The Moral Ontology of Walzerian Social Criticism: An Argument for Philosophical Conservatism

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Abstract

This thesis advances a reconstructed and more sophisticated version of Michael Walzer's social criticism. It does so through an analysis of the suppressed premises that underpin Walzer's argument. One central premise in Walzer's work tacitly asserts that social criticism should reflect the nature of the 'self' as 'whole', as conceived of in the terms of the post-Kantian tradition of moral and political thought. This conception of self follows naturally from the way in which social criticism 'embeds' the individual in a particularist social and historical context. Another central premise comes in response to the implications of this embeddedness: in order to meet the objection that the social thesis leads both to moral relativism and a loss of individual moral freedom, Walzer commissions a second and even more tacit conception of self. This second conception is a thoroughly liberal and (at first sight) Kantian conception of self, and thus leads to a crucial internal tension with the rejection of 'philosophy' that is central to social criticism.

This thesis is thus in part a critique of Walzer and the inconsistencies of his position. Nevertheless, this thesis also, ultimately, acts as a vindication of Walzer's social criticism. My argument is that the two conceptions of self can be reconciled without contradiction. We therefore arrive at an argument for a third conception of self: one that combines the virtues of both the 'communitarian' and 'liberal' conceptions of self, and hence the merits of their respective accounts of both agency and moral argument. Such an account of self thus purchases phenomenological sophistication without sacrificing non-relative normative justification. The position that this yields, as this thesis argues, is a species of philosophical conservatism based upon a naturalistic conception of self. This arises from the endorsement of a broadly Oakeshottian conventionalism.

The thesis therefore rejects Walzer's own substantive commitment to egalitarianism, and argues instead for a social structure that takes the normative implications of 'spheres' seriously; and thus a social structure in which there are in fact significant elements of social and political hierarchy in 'our' culture of western 'liberal democracies'. This hierarchy is based upon the individual criteria of desert and distribution that we find in separate spheres. The thesis thus concludes that it is unjust to impose an egalitarian pattern of distribution on this complexity. The conclusion is original both because it rests upon an original interpretation of Walzer, and because the resulting Walzerianism is one that offers an original conception of the ontology of value and moral argument.

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CHAPTER ONE
Aims and Outline of the Thesis

1.1 The purpose of this thesis is to argue for a form of reconstructed Walzerian social criticism, and to also affirm the value of the theory and phenomenology of complex equality. Much of the motivation behind the project is, therefore, the desire to defend Walzer against a series of serious misunderstandings. Once these are resolved it is the aim of this thesis to argue for the superiority of Walzerian social criticism over liberal political philosophy, as practiced by John Rawls, Ronald Dworkin and Brian Barry.

Nevertheless, a caveat is needed from the very start. The position that we arrive at is not Walzer's in any simple sense. Rather, it is Walzerian. By this I mean that the defence of social criticism and complex equality is one that must cede some ground to its critics. It is also a defence that can not proceed simply on the basis of interpretation, at least not if interpretation is understood narrowly in terms of what Walzer 'means' to say. Instead, a great deal of this thesis will argue from what Walzer could say, given the conceptual resources that his type of argument has at its disposal, as well as what he should say if he is to remain faithful to his own premises. Thus, in addition to a defence of Walzer against his critics, this thesis is also a critique of Walzer; though not of Walzerianism.

In terms of the defence of Walzer, there are a number of key characteristics of Walzer's own theory that will help us sketch the issues with which this thesis will be concerned. Let us start with a brief description of the two key terms in Walzer's project. Complex equality, when understood solely phenomenologically, is the thesis that there can be no single pattern of distribution in distributive justice. The goods with which we are concerned in a theory of distributive justice are plural and diverse, and a proper understanding of this plurality leads us to attribute different distributive criteria and meanings to different goods. The contrast is with a 'simple' equality in which the individual members of a society are all equal in virtue of their equal possession of a single good, and in which there is one criterion of distribution for all goods, encompassed under the meaning of a single over-arching value. The most obvious example is an equality of income. Walzer rejects this for two reasons. First, such equality will be unstable due to a natural propensity for individuals to seek to differentiate themselves from others and thus to create new forms of inequality; and, second, any attempt to impose such equality will require an excessively coercive state. The

alternative is a 'complex' equality in which different goods (material and immaterial) are distributed according to their own individual meanings, rather than according to a single conception of justice that provides us with one criterion for the distribution of all goods. In this thesis we shall call this the 'meaning-distribution relation', and the result is Walzer's famous conception of 'spheres' of justice. Within these spheres it is not unjust that there are significant inequalities. We will not all excel, for instance, in the sphere of formal education; but that does not mean that we are not entitled to an equal say in the political sphere. The point of complex equality is, instead, to treat the spheres themselves as equal; to say that just because an individual excels in one sphere, this does not automatically mean that this sphere is superior to others, and that the individual is entitled to greater rewards in other spheres.

The other central characteristic of Walzer's project is the idea of a 'connected' social criticism. This is best illustrated by way of a contrast. Walzer takes liberal 'political philosophy' to be the attempt to step outside of Plato's cave, and to thereby reach the realm of abstract truths that will tell us once and for all what justice is. According to Walzer, this is methodologically naïve as these abstractions will in fact only be reflections of the values that constitute the society and culture that the philosopher seeks to step away form. It is also normatively pernicious because it encourages a view of politics that places power and the arbitration of justice solely in the hands of a philosophically inclined elite. Likewise for simple equality: there will be a single criterion of justice, and so a single group of men and women dictating to us all what the demands of justice are, and what our individual place in that system is.

This is the most basic sketch of Walzer's position. Filling this out is the part of the primary purpose of the following two chapters. But even before we begin to get into the substance of Walzer's argument, it is important to note how much there is in this project that is either missed or neglected by both Walzer's friends and foes. For within Walzer's account of social criticism we find a whole range of powerful assumptions and recommendations that go unnoticed far too often. Some of these are solely methodological, some are solely normative; and some are both. What we thus find in social criticism are the themes of identity, alienation, moral rigorism, language, citizenship, and moral 'thickness'. Most of these themes are just beneath the surface of Walzer's explicit argument. They are all united in two ways, however. The first is the way in which they all come under a category that is post-Kantian in inspiration and

which is the basis for one of Walzer's many loose analogies. That category is the idea of the 'poetic'. It is an analogy that drives home the point that moral and political language is both constitutive of the self, and that it is thick and imprecise in the same way that literal poetic meaning is; making it richer and more meaningful in substantive terms. It is this category that brings together all the methodological themes that form the subtext of Walzer's project. The other unifying factor is the normative desire to create the conditions in which a particular conception of self can flourish. That conception is derived from the post-Kantian reaction to the bifurcating effects of Kantian moral philosophy, split in two by the competing demands of reason and passion. The normative desire is therefore to make the self 'whole'.

A large part of this thesis will be spent uncovering these hidden themes and assumptions. For there has been remarkably little appreciation of the conceptual and historical roots of Walzerian social criticism. My argument is that it is only by fully availing ourselves of these resources that we can truly understand the value of Walzerian social criticism, and that it is only with these resources that we can defend Walzer against the often hostile reaction that his work has provoked.

The most representative figure in this regard is Brian Barry.[1] For Barry, and for a great many others, Walzer's project is fundamentally incoherent and, moreover, can have no normative purchase at all. All that it can do is say that justice simply is what the conventions of a particular society says it is, and for Barry that is not 'justice' at all. In response to this, the argument of this thesis is designed to defend the idea of Walzerian social criticism against the charge that it is morally vacuous, and that 'morality' just reduces to prevailing practices and conventions. In advancing this position, I will argue both negatively and positively. First I will argue, negatively, that Barry himself cannot escape the kind of circularity and potential vacuity that he sees in Walzer. For Barry's own theory must either rest upon a tacit moral realism in which the fundamental premises of the theory (equality and 'reasonableness') are just 'right' simpliciter as an item of a priori truth, or else he too must rely on the very same conventionalism that he repudiates. The argument here can and should be generalised: it is a feature of all moral

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[1] Brian Barry, Justice as Impartiality, Clarendon Press: Oxford, 1995. Barry, Brian 'Social Criticism and Political Philosophy' in Liberty and Justice, Oxford: Clarendon Press, 1991. Barry, Brian. 'Spherical Justice and Global Injustice', David Miller and Michael Walzer (eds.) Pluralism, Justice, and Equality (Oxford: Oxford University Press, 1995), pp. 67 – 80.

and political theories that they must either rest upon an a priori given as the fundamental premise of the theory, or else on the same kind of conventionalism that Barry purports to reject because of its lack of normative purchase. In both cases, there will inevitably be an unavoidable sense of circularity in which the fundamental normative assumptions of the theory are either suppressed, or which must be explicitly used in the very same process of justifying those assumptions. My contention in this thesis is that we can and must make a virtue of this alleged failing; that we should make explicit the circularity of all moral argument in order to have a better view of the sources of our normative judgements. In this respect, my specific defence of the 'meaning-distribution' relation (in which the meaning of a good determines its distribution) is part of a more general affirmation of the circular nature of moral discourse. That Barry is the key protagonist in this debate is no accident, however. For the dispute here is typically thought to have two 'camps': the liberal (Barry) and the 'communitarian' (Walzer).

There is indeed an important sense in which this characterisation is correct, though there are strong liberal elements in Walzer's communitarianism, and, of course, a strong conventionalist strand in Barry's liberalism. The standard opposition will thus contrast particularism with universalism, relativism with objectivity, and collectivism with individualism. These contrasts are all valid up to a point. But then the standard reaction to Walzer is to take him as a crude exemplification of the failings of the communitarian argument; that he simply avails himself of some clichéd caricature of liberal political philosophy and then presents the communitarian argument as the victor by default. There is indeed an element of truth in this accusation. But the appropriate response is, surely, not to caricature Walzer in turn, as this also grossly oversimplifies the argument and debate between communitarian contextualism on the one hand and liberal abstraction and universalism on the other.

This reaction is far too dismissive, and it misses the great originality of the Walzerian project. One aspect of this originality is the way in which Walzer is committed to two strands of argument that we do not see explicitly combined elsewhere, except in the writings of Georg Wilhelm Friedrich Hegel. These two strands are a commitment to the embeddedness of the self (the social thesis) and the simultaneous commitment to a strong species of value pluralism (spherical justice). Part of my own claim to originality in this thesis is to take seriously the notion that the latter aspect, the value pluralism, is every bit as much an ontological claim as the social thesis is commonly thought to be; and that is

why the title of this thesis reflects the belief that Walzer's theory is ontological at the deepest level- that it truly is a theory of what there 'is', of what exists. To make this argument we must first refuse to treat the idea of 'spheres' as just another metaphor.[2] Then we must also take seriously Walzer's quasi-idealist assertion that 'goods come into our minds before they come into our hands'.[3] For the ontology of Walzerian social criticism and complex equality is indeed one in which 'reality' is the product of language and human agency; though this is a process that exemplifies the inherent circularity of moral argument in so far as 'human agency' is also a product of the social and linguistic conditions that have been humanly created. Once again, this argument is to proceed from a proper understanding of the post-Kantian heritage of Walzerian social criticism.

There is another positive aspect to my defence of Walzerian social criticism and the idea of complex equality. This is the defence of Walzer against the charge of moral quietism and relativism; the charge that there is nothing he can say to a society that is based upon shared understandings that 'we' find morally repugnant. This defence is based upon Walzer's own Humean minimalism –the sense that we do as a matter of empirical fact find that there are a number of moral practices and prohibitions that are reiterated across all societies and cultures, thus providing us with the framework we need in order to launch a normative critique of a particular society within the terms of that society's own 'internal' normative conventions. But the argument that I want to offer goes a lot deeper than that. Where Walzer just mentions as an aside that this minimalism is probably best explained 'naturalistically',[4] the ultimate purpose of this thesis is to provide that argument on his behalf.

That argument is, once more, based upon a particular conception of self. But it is not simply the conception of self that we have just described as 'whole', and nor is it a conception that Walzer himself explicitly advances or admits to. So there is in fact another conception of self within Walzer's project, in addition to the post-Kantian conception of the 'whole' self. This second conception of self is on one occasion described as 'canny',[5] and it is this description that I take up and adopt in this thesis. The

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[2] David Miller, Miller, David, 'Complex Equality', Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995).

[3] Michael Walzer, Spheres of Justice: a defence of pluralism and equality. Oxford: Blackwell, 1985. p. 7. This text will be referred to either as Spheres or as Spheres of Justice for the remainder of the thesis.

[4] Michael Walzer, Interpretation and Social Criticism. Cambridge, Mass; London: Harvard University Press, 1987. p. 17.

[5] Michael Walzer, Thick and Thin: moral argument at home and abroad. Notre Dame: University of Notre Dame Press, c1994.p., 98.

great interest here is that it is at first sight a strikingly liberal and 'philosophical' conception of self, and thus a conception that violates Walzer's own stated premises. That violation follows from the way in which Walzer excludes from the activity of social criticism the importation of a priori premises, and the way in which Walzer just slips into the argument this conception of the self as 'canny' does indeed make the move look startling like the kind of a priori move that he rejects. For the canny self comes into the argument without any real justification or any attempt to say how it fits the terms of social criticism i.e. of how it is taken from the norms and conventions of a particular culture. Of course, it is relatively easy to make that argument. But then the importation of the canny self also introduces an obvious inconsistency that arises through the simultaneous rejection of the Kantian conception of self and the adoption of a strikingly similar conception of the self as canny. And so it is also my argument in this thesis that this creates a serious tension with the post-Kantian conception of self as 'whole'; as this conception came to be articulated precisely because of the phenomenological and normative failings of Kantian moral philosophy.

