the universal to itself, the universal can only emerge out of a particularity. 'The conclusion seems to be that universality is incommensurable with any particularity but cannot, however, exist apart from the particular.'⁷⁹¹ This suggests that we need to reconceptualize the universal as devoid of any substantive or normative content, and as acting instead merely as an 'empty signifier' within the (radical) democratic political discourse. Laclau's radical democratic project is only possible if we think of democracy as being divested of the universal: 'If democracy is possible, it is because the universal has no necessary body and no necessary content; different groups, instead, compete between themselves to *temporarily* give to their particularisms a function of universal representation.'⁷⁹²

But how does this reformulation of the universal/particular dichotomy have the potential to help those who have grievances against what I have identified as the exclusionary nature of Enlightenment liberalism? If the universal is empty and therefore devoid of any substantive or normative content, does this not deprive it of its usefulness? Whilst this may be the position of those who hold a traditional understanding of the universal (and therefore of the apparent uselessness of an 'empty universal'), for Laclau, it is this void within the universal that allows groups to mark out a space of their own, and to join with other such groups to promote their needs. This is achieved by what Laclau refers to as linking the 'chains of equivalence'.⁷⁹³ Indeed, emancipation (or

⁷⁹¹ E. Laclau, *Emancipation(s)*, p. 34.

⁷⁹² *Ibid.*, p. 35. Emphasis added.

⁷⁹³ *Ibid.*, p. 57. Laclau tends to use the phrases 'chains of equivalence' and 'chain of equivalences' interchangeably, suggesting, perhaps, that there is no substantive difference between the two. However, for the sake of clarity and consistency, I shall use the phrase 'chains of equivalence'.

rather, emancipations, as there is not a single form of emancipation that will suit the demands of a plurality of social and political actors) requires a form of democratic politics in which it is possible for these chains of equivalence to unite and press their claims.

Laclau does not provide us with a clear example of how these chains of equivalence would function. However, Jacob Torfing bridges this gap in his commentary on Laclau's work. Torfing uses the 'far from unfamiliar situation' of a 'Third World totalitarian state' that is supported through both military power and foreign investors. Such a regime will, for various reasons, not meet the demands of all social and political actors. In doing so, it will produce a sense of solidarity among these actors, as what unites them is 'the common experience of a threat to their particular identities'.⁷⁹⁴ It is at this point that we can see the emergence of these chains of equivalence:

They will also share the feeling that something is equally present in the demands, namely that they are in opposition to the regime. They will finally start to share the ambition to construct a new social order in which their particular identities can be fully developed. Hence, trade unions, ethnic groups, women's organizations, political minorities, poor urban dwellers, etc. will tend to become united, *not by an overarching ideology that reduces their particular identities to differential positions within a unified whole, but by the construction of a chain of equivalences that express a common feeling of a lack of fullness*. As the chains of equivalences express a sameness that transcends the particular identities (without undermining their particularity), and as it often

⁷⁹⁴ J. Torfing, *New Theories of Discourse: Laclau, Mouffe, and Žižek* (Oxford: Blackwell, 1999), p. 174.

becomes extended into a horizon for the inscription of social demands, it certainly possesses a dimension of universality.⁷⁹⁵

By constructing the chains of equivalence in such a manner, Laclau addresses two important issues. First, linking particular demands with a wider chains of equivalence gives them a 'relative' universalization. As Laclau demonstrates, 'If, for instance, feminist demands enter into chains of equivalence with those of black groups, ethnic minorities, civil rights activists, etcetera, they acquire a more global perspective than is the case where they remain restricted to their own particularism.'⁷⁹⁶ This prevents both the isolation of certain demands from others, and their definition as merely differential. Second, linking these particular demands together has the effect of suggesting a universal, but this is a universal whose horizon is kept 'indefinitely open':

Which particular demand, or set of demands, are going to play this function of universal representation is something which cannot be determined by a priori reasons (if we could do so, this would mean that there is something in the particularity of the demand which predetermined it to fulfil that role, and that would be in contradiction to our whole argument).⁷⁹⁷

It is at this point that Laclau's argument intersects with that of Mouffe's. For Laclau, it is important that the relationship between the universal and the particular should be allowed to be constantly renegotiated. This is because, as

⁷⁹⁵ Ibid., p. 174. Emphasis added.

⁷⁹⁶ E. Laclau, *Emancipation(s)*, p. 57.

⁷⁹⁷ Ibid., p. 58.

already noted, the universal does not provide any substantive or normative content, but rather, is an empty signifier. This constant renegotiation is particularly suited to the agonistic model of democratic politics that Mouffe (amongst others) advocates, and it is to this that I now turn.

7.3 Mouffe and the Illusion of the Liberal Democratic Consensus

Just as Berlin has a nuanced and complex relationship with the Enlightenment, so too does Mouffe have such a relationship with modernity. Whilst Mouffe wishes to continue with the project of modernity, she also calls for a radical reinterpretation of the criteria that we use to define it. More specifically, she argues that it is a mistake to conflate social modernity with political modernity. For Mouffe, social modernity is the 'process of modernization carried out under the growing domination of relations of capitalist production.'⁷⁹⁸ Political modernity, however, is linked with the 'advent of the democratic revolution',⁷⁹⁹ which, for Mouffe, calling upon the work of Claude Lefort, is characterized by the shift of power from the monarch who is 'tied to a transcendental authority' to the society and people itself. As such, power now resides in an 'empty place'.⁸⁰⁰ What remains, Mouffe suggests, is 'a social structure that is impossible to describe from the perspective of a single, or universal, point of view.'⁸⁰¹ Thus, in Mouffe's analysis, modernity needs to be split into its capitalist and democratic streams.

⁷⁹⁸ C. Mouffe, *The Return of the Political* (London: Verso, 2005), p. 10

⁷⁹⁹ *Ibid.*, p. 11.

⁸⁰⁰ *Ibid.*, p. 11; and C. Lefort, *The Political Forms of Modern Society* (Oxford: Polity Press, 1986), p. 305.

⁸⁰¹ C. Mouffe, *The Return of the Political*, p. 11.

For Mouffe, modernity must be defined at the political level, for it is here that social relations are both formed and are symbolically ordered.⁸⁰² It is at this point that Mouffe shares some common ground with Rorty. As Mouffe highlights, Rorty calls upon Hans Blumenberg's distinction, as set out in *The Legitimacy of the Modern Age*, between two aspects of the Enlightenment: there is the concept of 'self-assertion', which is linked to a *political* project, and the concept of 'self-foundation' or 'self-grounding', which is an *epistemological* project.⁸⁰³ As I examined in the previous chapter, it is Rorty's contention that there is no necessary inherent link between these two projects, and therefore we are in a position that allows us to embrace the political project of self-assertion whilst rejecting the notion that it must be premised upon a specific universal form of rationality.

Mouffe is in partial agreement with Rorty here. She accepts Blumenberg's separation of the Enlightenment into its distinct political and epistemological projects. Furthermore, Mouffe also accepts that once we acknowledge this important separation, we are in a position where we can embrace the political project without having to incorporate the epistemological project. However, it is what actually constitutes this political project that is the point of separation between Mouffe and Rorty. For Mouffe, Rorty's interpretation of this political project fails because of his vague concept of liberalism that includes both capitalism and democracy.⁸⁰⁴ As noted in the previous chapter, Mouffe does not dismiss Rorty's project in its entirety. However, in her view, this project is

⁸⁰² Ibid., p. 11.

⁸⁰³ H. Blumenberg, *The Legitimacy of the Modern Age*, trans. R. M. Wallace (London: MIT Press, 1983).

⁸⁰⁴ C. Mouffe, *The Return of the Political*, p. 10.

unsustainable because Rorty is unable or unwilling to draw a distinction between democracy and liberalism, as well as between political liberalism and economic liberalism. As Mouffe concludes,

If one fails to draw this distinction between democracy and liberalism, between political liberalism and economic liberalism; if, as Rorty does, one conflates all these notions under the term *liberalism*, then one is driven, under the pretext of defending modernity, to a pure and simple apology for the “institutions and practices of the rich North Atlantic democracies,” which leaves no room for a critique (not even an immanent critique) that would enable us to transform them.⁸⁰⁵

Whilst Mouffe makes no direct reference to the work of Habermas, her argument is congruent with Habermas’s central thesis, upon which I drew in the previous chapter. Both Mouffe and Habermas posit that Rorty ultimately redescribes liberalism in name only, and due to this limitation, he is unable to solve any of the problems he sets out to solve.

Mouffe argues that it is important to separate liberalism from democracy, and to acknowledge that not only are they two different intellectual traditions, but also that there may be occasions when they are fundamentally opposed to each other. Here Mouffe is openly drawing upon C. B. MacPherson when she states that there ‘is no necessary relation between those two distinct traditions but only a contingent historical articulation.’⁸⁰⁶ Whilst, within the contemporary political discourse, ‘liberal democracy’ is often conflated into a single entity, this

⁸⁰⁵ Ibid., p. 10.

⁸⁰⁶ C. Mouffe, *The Democratic Paradox* (London: Verso, 2009), p. 3.

must be understood as a mistake as they each possess their own internal and distinct logic. As Mouffe writes, 'while we tend today to take the link between liberalism and democracy for granted, their union, far from being a smooth process, was the result of bitter struggles.'⁸⁰⁷

The internal inconsistencies of liberal democracy gives rise to what Mouffe refers to as the paradox of liberal democracy.⁸⁰⁸ This is the view that liberal democracy is comprised of two different ideas that are incompatible, and that 'there is no way in which they could be perfectly reconciled.'⁸⁰⁹ These two important concepts are the product of separate traditions that embody two principles that are fundamentally opposed to each other:

On the one side we have the liberal tradition constituted by the rule of law, the defence of human rights and the respect of individual liberty; on the other the democratic tradition whose main ideas are those of equality, identity between governing and governed and popular sovereignty.⁸¹⁰

The friction between these two important yet ultimately incompatible intellectual traditions arises because it is not possible to conceive of a political arrangement under which *both* of them can be perfectly satisfied whilst residing harmoniously with each other. The extent to which the will of the people of any democratic polity can be exercised freely is always curtailed by individual liberties. Conversely, the fear that individual liberties may be put at risk by the

⁸⁰⁷ Ibid., p. 3.

⁸⁰⁸ Ibid., p. 4.

⁸⁰⁹ Ibid., p. 5.

⁸¹⁰ Ibid., pp. 2-3.

whim of popular sovereignty has been a continued concern within liberal political philosophy. This fear has found cogent expression in the works of Alexis de Tocqueville and J. S. Mill, as epitomized through the phrase 'the tyranny of the majority'.⁸¹¹

If we were to view this conflict through the lens of Berlinian value pluralism, we could see that not only are liberalism and democracy *conflicting* values, but they are also *incommensurable*. As these two important values are so distinct and incomparable, there is no way to determine a common unit of measurement that is applicable to both.

However, rather than seeing it as a catalyst for the demise of liberal democracy, Mouffe views this inescapable tension as an essential and productive element of liberal democratic theory. The fact that liberal democracy is constituted by two different and ultimately incommensurable concepts legitimates conflict and division. Accordingly, if both political liberalism and popular sovereignty are essential, and if it is impossible to conceive of a political arrangement that accommodates and satisfies both fully, then there must exist a conceptual space in between in which legitimate positions can be argued and staked out. It is in this *contested space* that pluralism, in both its thin and thick versions, can be potentially situated without undermining either liberalism or democracy. As Thomas Fossen clarifies,

⁸¹¹ A. Tocqueville, *Democracy in America: And Two Essays on America*, trans. G. E. Bevan (London: Penguin, 2003); J. S. Mill, *On Liberty*.

Any specific arrangement [between individual liberty and popular sovereignty] is only a temporary resolution of this tension which poses a particular interpretation of these principles as hegemonic and which therefore can be legitimately contested from a different position within this symbolic space.⁸¹²

It is precisely the contested space and interaction between these two incommensurable concepts that is the defining feature of Mouffe's reconceptualized liberal democracy, a synthesis that she refers to as 'radical' or 'agonistic democracy'.