At this stage, therefore, the aim of this thesis is no longer to defend Walzer directly. The aim is, rather, to uncover the real underpinnings of the combined project of complex equality and social criticism; and thus of the way in which the twin Walzerian foundations of the social thesis and the ontology of plural spheres interact. This is a relation that is at the heart of Walzer's project, and so there is also a serious tension at the heart of the project. For it is my argument here that the demands of spherical justice and the demands of social criticism lead to two different conceptions of self that appear to be mutually exclusive. My contention in this thesis is that this tension has been unexplored both in the literature on Walzer and in the more general literature on social criticism and contextualism. At this stage, then, my thesis launches its own critique of the internal inconsistencies and subterfuges of Walzer's social criticism.

That is part of my thesis' claim to originality. But it is not what gives my reconstructed Walzerianism its substantive methodological and normative importance. That requires a more positive argument. I therefore also intend to offer a reconciliation of these two conceptions of self, and to thereby come to a reconstructed Walzerianism that can maintain its phenomenological richness whilst also allowing us a conception of moral

agency that is not over-determined (and thus denied moral freedom) by the embeddedness of the communitarian social thesis. That reconciliation is, I contend, the best option that we have for a viable moral and political theory that remains true to our thick moral intuitions without thereby succumbing to an 'empty formalism'. This thesis is also original in two further respects. The first is that it offers a theory that is explicitly based upon a conception of self at a time when such conceptions are almost universally dismissed as irrelevant, or are, alternatively, swept under the carpet with the pseudo-technical assurance that the issue is merely being 'bracketed'. The second claim to originality is the way in which I derive this conception of self. In the most general terms I do so by combining the post-Kantian category of the 'poetic' with a Humean naturalism concerning the self and moral agency. More specifically, I argue both naturalistically and transcendentally from the assumptions that we need to make in order to make sense of our evident and felt ability to be deeply and socially embedded in a plurality of moral and social sources (and thus attached to a plurality of competing values) without our conception of self and identity becoming fragmented by these competing demands.

It will help to explain this central argument a little more here, before justifying it during the course of this thesis. Once again, the underlying focus of the argument is ontological and concerns both the constitution of goods and the constitution of the self.

The essence of the central argument of this thesis is that the embeddedness of the self that we find in the social thesis is in conflict with the ontological structure of autonomous spheres. If we make the case in its extreme form, the argument is that Walzer deeply embeds the self in the social sources of identity and value, but then fragments the self by compartmentalising those sources of value; by saying that we have (e.g.) an economic identity and self, a religious (or secular) identity and self, a political identity and self, and so on. We are in essence embedded not once but many times, and in a way that does not necessarily make for a coherent and unified conception of self. My argument is not that there is a logical contradiction in this. On the contrary, it is strikingly similar to the (epistemological and sceptical) Humean conception of self –an analogy that I shall be actively employing during the course of this thesis. But once we have uncovered the normativity that is inherent in the post-Kantian account of 'wholeness' that Walzer adopts, it is clear that there is indeed a serious normative tension in his project. It is also a serious concern in methodological and phenomenological terms, as that same commitment to 'wholeness' is one that is often assumed to be such

that it also 'embeds' the self so deeply that it can not be said to have the capacity for rational normative reflection; and so it would seem that we are faced with two mutually exclusive phenomenological possibilities –a free and reflective self that is nevertheless profoundly alienated by that same freedom, and a self that is fully in touch with the sources of his or her own moral identity but in a 'morality' that we might not think to be truly worthy of the name.

This worry is compounded in Walzer's theory by the sense that not only can he not account for individual normative reflection and moral freedom, but that he also cannot offer us any explanation of how we are to adjudicate between autonomous spheres when they inevitably come into conflict. The standard objection here is that he needs some criterion or value that is external to individual spheres if he is to provide us with this normative capacity.[6] This is an objection that I also advance in this thesis. That indeed is why he must tacitly rely on a conception of self that is 'canny' as well as whole; and thus a conception of self that is strikingly liberal as well as 'communitarian'. It is this value that we must ultimately refer to in the adjudication of and between competing spheres and values. So there is indeed a contradiction at the heart of Walzer's account. But then the argument of this thesis is that we can resolve this contradiction with further articulation, and that we can thus advance a consistent Walzerian social criticism. The upshot of this is a form social criticism that does not merely uncritically reflect prevailing social practices and conventions, and which does not have to remain silent when faced with the intuitively repugnant acts and practices of (some) other societies. Walzerian social criticism does not, in short, make for relativism.

Equally, however, it does not support Walzer's own normative vision. It does not support the argument for either Walzer's own egalitarianism, or for any of the competing brands of 'liberal egalitarianisms'. Nor does it preclude the possibility of a normatively justifiable 'complex inequality' in which certain individuals excel in a wide range of practices and spheres, whilst others fair badly across the board. Rather, the political theory that my reconstructed Walzerianism supports is in fact a species of philosophical conservatism. This is the argument with which I will close this thesis, and so even in vindicating Walzerian social criticism, we must still be critical of Walzer for pursuing his own practice badly. We must also, more specifically, take Walzer's own ostensible fear

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[6] See (e.g.) Amy Gutmann, 'Justice Across the Spheres' in Pluralism, Justice and Equality, (eds.) David Miller and Michael Walzer, 1995, pp. 99-120.

of an over-active and coercive state far more seriously than he does in practice. For a crucial part of the philosophical conservative's rejection of egalitarianism rests precisely on the fear that it requires far too much coercion and thus an intolerable loss of liberty.

Yet for all the critical content of this thesis, one of its central contentions remains: that Walzer is a seriously neglected theorist of very great merit and originality. Much of the motivation behind this thesis is therefore to defend Walzer against the unduly harsh and poorly argued attacks of many of his critics. Another aspect of this motivation is to pull the argument apart precisely so we can see what his influence should be on the many writers of various disciplines who make the opposite error of just uncritically helping themselves to many of Walzer's conclusions.[7]Walzer has, despite a great deal of hostility, been both enormously influential and greatly misunderstood. Certainly, there are indeed many contradictions, and some slipperiness, in Walzer's arguments. But then it is my contention that these are fruitful contradictions that deserve serious attention rather than either contemptuous dismissal or lazy apology.

Finally, before offering more specific guidance on the content of this thesis, I would like to offer a brief justification of my own method. This thesis is not intended to be an exhaustive scholarly critique of Walzer's oeuvre. In fact it is in some senses rather minimal in this respect: the reconstructed Walzerianism that I argue for proceeds from fragments of Walzer's own arguments, as well as from some of his slightly careless asides. At times this will involve close textual analysis. At other times the argument will be more general and conceptual. Sometimes it will seem to move a long way from Walzer's own explicit concerns and arguments. But in this respect this thesis does not intend to say once and for all what Walzer 'does' say. It is not even a thesis that relies on the notion of authorial intention. Walzer could disavow everything said in this thesis without that disavowal, on its own, undermining the argument. My argument can thus appropriately be described as a 'genealogy' of Walzerian social criticism rather than a straightforward defence and vindication. Finally, though I do not intend to base my argument on Walzer's 'intentions', there is an important sense in which I seek to do for

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[7]Walzer has been enormously influential in the various debates arising out of multiculturalism, primarily through I. M. Young's sophisticated adoption of his treatment of the goods of material justice. (Justice and the Politics of Difference. Princeton: Princeton University Press, 1990). But he has also had a great influence on a body of considerably less sophisticated literature on 'civil society' that emerged since the 1990s. See (e.g.) Michael Edwards, Civil Society. Polity, 2004.

Walzer what he himself has declined to do, due to his preference for engaging in the practical substance of moral and political debate rather than in abstract philosophising. This thesis thus provides precisely that philosophical basis, both because it is of intrinsic interest and importance in its own right, but also because (crucially) it is just this philosophical basis that is required if we are to meet Walzer's critics on their own terms, and to thereby force them to take Walzerian social criticism seriously.

A Guide to Content

1.2 Chapter Two of this thesis has one principle aim: the elucidation of Walzer's theory of complex equality and social criticism. Here I also delimit the scope of my interest in Walzer, excluding much of his writing that is not explicitly concerned with the method and phenomenology of complex equality and social criticism. I also exclude the substantive debates about particular understandings of (for example) health care that have arisen in response to Walzer. What we are to take away from this chapter is eight methodological principles and assumptions that will drive much of the argument of this thesis.

Chapter Three seeks to defend Walzer against a series of misplaced objections and misunderstandings. Conceptually I will defend the coherence of the meaning-distribution relation against a robust but ultimately disingenuous attack from Brian Barry. Part of that defence will involve an affirmation of the inevitability and value of circularity in all moral and political argument. Another strategy will be to thereby argue that Barry himself cannot consistently launch this attack in a non question-begging way, as he too cannot escape the same circularity that he condemns. In making this argument I will also begin to advance the thesis that we should view the idea of 'spheres' as a 'soft' ontological category rather than as a metaphor. In addition to these aims, Chapter Three will also defend Walzer against the mistaken view that he is fundamentally incoherent in his assertion that all moral and political conflict proceeds from a basis of shared understandings. Finally, I will argue that both Walzer's theory of change and ideology, and his account of Humean minimalism, allow him to successfully answer the charge that social criticism merely reduces morality to the prevailing practices and conventions of a particular society.

Chapter Four moves on to more sympathetic critiques of Walzer. Here this thesis is in full agreement with the argument that Walzer needs a cross-spherical value in order to make sense of the way in which different spheres are to interact when the values that they contain and embody inevitably clash. What Walzer needs is an extra premise that allows him to adjudicate between spheres when these clashes arise. I will also argue that he similarly needs an extra premise to justify the move from the phenomenological claim that all moral cultures are plural as a matter of ontological fact, to the normative claim that political and social pluralism is normatively desirable. Later (in chapters Six and Seven) we will see that the same extra premise is required if he is not to the embed the self so deeply that it has no moral freedom.

In Chapter Five I dig deeper into the normative and philosophical sources of Walzer's social thesis, as distinct from the ontological thesis of the necessary plurality of spheres. In this chapter I thus argue that Walzer is deeply indebted to the post-Kantian tradition and that, when properly understood, Walzer's location in this tradition further reveals and clarifies the way in which his view of both complex equality and social criticism is ontological. This argument proceeds by taking seriously Walzer's assertion that 'goods come into our minds before they come into our hands', and by embedding this claim in a Herderian view of language. The result is a view of the 'goods' of complex equality that are indeed taken to be the creation of human agency, but it is an agency that is itself constrained by the inherited normative and linguistic preconditions of prior social creations. That these conditions are necessarily plural in nature is an implication of the ontology of complex equality and will be further affirmed when I advance a species of universal value pluralism in Chapter Eight. In more directly normative terms, I also argue in Chapter Five that it is Walzer's post-Kantian commitments that lie behind his affirmation of a conception of self as 'whole', in contrast to the bifurcation and alienation of the self that we find in Kantian moral and political philosophy.

Chapter Six takes this conception of the 'whole' self and contrasts it with another conception of self that Walzer tacitly helps himself to in order to avoid the implication that his social thesis over-determines the self and renders it morally un-free. This is the self that Walzer on one occasion describes as 'canny' and, I argue, it is the extra premise that he needs to adjudicate between spheres, to justify the normativity of his pluralism, and to account for our felt capacity for moral reflection. But the argument of this chapter is also that the canny self is a priori in a way that Walzer himself has ruled to be

illegitimate under the terms of social criticism. Moreover, it is also a conception that is strikingly similar to the Kantian conception of self that he rejects precisely because of the way in which it militates against the ideal of 'wholeness'. The aim of this chapter is therefore to draw out the deep tension that this creates in Walzer's project, before beginning the task of reconciling the two conceptions of self. In making this argument I will reduce to two the eight methodological postulates of Chapter Two. The purpose of doing so is to lay bare the implications of viewing both social criticism (principle 'A' in Chapter Six) and the pluralism of spheres (principle 'B') as full ontological categories. My argument will be that, in order to coherently affirm the phenomenological accuracy of both principles, we need to commission a third, mediating category. If we do not commission this extra premise the Walzerian project is left with a fundamental contradiction as it simultaneously affirms both a post-Kantian and a Kantian conception of self and moral agency. That category –the extra premise- is in fact the canny self. For with further articulation we can see how it can embody a form of rationality that provides for moral agency without rendering the self thin and bifurcated. In doing so it also allows us to take the richness of a historicist view of identity and culture, whilst also avoiding the lapse into a form of conventionalism that has no meaningful normative purchase.

Part of this extra articulation comes in Chapter Seven, where I pursue the similarities between the Rawlsian conception of self and the Walzerian conception of self as canny. My argument here is that both rely upon a remarkably similar conception of non-instrumental rationality and 'balance'. It is this conception of self that provides us with the fullest justification for a normative commitment to pluralism, and it is a conception that must introduce a further conception (of 'virtue') into both the Rawlsian justification of liberalism and the Walzerian justification of a normative and substantive pluralism. I further argue that the 'later' Rawls is still (albeit tacitly) committed to this same conception of self, and use this as a means of illustrating one of the central contentions of this thesis –that we can't in fact proceed normatively without such a conception. This is because both Walzer and Rawls must be committed to a 'deep' sense of self in order to make sense of moral agency, as must any coherent moral or political theory.

I Chapter Eight I pursue that notion of the deep self. The argument here leads to a form Humean naturalism, in which we are to take our capacity for moral reflection and action as a 'given', even if we doubt the very existence of the self (as Hume himself does) when we approach the subject from the perspective of an empiricist epistemology. But now the

ontological interaction of principles 'A' and 'B' comes back into play, as it is the affirmation of these two principles that 'force' us to accept the given-ness of the deep self if we are to explain how the two principles (and their correlative conceptions of self) cohere without deep contradiction. For it is precisely in order to affect this reconciliation of the two principles that we need to assume a certain conception of self (both 'whole' and 'canny'). In this way we can make sense of the way in which the ontology of both embeddedness (the social thesis) and pluralism ('spheres') come together without fragmenting the self; and that, in turn, is why we come to the Humean conclusion that we must take thick moral agency as a given. To this form of deep Walzerian argument we can add Hume's own. Thus: in view of the fact that this conception of a deep self fits our sincerest moral intuitions regarding (e.g.) desert and responsibility, we are to say that this intuition is indirectly proved to be correct by the way in which we must presuppose it in order to make sense of the coherence and unity of two principles that any phenomenologically plausible moral or political theory must also affirm i.e. that moral agency is embedded in a social matrix, and that this social matrix is irreducibly plural. I call this argument the Walzerian Naturalistic Deduction, and it proceeds via the arguments we must make in order to make Walzer's own theory internally coherent. The rest of Chapter Eight is dedicated to the explication of how this deduction yields a self that is both 'thick' and minimally universal, thus allowing Walzerian conventionalism to have a reach that goes beyond 'our' culture.

Finally, in Chapter Nine I argue that the Walzerian social criticism that I have argued for during the course of this thesis does not justify Walzer's own normative commitment to an egalitarian politics. Instead I argue that it justifies a species of philosophical conservatism that relies upon a relatively small state and the free evolution of thick moral meanings at the sub-state level. I close the thesis with some brief remarks concerning contemporary political theory's disturbing propensity to totally miss the true import and the full implications of both Walzer's theory and of a more general Walzerian social criticism.

CHAPTER TWO
Complex Equality and Social Criticism

Structure of the Chapter

2.1 This chapter has one sole purpose: the exposition of Michael Walzer's accounts of 'complex equality' and social criticism as interpretation. Only after this exposition can we proceed to a survey of the critical responses to Walzer's project, and then on to my own critique and reconstruction in the following chapters. The exposition here is not, however, intended to be exhaustive. This is not a thesis about Walzer and his oeuvre, but, rather, an argument for a viable Walzerian social criticism. The most salient issues are therefore phenomenological and methodological; concerning the validity of social criticism as a method, rather than the normative use that Walzer himself puts it to. At no point in this thesis, then, will I be directly concerned with the undoubtedly important issues that arise with regard to the distributive patterns and precise substantive implications of the particular spheres of (e.g.) work, health or education.[8] To the extent that we do touch upon these debates, it will be in order to illustrate a more general but deeper point about the Walzerian method. The guiding question of this introductory chapter is thus, simply: what is complex equality and social criticism?

The Exposition of Complex Equality and Social Criticism

2.2 The first task is to delimit the scope of the literature with which we are concerned. Walzer has written a great deal, much of which is only related to either complex equality or social criticism in the most tangential sense. We must also bear in mind the fact that the offering of this thesis is a genealogy and reconstruction of that theory. It is not intended to be a definitive historical survey of the development of Walzer's thought. Nor should we

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[8] See (e.g.)Robert Mayer on the sphere of work and Walzer's arguments of industrial democracy. 'Michael Walzer, Industrial Democracy, and Complex Equality' in Political Theory. Vol.29, No.2 (April, 2001). Similar arguments are found in Russell Keat: 'Debate: Colonisation by the Market: Walzer on Recognition' in The Journal of Political Philosophy. Vol.5, No.1, 1997.; and in Robert J. van der Veen: 'The Adjudicating Citizen: On Equal Membership in Walzer's Theory of Justice' in the British Journal of Political Science, Vol.29, No.2 (April, 1999). See also Jeremy Waldron's 'Money and Complex Equality' in Pluralism, Justice and Equality. David Miller and Michael Walzer (eds). Oxford University Press. 1995; and Margo Trappenburg: 'In Defence of Pure Pluralism: Two Readings of Walzer's Spheres of Justice in The Journal of Political Philosophy. Vol. 8. No 3. 2000.
We should note that it is no coincidence that all of the articles cited here do in fact insist upon the interpenetration of spheres and thus do not restrict themselves to a single distributive issue. We will return to this when we turn to the critical responses to Walzer in the next chapter.

expect an in-depth analysis of all the texts that do actually deal with the salient issues. We should freely admit that though some of Walzer's work is brilliant, other texts are, sadly, too loose and rhetorical to warrant serious attention. I count <u>The Company of Critics</u> and <u>On Toleration</u> amongst the latter, though there will inevitably be reference to these texts. I also exclude, for entirely different reasons, Walzer's theological writing and his undoubtedly important work on just war theory.[9] These are simply not relevant to my argument in this thesis.

The texts that I am explicitly concerned with are <u>Spheres of Justice, Interpretation and Social Criticism, Thick and Thin</u> and <u>Politics and Passion.</u>'[10]InChapter Five we will also be looking closely at Walzer's important article on 'Philosophy and Democracy'.[11]This article casts a slightly different but highly significant perspective on Walzer's project. But first we need to elucidate the fundamentals of that project.

Complex Equality

2.3 It is best to first start with the idea of complex equality itself before moving on to social criticism. Not only is complex equality prior to social criticism in the sense that the idea of 'spheres' of justice was explicitly promulgated first, it is also the case that many of the precepts of social criticism are contained in the theory of spheres.

The most basic proposition of complex equality, then, lies in a contrast with 'simple' equality. That latter view of justice seeks to reduce social justice to the equal distribution of one basic good (given the assumption that we wish to proceed upon the basis of a commitment to an at least roughly egalitarian society). Typically we will think of such a 'simple' distribution in terms of income or the equal provision of the goods necessary to meet basic needs.[12]This is not to suggest that there are any theorists who do in fact believe

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[9] Michael Walzer, <u>Just and Unjust Wars: a moral argument with historical illustrations</u>. London: Allen Lane, 1978. Arguing About War. New Haven, Conn., London: Yale University Press, 2004. See also 'The Moral Standing of States: A Response to Four Critics'. <u>Philosophy and Public Affairs</u>. Vol 19, No.3 (spring, 1980). For the religious texts see (e.g.) <u>Exodus and Revolution</u>. New York: Basic Books, c1984.

[10] Michael Walzer, <u>Spheres of Justice: a defence of pluralism and equality</u>. Oxford: Blackwell, 1985. <u>Interpretation and Social Criticism</u>. Cambridge, Mass; London: Harvard University Press, 1987. <u>Thick and Thin: moral argument at home and abroad</u>. Notre Dame: University of Notre Dame Press, c1994. <u>Politics and Passion: toward a more egalitarian liberalism</u>. New Haven: Yale University Press, c2004.

[11] Michael Walzer, 'Philosophy and Democracy' in <u>Political Theory</u>, Vol 9, No 3 (Aug.1981).

[12] The most obvious contemporary example is of course John Rawls and his simple distribution of an equal set of 'primary goods' –the basic liberties and the welfare rights that are congruent with these i.e. those that stem form his discussion of the difference principle. (<u>A Theory of Justice</u>. London: Oxford University Press,

that there is indeed anything simple about such needs. It is well acknowledged that, above the most obvious minimum, 'need' is a relative concept.[13] The point, rather, is that even if we could in principle define either need or some other distributive desideratum, 'simple equality' would be no less problematic according to Walzer. This is not just because Walzer maintains that a precise definition of the goods of distributive justice is neither possible nor desirable, even as a regulative ideal that we should pursue in spite of inevitable failure. Even if such a precise definition were available, simple equality fails as a substantive doctrine because in practice new forms of inequality will arise even if we are all ostensibly equally wealthy. 'In practice, breaking [e.g.] the monopoly of money neutralizes its dominance. Other forces come into play, and inequality takes on new forms'.[14] Membership of party or politburo in the Soviet Union would serve as an excellent example of both the instability of simple equality and the need for a coercive state to maintain it. 'Simple equality' is therefore inherently unstable. The only way to preserve it is through the actions of an excessively coercive and centralised state.[15] The tacit (and valid) psychological assumption in this account of instability is, of course, that individuals generally desire inequality at some level; in the form of distinction, honour, merit etc. And it is because of the failure of 'simple equality' that Walzer argues for complex equality: inequality not within 'spheres' but equality between them.[16] Why the meanings themselves are unstable is more complex and will become clearer when we turn to Interpretation and Social Criticism.

So, equality is complex for Walzer because in any given society there will many different spheres of value and distribution. Or, more precisely, there can be no overarching value to which all distributions can be referred. For 'there has never been a single criterion, or a single set of interconnected criteria for all distributions'.[17] This is because even in a society that is only partially developed, there will be many incompatible and competing sources of

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1973). The next most obvious target is Ronald Dworkin and his egalitarian distribution of resources. (Sovereign Virtue. Cambridge, MA, Belknap/Harvard University Press, 2000).

[13] It was recently reported in The Times that there was to be universal and free Internet access in the city of Philadelphia on the grounds of need. Comparing this access with the universal provision of electricity, one official that internet access 'is falling into the category of a necessary and essential social service'. (October 6th, 2005).

[14] Spheres of Justice. p.14, 16. See also p.316.

[15] Ibid.p15. There is in fact a nice and rather ironic conceptual affinity between Walzer and Hayek here (Friedrich A. von Hayek. The Road to Serfdom. Chicago: University of Chicago Press, c 1944). The irony of course lies in Walzer's commitment to a leftist politics and a form of socialism. But the conceptual affinity (which lies in a shared Humeanism) is deep and leads to similar problems for both when it comes to the charge of moral relativism. See 3.9 of this chapter.

[16] Ibid.p.17.

[17] Walzer, Spheres of Justice.p.4.

value: 'no full-fledged human society has ever avoided the multiplicity'.[18] History demonstrates a 'multiplicity of goods ....matched by a multiplicity of distributive procedures' <u>within</u> particular cultures or societies.[19] 'Goods' here are not to be conceived narrowly solely in terms of either material goods or abstract rights. Walzer is concerned with 'goods' in the widest possible sense; as including (e.g.) the goods of honour and love as well as material welfare and political influence. In this light it seems obvious that the goods of justice can't be reduced to a 'short list of basic goods' and then 'quickly abstracted to a single good'.[20] That, for Walzer, is simply a fact about the moral and social phenomenology of the world. He is, in short, committed to a species of value pluralism.[21]

We should, however, think of this as more than a view of how we live in a world of irreducibly plural value; as the model of spheres also connotes the idea of practices. That is, there are modes of behaviour, action and practice that are appropriate to one sphere but not to another. The best illustration of this comes with the introduction of the spheres themselves. Walzer lists eleven, corresponding to the subject matter of his main substantive chapters in <u>Spheres.</u>[22]But let us take as an example the relation of the sphere of medicine to the sphere of friendship. In the latter we are entirely free to distribute our friendship as we see fit, but clearly that is not the case for the medical professional; or, more precisely, we expect a full justification for selective distribution of healthcare, and one that employs very different criteria from the distributive considerations that form our understanding of the sphere of friendship. This distinction, we should note, applies regardless of the outcome of the specific debates over the validity of the distribution of healthcare via the mechanism of the free market.[23]

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[18] Ibid.p.4.

[19] Ibid.p.3.

[20] Ibid.p.4.

[21] For a good exposition of value pluralism see (e.g.) John Gray. <u>Enlightenments Wake; Politics and culture at the close of the modern age.</u>Routledge.1995; and also <u>Two Faces of Liberalism</u>. Cambridge, Polity, 2000. We will see the full force of value-pluralism in chapter six of this thesis.

[22] Membership, Security and Welfare, Money and Commodities, Office, Hard work, Free Time, Education, Kinship and Love, Divine Grace, Recognition, and Political Power.

[23] <u>That</u> debate concerns the relationship between the spheres of medicine and the market. There is certainly some overlap i.e. if we do indeed decide that medical distribution should be entirely public, then it is clearly an abuse for the doctor to give his service to a friend for 'free'; and it is an abuse in a way that it wouldn't ordinarily be if health-care was to be distributed via the market system.

Regardless of the outcome of that debate, I take it as a great virtue of the model of 'spheres' that it draws us the complexities of these interactions in a way that the 'simple' egalitarians (Rawls, Dworkin, and so on) do not.

In formal terms, complex equality means that no citizen's standing in one sphere or with regard to one social good can be undercut by his standing in some other sphere, with regard to some other good.