In this reformulation, radical or agonistic democracy is understood as a contest between the differing interpretations of the two constitutive liberal democratic principles. As these interpretations and settlements will perpetually differ (given constantly changing social, economic, and political circumstances), Mouffe argues that this precludes a final resolution of this conflict, and as such, there will never be a perfect *and* permanent balance between these two competing principles. Conversely, if politics was premised upon a set of compatible principles, then this important contested space would not exist; differing interpretations of this balance would not arise, and thus, politics would be nothing more than mere administration. As Fossen notes, 'the public [political] sphere would be *depoliticized*.'⁸¹³ This charge of *depoliticization* is the same criticism that Gray directs at Rawls' political liberalism. As Gray writes, the 'most striking feature of Rawls' political liberalism is its utter political

⁸¹² T. Fossen, "Agonistic Critiques of Liberalism: Perfection and Emancipation," *Contemporary Political Theory* 7, no. 4 (2008), p. 379.

⁸¹³ *Ibid.*, p. 380.

emptiness.’⁸¹⁴ This, therefore, is the crux of the agonistic critique against liberalism: liberalism – even political liberalism – depoliticizes the public political sphere by false appeals to consensus and the illusory perfect balance between two incompatible political concepts, namely individual liberty and popular sovereignty.

As previously noted, Mouffe wishes to continue with the modernist project. However, in contrast with traditional defenders of this project, Mouffe wishes to sever liberal democracy from the epistemological drive towards universalism, a drive that is premised, in part, on appeals to a universal reason. As I have explored in some detail in the first part of this thesis, this drive finds particular cogent expression in the work of Kant, and its strongest political expression is Enlightenment liberalism. However, Mouffe’s rejection of the ‘Enlightenment project of self-foundation’⁸¹⁵ does not amount to an embrace of what she calls the ‘apocalyptic postmodernism’ that can be found in the work of Jacques Derrida. She does not share with the postmodernists the claim that we are on the ‘threshold of a radically new epoch, characterized by drift, dissemination, and by the uncontrollable play of significations.’⁸¹⁶

In Mouffe’s analysis, liberalism is beset with the belief that the myriad of different forms of what constitutes ‘the good’ are all compatible with what constitutes ‘the right’. As noted by Allyn Fives, ‘as Jürgen Habermas and John Rawls have argued, although it is not possible to come to a rational consensus about what is or is not ‘good’, it is possible to come to such a consensus about

⁸¹⁴ J. Gray, *Endgames: Questions in Late Modern Political Thought* (Cambridge: Polity Press, 1997), p. 54. See also J. Gray, *Enlightenment’s Wake*, pp. 113-115.

⁸¹⁵ C. Mouffe, *The Return of the Political*, p. 12.

⁸¹⁶ *Ibid.*, p. 15. See also C. Mouffe, *The Democratic Paradox*, p. 129.

what is or is not just or 'right'.⁸¹⁷ It is precisely this continued liberal appeal to consensus on what is 'right', an appeal that, as this thesis has demonstrated, can be located in the works of Kant, Rawls, and Crowder, as well as Habermas, which Mouffe rejects explicitly.

There is support, Mouffe believes, for her anti-universalist and anti-consensus position, in the later work of Wittgenstein, in particular his *Philosophical Investigations*. More specifically, it is in Wittgenstein's work that Mouffe locates certain philosophical and conceptual tools that can 'challenge the very idea of a neutral or rational dialogue.'⁸¹⁸ In doing so, Mouffe draws upon the insightful Wittgenstein scholarship of Hanna Pitkin and James Tully.⁸¹⁹ In order for an agreement or consensus on an opinion to be reached, Wittgenstein argues that there must first be an agreement on the language to be used. Wittgenstein refers to this process as 'languages games'.⁸²⁰ Gaus characterizes this linguistic process in the follow passage:

Suppose the [builder's] assistant, having mastered the art of pointing, has learnt the concept of slab to the extent that he can correctly identify the things in the world that the word links up with. Even in this ridiculously simple language, "slab!" is not just a name for a thing; to grasp the meaning of "slab!" the assistant must not only know what one *is*, but what to *do* when the master builder says, "Slab!" If, when the

⁸¹⁷ A. Fives, "Reasonable, agnostic, or good?: The character of a democrat," *Philosophy & Social Criticism* 35, no. 8 (2009), p. 963.

⁸¹⁸ C. Mouffe, "Deliberative Democracy or Agonistic Pluralism?" *Social Research* 66, no. 3 (Fall 1999), p. 749.

⁸¹⁹ H. Pitkin, *Wittgenstein and Justice: On the Significance of Ludwig Wittgenstein for Social and Political Thought* (Berkeley: University of California Press, 1972); J. Tully, "Wittgenstein and Political Philosophy: Understanding Practices of Critical Reflection," *Political Theory* 17, no. 2 (May 1989), pp. 172-204; and J. Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity* (Cambridge: Cambridge University Press, 1995).

⁸²⁰ L. Wittgenstein, *Philosophical Investigations*, § 7.

master builder said, “Slab!” the assistant went to the slab and danced a jig on it or broke it with a sledge hammer, he still would not know what “slab!” meant. Throughout his later work, Wittgenstein insists that language is not simply – indeed, not primarily – about *naming* things, but about *doing* things.⁸²¹

This linguistic agreement in turn implies an agreement on forms of life; as Wittgenstein writes, ‘So you are saying that human agreement decides what is true and what is false. It is what human beings *say* that is true and false; and they agree in the *language* they use. This is not agreement in opinions but in forms of life.’⁸²² What this implies, especially with regards to procedures (in the case of Habermas), or consensus (in the case of Rawls), is that in order for an agreement to be reached, a number of pre-existing ‘agreements in judgement’ must already be in play. According to Wittgenstein’s logic, in order for us to agree on the definition of a term, such as the Kantian or Rawlsian conception of ‘right’, there needs to be in place an existing agreement on how we use this term. As Wittgenstein writes, ‘if language is to be a means of communication there must be agreement not only in definitions but also (queer as this may sound) in judgements.’⁸²³

It follows that rules and procedures are a representation of specific practices, and it is therefore impossible to separate them from the specific forms of life in

⁸²¹ G. Gaus, *Political Concepts and Political Theories*, p. 15. Emphasis in the original. The relevant sections in Wittgenstein’s *Philosophical Investigations* are § 2 - § 21.

⁸²² L. Wittgenstein, *Philosophical Investigations*, § 241, quoted in C. Mouffe, *The Democratic Paradox*, pp. 67-68. Earlier versions of this argument have appeared in C. Mouffe, *Deliberative Democracy or Agonistic Pluralism*, Political Science Series 72, Institute for Advanced Studies, Vienna (December 2000), p. 11. Emphasis in the original. Whist this publication and the one referred to in n818 share not only a common name but also a great deal of substantive content, there are some minor differences between them.

⁸²³ L. Wittgenstein, *Philosophical Investigations*, § 242, quoted in C. Mouffe, *The Democratic Paradox*, p. 68.

which they reside. These practices constitute a certain form of identity, and it is only through these practices that allegiance to certain procedures can be obtained. In other words, in order for there to be an agreement on both the judgements and the procedures to be utilized within a particular discourse or polity, there must first exist a shared form of life.⁸²⁴

In Mouffe's analysis, the implications of Wittgenstein's arguments are quite unsettling for liberalism. With the obvious exception of liberal perfectionism, liberalism does not consider itself to be a substantive philosophical or political doctrine. In the most general terms, and in terms often used by its defenders, liberalism is a *procedural* system that allows those with differing conceptions of the good to reside peacefully within the same polity. As already noted in this thesis, this is the position adopted by both Rawls and Crowder. Rawls develops two arguments in favour of a proceduralist understanding of political liberalism: first, that it is a 'freestanding', as opposed to 'comprehensive', doctrine; and second, that it is sustainable because it can be the result of an overlapping of reasonable doctrines.⁸²⁵ Rawls aims to provide the foundations for a stable and just society by excluding contentious philosophical, ethical, and religious questions from the public political sphere. Thus, Rawls (and other defenders, such as Larmore) views political liberalism as a purely procedural political doctrine that is only concerned with the 'right', and not with any substantive conception of the 'good'. Crowder, in his reinterpretation of Berlin's thesis of value pluralism, provides a defence for an instrumental account of autonomy. In Crowder's analysis, autonomy is prioritized not because it is

⁸²⁴ Ibid., p. 68.

⁸²⁵ See section 4.4 of this thesis.

considered as a good in itself, but rather because it allows the individual to pursue their own conception of the good. Thus, in a Crowderian understanding, autonomy is viewed as a procedural, as opposed to a substantial, value.

But if Mouffe's analysis of Wittgenstein is valid, then the strict separation between 'procedural' and 'substantial' conceptions of liberalism, such as those maintained by both (the later) Rawls and Crowder, cannot be sustained. Since agreements on X necessarily require a correspondence in ways of life, procedures will always contain a degree of substantive content, and the concept of a neutral *purely procedural* political doctrine is therefore an impossibility.⁸²⁶

For Mouffe, Wittgenstein's line of reasoning suggests a very different way of comprehending both communication and the creation of (a political) consensus. It is on forms of life (*Lebensform* [sic]), not significations (*Meinungen*), upon which agreements are based. Despite what proceduralist liberals (like Rawls and Crowder) and deliberative democrats (such as Habermas, John Dryzek, and Seyla Benhabib) may think, agreements are not established via the exercise of free reason (*Einverstand*), but rather as a result of common forms of life speaking as one (*Einstimmung*).⁸²⁷ Understood in such a manner, an allegiance to liberal democracy and its accompanying political institutions should not be reliant upon providing them with a solid intellectual foundation existing outside of our language games. Whilst we may develop stories that provide us with this foundation (such as the Enlightenment and a teleological account of history and human progress), allegiance to liberal democracy is essentially nothing more

⁸²⁶ C. Mouffe, *The Democratic Paradox*, p. 69.

⁸²⁷ *Ibid.*, p. 70.

than allegiance to a particular system of reference that, even though it is historically contingent, it does provide our lives with coherence and value.⁸²⁸ (It is in this context that strong parallels can be drawn between Wittgenstein and not only Rorty, but also the communitarians.) Thus, if we are to defend liberal democratic principles, we should not try to do so on either neutralist or rationalist grounds, for these are, as Wittgenstein suggests, illusory. Instead, we ought to shift our focus, as Rorty also does, towards *persuasion*, based on merit.

This perspective implies that there are in fact limits to consensus. Here Mouffe's argument mirrors certain elements of the postmodernists' discourse. Just as postmodernism, broadly conceived, rejects appeals to a form of *universal rationality*, rather than rejecting rationality per se, so too does Mouffe posit that just as there are many valid forms of human flourishing (or Rortyan language games), there must also be a plurality of valid forms of rationality. Rationality, therefore, is multiple and varied. In this context, liberal democratic institutions must be viewed as one possible language game – one possible form of rationality and rational political discourse – against a backdrop of others.⁸²⁹ The view that it is possible for multiple forms of rationality to exist simultaneously strongly suggests that we 'give up the dream of a rational consensus' that is context-independent.⁸³⁰ If consensus is an impossibility, then we are left with an ontological argument for pluralism.

Mouffe calls upon a second line of reasoning to further support her critique of the liberal democratic notion of procedural neutrality and political consensus.

⁸²⁸ C. Mouffe, *Deliberative Democracy or Agonistic Pluralism*, p. 12.

⁸²⁹ C. Mouffe, *The Democratic Paradox*, p. 64.

⁸³⁰ C. Mouffe, *Deliberative Democracy or Agonistic Pluralism*, p. 12.

Whilst the primary focus of this critique is the deliberative democratic concept of the 'ideal speech situation,' the implications have a direct bearing on the arguments of Rawls and other supporters of political liberalism. At the centre of this critique, with its post-modernist overtones, is the ideal of a conceptual space devoid of any influences or constraints, where the participants are able to reach a consensus through dialogue and deliberation. In her analysis, Mouffe draws upon the work of Slavoy Žižek and his examination of Jacques Lacan.⁸³¹ A Lacanian approach reveals how the discourse itself is still representative of an authoritarian structure, which therefore undermines the ideal of a discursive space that would be free of any constraints. As Mouffe argues, 'Lacan reveals how discourse itself in its fundamental structure is authoritarian since, out of the free-floating dispersion of signifiers, it is only through the intervention of a master signifier that a constant field of meaning can emerge.'⁸³² Put simply, the 'master signifier' is a set of unquestioned assumptions that form the parameters of any given discourse, and therefore demonstrates that *all* discourses possess an inescapable element of authority and influence.⁸³³

In Mouffe's analysis, the implication of Lacan's thesis is the undermining of the very possibility of a non-authoritarian discourse (in the case of Habermas) or procedure (in the case of Rawls). This goes against the justificatory arguments Rawls proposes in defence of his versions of liberalism in both *A Theory of Justice* and *Political Liberalism*. Rawls defends the original position as a representation of people's true moral nature, and it is from this apparently

⁸³¹ S. Žižek, *Enjoy Your Symptom!* (London: Routledge, 1992), chap. 3

⁸³² C. Mouffe, *The Democratic Paradox*, pp. 137-138.