> 'Thus, citizen X may be chosen over citizen Y for political office, and then the two of them will be unequal in the sphere of politics. But they will not be unequal generally so long as X's office gives him no advantages over Y in any other sphere –superior medical care, access to better schools for his children, entrepreneurial opportunities, and so on'.[24]

We can now begin to see how the value pluralism behind the idea of spheres is linked to a model of distribution in which 'the principles of justice are themselves pluralistic in form'.[25] We will examine this pluralism a little more fully in a moment. In terms of the bare bones of the argument what is crucial in the immediate context is the substantive normative conclusion that Walzer draws from it. We have seen, albeit very briefly, how different spheres have different criteria of distribution. This follows from the emphasis upon our 'understanding' of a sphere and thus on the normative and cultural meanings embodied in those spheres. Now Walzer insists upon the important premise that 'it is the meaning of goods that determine their distribution' and that '[a]ll distributions are just or unjust relative to the social meanings of the goods at stake'.[26]Thus, when 'medieval Christians condemned the sin of simony...they were claiming that the meaning of a particular social good, ecclesiastical office, excluded its sale and purchase'.[27] What Walzer is saying here is that one criterion of distribution (the market mechanism) is entirely legitimate for certain goods (luxury items are the clearest example), but that our understanding of those goods and the sphere to which they properly belong (the market) should not determine the distribution of goods that are correctly insulated from the effects of the market. The same applies for the concept of desert: the Nobel winner in literature deserves his or her honour, but not political power.[28] Unlike the sphere of the market (e.g.)[29] –where desert plays no role –'[t]he crucial standard for public honour is desert'.[30]There are three points here: (1) that desert is not the appropriate distributive criterion in all spheres, and that (2) where it is the appropriate criterion it will not be a

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[24] Spheres of Justice. p. 19.
[25] Ibid. p.6.
[26] Ibid.p.8,p.9.
[27]Ibid.p.9. Later Walzer describes this as a 'paradigmatic example of a blocked exchange'.p.97.
[28] See for example the discussion of the way in which political considerations can account for the way in which the consensus on desert (the best) is often subverted when it comes to the actual award of the prize. .pp. 264-6.
[29] Ibid.p.109.
[30] Ibid.p.259.

unified one i.e. 'desert' will manifest itself in different ways from sphere to sphere. Finally, (3) desert in one sphere does not translate into desert in another. The crucial point is that all of these instances in which we refuse to allow the criteria and meaning of one sphere to infiltrate another are cases of what Walzer calls 'blocked exchanges'.[31]

This brings us to the notion of 'autonomy' and the form that social injustice takes i.e., the violation of that autonomy. As we have seen, each sphere has its own set of meanings and criteria of distribution. It is this that makes them 'autonomous' and free from the control of an overarching value. The attempt to violate this autonomy is thus the attempt to 'convert' the possession of one good into the possession of another; and goods that are easily convertible in this way are described as 'dominant'. 'Dominance describes a way of using social goods that isn't limited by their intrinsic meaning'; [32]and these goods are 'monopolised' when a particular group successfully lays claim to exclusive possession of them. 'Monopoly describes a way of owning or controlling social goods in order to exploit their dominance'.[33] But it is nevertheless crucial to understand that it is not monopoly per se that Walzer objects to. Within a sphere it is not a violation of our understanding of justice for one individual or group to monopolise a good: the brilliant should monopolise recognition and prizes in the world of art. The gifted entrepreneur does deserve the financial fruits of his labour. The problem is where that monopoly within one sphere gets converted into the (undeserved) monopoly of goods in another i.e. where the monopolists of one sphere come to dominate the practices and distribution of another sphere without due regard to its own internal meanings. So, taken together, dominance and monopoly therefore create a form of 'tyranny'; both in the assertion that one good should control the distribution of all others, and in the claim that only a certain class of individual can have possession of that dominant good.[34] Clearly, the most tangible form of tyranny is that practiced by the state; by the Soviet or religious-fundamentalist style pursuit of either

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[31] Ibid. pp. 100-103. Walzer lists fourteen key examples. 'Human beings can not be bought or sold...Political power and influence cannot be bought or sold...Criminal justice is not for sale...freedom of speech, press, religion and assembly: none of these require money payments...Marriage and procreation rights are not for sale.........the right to leave the political community is not for sale......exemptions from military service, from jury duty, and from any other form of communally imposed work cannot be sold by the government...Political offices cannot be bought...Basic welfare services like police protection or primary and secondary schooling are purchasable only at the margins...Desperate exchanges, "trades of last resort", are barred...Prizes and honors of many sots, public and private, are not available for purchase...Divine grace cannot be bought...Love and friendship cannot be bought...Finally, a long series of [clearly deeply exploitative of immoral] criminal sales are ruled out...'.

[32] Ibid.p.11.

[33] Ibid.p.11.

[34] Ibid.p.18.

simple equality or the word of (one) God.[35]It is the early liberal reaction to this latter form of tyranny that, in an article just prior to Spheres, Walzer characterises as the birth of the 'art of separation'.[36]His view here is that liberalism has not taken the early separations that it endorsed (pubic-private, church-state) far enough.[37] Walzer in fact claims that 'a consistent liberalism......passes over into democratic socialism'.[38] Likewise in Spheres, where there is a sustained argument for industrial democracy on the (spurious) grounds that the sphere of industry is based upon power and is thus in fact political; and so should be ordered in accordance with political (democratic) principles and protected from the full force of the market.[39]

Justice, then, is given substantive content in Walzer's work. It is a content that I often do not agree with, as in the case of industrial democracy. But it is the broader methodological claim concerning justice that is the concern of the early stages of this thesis. Spheres are autonomous and it is the job of the social critic to protect and to maintain the boundaries of that autonomy. 'Good fences make just societies'.[40] In this respect we can sum up the theory of spheres by asserting that the most structurally important application of equality is not straight forward equality between persons, but equality between spheres. 'Conversion', as we have seen, should be 'blocked'.

Finally, we should also stress that there is a lot more to 'spheres' than just a way of thinking about a plural conception of justice. It also has extremely important implications for conceptions of identity. This helps us to make sense of the previous comment .i.e. that the great normative concern here is equality between spheres. Certainly, at first sight this seems a little odd. Spheres are not agents and it seems normatively peculiar to distribute the goods of justice to a set of practices and meanings rather than to persons. But then this oddity largely dissolves when we consider the way in which our conceptions of agency and identity are themselves a product of those spheres. We are political, familial, religious, working beings; and all in such a way that these components of our identity are constituted by their corresponding spheres. Thus, in short, we are constituted not just generally by

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[35] One of the great virtues of Walzer's liberalism is that he is fully able to launch the most robust response to the excesses of Islamic extremism; and without being caught up in a neurotic obsession with the apparently paradoxical nature of tolerant liberal having to be intolerant of the intolerant non-liberal. We will turn to this kind of issue in chapter nine.
[36] Walzer, 'Liberalism and the Art of Separation' in Political Theory. Vol.12, No 3 (Aug.,1984).
[37] Ibid.p.322.
[38] Ibid.p.323.
[39] Walzer, Spheres of Justice. p. 298.
[40] Ibid.p.319.

society (as in the standard social thesis of communitarianism), but more specifically for each sphere. My political self is different from my familial self, and so on. So we can see that the equality of spheres with one another is in fact normatively and conceptually coherent. We respect the equality of persons by not over-privileging the normative significance of one sphere at the expense of another, and so the individual that identifies most strongly with (e.g.) the religious sphere will not come to be unduly burdened with the demands of, say, the spheres of politics or the market. The values of one individual are not automatically given precedence over those of another. This, as we shall see later, has great significance for the argument of this thesis.[41] To see this significance emerge, however, we need a greater understanding of the phenomenology of social criticism.

The Phenomenology of Walzer's Social Criticism

2.4 In Walzer's argument the value pluralism that underpins his commitment to the `autonomy' of spheres is itself based upon a particular view of language. Meaning and value are intrinsically social in nature i.e. they are a product of the linguistic and social practices of particular historical communities. `Goods in the world have shared meanings because conception and creation are social processes'.[42] Moreover, these shared social meanings and conceptions of justice are `historical in character; and so distributions, and just and unjust distributions, change over time`.[43] It is precisely for this reason that Walzer insists that there `is no single set of primary or basic goods conceivable across all moral and material worlds`.[44] If there were, this set would have to `be conceived in terms so abstract that they would be of little use in thinking about particular distributions`.[45]The tacit reference to Rawlsian political philosophy could not be stronger here without being made explicit. What's immediately important, however, is the upshot of this view of language and value. If these are 'social' they are also local and mutable, and the clear contrast is with a view of political philosophy that sees its task as the discovery of precisely the opposite i.e. values that are fixed and universal.[46] No where is this contrast more apparent than when Walzer tells us of the members of these historical communities that goods `come into their minds before they come into their hands'.[47] Strange though

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[41] I will sketch this argument in chapter four. It will be given the fullest expression in chapter six, however.
[42] Ibid.p.7.
[43] Ibid.p.9.
[44] Ibid.p.8.
[45] Ibid.p.8.
[46] Whether or not this characterisation of political philosophy is fair or accurate remains to be seen. Walzer in fact admits to the caricature in Interpretation and Social Criticism. p. 13.
[47] Walzer, Spheres of Justice.p.7.

this may sound, what it means is that the value that we attach to even the most simple goods is a function of its role within a given community. Bread may well seem to be the most simple of goods, but its real meaning –its real status as a good- is radically under-determined by its literal physical constitution. `A single necessary good, and one that is always necessary -food, for example- carries different meanings in different places. Bread is the staff of life, the body of Christ, the symbol of the Sabbath, the means of hospitality, and so on`.[48] For Walzer, then, there can be no objective meanings or values that have the same instantiation and application across all cultures and communities.

This takes us straight to the idea of social criticism. Much of this is of course present in Spheres. We have just seen how it follows from the assertion that all distributive goods are social and historical that it is a sociological fallacy to attempt to reduce justice to a single good or set of such goods. The goods with which we are concerned as social critics are many and diverse; each generating its own sphere of meanings that determine its just distribution. But Walzer also goes further than this. He does more than just describe the phenomenology of the milieu in which we are embedded. If complex equality clearly embodies a normative view of a properly conceived egalitarian justice, then Walzer's account of social criticism is the vehicle through which he advances his view of how to advance towards that view of justice. Clearly, the two views are interconnected at the deepest level (and later I will highlight the normativity of the method of social criticism). The social critic who does not appreciate the way in which our moral and social ontology is deeply plural and 'spherical' will simply miss-describe both the problems and potential solutions of ethical discourse. If he is an egalitarian, the critic will likely seek the simple form of equality that Walzer thinks both futile and pernicious. Other substantive ethical positions will be similarly (and, for Walzer, hopelessly) flawed; though we should realise that virtually all of the contemporary positions in the field are on what Dworkin calls the 'egalitarian plateau'.[49]

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[48] Ibid.p.8.
[49] Ronald Dworkin, 'In Defense of Equality' in Social Philosophy and Policy, 1 (1983). See also 'What is Equality? Part 3: The Place of Liberty' in Iowa Law Review, 73 (1987). We may find exceptions to this in some conservative or libertarian thought, but even open objections to egalitarianism tend to be heavily qualified. Thus the modern conservative will defend hierarchy but will not defend it naturalistically in terms of a natural born aristocracy. They will also insist upon the equal dignity of all. Hence, 'It is important for a society that it contains as many 'walks of life' as the satisfaction of its members require, and that it accords to each of those stations its own dignity and recompense. Clearly, this is hierarchical. But there is still an important of equality of concern here. (Roger Scruton, The Meaning of Conservatism, Palgrave, 2001.p.144).
    There is a similar quality to Robert Nozick's 'Lockean proviso' in Anarchy, State and Utopia (Blackwell, Oxford, 1974).

The essence of Walzer's objection in this context is that those who seek to reduce justice to an overarching principle misunderstand not just the nature of pluralism, but also the way in which we are to properly relate to this pluralism. By this Walzer means that social criticism is to be an 'immanent' and interpretative activity: we are to immerse ourselves in the thickness of our own particularity as individuals constituted by the historical location of the society in which we are embedded.[50]The crucial contrast here is with an externalism that attempts to rationally derive objective and universal moral principles that transcend all cultures. The obvious target here is, again, Kantian-Rawlsian 'political philosophy'. We will deal with this characterisation both in the 'critical responses' of the next chapter, and as a central theme as the argument of this thesis unfolds.[51] Now we need to introduce one of Walzer's many analogies i.e. the Platonic image of the cave. Thus,

> 'My argument is radically particularist. I don't claim to have achieved any great distance from the social world in which I live. One way to begin the philosophical enterprise —perhaps the original way- is to walk out of the cave, leave the city, climb the mountain, fashion for oneself (what can never be fashioned for ordinary men and women) an objective and universal standpoint. Then one describes the terrain of everyday life from far away, so that it loses its particular contours and takes on a general shape. But I mean to stand in the cave, in the city, on the ground. Another way of doing philosophy is to interpret to one's fellow citizens the world of meanings that we share. Justice and equality can conceivably be worked out as philosophical artefacts, but a just or egalitarian society cannot be. If such a society isn't already here —hidden, as it were, in our concepts and categories —we will never know it concretely or realise it in fact'.[52]

This passage contains, in nascent form, all of the essential components of social criticism: an open commitment to ethical particularism, the immanent nature of social criticism, the emphasis on the interpretation of our own cultural values, as well as the need for the social critic to be closely connected to the society that he or she seeks to reform. Nevertheless, it is in Interpretation and Social Criticism and Thick and Thin that this aspect of Walzer's project is most fully developed (largely in response to the barrage of criticism that its early formulation attracted). In the former he admits that his characterisation of an objective and universalist 'political philosophy' is something of a caricature.[53] But he still goes on to press home the point about the interpretative nature of political and moral discourse. In part the argument is presented through a (heavily criticised) tripartite distinction between

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[50] See Spheres of Justice. p. xiv, 5, 29. Interpretation and Social Criticism. pp 19-26, 39, 50, 64.The Company of Critics. p.230.

[51] See in particular chapter seven.

[52] Walzer, Spheres of Justice. p.xiv. There is also very heavy reference to the image of the cave in The Company of Critics.p. xix.

[53] Walzer, Interpretation and Social Criticism. p. 13.

moral philosophy as either 'discovery', 'invention' or 'interpretation'.[54] The key point that Walzer wants to make here is that the first two of these categories in fact invariably becomes an exercise in interpretation. 'The claim of interpretation is simply this: that neither discovery or invention is necessary because we already possess what they pretend to provide'.[55]The model of discovery is religious revelation or the discovery of the natural rights of (e.g.) utilitarianism, but then the 'discovery' is very rarely anything like a real revelation. Hence, in Walzer's words: 'Consider Nagel's discovery of an objective moral principle: that we should not be indifferent to the suffering of other people. I acknowledge the principle but miss the excitement of revelation. I knew that already'.[56]Moreover, to the extent that any of these moral discoveries do contain any sense of revelation, they are deeply counterintuitive. 'Frightened by the strangeness of their own arguments, most utilitarian philosophers fiddle with the felicific calculus so that it yields results that are closer to what we all think'.[57]

We are told a similar story when it comes to the category of 'invention'. Now the relevant exemplars are John Rawls, Jurgen Habermas and Bruce Ackerman.[58] All three seek, through a universal proceduralism, to converge upon either a single and incontestable 'Truth', or, at the very least, 'a universal corrective for all the different social moralities'.[59]The phenomenological point is that these theories really only build upon the

[54] Ibid.p.3. I have deliberately excluded Walzer's analogy of the three branches of government representing the three modes of social criticism (Interpretation and Social Criticism .p.18). It does nothing to further the argument, and if were to include all Walzer's analogies the exposition would be excessively long.
[55] Ibid.p.19.
[56] Ibid.p.6.
[57] Ibid.p.7. In fact Derek Parfit does precisely this in Reasons and Persons. (Oxford: Clarendon, 1984).The basic argument here is the Humean one that we are simply a series of experiences. Parfit takes this position on to argue that as we are not a unified self over time we should distribute not for opportunities but for experiences i.e. welfare resources should be used to alleviate conditions and not help 'persons' as such (p.346). But then what he actually does is draw together the series of selves so tightly that his thesis loses much of its distinctiveness.
   Nevertheless, for all that, there is a logical similarity between the argument I will advance in chapter six and Parfit's own argument. Interestingly, if we push this to its logical extreme we will end up with something resembling the Humean 'series self' that drives Derek Parfit's account of distributive justice. Where identity is based on 'experience' (social or other) we must acknowledge the implications of the manifest lack of singularity in the nature of 'experience' itself. But we don't have to push it to the logical extreme of a series self to see that plural bases of identity lead to serious practical and theoretical issues: what happens when the demands of different 'spheres' (and so of different 'selves') clash? How do we rank or order them? The alternative is to adopt a bleak Humeanism here, to refuse to indulge in ranking; with the individual just being pushed from one felt identity to another by the (fleeting) intensity of his desires at any given time. Walzer doesn't take a position on this; and, to be fair, he doesn't see his project in such philosophical terms. But in terms of the explicit structure of his argument, he seems to be strongly pushed in the Humean direction. I don't want to pursue this yet. For though it has an obvious affinity with the fragmentation of 'modernity', it not obviously the same phenomenon. There is at least a prima-facie case for thinking that both Walzer's and my arguments –that Walzer does in fact end up adopting the kind of Kantian 'I' that he explicitly repudiates- are further complicated by this.
[58] Ibid.p.11.
[59] Ibid.p.13. Again, we are not concerned with the accuracy of this characterisation here.

meanings that we already have, and are therefore really a species of disguised interpretation. The normative objection is that this disguise strips away all that is of interest in political and moral discourse. Walzer's objection is not that we are incapable of the thought experiment required by the 'original position'. Clearly we are. Nor is it that he doubts the ability of individuals to lay aside their particular interests.[60] The objection is that the conclusions that the original position yields, to the extent that they are indeed universal, are far too 'thin' to provide the substantive content of any real moral culture. That objection to thinness is something that Walzer goes on to qualify. In Thick and Thin he tells us that all societies exhibit elements of a 'thin' cross-cultural morality as well as their own 'thick' particularism. All moralities, Walzer suggests, share this dualism.[61]Societies are both thick and thin or, in Walzer's equivalent locution, 'maximalist' and 'minimalist'.[62]The 'thinness' constitutes a 'core morality differently elaborated in different cultures'.[63] Living in thick, particularist worlds we are only reminded of the universal content of this morality on 'special occasions'.[64]In these moments we recognise that we share an ethical sense of right and wrong with other cultures; and we can express our fraternity with others by 'marching vicariously' with them –by expressing our appreciation of calls for 'justice' even if we don't know how this is to be fleshed out in another's particular culture.[65]It is because we share the same basic reiterated, not 'objective', meanings that we can join in a basic moral discourse with other cultures.

Essentially the same argument also appears in Interpretation and Social Criticism (the book prior to Thick and Thin).Here the thick-thin distinction is couched in terms of the nascent distinction between 'minimalism' and 'maximalism' that is only really made explicit in Thick and Thin. This earlier argument is based on an important appeal to a Humean conventionalism that is absent in Spheres.[66]If we look to the historical evidence we will find that virtually all societies have prohibited certain acts and practices; murder and theft

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[60] Walzer, Spheres of Justice.p.5. Interpretation and Social Criticism.p.6.

[61] Walzer, Thick and Thin.p.4.

[62] Ibid.p.2. This distinction is actually so central that it could very well have been the title of the book. We will look at it in close detail in the critical portion of this chapter. It is also present in a less prominent way in Interpretation and Social Criticism. p. 24.

[63] Ibid.p.4. See also Interpretation and Social Criticism.pp. 23-5.

[64] Walzer, Thick and Thin.p.4.

[65] Ibid.p.7. The example he uses is that of a protest march, in another country, that we watch from the sidelines.

[66] Walzer, Interpretation and Social Criticism.p.24. The full implications of this will emerge later in this thesis. See chapter eight.

being the most obvious.[67]The prohibitions that we thus find reiterated in virtually all societies 'constitute a kind of minimal and universal moral code'.[68] Vitally, though, Walzer does not think that this thin minimalism opens the door to a 'universal critique'. 'Minimalism makes for a certain limited, though important and heartening, solidarity. It doesn't make for a full-blooded universal doctrine'.[69] It is not sufficient for anything like a full moral culture; it can only be the most basic framework of a moral culture. Walzer wants to make clear that he is not now repudiating his cultural particularism;[70] though these concessions are by no means insignificant. We will turn to this and other critical issues in the chapter dedicated to the critical responses to Walzer.

What we also find in Interpretation and Social Criticism is the strategic assertion that the disconnected critic will fail in his purpose, though this is in fact more explicit in an earlier article.[71] What we find in these accounts of social criticism is the strategic concern that abstract social criticism –the attempt to leave the cave- will simply fail as a means of advancing reform (whatever agenda that reform may have). The disconnection of political philosophy is thus both sociologically naïve and, methodologically, doomed to failure. It fails to gain any purchase in terms that have actually have an effect on the structure and content of public debate; and this means that it also fails to touch upon real lives. Moreover, though it is actually parasitic upon the terms and conventions of common moral discourse, Walzer also wants to say that invention is too abstract to have any bearing on a new understanding of those same terms. It reflects but cannot alter. Why? Because political philosophy refuses to immerse itself in the particularist density in which meanings are created. As we have seen, the characteristic approach of political philosophy 'is to walk out of the cave, leave the city, climb the mountain, fashion for oneself (what can never be fashioned for ordinary men and women) an objective and universal standpoint'.[72]But this characterisation does not mean that Walzer dispenses with the need for detachment altogether. Rather, he describes the position of the effective social critic in terms of 'marginality' rather than 'detachment'.[73] We need critical distance, but this is measured in terms of 'inches' rather than in the metres and miles that it takes to ascend to the

[67] Ibid. 24.
[68] Ibid. p.24. Walzer also draws an an important distinction between 'moral world' and 'moral life' (p. 21). We will deal with this in section 3.9.
[69] Walzer, Thick and Thin.p.11.
[70] Ibid.p.25. 'I see no way in which the pluralism [particularism] might be avoided'.
[71] Michael Walzer, The Company of Critics'.p.233, 235; 'Commitment and Social Criticism: Camus's Algerian War', Dissent (Fall 1983).
[72] Walzer, Spheres of Justice. p. xiv.
[73] Interpretation and Social Criticism.P.37.

'objective' view from the mountain top.[74] All this is present in Spheres.[75] And it is also the case that the whole point of that theory is, indeed, that justice is based upon a series of abstractions i.e. we move from the ethical perspective of one sphere to another, always seeing justice from the plurality of perspectives within society.[76] Nevertheless, all this is given a subtly different locution in later works (the significance of which will become clear in the next chapter).

Being 'At Home'

2.5 Now, therefore, I want to highlight one more of Walzer's analogies: the analogy of the hotel room. We have seen how minimalism does not make for a full-blooded ethical doctrine. But this is not just an ethical point. Or, rather, included in this ethical point there is an important emphasis on the constitution and well-being of the self i.e. over and above the sociological cum phenomenological point that we are socially constituted beings. A minimal morality is like a characterless hotel room: it provides necessary shelter and protection for all who stay, but one will never feel 'at home'.[77] When we cash the simile, the hotel room will provide the universal rights that the dispossessed of the world need; but what they 'want' is 'a dense moral culture within which they can feel some sense of belonging'.[78] Moral density, moreover, is not simply desired on the basis of psychological need; it signifies more than the strongly communitarian 'want' for a sense of belonging. The 'want' of the hotel analogy is, in fact, a bit of a red-herring. It is not simply that we 'want' to immerse ourselves in a thick moral culture. Except in the case of the disposed refugee, this emersion is simply inevitable; and the desire of the refugee should be interpreted as a recognition of the pathology of dispossession. It is far deeper than home-sickness; and though the desire will of course be for a particular culture, the general need that Walzer conveys is the dependence of moral personality on a thick cultural embeddedness. The refugee would not have a full moral personality if he had not, at some point, been 'at home'. Which home doesn't matter.

The hotel analogy thus begins to bring to the fore a crucial aspect of Walzer's fully developed position, and which will be central to the argument of this thesis. Walzer has always had an implied view of the self. This follows from the social creation of meanings,

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[74] Walzer, The Company of Critics. p. xiii. Interpretation and Social Criticism.p.61.
[75] See (e.g.).p.5.
[76] Walzer, Interpretation and Social Criticism.p.60.
[77] Walzer, Interpretation and Social Criticism.P.15.
[78] Ibid.p16. As we shall see in Chapter Five, this talk of a 'home' has very strong post-Kantian and communitarian resonances.

and hence the way in which '[m]en and women take on concrete identities because of the way they conceive and create, and then possess and employ social goods'[79].The following passage from <u>Spheres</u> is also highly instructive:

> 'By virtue of what characteristics are we one another's equals? One characteristic above all is central to my argument. We are (all of us) culture-producing creatures; we make and inhabit meaningful worlds. Since there is no way to rank and order these worlds with regard to their understanding of social goods, we do justice to actual men and women by respecting their particular creations. ....To override those understandings is (always) to act unjustly'.[80]

One doesn't have to look hard at all to see the essentialist view of self here. But it is not the essentialist self of pure de novo creation. It is better to say that we are culture (re)-producing beings. We are shaped by that culture and then, in turn, come to reshape it again through our interpretations of it. This view of self is to be contrasted with the later (negative) characterisation of the heroic political philosopher in <u>Interpretation and Social Criticism</u>. This shares the same concerns with regard to social criticism that we find in Walzer's earlier work. But it is stated in <u>Interpretation and Social Criticism</u> in a way that has deeper philosophical resonance. Both of the following assertions are crucial both to Walzer's project and to my reconstruction of it in this thesis:

> 'In the conventional view, critical distance divides the self; when we step back (mentally), we create a double. Self one is still involved, committed, parochial, angry; self two is detached, dispassionate, impartial, quietly watching self one. The claim is that self two is superior to self one............Self three would be better still'.[81]

> 'Social criticism is a is a social activity. "Social" has a pronominal and reflexive function, rather like "self" in "self-criticism", which names subject and object at the same time'.[82]

Much of this thesis will be dedicated both to the analysis of these two statements;[83] as well as to the earlier assertion that we are 'culture producing beings'. For now, however, we will remain at the level of description and exposition. What we should see here is that the first of these statements asserts that Kantian-Rawlsian political philosophy bifurcates the self; and thus we can also see that the second statement –the advocacy of immanent and immersed 'social criticism'- is the corrective to this bifurcation. It draws subject and object back together. The fact that this has a normative component, over and above the argument

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[79] Walzer, <u>Spheres of Justice</u>.p.8.
[80] Ibid.p.314.
[81] Walzer, <u>Interpretation and Social Criticism</u>.p.50.
[82] Ibid.p.35.
[83] See, in particular, chapter five.

that disconnected criticism is ineffective, comes through strongly when Walzer talks of the 'heroic' nature of philosophical abstraction.[84] It is not just that the heroic philosopher gets it wrong. Nor is the objection simply that he or she returns from their abstraction and then attempts to impose a monistic and rationalistic ethical ideal on a sociologically complex and plural world. It is, in addition to all of this, that the philosopher does him or herself psychological and moral damage in his-her attempt to reach the heights of a 'view from nowhere'.[85]The philosopher distorts an ethical ideal of what it is to be a properly constituted self. This, however, is in part my own claim —one that is based on my own interpretation of Walzer, and is thus best left for the following chapter. However, one last section of elucidation is needed in this chapter.

Walzer's Communitarianism and Eight Premises

2.6 In this final portion of exposition we will use Walzer's own list of methodological principles to summarise and clarify his project. I will take the liberty of adding to this list two further postulates. One of these does not make it on to the list in <u>Spheres</u> when in fact it should. The other comes in <u>Interpretation and Social Criticism</u>. Later I will distil this list of eight principles to two.[86]

The other purpose of this section is to highlight Walzer's communitarianism.[87]This is best achieved by overlaying these principles with a comparative glance at other communitarians. But there is also the fact of Walzer's great emphasis on the value of membership in <u>Spheres</u>. 'The primary good that we distribute to one another is membership in some human community'.[88] It is, Walzer says, perhaps the most important

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[84] Walzer, <u>Interpretation and Social Criticism</u>. 'Radical detachment has the additional and not insignificant merit of turning the critic into a hero. For it is a hard business ....to wrench oneself loose'. p. 36

[85] The phrase is of course Thomas Nagel's. (<u>The View From Nowhere</u>. New York: Oxford University Press. 1986).