⁸³³ A. Knops, "Debate: Agonism as Deliberation – On Mouffe's Theory of Democracy," *The Journal of Political Philosophy* 15, no. 1 (2007), p. 125.

neutral position that the principles of justice are derived. Similarly, Rawls' defence of political liberalism is premised upon the fact that it is neutral among competing conceptions of the good within the public political sphere. However, Lacan's thesis calls into question the very possibility of neutrality. If every discourse possesses an inescapable authoritarian element, then nothing is ever neutral.

Given the force of both Wittgenstein's and Lacan's arguments, Mouffe believes that we need to acknowledge that what were previously considered to be 'merely empirical, or epistemological' obstacles to the liberal-rationalist devices and thought experiments are, in fact, ontological.⁸³⁴ The ideal of free and unrestricted public consideration on matters applicable to the public sphere is mistaken. It is an impossibility because the very obstacles that theorists such as Rawls believe it possible to exclude, such as Wittgenstein's non-neutral language or Lacan's master signifier, are in fact required in order for there to be any possibility of communication and cannot, therefore, be excluded.⁸³⁵ As Mouffe concludes forcefully, 'There is absolutely no justification for attributing a special privilege in this respect to a so-called "moral point of view" governed by impartiality and where an impartial assessment of what is in the general interest could be reached.'⁸³⁶

Mouffe's critique gives rise to two important and related questions. First, if we are forced to abandon standards that are context-independent, then why should we continue to defend liberal democracy? Second, if we can no longer justify

⁸³⁴ C Mouffe, "Deliberative Democracy or Agonistic Pluralism?" p. 751.

⁸³⁵ Ibid., p. 751.

⁸³⁶ Ibid., p. 752.

liberal democracy on the basis of universally binding moral considerations, then what motivations would those from outside of our contingent language games have to embrace it? Recall that, as examined in the previous chapter, these are also important questions that Rorty also grapples with. It is Rorty's contention that, even though we no longer have recourse to context-independent standards, we can still envisage progress (defined in terms of that which is conducive to human flourishing) in terms of a universalization of the liberal democratic ideal. This is not a belief that Mouffe shares.⁸³⁷ However, she does accept that instead of grounding allegiance to a particular form of political association in rationality or neutrality, we ought to instead do so through persuasion and utility.

Given that liberal democracy is comprised of two incommensurable hegemonic concepts, each with their own particular traditions and demands, Mouffe accepts that it is a futile exercise to try and harmoniously incorporate them into a single polity. Owing to this impossibility, and to the Wittgensteinian and Lacanian challenges, she rejects the liberal ideal of a rationally justified and motivated political consensus, but still retains a belief in the utility of democratic values. However, this valuing of democratic procedures is not reached through rational dialogue or links to metaphysical arguments, but rather through a sense of identity. We come to value democracy because of existing practices, discourses, as well as language games.

What Mouffe is proposing here is a radical re-interpretation of the liberal democratic paradigm. We no longer hold liberalism or democracy to be of value

⁸³⁷ C. Mouffe, *The Democratic Paradox*, p. 66.

because we can provide a universal or rational justification for them. Rather, we see them as being valuable because we *identify* with them. Thus, rational justification is replaced by identification, and consensus-based liberalism is replaced by the acknowledgement of both pluralism and conflict at the ontological level. It is this important acknowledgement of the inescapability of both pluralism and conflict that provides agonism with such a central role within Mouffe's work. Thus, instead of a traditional liberal democratic paradigm, Mouffe is advocating an agonistic democratic paradigm where instead of liberalism, ontological pluralism and conflict are acknowledged, and temporary agreements are sought through a mutual acceptance of democratic procedures.

7.4 The Position of Pluralism within Agonistic Politics

It is Mouffe's contention that the central weakness of consensus-driven forms of liberalism, such as Rawls' political liberalism and Habermas' deliberative democracy, is that they refuse to acknowledge conflict and pluralism, especially at the level of the ontological. Conflict, or, to use the term that Mouffe favours, antagonisms, occur at the point of contact between the boundaries of discourse, and emerge through an act of closure or when constituting any totality. In this context, concepts such as 'meaning,' 'discourse,' 'objectivity,' and 'society' are representative of such totalities.⁸³⁸ These limits are an integral part of politics, and as such, therefore, politics is constituted by conflict and contestation. This is

⁸³⁸ I. Kapoor, "Deliberative Democracy or Agonistic Pluralism? The Relevance of the Habermas-Mouffe Debate for Third World Politics," *Alternatives: Global, Local and Political* 27, no. 4 (2002), p. 465.

in direct contrast to the thought of theorists such as Rawls, Crowder, and Rorty, who, as already examined in this thesis, suggest that consensus is always possible in the public political sphere. According to them, if an impasse occurs, it is not because the model itself is broken, but rather because those involved are not couching their discourse in reasonable terms. However, for Mouffe, antagonisms are an inescapable part of the political process and discourse, as the creation of an identity, either individual or collective, is always an act of power. This power-laden formative process always requires an I/you or us/them distinction, and is therefore constantly creating an adversarial relationship to 'the other'.⁸³⁹

Pluralism, as Mouffe understands it, refers to the fact that society is not a closed sphere – it is both open and porous. Accordingly, this gives rise to the creation of multiple social identities. As I have drawn attention to in relation to Laclau, these identities are never permanent or essential, but rather, are contingent and changing. It is at this point that we can begin to sketch how Mouffe's understanding of pluralism is very different from that of Rawls. As noted in Chapter 4, Rawls views 'the fact of pluralism' as one of the defining features of the modern liberal democratic polity. By this Rawls refers to the fact that there exists a 'diversity of reasonable comprehensive, religious, philosophical, and moral doctrines,' and that this 'is a permanent feature of the public culture of democracy.'⁸⁴⁰ Rawls makes no comment as to the desirability of reasonable pluralism, he merely confirms its existence. As such, pluralism is simply a consequence of the free exercise of reason. But for Mouffe, pluralism is not just

⁸³⁹ Ibid., p. 465.

⁸⁴⁰ J. Rawls, *Political Liberalism*, p. 36.

a mere 'fact' or 'ramification,' it is *fundamental* to the ordering of social relations. An agonistic understanding of the social, and therefore of politics, views pluralism as a value in itself. In this context, the work of Berlin and Crowder is much closer to that of Mouffe than that of Rawls. For Mouffe, pluralism is *the* 'defining feature of modern democracy':

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 embrace 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.⁸⁴¹

The challenge, therefore, is to conceptualize a democratic regime that allows for this expression of social plurality and difference, and this is a challenge that, Mouffe posits, can be met by her account of radical democracy. As Mouffe argues, 'Radical democracy demands that we acknowledge difference – the radical, the multiple, the heterogeneous – in effect, everything that has been excluded by the concept of Man in the abstract.'⁸⁴² In effect, what Mouffe is advocating here is a form of radical democratic discourse which consciously incorporates many of those voices that, as I examined in Chapter 3, Enlightenment liberalism excludes.

⁸⁴¹ C. Mouffe, *The Democratic Paradox*, p. 19.

⁸⁴² C. Mouffe, *The Return of the Political*, p. 13.

7.5 The Agonistic Distinction between ‘the Political’ and ‘Politics’

It is this ontological and therefore inescapable understanding of pluralism and antagonism that leads Mouffe to make an important separation and clarification between what she refers to as ‘the political’ and ‘politics’. There exists considerable disagreement amongst political philosophers about what constitutes ‘the political’. In the analysis of Andrew Schaap, these views can be understood as a choice between Hannah Arendt and Carl Schmitt.⁸⁴³ For Arendt, the political is a space of freedom and deliberation; it refers ‘to the potential experience of solidarity in moments of collective action’.⁸⁴⁴ In this category, Schaap would include thinkers such as Michael Walzer, James Tully, and Claude Lefort. For Schmitt, it is a space of power, conflict, and antagonism, where the potential exists for the ‘emergence of the friend-enemy relation’.⁸⁴⁵ Here Schaap includes Jacques Derrida and Giorgio Agamben. However, following Fossen, I would also include Nietzsche in this list.⁸⁴⁶ Mouffe’s understanding of the political is clearly located in this second perspective. As she writes,

More precisely this is how I distinguish between ‘the political’ and ‘politics’: ‘the political’ refers to the dimensions of antagonism which can take many forms and can emerge in diverse social relations, a dimension that can never be eradicated; ‘politics’ [however] refers to the ensemble of practices, discourses and institutions which seek to establish a certain order and to organize human coexistence in conditions which are always

⁸⁴³ A. Schaap, “Political Theory and the Agony of Politics,” *Political Studies Review* 5, no. 1 (2007), p. 60.

⁸⁴⁴ *Ibid.*, p. 60.

⁸⁴⁵ *Ibid.*, p. 60.

⁸⁴⁶ T. Fossen, “Agonistic Critiques of Liberalism: Perfectionism and Emancipation.”

potentially conflicting because they are affected by the dimensions of 'the political'.⁸⁴⁷

The denial of 'the political' in its antagonistic dimension is, in Mouffe's analysis, liberalism's 'central deficiency'.⁸⁴⁸ With the notable exceptions of Berlin, Raz, Gray, and Walzer, it is Mouffe's contention that liberal political philosophers have continually failed to understand the ontologically plural nature of the social world. Furthermore, they do not acknowledge that this pluralism entails antagonism and conflict, and that there is no rational solution for this ontological problem (as they would envisage it). Chapter 1 of this thesis examined the contested nature of what constitutes liberalism. In addition to the consistent themes I considered, and following Mouffe's analysis, to this list one could add the view that even though the modern liberal democratic polity is characterized by what Rawls refers to as 'reasonable pluralism', when these differing comprehensive views are put together within the liberal polity, 'they constitute a harmonious and non-conflictual ensemble'.⁸⁴⁹ It is due to this continued belief in the harmony and neat dovetailing of values, such as seen in both Rawls and Crowder, that liberalism must negate 'the political' as Mouffe understands it. Stated more directly, liberalism must shun antagonism and conflict.

The result of liberalism's denial of the antagonistic dimension of 'the political' is that, when confronted with such conflict, it is unable to take effective action.

⁸⁴⁷ C. Mouffe, *On The Political*, p. 9. Mouffe has made this distinction elsewhere, such as "Deliberative Democracy or Agonistic Pluralism?" p. 754; and C. Mouffe, "Democracy in a Multipolar World," *Millennium – Journal of International Studies* 37, no. 3 (2009), p. 550.

⁸⁴⁸ C. Mouffe, *On The Political*, p. 10.

⁸⁴⁹ *Ibid.*, p. 10.

Instead of acknowledging and embracing antagonism as an ontological reality, liberalism, especially Enlightenment liberalism, attempts to deny it. 'Such negation,' Mouffe posits,

only leads to impotence, an impotence which characterizes liberal thought when confronted with the emergence of antagonisms and forms of violence that, according to its theory, belong to a bygone [pre-Enlightenment] age when reason had not yet managed to control the supposedly archaic passions.⁸⁵⁰

It is Mouffe's contention that the main weakness of what she refers to as 'liberal rationalism' is that it is reliant upon an understanding of the social that is, in turn, premised upon an essentialist conception of identities as not being relational or constructed, but rather as being inherent to themselves.⁸⁵¹ It is due to this flawed understanding that liberal rationalism

Cannot apprehend the process of construction of political identities. It cannot recognize that there can only be an identity when it is constructed as difference and that any social objectivity is constructed through acts of power. What it refuses to admit is that *any form of social objectivity is ultimately political* and that it must bear the traces of the acts of exclusion which governs its construction.⁸⁵²

⁸⁵⁰ C. Mouffe, "Democracy in a Multipolar World," p. 550. See also C. Mouffe, "Introduction," in *The Challenge of Carl Schmitt*, ed. C. Mouffe (London: Verso, 1999), p. 3, where Mouffe states that 'To deny antagonisms in theory, however, does not make them disappear. They continue to manifest themselves, but with the proviso that now they can be perceived only as eruptions of the 'irrational' by those liberals who have denied their existence.'