[86] See chapter six.

[87] The closest to the philosophical spirit of Walzer, other than Sandel, Taylor and MacIntyre, is Benjamin Barber's <u>Strong Democracy: Participatory Politics for a New Age</u>. (Berkeley: University of California Press, 1984). For practical cum political cum empirical treatments of communitarianism see R. Bellah, et al. <u>Habits of the Heart</u>, Berkeley: University of California Press,1985. See also Amitai Etzioni for a rather un-rigorous political vision of communitarianism in (e.g.) <u>The Monochrome Society,</u> Princeton: Princeton University Press, 2001; and <u>The Essential Communitarian Reader</u>, Lanham: Rowman & Littlefield, 1998.

There are also extremely important communitarian influences in the multi-culturalism debate. The most important of these, greatly influenced by Walzer, is Iris Marion Young's <u>Justice and The Politics of Difference</u>. There is also an important communitarian element in Will Kymlica's <u>Liberalism, Community and Culture </u>(Oxford: Clarendon, 1989) and <u>Multicultural citizenship : A Liberal Theory of Minority Rights</u> (Oxford ; New York : Clarendon Press, 1995.).

[88] Walzer, <u>Spheres of Justice</u>.p.31.

good of all.[89]In large part this is because nearly all distribution occurs in political communities.[90]To be excluded is therefore to be denied virtually all goods. Yet we should not forget the implications of the hotel analogy either. Community is not just the centre of distribution. It could fulfil this function on a radically individualist model; individuals just coming together to claim their share of goods before dispersing again. More importantly, community is our 'home'. It is a home, moreover, that we do not just inherit; but one that we are constantly remaking too.

In keeping with this theme of cultural creation, we should immediately add an extra premise that should but does not make its way directly onto Walzer's list of six.[91]

(1) 'Goods' themselves are human constructions. Their 'conception and creation precede and control the distribution'. Goods therefore 'come into people's minds before they come into their hands'[92].

The rest are:

(2) 'All the goods with which distributive justice are concerned are social goods'. 'Goods in the world have shared meanings because conception and creation are social processes'. There are, for Walzer, no 'private' meanings.[93] This reflects the characteristically 'communitarian' concern with the social basis of value and choice; manifested, for example, in Taylor's discussion of the 'frameworks' within which individuals form their moral identities,[94] or in MacIntyre's account of the preconditions of intelligible choice'.[95]

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[89] Ibid.p.29.

[90] Ibid. p.31.

[91] This list is to be found on pages 7 to 10 of Spheres.

[92] Ibid. pp.6&7. My emphasis.

[93] Ludwig Wittgenstein. Philosophical Investigations. Oxford: Blackwell, 1953.

[94] Charles Taylor. Sources of The Self: The Making of Modern Identity. Cambridge University Press, 1989.

[95] Ala sdair MacIntyre After Virtue. Duckworth, 1985.MacIntyre characterises (e.g.) Rawls' 'asocial liberalism' thus: 'For....Rawls a society is composed of individuals, each with his or own interest, who then have to come together and formulate common rules of life.....Individual are thus ....primary and society secondary, and the identification of individual interests is prior to, and independent of, the construction of nay moral or social bonds between them'.pp.232-2.

A very similar point is made in terms of rights in Taylor's 'Atomism' in Philosophy and The Human Sciences: Philosophical Papers 2. Cambridge University Press, 1985.

(3) 'Men and women take on concrete identities because of the way they conceive and create, and then possess and employ social goods'. An obvious corollary of the social creation of meanings, this highlights the 'embeddeness' of individual identity yet without denying the role of individual agency. And it again invites comparison with Taylor, most clearly with his account of individuals as 'self-interpreting beings'.[96] That said, Walzer is not as explicit as other communitarians in his recognition of the 'self' as embedded. The recognition instead flows from his understanding of social meanings; and it is a small extrapolation to then position individual identity in relation to these meanings. How would we begin to build a picture of human self-hood without continual reference to meanings? That, indeed, is why Walzer gives us an explicit commitment to a conception of self in his view of individuals as culture-producing creatures.[97]

(4) 'There is no single set of primary or basic goods conceivable across all moral and material worlds —or, any such set would have to be conceived in terms so abstract that they would be of little use in thinking about particular distributions'. Although it is not made explicit in Spheres, the implication here is that the attempt to derive these 'basic goods' can only lead to two outcomes: a 'true' but morally vapid universalist 'neutrality', or the derivation of a set of fundamental values that are far from 'neutral' in content. In this respect, Walzer's argument has a good deal in common with MacIntyre's assertion that liberal claims to impartiality are a 'sham'.[98]

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[96] Charles Taylor. 'Interpretation and The Sciences of Man' in Philosophy and The Human Sciences: Philosophical Papers 2. Cambridge University Press, 1985.

[97] Michael Walzer, Spheres of Justice.p.314.

[98] Alasdair MacIntyre. In After Virtue MacIntyre directly takes on the Rawlsian assertion that the 'right is prior to the good'. My position also endorses the conceptual point behind this critique.The 'right' and the 'good' are not synonyms, but they are surely conceptually tied. To deny this is to suggest that the 'right' can be given a fixed meaning that is not itself subject to the conflicts and fluctuations of value-pluralism. In effect it is, therefore, the attempt to punch through the hermeneutic circle to a reified first premise or neutral 'fact' upon which to hang a system of values that is somehow neutral by association. (See chapters five and eight of this thesis).

MacIntyre modifies his position a little in Whose Justice?, Which Rationality (Duckworth, 1998). Here he asserts the sense in which liberalism itself is a 'tradition', rather than just the confused and essentially amoral residue of previous traditions that are used only spuriously to legitimate liberal 'culture'. The latter position of Whose Justice? is, therefore, even closer to Walzer's position; for in Walzer liberalism is indeed part of the thick context that we draw on.

It is interesting to note that Mulhall and Swift claim that Walzer has no position on the issue of liberal neutrality (Stephen Mulhall and Adam Swift. Liberals and Communitarians. Blackwell. 1996.p.159.). Given the substance of point 4. it is extremely difficult to see how they came to this wholly incorrect conclusion. This error is also made plain when we read a little into the following claim in Spheres of Justice: 'The claim to monopolize a dominant good —when worked up for public purpose- constitutes an ideology' (.p.12.). Clearly, this could very easily be the liberal ideology of the ostensible neutrality that MacIntyre considers to be a 'sham'. This is developed further in Interpretation and Social Criticism, where the 'sham' claim is strongly implied in Walzer's discussion of Rawls and Habermas (pp.11-13). This is then later made fully explicit in Thin and Thin.p.12. There is thus no excuse for the maintenance of this reading of Walzer in the second edition of Liberals and Communitarians (1996).

(5) '[I]t is the meaning of goods that determine their distribution'. 'All distributions are just or unjust relative to the social meanings of the goods at stake'. 'When medieval Christians, for example, condemned the sin of simony, they were claiming that the meaning of a particular social good, ecclesiastical office, excluded its sale and purchase'. This is an empirical claim about the pattern of distributions in general. Goods have their own individual criteria of distribution.

(6) 'Social meanings are historical in character; and so distributions, and just and unjust distributions, change over time'. This clearly expresses the historicist understanding of justice that also animates the arguments of both MacIntyre and Taylor; and it is the weight of historical experience that rules out any meaningful account of justice as universal in all but the most minimal sense.

(7) 'When meanings are distinct, distributions must be autonomous'. This is why Walzer characterises justice in terms of 'spheres'. And it is at this point that his methodological position most clearly becomes normative. It is not just that meanings are distinct; that has been established by the fourth proposition. It is that their distinctiveness 'must' be respected (my emphasis).

The pursuit of detachment therefore reveals a failure to understand the nature of effective social criticism. Heroic philosophy seeks to drive a wedge between the object of criticism (society) and the critic himself, when we must immerse ourselves in society (the object) for social criticism to be both meaningful and effective. This point is crucial to Walzer's project; so crucial that I want to take the liberty of adding it to the six propositions of Spheres of Justice:

(8) The 'social' of social criticism 'has a pronominal and reflexive function, rather like "self" in "self-criticism", which names subject and object at the same time'.[99] As the critic is a deeply embedded being, any critique of society is at the same time a critique of the basis of the critic's own identity. We as subjects cannot fully stand outside the object of our criticism (society) and therefore cannot escape the fact that we are partly what stands in need of criticism. In these abstract terms, heroic philosophy forces a separation between 'subject' and 'object'; the kind of (Kantian) dualism that makes for bifurcation and alienation. And the corrective is also intimated in abstract terms: we are to pull subject and

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[99] Interpretation and Social Criticism.p.35.

object together. This is why 'social criticism' 'names subject and object at the same time'. (My emphasis).

Concluding Remarks

2.7 Before proceeding to the following chapter and the critical responses to Walzer's project, a caveat is needed here. The exposition of this chapter has not been exhaustive. A totally comprehensive account is unnecessary and undesirable. It would tie us down in Walzer's ever expanding lexicon of metaphor and analogy; much of which just makes the same point in a different way, and without really advancing the argument.[100] There are, however, vitally important aspects of Walzer's argument that I have not given due attention to here; especially the Humean naturalism and the account of ideology in Interpretation and Social Criticism. There are also crucial elements of Thick and Thin, especially regarding the nature of the self, that have not been dealt with here. Some of this deficiency will be made good in the following chapter. The more recent developments in Walzer's thought will be dealt with only briefly, towards the end of this thesis. The rest will become clear in the following two chapters, and also in Chapter Six.

The key points that we need to take away now, however, are: the way in which both the theory of 'spheres' and the opposition to 'philosophical' abstraction are based upon a theory of value that relies heavily on the thesis that language and meaning are social; and that this same thesis also embodies a view of the nature and proper constitution of the self.

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[100] I have in mind here, for example, the notion of three branches of government in Interpretation and Social Criticism.p.18.

CHAPTER THREE
Walzer Misunderstood: Critical Responses and Misrepresentation

Introduction

3.1 The purpose of this chapter is to survey the critical responses to complex equality and social criticism. Some of these responses merit more attention than others. We will deal with the less worthy objections before moving on to the more serious difficulties in Walzer's project. There is one serious objection that will occupy most of this chapter: that Walzerian justice is relativistic and is therefore not really an account of 'justice' at all. My argument will be that this objection is based upon misinterpretation and conceptual error.

In Chapter Four I shall deal with the more serious and valid objections to Walzer. One of these objections is that Walzer does in fact cleave to an a priori value that crosses spheres and thus violates their autonomy and the stated premises of both complex equality and social criticism. This particular objection takes different forms in different critics. The form it finally takes in my thesis is in the assertion that Walzer is tacitly committed to an a priori conception of self. I will also argue in this chapter that Walzer does not justify the move from pluralism as a phenomenological thesis about how the world 'is' to a normative thesis about how the world ought to be. This move (the normative leap from description to prescription) is also based upon a tacit commitment to the same a priori conception of self. But it will only be in Chapter Six that I provide the full account of this argument.

One last important point, more of a caveat, needs to be entered here: at no point in this thesis will I be directly concerned with the issues, and extensive comment on, the precise substantive implications of the particular spheres of (e.g.) work, health or education.[101] To the extent that we do engage with these arguments it will be due to the way in which the secondary literature uses the substantive distributive issues within (and between) particular spheres to demonstrate the fact that Walzer actually relies on a cross-spherical value to lend

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[101] See (e.g.) Robert Mayer on the sphere of work and Walzer's arguments of industrial democracy: 'Michael Walzer, Industrial Democracy, and Complex Equality'. Political Theory. Vol.29, No.2 (April, 2001). Similar arguments are found in Russell Keat: 'Debate: Colonisation by the Market: Walzer on Recognition'. The Journal of Political Philosophy. Vol.5, No.1, 1997; and also Robert J. van der Veen: 'The Adjudicating Citizen: On Equal Membership in Walzer's Theory of Justice' in the British Journal of Political Science, Vol.29, No.2 (April, 1999); and Jeremy Waldron's 'Money and Complex Equality' in Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press. 1995. Margo Trappenburg. 'In Defence of Pure Pluralism: Two Readings of Walzer's Spheres of Justice'. The Journal of Political Philosophy. Vol. 8. No 3. 2000.

We should note that it is no coincidence that all of the articles cited here do in fact insist upon the interpenetration of spheres and thus do not restrict themselves to a single distributive issue. We will return to this when we turn to the critical responses to Walzer later in the chapter.

his theory an ethical appeal that it would not otherwise have. Although the substantive issues of applied justice are clearly of great interest and importance, my intention is to look at a deeper set of values that lie within the subtext of Walzer's argument. The justification for this reasoning is intended to emerge throughout the course of this thesis.

The 'Problem' of Complex Inequality

3.2 We have already noted a whole class of objections that are not the concern of this thesis.[102] These objections relate to actual applications of Walzer's theory to the practical issues of (e.g.) welfare and health services; whereas this thesis is far more concerned with the philosophical basis of complex equality and social criticism –not its substantive application. For the same reason we are also not to be delayed here by the objection that Walzer simply misreads the values and spherical distributions of his own society.[103] There is little doubt that he does. But then he is simply doing social criticism badly, and so it is his use of his theory that is at fault rather than the theory itself. Another social critic could use the same theory with far better results. Another objection that is of no real immediate consequence is the observation that there is nothing to prevent the emergence of complex inequality, in which spheres remain autonomous but in which those spheres are routinely dominated by the same groups of people.[104] This would occur if there existed a class of people who excelled in all spheres without using excellence in one as a means of illegitimate dominance in another. Well, yes. But this objection entirely misses the point, and much of the attraction, of Walzer's theory. If it is indeed the case that complex inequality obtains without any violation of autonomy, then the corrective would have to involve the coercive imposition of a meaning that is external to those spheres. Ivy leaguers would only be allowed to flourish in a set number of ways. That, for many, is a clear case of injustice;[105] and a violation of our understanding of desert. We would have to deny the

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[102] See footnote 1.