⁸⁵¹ C. Mouffe, "Democracy in a Multipolar World," p. 550.

⁸⁵² *Ibid.*, p. 550. Emphasis added.

It is at this point that Mouffe calls upon the work of Schmitt to further solidify this line of critique against liberalism, and liberal rationalism in particular.⁸⁵³ In *The Concept of the Political*, Schmitt argues that such an antagonistic understanding of the political could not possibly emerge out of the pure principle of liberalism.⁸⁵⁴ As liberalism is characterized by methodological individualism, it is incapable of understanding the collective, or, indeed, even the contingent, nature of identities. For liberalism, and especially for Enlightenment liberalism, identities are always singular and essential, fixed and non-contingent. However, for Schmitt, what makes the political unique is that it

⁸⁵³ The contribution that Schmitt makes to Mouffe's central thesis is important, as it highlights a fundamental blind spot within liberal political philosophy. However, despite Schmitt's relevance, it is important to address some of the concerns that political philosophers (especially those of the left) may have with appropriating his work. Paul Hirst, for instance, explains Schmitt's shift from contempt for Hitler to endorsing Nazism on the grounds that, like many German conservatives, Schmitt believed he was faced with either Hitler or chaos. Hirst concludes that political thought 'should not be evaluated on the basis of authors' personal political judgements,' and therefore 'the value of Schmitt's work is not diminished by the [political] choices he made' [P. Hirst, "Carl Schmitt's Decisionism," in *The Challenge of Carl Schmitt*, p. 8]. However, Smith, who is broadly supportive of the work of both Laclau and Mouffe, and the radical democratic project, is less comfortable with Mouffe's appropriation of Schmitt, whom she refers to as a 'problematic source' [A. M. Smith, *Laclau and Mouffe: The Radical Democratic Imaginary* (London: Routledge, 1998), p. 128]. Whereas Hirst separates Schmitt's political thought from his political actions, Smith finds this simplistic dichotomy troubling. 'To what extent,' Smith writes,

can theoretical arguments be separated from the normative commitments that were intertwined with them in their very formulations, such that they can be given a different meaning in new articulations? Even though the teleological argument that a discourse's origin determines its meaning throughout its articulation is vulnerable to deconstruction, we nevertheless need to ask to what extent the traces of the past articulations of Schmitt's discourse continue to thrive in contemporary appropriations [ibid., p. 135].

Mouffe does acknowledge that Schmitt was a member of the Nazi party, and that hostility towards liberalism was certainly no hindrance to this shift to the right [C. Mouffe, *The Return of the Political*, p. 121]. However, it is her contention that 'it is incorrect to assert, as some do, that Schmitt's thinking was imbued with Nazism before his turnaround of 1933 and his espousal of Hitler's movement' [ibid., p. 121]. To deny or ignore Schmitt's problematical relationship with Nazism would be an act of intellectual dishonesty, as it would suggest that his ideas were in no way influenced by his social and political circumstances. However, even though it is doubtful that we could ever find the exact point on his intellectual continuum where Nazism directly influenced his work, it would be to our detriment to ignore the importance of his critique of liberalism just because of this association. Whilst it may be impossible to ever fully isolate his ideas from their historical circumstances, the ideas *themselves* may still possess critical value, and thus, should not be ignored.

⁸⁵⁴ C. Schmitt, *The Concept of the Political* (New Brunswick: Rutgers University Press, 1976).

necessitates the friend/enemy distinction and discrimination. For Schmitt, 'the enemy' is defined as

the other, the stranger; and it is sufficient for his nature that he is, in a specifically intense way, existentially something different and alien, so that in the extreme case, conflicts with him are possible. These [conflicts] can neither be decided by a previously general norm nor by the judgement of a disinterested and therefore neutral third party.⁸⁵⁵

For Schmitt, the political is concerned with the formation of a 'we' and not of the 'they', and is therefore focused on the construction of collective identities. However, as these collective identities are formed through conflict and antagonism, they are the result not of free discussion, but of decision and exclusion.⁸⁵⁶ As Anne Marie Smith notes, in this context, 'A group of people only become a unified and coherent subject to the extent that they share a common enemy.'⁸⁵⁷ Schmitt's understanding of the political, therefore, highlights the inescapability of conflict and antagonisms. In Schmitt's analysis, liberalism negates the political in its antagonistic aspect, as it tends to represent pluralist conflicts in terms of intellectual differences of opinion or economic competitors. As Schmitt notes,

In a very systematic fashion liberal thought evades or ignores state and politics and moves instead in a typical recurring polarity of two heterogeneous spheres, namely ethics and economics, intellect and

⁸⁵⁵ Ibid., p. 27.

⁸⁵⁶ C. Mouffe, *On the Political*, p. 11.

⁸⁵⁷ A. M. Smith, *Laclau and Mouffe: The Radical Democratic Imaginary*, p. 129.

trade, education and property. The critical distrust of state and politics is easily explained by the principle of a system whereby the individual must remain *terminus a quo* [the starting point] and *terminus ad quem* [the end point].⁸⁵⁸

Schmitt does not deny that, within the context of the friend/enemy dichotomy, consensus can emerge. However, this consensus can only be achieved through the exercise of power and exclusion, as opposed to the power-free rational discourse that is espoused by theorists such as Rawls or Habermas.⁸⁵⁹ This interpretation of the political and exclusionary nature of how consensus is achieved is an important point, as it undermines much of the recent work of Rawls and Habermas, as well as Crowder within the context of value pluralism. As Mouffe writes,

Consensus in a liberal-democratic society is – and always will be – the expression of a hegemony and the crystallization of power relations. The frontier that it establishes between what is and what is not legitimate is a political one, and for that reason it should remain contestable. To deny the existence of such a moment of closure, or to present the frontier as dictated by rationality or morality, is to naturalize what should be perceived as a contingent and temporary hegemonic articulation of ‘the people’ through a particular regime of inclusion–exclusion.⁸⁶⁰

This point has important political implications which I shall examine in more detail later in this chapter. Briefly, both Laclau and Mouffe argue that the liberal

⁸⁵⁸ C. Schmitt, *The Concept of the Political*, p. 70.

⁸⁵⁹ C. Mouffe, *The Return of the Political*, p. 123; C. Mouffe, *On the Political*, p. 11; and C. Mouffe, *The Democratic Paradox*, pp. 48-51.

⁸⁶⁰ C. Mouffe, *The Democratic Paradox*, p. 49.

democratic discourse reduces all political debate to issues about proceduralism and administration. This is done through the construction of a political consensus that actively excludes Schmitt's conception of the 'enemy'. However, radical democracy consists of acknowledging the exclusionary nature of the political, and therefore attempting to incorporate into the political fold as many voices as possible. As Smith notes, 'For radical democratic pluralism...the political consists in the struggles to hegemonize the social; that is, in the struggles to reconstruct the social and its subjects through the institutionalization of democratic and egalitarian worldviews.'⁸⁶¹ Radical democracy, therefore, is concerned with both acknowledging the friend/enemy and we/they distinction, as well as trying to expand the contingent frontiers of this separation in order to incorporate part of the enemy into the friend.

7.6 Agonism: Perfection and Emancipation

What then, are the normative implications of the points raised thus far for the agonistic critique of liberal democracy? In order to accurately address this question, it is important that we make a distinction between two fundamentally different forms of agonism, that is between perfectionist and emancipatory agonism. In order to develop this separation, I will be relying upon Fossen's recent article.⁸⁶² This distinction has received scant attention within the academic literature. Indeed, the diversity of thought within the emancipatory agonistic project itself has attracted substantially more attention, and thus

⁸⁶¹ A. M. Smith, *Laclau and Mouffe: The Radical Democratic Imaginary*, p. 130.

⁸⁶² T. Fossen, "Agonistic Critiques of Liberalism: Perfection and Emancipation."

produced more literature, than this larger dichotomy within the agonistic project broadly conceived.

Whilst there exists a degree of common ground between these two interpretations of agonism, especially at the level of analysis, they differ dramatically in their utilization of the agonistic critique. Perfectionist agonism is aimed at the cultivation of nobility, whereas emancipatory agonism is used to challenge consensus and social/political exclusion. Of the two interpretations, emancipatory agonism is best suited to address the concerns of this thesis, and will thus be the focus of the remainder of this chapter. However, let us examine briefly the nature of perfectionist agonism.

7.6.1 Perfectionist Agonism

Of the two interpretations of agonism, perfectionist agonism is the smaller sibling; it has received comparatively little attention, and consequently there exists only a small amount of literature dedicated to it. According to Fossen's analysis, the most thorough account of perfectionist agonism can be found in Owen's critical examination of Nietzsche's political thought.⁸⁶³ However, I suggest that similar themes can be located in Gerald Mara and Suzanne Dovi's article "Mill, Nietzsche, and the Identity of Postmodern Liberalism".⁸⁶⁴ As the title suggests, Mara and Dovi not only draw upon the work of Nietzsche, but also Mill, when discussing similar issues to Owen and Fossen.

Perfectionist agonism draws upon two main streams of political thought. First, it is associated with the strain of democratic thought that warns of the

⁸⁶³ D. Owen, *Nietzsche, Politics & Modernity*.

⁸⁶⁴ G. Mara and S. Dovi, "Mill, Nietzsche, and the Identity of Postmodern Liberalism," *The Journal of Politics* 57, no. 1 (February 1995), pp. 1-23.

potentially conforming tendencies of democracy, and accordingly emphasizes the need for the cultivation of perfectionist virtues. These concerns are often associated with the writings of Mill, Emerson, and de Tocqueville, amongst others.⁸⁶⁵ Second, it draws upon the ancient Greek understanding of *agon*, from which the term agonism is derived. In this semantic context, agonism can refer to both a contest (including the notion of competition, or rivalrous encounters), and the conflict between characters within Greek drama. This interpretation of *agon* is found in the work of Nietzsche and Arendt, and more recently it has been incorporated into political philosophy by Nathalie Karagiannis and Peter Wagner.⁸⁶⁶

Perfectionist agonism shares with its larger sibling the view that politics is a perpetual conflict of the fundamental institutions and values that constitute a political community; it is a contest without a final victor or victory, and there can never be a final consensus. But its understanding of the implications of this view differs dramatically from that of its larger sibling. Instead of using agonism to challenge antagonisms and social/political exclusion, the perfectionists use it as a means to develop the virtues and characteristics of the polity's citizens. Instead of being concerned with the construction of a *good polity* (where 'good' is understood as acknowledging the inescapability of conflict and exclusion, as

⁸⁶⁵ T. Fossen, "Agonistic Critiques of Liberalism: Perfection and Emancipation," p. 388.

⁸⁶⁶ Ibid., p. 388; N. Karagiannis and P. Wagner, "Towards a Theory of Synagonism," *Journal of Philosophy* 13, no. 3 (2005), pp. 235-262; and N. Karagiannis and P. Wagner, "The Stranger in Synagonistic Politics," in *Law and Agonistic Politics*, ed. A. Schaap (Farnham: Ashgate Publishing, 2009), pp. 147-161.

well as the impossibility of consensus), perfectionist agonism is concerned with the cultivation of the *good life*.⁸⁶⁷

The *perfectionist* component of this interpretation of agonism focuses on two moments. First, it is concerned with the struggle toward excellence and distinction in social practices, and for even greater words and deeds when compared to contemporary practices. Second, it is concerned with the development of these standards of excellence and distinction in their own right, in designating which standards to adopt, to usurp, and which to drop. As Fossen writes, perfectionism ‘refers not only to the cultivation of goodness, but also to the cultivation of *conceptions* of goodness’.⁸⁶⁸ The *agonistic* component of this equation refers to the insistence that this ‘cultivation of goodness’ demands tension, struggle, and conflict: it is only through contest and battle with others that great things can be achieved, not only for yourself, but also for your opponent.⁸⁶⁹

For Owen, the relationship between perfectionist agonism and politics concerns the ranking of cultural practices and virtues. Politics is both an activity and practice, through which a society can reflect upon, and constitute itself as a community. Politics involves choice, and choice always entails exclusion. But it is only through this intentional decision-making that citizens can determine which practices to keep, and what forms of virtue to perpetuate and improve upon.⁸⁷⁰ As Fossen concludes:

⁸⁶⁷ T. Fossen, “Agonistic Critiques of Liberalism: Perfection and Emancipation,” p. 388.