[103] In fact, there are few responses to Walzer (both positive and negative) that do not note this objection. For hostile critics who make this objection see (e.g.) Brian Barry's 'Spherical Justice and Global Injustice'; and Ronald Dworkin's 'To Each His Own' in New York Review of Books. 30/6 (April 1983). For more sympathetic critiques see (e.g.) Ian Schapiro, Political Criticism. Berkeley: University of California Press, c1990; and Michael Rustin's 'Equality In Post-Modern Times' and Joseph Carens' 'Complex Justice, Culture and Politics' and Jon Elster's 'The Empirical Study of Justice' in Pluralism, Justice and Equality. (David Miller and Michael Walzer).

See also .James S. Fishkin : 'Defending Equality: A View From The Cave: A Review of Spheres of Justice: A defence of Pluralism and Equality' in the Michigan Law Review, Vol. 82, No. 4, 1984. See also Lyle A. Downing and Robert B. Thigpen. 'Beyond Shared Understandings' in Political Theory. Vol. 14, No. 3 (Aug.,1986).

[104] Walzer recognises this possibility himself. (Spheres of Justice. p. 20.).The point is pressed by Michael Rustin in For a Pluralist Socialism. London: Verso, 1985.

[105] There is of course a very important debate concerning the right of the individual to his or her talents; or, more precisely, the rewards of these talents. Rawls famously maintains that as talents are a consequence of

individual in one sphere his or her rightful distribution of goods as dictated by the meanings of that sphere; and we would have to do it through precisely the kind of centralised and coercive state that Walzer rightly fears. Thus, to the extent that the complex inequality objection is of any interest, this interest resides in the way in which Walzer himself goes on to alter the terms of his argument, in order to make the argument fit his own substantive vision of what a just society should look like in practice. In part, this is due to his creeping realisation that his assumption (that complex inequality would not naturally arise) is in fact rather naïve; and so he goes on to commission an extra premise to head off the normative implications of this. We will see this when we turn to the objection that Walzer himself does not respect the autonomy of spheres.

Objections to the Meaning-Distribution Relation

3.3A far more serious objection comes from those who maintain that it is conceptually incoherent to say that the meaning of a good determines the criterion of its just distribution. Brian Barry is the most forceful critic on this point.[106]Barry is quite happy to agree that some goods are distributed by their meaning. Purely honorific prizes, for example, must go to the most honourable or worthy.[107] In this case, we do indeed mistake the meaning of the prize if we declare that the second past the line in the marathon was the 'winner', (though even this can be complicated by talk of the 'true winner' -perhaps the one who had overcome great adversity to get to the race in the first place). But then it becomes increasingly difficult to isolate the meanings of other goods (to say that it is purely with reference to their internal meaning that we are to distribute them) either in conceptual or empirical terms, and so it becomes, according to Barry, increasing difficult to clearly discern the implications for distribution.

'moral luck', we are not to reap the benefits accrued over and above those that are legitimate under the terms of the 'difference principle' (John Rawls. A Theory of Justice . Cambridge, Mass.:Belknap Press 1973). Michael Sandel's equally famous riposte is that it is a non sequiter to move from the assertion that the individual isn't entitled to his or her talents to the claim that society is (Liberalism and The Limits of Justice. Cambridge University Press. 1998).

For broadly Rawlsian developments of the notion of moral luck see Ronald Dworkin 'What is Equality? Part : Equality of Welfare' and What is Equality? Part II: Equality of Resources'. Philosophy and Public Affairs 10 (1981). It is more curious to see the surprisingly Rawlsian tone of G.A. Cohen's 'On The Currency of Egalitarian Justice' Ethics 99, 1989.

[106] Brian Barry, 'Spherical Justice and Global Injustice'. Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995.

[107] Ibid.p.68.

Take the case of food as a need. Walzer wants to say that the obvious fact that food is a basic need means that it should be distributed in such a way that no one should do without. The meaning of 'food' is inseparably tied to 'need'. Yet it is clearly the case that, historically, this distribution has not in fact flowed from the meaning of 'need'; and it is equally clear that 'need' was not some peculiar concept not properly understood in conceptual terms. It is (and always has been) plain at the most basic level that we have a biological need for food. Nevertheless, people did (and do) simply starve; even though need has <u>always</u> been part of the basic meaning of 'food'. In this case the recognition of food as a basic need does not lead to any form of (even rough) egalitarian distribution.[108] It was not, as we have seen, the case that food was not recognised as a need; it's just that in many historical cases no distributive rights have flowed from this recognition (despite the meaning). Barry now concludes from this that he cannot 'see how the social recognition of something as a need entails anything immediately about what justice requires'. [109] Need alone says nothing about justice. The argument for the prevention of starvation requires, on Barry's view, something over and above the recognition of need.

This is an extreme example, and it is not surprising that it works well for Barry. Of course, we could explain the refusal to grant food aid within the terms of Walzer's theory. Then we would just say that this is a classic case of injustice in which some other sphere (e.g. a political sphere tainted by the drive to exclude a minority) violates the meaning of need. But the underlying point is serious. Nevertheless, Barry soon goes on to stretch his own argument against Walzer to, and past, its breaking point. Thus, Barry starts by establishing the sense in which Walzer's meaning-distribution relation is troubled by the example of need and starvation. Then he goes on to generalise this example, and to say that the very idea of the meaning-distribution relation is incoherent in all cases. We will see why this move is wrong in a moment. But Prior to the conceptual coup de grace that he (wrongly) thinks he delivers with the case of starvation, Barry does present us with a convincing argument that does not rely solely on the extreme cases of past injustices where food aid has simply been refused in desperate times.

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[108] By this we are to understand equal access to sufficient quantities of food for survival –not for fine dining.
[109] Brian Barry, 'Spherical Justice and Global Injustice'. <u>Pluralism, Justice and Equality</u>. David Miller and Michael Walzer (eds). Oxford University Press, 1995..p.72.

Where Walzer asserts that we understand healthcare in such a way that it should (because of that understanding) be removed from the market,[110]Barry draws attention both to the fact that this interpretation of healthcare is strongly contested, and to the inconsistency of the fact that Walzer does not provide an argument for the removal of other more basic needs (food, clothing, shelter) from the market.[111]We therefore arrive at the very common objection that Walzer inserts his own normative preferences (in this case the assertion of the rightness of a national health service) into his reading of the goods and spheres of the society in which he is embedded. The system of medical insurance could, arguably, be said to be truer to the normative and social understandings of American society.[112] Moreover, according to the terms of Walzer's argument, if the community consensus in the society that accepts the fate of the starving is that this is not a matter of injustice (perhaps due to the will of God, the deserving poor etc), then it is in fact a just society.

This is a valid point against Walzer, though the 'failure' to condemn such scenarios as unjust is one that he could just accept without inconsistency. But what about the coup de grace, the assertion that even the (rough) egalitarian distribution of the most basic need (i.e. food) can not be derived from the meaning of 'need'? This is an argument to the effect that if Walzer cannot meet our intuitions about justice (even in this seemingly simple case of an obviously unjust practice), then the whole theory must be hopelessly flawed. Need is indeed part of the meaning of food. Barry accepts this, but because that meaning does not prevent (and has not prevented) gross injustice, Barry insists that we can't link distributive justice to the meaning of goods; even in those cases (such as food) where there is at least a minimal shared meaning that isn't contested. The argument here thus proceeds from the assumption that Walzerian social criticism can not meet the normative expectations of our deepest intuitions about justice. It is therefore an argument that presupposes the truth of those shared convictions, and which thus approaches the case of need and starvation with an a priori conception of what justice is. This is a trick that Barry often plays, and we will see this more fully in Chapter Nine. But that is not the response to Barry that we need to pursue here. For Barry is not just making this assumption. He also offers us a conceptual argument that does not at first sight rely either on Barry's own convictions, or on the assertion that Walzer himself is loading the argument in his favour empirically. The conclusion that Barry thus draws, then, is conceptual in the sense that he thinks the very idea of the derivation of

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[110] Walzer, Spheres of Justice.p.90.
[111] Barry, 'Spherical Justice and Global Injustice'.p.72
[112] This is in fact the easiest and most common 'sphere' that is (rightly) picked out by Walzer's critics as an instance of bad interpretation.

justice from social meanings must be incoherent at the deepest level; and not just because it can't rule out the refusal of food aid in times of starvation. This fundamental incoherence is said to follow from a circularity that is inherent in Walzer's account; and so the argument could still be applied by Barry even if he felt that Walzer did defend the right moral intuitions –even if the meaning-distribution relation was made to fit Barry's own brand of liberal egalitarianism.

And there is indeed a good deal of truth in the accusation that Walzer's account is circular. For it is not straightforwardly the case that distributions flow <u>from</u> meanings, for the simple reason that Walzer's method requires us to look at the way we understand justice; and to learn this we must look at the way in which we do in fact distribute the goods of justice at this point in time. So it is clearly the case that there is in fact a circularity in the argument.

As Barry says, 'the only way in which Walzer can get a definite distribution out of the meaning of most goods is to include the criteria of distribution in the meaning'.[113]Thus, with regard to need, Barry comes to the conclusion that '[t]he logical order, which appeared to be "it is a need, so it should be supplied", actually becomes "it should be supplied, so it is a need"'.[114]

All this is valid enough (up to a point) as an analysis of Walzer's position.[115] Nevertheless, as an <u>objection</u> it has almost no force at all; at least not in Barry's presentation of it. In fact, it makes as much sense to accuse a hermeneutic advocate of circularity as it does to accuse a priest of religiosity.[116] The whole point is that the meanings that flow out of spheres will flow back into them. This is not a conceptual error in the structure of Walzer's argument for the relation between meaning and distribution: it is a crucial part of the conclusion. We can, certainly, attack the conclusion. But this is not what Barry does. Really all that Barry does is borrow the legitimacy of the (valid) objection that Walzer is doing social criticism badly in order to spuriously imply that there is an entailment from this poor application of 'social criticism' to the far stronger claim that his position is conceptually fallacious –a claim that is presented as the definitive and final blow to Walzer's argument, yet which is advanced in

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[113] Barry. 'Spherical Justice and Global Injustice'.p.73.
[114] Ibid.p.73.
[115] In the following chapter we shall look at a considerably more sympathetic and sophisticated version of this objection. Chapter four, section three.
[116] The argument that I am presenting here also occurs as a critique of Ronald Dworkin in Georgia Warnke's <u>Justice and Interpretation</u>. Polity, 1992. p.18.

only three paragraphs. If he were to actually argue for this stronger claim he would need to make plain his own view of meaning. We also need to see in greater depth the objection to circularity. Circularity, after all, is not <u>necessarily</u> incoherent. (Not all conceptual circles are 'vicious'). The view that they are seems in fact to point to a tacit belief that meaning is fixed and static. That is the only way we <u>could</u> get to the non-circular flow of distributive outcomes from social meanings. One might now think that this observation plays into Barry's hands (i.e. that it is a mistake to advance a view of language at all in an account of distributive justice). In a sense this would work. Barry would tell us that Walzer has a view of language, that this is used to justify a normative argument, and that the view of language is itself wrong. Yet again, however, I fail to see how Barry can avoid some such view himself. He could assert some form of realism in which distributions do flow from fixed meanings; but he can't just dismiss the need for an account of social meaning per se -and that <u>does</u> presuppose a view of language. So if he is to meet Walzer directly on this terrain he can not use a conceptual point about meaning without expecting to be asked for the alternative in return. How <u>is</u> any form of social criticism or political philosophy to proceed in the stringent terms of non-circularity when it is yoked to the kind of conceptual point Barry uses to attack Walzer? That demand is very high and, if I am right, beyond the competence of Barry too.[117]

We should note, also, that it is Barry, <u>not</u> Walzer, that places the real burden of the debate on the need for a '<u>definite distribution</u>' and the '<u>logical order</u>' of the argument. These are not terms that Walzer can or should embrace in any literal sense. In this respect, David Miller is entirely right when he insists that we should not read the meaning-distribution relationship literally as conceptual entailment (though, as we shall see in the next section, Miller is <u>too</u> keen to save Walzer from this literalist interpretation).[118] Indeed, to impute the need for a definite distribution to Walzer is, again, to miss the point. There can be none. If there were, there would be no need for interpretation and negotiation. The alternative of course is that by 'definite' we mean a firm policy to be enacted. The idea that Barry can provide this any more easily than Walzer is not, however, a serious consideration.[119] As for the 'logical order' of the argument, we should again note that Barry has missed the point. If

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[117] We shall revisit this argument in chapter nine.

[118] David Miller, 'Introduction' in <u>Pluralism, Justice and Equality</u>. David Miller and Michael Walzer (eds). Oxford University Press. 1995.

[119] I find it difficult to imagine any governmental body weighing up policy in terms of what all rational beings would universally want if only they were thinking and acting 'impartially'; and not just because there will always be an element of self-interest and sociological self-delusion in government. 'Justice' in Barry's terms may require impartiality, but government requires governance. This may (even often) coincide with impartiality, but the idea that this corresponds to anything like universal justice is somewhat far-fetched.

we are to attribute a logic to Walzer (as we later will),[120] it is not uni-linear; and thus not subject to any neat 'reversal' of any form. This is because it is the kind if logic that can be loosely described as 'dialogical'.[121] In thinking that we can indeed perform such a conceptual reversal Barry not only misreads Walzer but also, I suspect, betrays his own commitment to a quasi-realist view of meaning and language that does seek to proceed from some fixed set of meanings to a determinate normative outcome.