⁸⁶⁸ *Ibid.*, p. 389. Emphasis added.

⁸⁶⁹ *Ibid.*, p. 389.

⁸⁷⁰ *Ibid.*, p. 390; D. Owen, *Nietzsche, Politics & Modernity*, p. 145.

For Owen, then, politics is inextricably bound up with ethics (the good life) and with an antagonistic public culture. To be committed to a conception of the good life is inherently bound up with a commitment to engage this conception with that of others; to be committed to a view of the good life is already to take a political stand.⁸⁷¹

Whilst perfectionist agonism is not as important to the overarching focus of this thesis as emancipatory agonism, I believe that this brief foray into its inner workings has been important. It would be misleading to present agonism as a unified project. Even at the broader level, it would be misleading to suggest that agonism is a project that is united by both a shared level of critique and analysis, and a common normative outlook, but whose interpretation differs depending on which account one reads. Even though perfectionist agonism shares with its larger sibling the same critical outlook, the normative implications that it takes from this are radically different, both in scope and focus. But now I turn to the primary focus of this chapter, which is emancipatory agonism.

7.6.2 Emancipatory Agonism

As its name suggests, emancipatory agonism is driven by the concept of emancipation. However, this is a very different understanding of emancipation from that of liberalism. Whilst liberalism is often associated with the establishment and preservation of liberty among individuals, emancipatory agonism is concerned with exposing and remedying the harms and injustices

⁸⁷¹ T. Fossen, "Agonistic Critiques of Liberalism: Perfectionism and Emancipation," p. 390.

that are caused by violence and exclusion, which are themselves the result of liberalism's attempts to deny or restrict pluralism. As opposed to the liberal discourses of Rawls or Habermas, emancipatory agonism is not concerned with transcending relations of power, or attempting to bring individuals and groups together at some uncontested point of measure. 'Rather,' as Fossen argues,

The term emancipation is meant as an umbrella that captures attempts to redress instances of what agonists variously identify as inequality, injustice, exclusion, marginalization, subordination, and violence, while acknowledging that these harms are to some extent inherent in politics. The emancipatory value of contestation lies in its capacity to allow individuals to challenge these harms and thereby possibly diminish them. *In other words, agonists seek to empower citizens to challenge the harm endemic to their politics.*⁸⁷²

In order to meet the aims of emancipatory agonism, what is needed is a democratic model that is capable of achieving what the liberal rationalist's democratic model cannot – it must be able to grasp the true and unavoidable nature of Mouffe's conception of 'the political'. Accordingly, Mouffe wishes to propose a democratic model that places the questions of power, antagonism, and exclusion, 'at its very centre'.⁸⁷³ Laclau and Mouffe have already examined the theoretical foundations of this approach in *Hegemony and Socialist Strategy*. Here Laclau and Mouffe concluded that the goals of socialism can only be achieved through democratic means because the strict and rigid class-based

⁸⁷² Ibid., p. 385. Emphasis added.

⁸⁷³ C. Mouffe, "Deliberative Democracy or Agonistic Pluralism?" p. 752.

economic analysis of Marx was no longer tenable.⁸⁷⁴ The crux of this text, as it relates to the focus of this chapter, is that it is only through acts of power that social objectivity is constituted. The implications of their thesis are quite profound: it follows that social objectivity is therefore always political, and that it will always possess traces of that which it excludes as part of its constitution.⁸⁷⁵ Objectivity is never pure, as it always contains trace elements of the excluded 'other'.

By hegemony, Laclau and Mouffe refer to the meeting point where objectivity and power converge (or alternatively, at the point of mutual collapse). This suggests a very different way of understanding power. Under the liberal rationalist and democratic consensus view, power was always viewed as existing *externally* to the relationship that took place between two pre-constituted identities. But under this new understanding, power is viewed as constituting the identities themselves.⁸⁷⁶

This in turn gives rise to a new way of viewing political orders and practices. They can no longer be viewed simply as representing the interests and desires of pre-constituted identities. Instead, because any political order is essentially the expression of a hegemonic articulation (the point where objectivity and power converge/collapse), political orders and practices are nothing more than a particular and contingent ordering of power relations.⁸⁷⁷ Put another way, if all political orders are the expression of a particular hegemonic articulation,

⁸⁷⁴ See also E. Laclau, "The Impossibility of Society."

⁸⁷⁵ C. Mouffe, "Deliberative Democracy or Agonistic Pluralism?" p. 752.

⁸⁷⁶ *Ibid.*, p. 753.

⁸⁷⁷ *Ibid.*, p. 753.

then this would suggest that all political orders are simply contingent expressions of the meeting point between objectivity and power.

This reworking of the nature of both political orders and practices results in a transformation of the relationship between democracy and power. Under a traditional liberal democratic understanding of this relationship, power plays a decreasing role in constituting social identities as the level of democracy spreads. This is an inverse relationship: as democracy increases, power should decrease. The ultimate aim of this traditional relationship is the domination of democracy over power.⁸⁷⁸ But as Mouffe has argued, following the analysis that Laclau and herself set out in *Hegemony and the Socialist Strategy*, power relations are constitutive of the social. Therefore, the central focus of democracy ought to shift in order to reflect this change adequately. We need to reconceptualize what democratic politics ought to be about. Instead of being concerned with the *elimination* of power relations, democratic politics ought to be concerned with 'how to constitute forms of power [that are] more compatible with democratic values'.⁸⁷⁹ This, then, become the central aim of both radical and plural democracy:

⁸⁷⁸ This argument mirrors what Chambers takes to be the Critical Legal Studies account of power from within the judicial framework. As Chambers writes, a 'judicial understanding of power suggests that freedom and power are in an inverse relationship to one another – as one increases the other decreases. Put more precisely, within the juridical understanding power and freedom hold *no* relation to one another, since a relation to power creates precisely the conditions of unfreedom.' This understanding draws a distinction between the power that the individual may possess (individual agency) and the judicial model of power (judicial agency). Whilst it is possible for an individual to use their agency, judicial agency is seen as a negative force that acts *against* individual agency. Thus, it is only where there is no juridical power that there can be individual (negative) liberty. This is not a view that Chambers holds. S. Chambers, "Giving Up (on) Rights? The Future of Rights and the Project of Radical Democracy," p. 187.

⁸⁷⁹ C. Mouffe, *Deliberative Democracy or Agonistic Pluralism*, p. 14.

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 of “radical and plural democracy” that we are advocating.⁸⁸⁰

Perhaps the most profound implication of this radical reconceptualization of the democratic project is that it rules out the idea of a normative democratic consensus and harmonization of values. Given this new understanding of the relationship between power and identity, it is no longer possible for a delineated social actor to claim they represent the totality, and thus have control over its theoretical foundations.⁸⁸¹ The moral monism that I discussed in Chapters 2 and 5, and whose dangers and limitations has been elaborated upon by Berlin and Parekh, simply cannot exist in this reconceptualization.

This then provides Mouffe with the theoretical terrain that she needs to formulate her conception of agonistic pluralism. As noted in Chapter 5, Gray also draws upon the concept of agonistic pluralism. However, this is a very different understanding than Mouffe’s. For Gray, ‘agonistic pluralism is the deeper truth of which agonistic liberalism is only one exemplar.’⁸⁸² For Mouffe, however, agonistic pluralism is more closely aligned with Rorty’s idea of ‘re-describing’ the basic premise of liberal democracy ‘metaphorically’. Thus, not only is there an acknowledgement of liberal democracy’s conflictual and agonistic character, but there is an accompanying acknowledgement of its importance. It is only once this understanding of the nature of ‘the political’ is

⁸⁸⁰ C. Mouffe, “Deliberative Democracy or Agonistic Pluralism?” p. 753.

⁸⁸¹ C. Mouffe, *Deliberative Democracy or Agonistic Pluralism*, p. 14.

⁸⁸² J. Gray, *Enlightenment’s Wake*, p. 126.

embraced that one can begin to move towards the challenge that liberal democracy faces, which is the attempt to mitigate the antagonisms that exist within 'politics'.⁸⁸³ As Mouffe writes:

Indeed, the fundamental question is not how to arrive at a consensus reached without exclusion, because this would require the construction of an 'us' that would not have a corresponding 'them'. Yet this is impossible because...the very condition for the constitution of an 'us' is the demarcation of a 'them'. The crucial issue then is how to establish this us/them distinction which is constitutive of politics in a way that is compatible with the recognition of pluralism.⁸⁸⁴

Thus, the political issue becomes one of establishing an us/them distinction in such a way that it remains compatible with pluralist democracy. In order to achieve this desired outcome, we must reformulate our understanding of 'them'. Instead of interpreting 'them' as an enemy who needs to be eradicated, we ought to view 'them' as an adversary, as someone whose ideas we will fight against, but whose right to defend those ideas are never questioned.

7.7 The Inclusive Nature of Radical Pluralism

Although this may appear at first glance to be just an issue of semantics, this is not the case, as the distinction between an adversary and an enemy is an important one. Whilst this shift does not remove the points of conflict that may arise with the us/them distinction, what it does do is to relocate this conflict

⁸⁸³ C. Mouffe, "Democracy in a Multipolar World," p. 551.

⁸⁸⁴ *Ibid.*, p. 551.

onto common ground. Thus, whilst an adversary is still an enemy, they are now perceived of as an *legitimate* enemy; that is to say they are an enemy who, despite what other differences may exist, shares the belief in the legitimacy of what Mouffe refers to as ‘the ethico-political principles of liberal democracy: liberty and equality’.⁸⁸⁵ Whilst those within this us/them distinction may disagree on the exact meaning, parameters, or implementation, of these two ethico-political principles, they both continue to accept their importance.

Contrary to the thought of the liberal rationalists such as Rawls, this is not a disagreement that can be mediated through rational or neutral discussion or deliberation. It is owing to this impossibility that politics retains its antagonistic character. Whilst the adversaries within the us/them distinction may cease to disagree, or come to a temporary compromise, for reasons already outlined in this chapter, a specifically *rational consensus* is impossible.⁸⁸⁶

To draw an analogy that dovetails neatly with Wittgenstein’s understanding and use of games, whilst two chess players may possess radically different philosophies on how to play best (traditional, modern, or hyper-modern openings, for instance), they both agree on the existing preset rules of the game. Despite their differing philosophies, they both accept how certain pieces can and cannot move, and how the game itself is won or lost. Certain openings or styles of play may be accepted as being better than others *only* under specific conditions. As such, therefore, both players accept the preset rules of the game. Indeed, participation itself is predicated upon acceptance of these rules.

⁸⁸⁵ C. Mouffe, *The Democratic Paradox*, p. 102.

⁸⁸⁶ C. Mouffe, “Deliberative Democracy or Agonistic Pluralism?” p. 755.

This shift from enemy to adversary also requires a corresponding shift from antagonism to agonism. Political relations should no longer be understood as *antagonisms between enemies*, but rather as *agonism between adversaries*.⁸⁸⁷ Whereas antagonism refers to the struggle between enemies who wish to eradicate each other, agonism refers to a struggle between adversaries who accept the preset rules of the game. Therefore, the aim of emancipatory agonistic politics, and of democratic pluralism itself, is to transform antagonistic relationships into agonistic relationships.

It is at this point, however, that Mouffe could be open to the charge of hypocrisy or contradiction. How is it that Mouffe believes that a rational consensus is impossible, yet argues that the same parties are able to pledge allegiance to the ethico-political principles of liberal democracy, namely liberty and equality? In other words, how are the participants in any dialogue unable to reach a rational consensus, yet appear to be able to agree on the preset rules of the game itself? More specifically, how is this agreement on the ethico-political principles of liberal democracy different from the forms of consensus that drive the work of Rawls and Habermas? In order to address this concern, Mouffe differentiates between two forms of consensus, the (impossible) rational consensus that is required by liberal rationalists, and a much thinner 'conflictual consensus' that is required for the success of democratic pluralism.

As its name suggests, this thin conflictual consensus operates at a much lower level of agreement than its more substantial brethren. A conflictual consensus refers only to an agreement on the preset rules of the game; that is, to allegiance

⁸⁸⁷ Ibid., p. 755.

to both liberty and equality.⁸⁸⁸ It does not refer to their specific form or how they are to be implemented. Accordingly, this thin conflictual consensus can be expressed in many different ways, such as liberal-conservative, social-democratic, neo-liberal, or radical-democratic forms of political association. Whilst they all share an allegiance to the ethico-political principles of liberty and equality, what differentiates them is their unique interpretation of the common good, and thus their attempts to implement a very specific version of hegemony. These different expressions of the ethico-political principles provide citizens with the platforms from which their democratic objectives can be built, and from which an enemy can be transformed into an adversary. It is only from these different interpretations that antagonism can be transformed into agonism.⁸⁸⁹

It is at this stage that we can see the emergence of another important point of differentiation between Mouffe's agonistic pluralism and the liberal rationalism espoused by, amongst others, Rawls. For Mouffe, one of the strengths of an agonistic approach to politics is that it does not require that passions or beliefs that are deemed to be irrational be removed from the political process in order to achieve the elusive rational consensus. As I have already discussed in Chapter 4, this is one of the key points of criticism that Deveaux levels against Rawls' political liberalism.⁸⁹⁰ Models that rely upon a form of rational consensus, such as those espoused by Rawls and Habermas, intentionally try to remove these passions and beliefs from the political process. As Katherine Walsh has noted,

⁸⁸⁸ C. Mouffe, *Deliberative Democracy or Agonistic Pluralism*, p. 16; C. Mouffe, *The Democratic Paradox*, p. 103; C. Mouffe, "Introduction," p. 4; and, C. Mouffe, *On The Political*, p. 52

⁸⁸⁹ C. Mouffe, *Deliberative Democracy or Agonistic Pluralism*, p. 16.

⁸⁹⁰ M. Deveaux, *Cultural Pluralism and the Dilemmas of Justice*, pp. 88-100.

traditional forms of deliberation tend to marginalize personal experiences and emotional expressions from the political process.⁸⁹¹

The reason for this relegation is due to the apparently mutually exclusive nature of legitimate universalizable concerns and what are considered to be the expressions of particularist or contingent passions, such as religions. The most cogent expression of this can be located in Rawls' concept of 'the priority of the right over the good,' with its strong Kantian underpinnings. It can also be found, I argue, in Crowder's prioritization of the autonomous individual within the schema of value pluralism. If these contingent and particularist elements are introduced and incorporated into the public political sphere and the political process, then it is feared that they may undermine or jeopardize stability and advances towards the creation of a rational consensus.

But for Mouffe, it is a mistake to attempt to relegate or minimize the relevance and importance of such passions and beliefs. Contrary to what Rawls or Habermas may argue, a consensus built around the ethico-political principles of liberal democracy – even if it is only a temporary consensus – is more likely to be achieved 'by multiplying the institutions, the discourse, [and] the forms of life that foster identification with [such] democratic values.'⁸⁹² Thus, passions and beliefs are central to an agonistic understanding of politics. Accordingly, 'the prime task of democratic politics,' Mouffe asserts, 'is not to eliminate passions or to relegate them to the private sphere in order to establish a

⁸⁹¹ K. C. Walsh, "The Democratic Potential of Civic Dialogue," in *Deliberation, Participation and Democracy: Can the People Govern?*, ed. S. W. Rosenberg (Basingstoke: Palgrave Macmillan, 2007), pp. 45-63.

⁸⁹² C. Mouffe, *The Democratic Paradox*, p. 96.

rational consensus in the public sphere. It is, rather, to attempt to mobilize those passions towards democratic designs.⁸⁹³

In Mouffe's analysis, this conscious relegation of the importance of passions and beliefs, an act of which both Enlightenment liberalism and liberal rationalism are guilty, has two important and opposing political and social implications. First, it tends to produce 'extreme forms of individualism' that have become so widespread they 'threaten the very social fabric'.⁸⁹⁴ Recent examples of this extreme individualism can be found at both ends of the socio-economic spectrum. The actions of the majority of those associated with the finance sector which led to the recent global financial crisis, individuals who were once referred to as the 'masters of the universe', as well as of those involved in the 'bonus culture' within the city, are as much an expression of extreme individualism as the actions of some of the looters in the London riots of 2011.

Second, individuals and groups tend to search for forms of collective identification that exist outside the traditional forms of political association and participation. The reason for this is that the (contingent or particularist) characteristics that are often understood by some people to be constitutive of their very identity are not allowed to be associated with conceptions of citizenship. Whilst this is not a negative desire or outcome in and of itself, this search often results in forms of collective identification 'that put into jeopardy

⁸⁹³ C. Mouffe, "Religion, Liberal Democracy, and Citizenship," in *Political Theologies: Public Religions in a Post-Secular World*, eds. H. de Vries and L. E. Sullivan (New York: Fordham University Press, 2006), p. 324.

⁸⁹⁴ C. Mouffe, *The Democratic Paradox*, p. 96.

the civic bond that should unite a democratic political association'.⁸⁹⁵ This is often reflected in the growth of various political, religious, moral, and ethnic fundamentalisms. As Mouffe writes:

Democracy is in peril not only when there is insufficient consensus and allegiance to the values it embodies, but also when its agonistic dynamic is hindered by an apparent excess of consensus, which usually masks a disquieting apathy. It is also endangered by the growing marginalization of entire groups whose status as an 'underclass' practically puts them outside the political community.⁸⁹⁶

In order to curtail these negative consequences that are the direct result of the unrealistic demand for a rational consensus, what is required is a form of political association that draws people in and encourages participation, instead of pushing them away. Hence the fundamental importance of incorporating passions and beliefs into the political fold. As already noted, this is more likely in a political system, such as agonistic pluralism, that acknowledges conflict and identity. As Mouffe notes, 'Mobilization requires politicization, but politicization cannot exist without the production of a conflictual representation of the world, with opposed camps with which people can identify, thereby allowing for passions to be mobilized politically within the spectrum of the democratic process.'⁸⁹⁷ Thus, whilst the rationale behind the Rawlsian or Habermasian approach to removing passions and beliefs from the political discourse is that they are not considered to be conducive to achieving a consensus, Mouffe

⁸⁹⁵ Ibid., p. 96.

⁸⁹⁶ C. Mouffe, *The Return of The Political*, p. 6.

⁸⁹⁷ C. Mouffe, *On The Political*, pp. 24-25.

demands their inclusion precisely because they *are* more conducive (to the creation of such a consensus). A consensus is more likely to be achieved, therefore, through the mobilization of passions and the creation of both subject positions and power relations that are compatible with liberal democracy. As Fuat Gürsözlü concludes:

So, as opposed to the rationalistic discussion-based procedures of the deliberative account, Mouffe's [agonistic] understanding of politics proposes different techniques to foster democratic institutions and achieve such consensus by mobilizing passions around democratic values, creating forms of power that are more compatible with democratic principles, and multiplying the ensemble of practices that makes possible democratic individuals.⁸⁹⁸

This, therefore, suggests a fundamental reformulation of our understanding of both consensus and conflict. The liberal rationalism of Rawls is designed in such a way as to achieve a stable consensus through the intentional exclusion of passions and beliefs, through the intentional exclusion of all that is deemed to be particularist and contingent. Whilst the rationale behind this move is understandable, and Rawls' motivations themselves admirable, as I concluded in Chapter 4, the result is the exclusion of certain groups from the political process. Thus, whilst Rawls may desire a stable and rational consensus, what is actually achieved is a narrow, unstable, and ultimately exclusionary consensus. As Schaap writes, when comparing the consensus of Mouffe to that of the

⁸⁹⁸ F. Gürsözlü, "Debate: Agonism and Deliberation – Recognizing the Difference," *The Journal of Political Philosophy* 17, no. 3 (2009), pp. 360-361.

deliberative democrats, “The requirements that particular claims could be represented in terms of the general principles of public reason may therefore have the effect of silencing certain claims because they appear unreasonable or are simply inexpressible in these terms.”⁸⁹⁹ In contrast, the thinner conflictual consensus of Mouffe is a distinctly positive and inclusive conception of consensus. Even though this consensus is anchored firmly to the ethico-political principles of liberal democracy, because it does not ascribe any substantive content to these principles, and allows for the incorporation of the particularist and contingent into the political fold, it has the potential to be more inclusive than that of the liberal rationalists.

Given the diverse demographics of those who participate in the formulation of this conflictual consensus, it is inevitable that disagreement and conflicts will arise. However, contrary to what the liberal rationalists and adherents of Enlightenment liberalism hold, this conflict or confrontation should not be understood as a sign of imperfection. Rather, as Mouffe draws our attention to in the introduction to *The Return of The Political*, ‘A healthy democratic process calls for a vibrant clash of political positions and an open conflict of interests. If such [a clash] is missing, it can too easily be replaced by a confrontation between non-negotiable moral values and essentialist identities.’⁹⁰⁰

How does Mouffe’s conception of radical democracy, with its emancipatory agonistic underpinning, fare when presented with the challenge of both thin and thick pluralism? Thin pluralism can easily be subsumed into the wider

⁸⁹⁹ A. Schaap, “Agonism in Divided Societies,” *Philosophy & Social Criticism* 32, no. 2 (2006), pp. 263-264.

⁹⁰⁰ C. Mouffe, *The Return of The Political*, p. 6.

rubric of radical democracy. Thin pluralists already accept a shared set of liberal values, and therefore would appear not to be troubled by the requirement of acceptance of the ethico-political principles of liberal democracy, namely liberty and equality. I suggest, therefore, that their demands can be met by a radical democratic political framework.

The challenge of thick pluralism, however, is less straightforward. The core of the thick pluralist challenge is that their demands often come into conflict with the core values of liberalism. As I have already argued in this thesis, both Rawls' political liberalism and Crowder's value pluralism are not equipped to meet this challenge. Given that Rorty perpetuates Enlightenment liberalism's status quo, his post-metaphysical liberalism is also unsuited to the challenge of thick pluralism. It is my contention, however, that Mouffe's radical democratic project does have the *potential* to accommodate certain forms of thick pluralism. Whilst this answer may appear ambiguous, it should not be interpreted as a sign of flippancy or complacency. Rather, it reflects the 'case-by-case' nature of the relationship between radical pluralism and the challenge of thick pluralism. Thin pluralism, by its very nature, can be accommodated within radical pluralism. However, such a blanket answer cannot be afforded to thick pluralism. The crux of the issue here is whether specific thick pluralist challenges can be couched in terms that are congruent with the ethico-political principles of liberal democracy. If the specific challenges can do this, then certain forms of thick pluralism can be accommodated by radical democracy. However, if it is not possible to couch the challenge in such terms, or the parties

involved are unwilling to do so, then radical democracy is not capable of accommodating these forms of thick pluralism.

Thus, like the rational consensus of Rawls and Habermas, Mouffe's conflictual consensus also entails a point of exclusion. However, unlike the liberal rationalists, this exclusion is not premised upon any conception of what is contingent and particular, or unreasonable and non-universalizable. Rather, this understanding and defence of the us/them distinction is premised upon excluding only those whose demands 'challenge the very existence of the institutions of the democratic political process.'⁹⁰¹

⁹⁰¹ F. Gürsözlü, "Debate: Agonism and Deliberation – Recognizing the Difference," p. 359.

8. Conclusion

8.1 Thesis Overview

This thesis has sought to address two themes. The first is an examination and critical analysis of four theoretical models that may be able to avoid the exclusionary effects of Enlightenment liberalism, whilst accommodating and supporting the demands of pluralism. The second and more specific theme of this thesis is an examination of what I believe to be a latent paradox within certain schools of contemporary liberal political philosophy. This paradox is centred on the effect of promoting autonomy in its political aspect as a means of avoiding the restrictive and exclusionary effects of Enlightenment liberalism.

The four models I have examined are Rawls' political liberalism, Crowder's liberal value pluralism, Rorty's liberal utopia, and finally Mouffe's radical democratic project. I shall now briefly recap these four arguments before addressing the second theme of this thesis. Rawls' political liberalism and Crowder's liberal value pluralism both offer us solutions that are still located firmly within the liberal political tradition. They differ, however, in where they locate the nexus between liberalism and pluralism. For Rawls, liberalism can support pluralism because it can be recast in such a way as to avoid the exclusionary effects of comprehensive liberalism. Thus, Rawls' political liberalism relies upon an acceptance of it as a distinctly political solution to the fact of reasonable pluralism – it is a 'freestanding' political model that is not linked to any comprehensive form of the good. Crowder's liberal value pluralism also acknowledges the permanence of pluralism. However, whereas Rawls' model offers us a solution that is political, Crowder's liberal value

pluralism is the extension of an ethical understanding of the inherently plural nature of values. Crowder defends a specific form of liberalism because it is particularly suited to meet the demands of pluralism within the modern liberal democratic polity. In short, Rawls' solution requires the acceptance of a *political* model, whereas Crowder's requires the acceptance of an underlying *ethical* model.

The third model that I examined was Rorty's post-foundational liberal utopia. Whilst Rorty uses the language of the liberal political discourse, his philosophical and political model takes such a unique interpretation of liberalism that I follow Newey in describing Rorty (and Gray) as representing the 'deviant tendencies' within liberalism.⁹⁰² If the challenge of pluralism is located, in part at least, not in the existence of metaphysics per se, but rather, in the existence of *competing* metaphysics (and other such comprehensive doctrines), then Rorty's particular re-interpretation and defence of liberalism may be of use to us. The strength of Rorty's post-foundational liberalism is that it is explicitly a political model. But, as I have demonstrated, his reasoning for this is very different from that involved in Rawls' political liberalism. Rawls embraces a political conception of liberalism because he acknowledges the fact of pluralism, and the problems that a comprehensive liberalism, such as Enlightenment liberalism, will have owing to this diversity. However, Rorty's political account of liberalism is not the result of his acknowledgment of the fact of pluralism, but rather, of his denying the validity of metaphysics and philosophy. To premise liberalism on a metaphysical doctrine, such as that

⁹⁰² G. Newey, *After Politics: The Rejection of Politics in Contemporary Liberal Philosophy* (Basingstoke: Palgrave, 2001), p. 187.

associated with Kant, is a misguided exercise because metaphysics and philosophy are essentially nothing more than stories that linguistic communities tell each other. Thus, for Rorty, any form of liberalism that is grounded in metaphysical justification is ultimately unsustainable. In its place, however, Rorty defends a form of liberalism that is contingent in nature, and whose strengths lie in the fact that (in Rorty's opinion) it has demonstrated itself to be the best political system available to us that enables the promotion 'human flourishing'.

The final chapter of this thesis examined the conception of agonistic pluralism and radical democracy associated with the work of Mouffe. At the core of Mouffe's approach is both an acknowledgement of the inescapability of conflict within social and political discourse, and the impossibility of what she termed the 'rational consensus'. In an attempt to mitigate the exclusionary effects of Enlightenment liberalism, Mouffe shifts the locus of political association and participation away from a strict liberal understanding, to one that is more democratic in character.

It is Mouffe's contention that the demands and requirements of the liberal 'rational consensus' operating in the work of Rawls and Habermas, but also, I submit, in both Crowder and Rorty, are exclusionary in nature. The rational consensus itself is not a neutral vehicle, but is, rather, the product of a particular way of life and its accompanying value set. Those within the modern liberal democratic polity that refuse to submit to its requirements are deemed unreasonable, and are thus excluded from political life. In place of this elusive and illusionary rational consensus, Mouffe argues that participants should

instead strive for allegiance to the 'ethico-political' principles of liberal democracy – liberty and equality. This allegiance is not premised on a conception of a hypothetical normative ideal. Rather, it is defended on the grounds that it allows for the inclusion of more participants into the social and political fold, and will therefore negate the exclusionary effects of Enlightenment liberalism.

Throughout this thesis, I submit that the emergence of a paradox has become evident. In the political liberalism of Rawls and the liberal value pluralism of Crowder, autonomy in its metaphysical aspect is acknowledged as a contested value. Nevertheless, despite the fact that Rawls and Crowder take pluralism seriously, they both propose forms of liberalism that ultimately continue to prioritize autonomy, albeit in its political aspect. But I query whether this re-situation of autonomy from the metaphysical to the political will have any meaningful social or political impact. I question whether those who, for various reasons, do not embrace the prioritization of autonomy in its metaphysical form, will embrace it in its political form. Rawls and Crowder both appear to believe that this is the case, at least in so far as their conception of the reasonable citizen is concerned. I accept that this shift is very important and substantial at the level of political *philosophy*, but I doubt if this shift can be transferred successfully to the realm of social and political *practice*.

This paradox is also evident in Rorty's reformulation of liberalism. Whilst Rorty does not discuss the value or role of autonomy in any substantive or explicit detail (indeed, it is conspicuous by its absence, particularly in *Contingency, Irony, and Solidarity*), the form of post-foundational liberalism that he advocates

ultimately reverts to a formulation that continues to prioritize autonomy within the public political sphere, especially in regards to issues of social justice. My concern is not that Rorty's argument is incoherent, but rather, that despite his attempts to defend a form of liberalism that does not rely upon a metaphysical justification, the particular parameters it does take result in the prioritization of autonomy within the public sphere, and the relegation of difference and pluralism to the private sphere. Whilst Rorty is careful to avoid the language that is often associated with Enlightenment liberalism and other forms of universal perfectionist liberalism, his post-foundational model still resembles, at least at the level of political practice, Enlightenment liberalism. Again, as with Rawls and Crowder, the justificatory theory may be different, but the political practice appears to be untouched. Thus, the latent paradox that I have identified in Rawls and Crowder is still discernible in Rorty's post-foundational liberalism.

To what extent, though, is this paradox evident in Mouffe's radical democratic project? My exposition and analysis of Mouffe's work suggests that she appears to have delineated a form of political association that can accommodate and support the demands of pluralism, but does not fall back upon a conception of the autonomous individual, in either its metaphysical or political aspect. Participation in Mouffe's radical democratic project is predicated on allegiance to the ethico-political principles of liberty and equality, not autonomy. This is not to suggest that autonomous individuals cannot participate. Rather, individuals who do not prioritize autonomy (in either its metaphysical or normative aspect), yet who do support the ethico-political principles of liberty and equality, are not excluded. As I noted in the chapters on Rawls and

Crowder, there are certain demographics and communities within the modern liberal democratic polity that do not, for various reasons, prioritize autonomy. As a result of this, these demographics and communities are thus excluded from the forms of liberal political association proposed by Rawls and Crowder respectively. This is particularly so within those groups whose challenge comes under the umbrella of thick pluralism. However, it is a mistake to conflate those who do not prioritize autonomy with those who are unreasonable citizens. This is a fallacy of which both Rawls and Crowder are guilty. It is possible for one not to prioritize autonomy, yet still accept the validity of the ethico-political principles of liberal democracy, and thus, both agree with, and participate in, Mouffe's radical democratic project. I conclude, therefore, that Mouffe's proposed model is more inclusive than that of Rawls, Crowder, or Rorty.

8.2 Liberalism and the Denial of The Political

Throughout the development of this thesis, a third 'meta-theme' has emerged: liberalism's denial of conflict and what Mouffe has termed 'the political'. As I stated in my introduction, the four theoretical models that I examine in this thesis are not ordered in such a way as to suggest that each is superior to the last. Rather, they chart a philosophical and political trajectory that starts firmly within the liberal political tradition (Rawls and Crowder) and moves towards models that intentionally abandon the discourse and values that are generally associated with liberalism (Rorty and Mouffe). Underlying this philosophical and political trajectory is a move towards a more 'open' and less 'reductionist' account of social and political discourse and association. By this I mean a move away from the restrictive nature of moral monism.

In part, my original concern with Enlightenment liberalism – indeed, with *all* forms of perfectionist liberalism – is not only that there are many voices that reject some or all of its constitutive elements, but rather, that it is essentially a ‘closed’ or ‘reductionist’ social and political system. As I have already argued, Enlightenment liberalism is essentially a species of moral monism – it reduces all social and political questions to the single value of autonomy. Yet, whilst Rawls’ political liberalism and Crowder’s liberal value pluralism offer solutions that take the fact of pluralism seriously, they both fail to escape from the restrictive parameters of a form of moral monism. For both Rawls and Crowder, the solution is still couched in terms of the prioritization of autonomy, albeit in its political rather than metaphysical form. Whilst, as I have already acknowledged, this shift is important at the level of theory, I submit that it is still a species of moral monism. The crux of my argument is that all important social and political questions are still reduced to a single value, that is, autonomy in its political aspect.

The same problem of enclosure and reductionism can also be found in Rorty. At the level of theory, Rorty’s post-foundational interpretation of liberalism holds the potential for being a more open and less reductionist form of social and political association. This is because he intentionally distances himself from the discourse of metaphysics (even going so far as to reject the tag of relativism). Instead, Rorty is concerned primarily with determining what ‘works’ for ‘us’ as citizens of Western liberal democratic states. However, the post-foundational reformulation of liberalism that Rorty presents us with is still essentially a closed and reductionist account of social and political association.

The problem is not that Rorty's liberalism is devoid of any metaphysical content. Indeed, I think this is potentially a rich vein for political philosophers to explore. Rather, the problem lies in the fact that the form that it does ultimately take is essentially an unchanged form of Enlightenment liberalism. As such, whilst Rorty's reformulation of liberalism goes some way in addressing the problem of competing metaphysics by defending a form of liberalism that does not rely upon metaphysical justifications, the political form that it does take intentionally closes off all spaces that would allow not only for the discussion, but also for the contestation, of important normative issues. As with Rawls and Crowder, Rorty's reformulation of liberalism is both closed and reductionist. Rorty's critique of liberalism simply does not go far enough; whilst he examines and rejects the need for metaphysical justifications of liberalism, its political form remains essentially untouched.

What is common to Rawls, Crowder, and Rorty, is the belief that all contested issues within the modern liberal democratic polity can be resolved neatly within the discourse of liberal political philosophy. Whilst each of them offers us a very different formulation of social and political association that can accommodate the demands of pluralism (and therefore competing metaphysics), they all do so within the dominant paradigm of liberal political thought. Yet it is precisely the intentional ordering of certain values, such as the continued prioritization of autonomy, that is, for many minorities and communities, the source of the problem itself. Even though Rawls, Crowder, and Rorty, all acknowledge the validity of forms of flourishing that do not embrace the prioritization of autonomy, their existence is confined to the private non-

political sphere. Within the parameters of the public political sphere, difference and pluralism have effectively been denied a voice, in the sense that they are not allowed to play any meaningful role in the decision-making process regarding important matters of public policy. Pluralism, in order for it to be recognized and heard within the public political sphere of Rawls, Crowder, and Rorty, can only take the form of the disembodied and antecedent autonomous individual.

Yet it is precisely this continued relegation of difference and pluralism to the private sphere, and the difference-blind promotion of autonomy within the public sphere, that is the heart of the critique of Enlightenment liberalism that I examined in Chapter 3. By arguing that the challenge of pluralism within the public sphere can be accommodated by allowing it to be expressed *only* in the form of the autonomous individual, Rawls, Crowder, and Rorty all continue to replicate the closed and reductionist forms of liberalism that were found to be problematic for Enlightenment liberalism. The reduction of the expression of pluralism within the public political sphere will have the effect of essentially closing down the space for debate and the contestation of important normative considerations. If the outcome for any debate regarding the challenge and role of pluralism within the modern liberal democratic polity is already predetermined (in the sense that the answer is 'the autonomous individual'), then this is not a debate or conversation, but a monologue.

This position is put forward rather forcefully by Gray in *Enlightenment's Wake*. As he argues,

Despite its self-description as political liberalism...Rawls' [political liberalism] is a liberalism that has been politically emasculated, in which nothing of importance is left to political decision, and in which political life itself has been substantially evacuated of content. The hollowing out of the political realm in Rawlsian liberalism is fatal to its self-description as a form of political liberalism and discloses its true character as a species of liberal legalism. The liberal legalism of Rawls and his followers is, perhaps, only an especially unambiguous example of the older liberal project, or illusion, of *abolishing politics*, or of so constraining it by legal and constitutional formulae that it no longer matters what are the outcomes of political deliberation. In Rawlsian liberal legalism, the anti-political nature of at least one of the dominant traditions of liberalism is fully realized.⁹⁰³

Even though the target of this particularly caustic quote is Rawls' political liberalism, it conveys the crux of my argument against not only Rawls, but also Crowder and Rorty.

Mouffe, however, has proposed a form of political association – that is, her project of radical democracy – that is neither closed nor reductionist, nor whose outcome is already predetermined. As I have argued, Mouffe's democratic reinterpretation of the liberal democratic relationship is driven by a conception of agonistic pluralism. Within this conception of pluralism, the rational consensus is rejected in favour of what Mouffe terms a thin conflictual consensus. The outcome of any rational consensus is essentially predetermined, owing to the fact that only a very limited and narrow band of actors are allowed to participate. However, as participation in Mouffe's thin conflictual consensus is only predicated upon an acceptance of the ethico-political principles of liberal democracy (liberty and equality), not only will there be more diversity of

⁹⁰³ J. Gray, *Enlightenment's Wake*, pp. 114-115. Emphasis in the original.

potential actors, but the outcomes themselves will be more diverse. It is in this context that Mouffe actively embraces that which Rawls, Crowder, and Rorty, all deny – there is an acknowledgement of ‘the political’ in its conflictual sense. To deny the political would result in the imposition of a totalizing hegemony, and challenge the validity of the myriad of voices that exist within the modern liberal democratic polity. Contrary to what Rawls, Crowder, or Rorty may argue, this denial does not strengthen the binds of a political association; it actually weakens them by encouraging apathy and resentment. Through her account of agonistic pluralism, Mouffe accepts a degree of perpetual instability and conflict within the radical democratic paradigm. However, this is offset by the inclusion of those who not only *can* participate in the political process, but who also, owing to their allegiance to the ethico-political principles of liberty and equality, *want* to participate.

8.3 Scope for Future Research

Finally, I would like to address two important and related questions that this thesis has not covered in any substantial detail, but which are of great importance within the broader scope of the issues raised. The first of these concerns the issue of political and social stability in light of pluralism. The second questions the extent to which the modern liberal democratic polity ought to tolerate unreasonable individuals, minorities, and doctrines.

Given the fact of pluralism within the modern liberal democratic polity, how is social stability to be maintained and encouraged? The reverse of this question also needs to be addressed: do pluralism and diversity in and of themselves

undermine political and social stability? According to Andrew Shorten, this is referred to as the 'fragmentation objection': the belief that 'practices of cultural recognition undermine the unity of political community, and that this should count as a reason to be skeptical about the public recognition of minority cultures, and about multiculturalism construed more broadly as a public policy'.⁹⁰⁴ It is my contention that diversity and pluralism in and of themselves do not undermine social or political stability. However, this is predicated upon the condition that those within the modern liberal democratic polity, irrespective of their motivating metaphysical, religious, or philosophical doctrines, wish to continue living in, and provide support (either expressly or tacitly, to draw on Locke's distinction)⁹⁰⁵ for, such a plural citizenry and polity.

In this context, therefore, pluralism does not undermine social stability *if* the citizens of such a state support the ethico-political principles of liberal democracy, which, as Mouffe identified, are liberty and equality. Thus, those forms of pluralism which fall under the rubric of thin pluralism should not be conceived of as a threat to social stability because their various demands have the capacity to be met by the modern liberal democratic polity. Similarly, those forms of pluralism that I refer to as thick pluralism should not undermine social stability either. However, this statement is predicated on two conditions. First, that the individuals and communities that fall under the banner of thick pluralism are willing to accept the ethico-political principles of liberal democracy; and second, that the specific demands and challenges themselves

⁹⁰⁴ A. Shorten, "Cultural Diversity and Civic Education: Two versions of the fragmentation objection," *Educational Philosophy and Theory* 42, no. 1 (2010), pp. 57-72.

⁹⁰⁵ J. Locke, "Two Treatise of Government," in *Two Treatise of Government and A Letter Concerning Toleration*, Second Treatise, § 119, pp. 152-153

can be translated into the ethico-political principles of liberal democracy. If both of these conditions are met, then I submit that the challenge of thick pluralism need not be viewed as a threat to social stability.

Indeed, it need not be that *all* citizens within such a polity support these ethico-political principles. However, it is necessary that the *vast majority* do. I draw this distinction because, as Shorten suggests, the existence of a small number of people who, for various reasons, reject the ethico-political principles of liberal democracy, does not compromise the stability of the larger democratic community or institutions.⁹⁰⁶ This has been demonstrated in America with the various Amish, Mennonite, and Hutterite communities, who have successfully isolated themselves from the larger social and political community. Thus, even the existence of a small percentage of the population who continually refuse to accept the ethico-political principles of liberal democracy need not undermine social stability, irrespective of whether these groups fall under the banner of thin or thick pluralism. Of course, the implication of this caveat is also true: should, for whatever reason, the numbers of these 'non-participants' rise to the point where their continued refusal to accept the legitimacy of the ethico-political principles of liberal democracy begins to undermine social stability, then, *prima facie*, the state may be forced to act. To clarify, though, this action on behalf of the state should not be motivated by the existence of communities who refuse to participate, but rather, only if and when the numbers of these non-participants rises to the point where it begins to undermine social and political stability. This leads me to my final point.

⁹⁰⁶ A. Shorten, "Cultural Diversity and Civic Education," p. 70.

Thus far, this thesis has only examined the extent to which liberalism can be re-cast in order to accommodate the demands of pluralism within the modern liberal democratic polity. It has not, however, examined in any substantive detail an important corollary of this issue. That is, it has not addressed the question of what the state ought to do with those who could be referred to as unreasonable citizens or unreasonable minorities. This thesis has only focused on those groups or individuals that reject Enlightenment liberalism (or certain elements thereof) on reasonable grounds. It has not addressed the question of how to tackle the demands of unreasonable groups (such as religious fundamentalists from any religious tradition).

The important question at the heart of this issue, as posed by Jonathan Quong in his important contribution to this debate, is ‘do unreasonable citizens have the same basic liberal rights and entitlements as other citizens?’⁹⁰⁷ In Quong’s analysis, an unreasonable citizen is someone who rejects at least one of the following three propositions: ‘(1) that political society should be a fair system of social cooperation for mutual benefit, (2) that citizens are free and equal, and (3) that fact of [Rawlsian] reasonable pluralism’.⁹⁰⁸ Note that whilst Quong does not write with Mouffe’s radical democratic project in mind, these three propositions are entirely compatible with such a democratic conception because they are not predicted upon autonomy, in either its metaphysical or political aspect.

⁹⁰⁷ J. Quong, “The Rights of Unreasonable Citizens,” *The Journal of Political Philosophy* 12, no. 2 (2004), p. 314.

⁹⁰⁸ *Ibid.*, p. 315. Quong further clarifies this point by stating that ‘It is clearly possible of citizens who are generally reasonable to make unreasonable demands, and vice versa. Strictly speaking, therefore, it is not the unreasonable citizen who is ignored by public reason, but rather unreasonable views or claims.’ *Ibid.*, p. 315n3.

A brief survey of the relevant recent literature will demonstrate there is no substantive agreement between political philosophers on this issue. Rawls, in *Political Liberalism*, argues that because unreasonable doctrines threaten the stability of liberal democratic regimes, they ought to be isolated and contained, just as one would with war or disease.⁹⁰⁹ The potentially troubling implication of Rawls' position, as noted by Quong, is that if 'containing unreasonable doctrines is a legitimate objective for a liberal democracy, then this might provide a justification for (in certain circumstances) infringing on the rights of unreasonable citizens'.⁹¹⁰

Erin Kelly and Lionel McPherson reject Rawls' position.⁹¹¹ They hold that 'justice may well require us to acknowledge the claims of persons who hold views that have little or no rational support or seem plainly irrational'.⁹¹² Their position hinges upon the value of toleration, and as such, they argue that to exclude such irrational people would be a violation 'of the requirements of toleration in a liberal society'.⁹¹³ In order to achieve the 'wide public justification' that is necessary for their understanding of toleration, Kelly and

⁹⁰⁹ "That there are doctrines that reject one or more democratic freedoms is itself a permanent fact of life, or seems so. This gives us the practical task of containing them – like war or disease – so that they do not overturn political justice." J. Rawls, *Political Liberalism*, p. 64n. Rawls' analogous examples of war or disease are perhaps a poor choice, as one does not seek to 'contain' them, but rather, to eradicate them completely. Is Rawls arguing therefore, that we ought to contain unreasonable doctrines, or seek to eradicate them completely from the political landscape?

⁹¹⁰ J. Quong, "The Rights of Unreasonable Citizens," p. 314.

⁹¹¹ E. Kelly and L. McPherson, "On Tolerating the Unreasonable," *The Journal of Political Philosophy* 9, no. 1 (2001), pp. 38-55.

⁹¹² *Ibid.*, p. 39.

⁹¹³ *Ibid.*, p. 39.

McPherson do acknowledge that this will inevitably result in the inclusion of 'significant numbers of unreasonable people'.⁹¹⁴

However, as Quong has correctly pointed out, Kelly and McPherson's position relies upon a misinterpretation of what toleration is. Andrew Cohen defines toleration as 'an agent's intentional and principled refraining from interfering with an opposed other (their behaviour, etc.) in situations of diversity, where the agent believes she has the power to interfere.'⁹¹⁵ We can see from this comprehensive definition that toleration requires a form of moral motivation ('an agent's *intentional* and *principled* refraining...'). However, this understanding of the importance of moral motivation is absent from Kelly and McPherson's interpretation of toleration. Thus, what they present us with is actually a form of *modus vivendi* liberalism. However, as I noted in Chapter 4, this is precisely what Rawls writes against, as he fears that it is incapable of generating a stable political community.⁹¹⁶ These are not fears that I share with Rawls, as I believe he overestimates the unstable nature of a *modus vivendi* liberalism.

I consider, however, that the most cogent argument on this issue is that proposed by Quong.⁹¹⁷ As with many other contemporary liberal political philosophers, he holds that unreasonable doctrines cannot form part of a theory of rights or justice 'because they reject the fundamentals on which such theories

⁹¹⁴ Ibid., p. 39. Kelly and McPherson's apparent interchangeable use of the terms 'irrational' and 'unreasonable' suggest that unlike Rawls and his followers, they do not consider them to be two separate concepts.

⁹¹⁵ A. J. Cohen, "What Toleration Is," p. 69. See also A. J. Cohen, "What the Liberal State Should Tolerate Within its Borders," *Canadian Journal of Philosophy* 37, no. 4 (December 2007), p. 479.

⁹¹⁶ J. Rawls, *Political Liberalism*, p. 146.

⁹¹⁷ J. Quong, "The Rights of Unreasonable Citizens."

must rest.⁹¹⁸ However, this position must not be extrapolated to the point where the individuals or communities themselves who hold such views are excluded from the rights and benefits that are associated with citizenship of the modern liberal democratic polity. As such, exclusion only extends as far as views, but not to those who hold such views.

This is an important issue, but there appears to be no evidence that Mouffe addresses it in any of her work. It is my conclusion that Mouffe's radical democratic project is more capable of generating the assent of citizens within the modern liberal democratic polity than any of Rawls', Crowder's, or Rorty's proposed liberal frameworks. However, it is unlikely that this radical democratic project – or indeed, *any* form of social or political association – could gain the assent of *all* citizens. This should not be interpreted as a weakness or oversight on Mouffe's part. Rather, it is a reflection of the diverse and, at times, unreasonable, views that may be held by members of any polity. History tends to suggest that there is always someone, who, for whatever reason, does not agree with the form of social and political association within their polity, regardless of how 'reasonable' it may be.

As already noted, for Mouffe, participation in her radical democratic project is predicated on the acceptance of the ethico-political principles of liberal democracy (liberty and equality). But what of those individuals or groups who do not accept these twin principles? In a recent lecture at the University of Kent,

⁹¹⁸ Ibid., p. 335.

Mouffe suggested that such individuals and groups ought to be excluded.⁹¹⁹ However, it is unclear exactly what she meant by this. Is it her position that it is the views themselves that ought to be excluded, yet those who hold them still retain their full rights and entitlements that are associated with citizenship? Or, more forcefully, is it her position that as a direct consequence of holding such views, the individuals and groups themselves lose their rights and entitlements? This is an important issue that Mouffe needs to address, but she has, thus far, failed to do so.

⁹¹⁹ C. Mouffe, "Agonistic Democracy: Between Ethics and Politics," (lecture given at the Social and Political Thought series for the Department of Politics and International Relations, the University of Kent, November 3, 2011). Mouffe's statement was in response to a question asked by the author on this very issue.

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