All this anticipates arguments that are to come later in this thesis. We will therefore move on to the purpose of the next section. This purpose is to establish the degree to which the image of 'spheres' should be taken either literally or metaphorically.

The Ontological Status of Spheres

3.4 We have seen how the force of the critical response to Walzer can hinge on the degree to which we interpret his use of language literally. Nowhere is this more important than in the case of 'spheres'.

The status of this concept is clearly also linked to the view of meaning that we have just considered. Spheres are a connected bundle of social meanings, and so we arrive straight back at the relationship between meanings and the patterns of distribution that are bounded and demarcated from one another by the notion of spheres. It follows from this association that those who strongly object to the meaning-distribution relation will equally object to the very idea of spheres.[122] It is for precisely this reason that we find Miller, amongst others, extending the defence that we are not to take Walzer too literally. We could, in this reading, go along with Miller and interpret the idea of 'spheres' as no more than a metaphor. This is in effect the approach of Miller and others who seek to save Walzer from his own methodology.[123] But this is far too timid −Walzer's account of spheres should be defended

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[120] See chapters five and eight.

[121] Barry really can't legitimately say that the more sophisticated reading of complex equality and social criticism only became available with the later publication of Interpretation and Social Criticism and other works. All of the resources available for a far more sympathetic reading of Walzer's project are already present in Spheres of Justice. All that is required is the disposition to look.

[122] The key protagonists here are Brain Barry, Ronald Dworkin and Norman Daniels.

[123] See David Miller, 'Introduction'. Pluralism, Justice and Equality. David Miller and Michael Walzer (eds). Oxford University Press. 1995.p.11.

directly if we are not to strip it of its force and originality.[124] In any case, as soon as we begin to explain what the subject of the metaphor is, we are actually rearticulating Walzer's stated position; albeit in terms that may finesse the argument with greater subtlety. What would spheres be a metaphor for? The fact is that spheres are constituted by language already: they are not a reified thing that we address as the subject of metaphorical description. So we will have to say that 'spheres' describe not things, but sets of values and practices; modes of understanding and action that are appropriate to one area of life but not to another.

This is in fact the correct description. But really the use of metaphor adds nothing. All we end up with is the correct but unhelpful assertion that spheres are a metaphor for spheres. We should not, however, ignore the motivation that leads to the metaphor defence. The very fact that there is a felt need for this defence is an indication that there are critics of Walzer who do indeed treat 'spheres' as if they are actually intended to be a hard ontological category. By this I mean that there is a tendency amongst these critics to do what Walzer himself does not do (i.e. to reify spheres on his behalf). The move here is to treat the meaning-distribution relation so literally that it appears to entail a conceptually inviolable autonomy of spheres that is so fixed and determinate that the 'sphere' is no longer the descriptive term for a set of practices, action and institutions: it is instead –so the argument runs- something 'real', corresponding to an underlying reality that determines the shape and extent of the spheres. We begin to see this already in Barry. But the argument is explicit in Ronald Dworkin. Walzer is said to 'tacitly assume…that there are only a limited number of spheres of justice whose essential principles have been established in advance and therefore must remain the same for all societies'.[125]Nor can Walzer's theory 'construct new patterns of distribution that have elements drawn from different spheres'.[126]'He is

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[124] Margo Trappenburg ('In Defence of Pure Pluralism: Two Readings of Walzer's Spheres of Justice' The Journal of Political Philosophy. Vol, 8, No.3, 2000) actually offers a considerably bolder defence of Walzer's spheres, though it is conducted through a more overtly normative argument than the ontological and methodological argument that I am presenting here.

Through a sophisticated analysis of the love, medical care, higher education and political power, Trappenburg argues for a pure pluralism that does indeed stick closely to the 'core' principles of these spheres. This is in contrast to the 'mitigated' pluralism advocated by (e.g.) David Miller and Robert Jan van der Veen. That pluralism comes in a variety of strengths –the furthest from the pure being those pluralists 'who feel that we should uphold sphere-specific principles as long as this is desirable from an overall point of view (for example, from an equal citizenship perspective)'.p. 356.

The position developed in this thesis is actually a form of 'mitigated' pluralism in the mould of Miller's i.e. it refers to a deeper value when spheres clash. But it is also close to Trappenburg's position in the sense that it takes the notion of spheres more seriously and literally than these (other) mitigated pluralists.

[125] Ronald Dworkin. 'To Each his Own' in The New York Review of Books. 30/6 (April 1983) p. 6. (emphasis added).

[126] Ibid. p. 6.

bewitched by the music of his own Platonic spheres'.[127]Norman Daniels comes to essentially the same conclusion when he interprets Walzer as being committed to the view that 'the effects and artefacts of ....history are .....reified into shared social meaning'.[128]

This, then, is the background against which those prepared to read Spheres with any sense of sympathy or critical proportion have resorted to the metaphor argument. As Walzer himself says, such a characterisation is entirely 'contrary to the method and intention of [his] book';[129] and it is in fact Dworkin that seeks the fixed meaning and abstract principle that can say once and for all what justice requires in (e.g.) the provision of health care.[130] In this respect Dworkin is subject to precisely the same objection that we raised at the end of the last section: he presupposes the existence of a final and fixed meaning from which just distributions do indeed flow –in precisely the same sense that he describes as Platonic when it comes to the meaning-distribution relation and the autonomous constitution of Walzer's spheres. The only difference there would be is that Dworkin will in fact be far more strictly Platonic in the sense that he believes that abstract thinking can indeed yield a single sphere (abstract justice) that regulates all the others. It is thus Dworkin and, less explicitly, Barry who reveal themselves to be the true Platonists here; searching for the meaning of a unified justice.

This is not an argument that we can pursue any further here. The point is to illustrate the perceived need for the metaphor argument. Nevertheless, we should not take the threat posed by Walzer's harshest critics too seriously at this point. My objection to the turn to metaphor in this context is thus that it runs the risk of ceding too much ground to the literalists. 'Spheres' are certainly not a hard ontological category in the sense that they reflect a 'real' aspect of existence: they are not in any sense to be understood by analogy with a Platonic form. And this, crucially, means that we are not to regard them as fixed and static, like the immutable and timeless form (the ideal that Barry and Dworkin actually pursue). If the edges of boundaries were not contestable then there would be no need for social criticism; and clearly they will move as the understanding of a sphere in a particular society changes and evolves to meet new moral and practical needs. Hence, if any analogy

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[127] Ibid. p. 6 (emphasis added).

[128] Norman Daniels. Daniels follows Dworkin's argument closely and speaks of the way in which in Walzer's account reifies meanings. ('Review of Spheres of Justice' in The Philosophical Review, Vol.94, No.1, Jan.,1985. p.145).

[129] Michael Walzer. 'Spheres of Justice: An Exchange' in The New York Review of Books. .p43.

[130] Ibid. p. 44.

is appropriate here it is that of the overlapping circles of a Venn Diagram, not the leak-free and ontologically distinct idea of the form. Nevertheless, there is still a very important ontological component to the category of spheres. The notion of spheres is an ontological category, but it is a soft ontology rather than a hard one. By this I mean that the 'ontology' that we are concerned with here is not the sense that is concerned with what actually exists (material objects, for example, at one end of the scale, with 'forms' at the other). Rather, the ontology here is soft in the sense that it is concerned with the preconditions of existence; or, more precisely, with the preconditions of our (human) experience and existence. Ontology thus conceived is the set of conceptual categories, social (and scientific) meanings, and cultural perceptions, traditions, mores (and so on) that shape the understanding –including the understanding of what exists in the strong ontological sense- of both the group and the individual.

This may well seem like a contradiction in terms, reducing reality to a collective consciousness. It is not, though it does ultimately rely on an idealist view of the world to make sense. We see this most clearly in Walzer when he tells us that goods 'come into our minds before they come into our hands'.[131] Certainly, Walzer does not follow the intimations of this idealist claim all the way. Nor is it my intention to do so in this thesis. (I am not going to offer a full blown idealism). It is, however, crucial to a proper understanding of the nature of spheres. This is why I have made it the first of my two additions to the list of six methodological propositions in Spheres of Justice.[132] It is also of great importance for the constitution and nature of the self in Walzer's project. That is why we have made this brief detour into the philosophy of ontology. The vital message of this section is, therefore, that we neither have to accept the literalist reading of spheres as a hard ontological category, and nor do we have to excuse Walzer by means of the metaphor defence. The idea of spheres is, in short, a weak ontological category. We will begin to see the full significance of this in the second half of Chapter Five.

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[131] Walzer, Spheres of Justice. p. 7.
[132] See chapter two pps. 41-44 of this thesis.

Walzer's Conventionalism and Relativism

3.5 The charge that Walzer is a relativist is perhaps the most common and keenly felt objection to his theory. We find it in Barry, Dworkin and Daniels of course,[133] but also in a great many others. Many of these are considerably more sympathetic and sophisticated in their responses.[134] Some agree that Walzer is indeed committed to relativism as a consequence of his methodology, but that when it comes to the normative crunch he commissions an extra (external) premise to mitigate it.[135]Others offer defences of Walzer that seek to mitigate the charge of relativism whilst also arguing that part, but not all, of that defence does in fact involve reference to an external value that violates Walzer's own stated premises.[136] The position that we will finally arrive at in Chapter Six is in this final category.

There are thus a variety of issues relating to this difficulty in Walzer's theory, and in social criticism in particular. But three stand out most strongly. The first is the charge that Walzer is entirely unable to say anything in response to the perceived injustices of foreign regimes and cultures. The second is that Walzer is unable to adjudicate between competing traditions and interpretations within a given culture, 'ours' in particular. (What precisely 'ours' means will be dealt with in the second half of Chapter Five). The third issue is his alleged conservatism. This is said to be a consequence of his conventionalism (i.e. the view that our social meanings and moral cum political norms are the product of localised historical and social evolution). At one level, all of these objections are closely related: they all boil down to the assertion that the failing in both complex equality and social criticism is that it does not have an 'external' value with which to differentiate the good from the bad; either within our own culture when it comes to the clash of spheres with one another, or

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[133] Barry, 'Spherical Justice and Global Injustice'. Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995. and 'Social Criticism and Political Philosophy' in Liberty and Justice, Oxford: Clarendon Press, 1991. Ronald Dworkin. 'To Each his Own'. The New York Review of Books. 30/6 (April 1983) Norman Daniels, Review of Spheres of Justice in The Philosophical Review, Vol.94, No.1 (Jan.,1985).

[134] See (e.g.) Ian Schapiro. (Political Criticism. Berkeley: University of California Press. C1990.) for a critical but constructive response. Joshua Cohen is also deeply critical but does appear to give Walzer's arguments their due. ('Review' of Spheres of Justice. The Journal of Philosophy, Vol. 83, No. 8, Aug., 1986.

[135] See (e.g.) Lyle A. Downing and Robert B. Thigpen. 'Beyond Shared Understandings', Political Theory. Vol. 14, No. 3 (Aug.,1986). See also Nancy L. Rosenblum, 'Moral Membership in a postliberal State' in World Politics, Vol.36, No.4 (Jul.,1984).

[136] David Miller is the exemplar of this approach ('Complex Equality' in Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995). See also William A. Galston's 'Community, Democracy, Philosophy: The Political Thought of Michael Walzer' in Political Theory, Vol.17, No.1 (Feb., 1989).

when it comes to conflicting interpretations of how we are to read those spheres even when they do not clash. Likewise with the charge of conservatism: there is no external point of view from which to launch a radical critique, either directed at our own culture or at the undoubted cruelty and injustice of many other cultures.

There are also a number of less fundamental criticisms that we should dispense with briefly here. One that is not directly related to relativism, but that is often taken as a route into critical attacks upon Walzer's alleged relativism, concerns the failings of his loose and rather slippery distinctions between discovery, invention and interpretation.[137]Thus Barry, amongst others, takes Walzer to task for a distinction that quickly collapses in upon itself - with interpretation looking far less distinctive by the time that Walzer admits that there is a form of invention far less outlandish than that which builds 'de novo'-,[138] and clearly takes this as evidence of Walzer's general intellectual hopelessness.[139] But we must, to an extent, accept this slipperiness in Walzer; just as we accept and seek to interpret the ambiguity in other (sometimes very great) theorists.[140] It is the argument of this thesis that when we do so, the act of charitable interpretation forces us to take the fundamental structure and import of Walzer's argument seriously. This is in contrast to an alternative approach that involves us seizing on the imprecision of a theorist who very clearly repudiates 'analytic' precision, only to then use that imprecision to seek out the least charitable interpretation with which to rubbish the entire project. That, clearly, is not my purpose. Moreover, when we emerge on the other side of the demolition of Walzer's discovery-invention-interpretation schema, there is, as we shall see, still something of great importance left in the far more fundamental distinction between 'social criticism' and 'political philosophy'.[141]

Nevertheless, it is the social criticism side of this distinction that is used by the same critics as the entry point for a number of criticisms that do not really get to the heart of the issue. Hence we find critical responses that focus not just on the generalizable phenomenological implications of social criticism (i.e. the way in which Walzer describes our moral and social discourse), but also on the very specific characterisation that Walzer gives of the position of

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[137] Michael Walzer, Interpretation and Social Criticism. pp.3-18.
[138] Michael Walzer, Interpretation and Social Criticism. p. 16.
[139] Brian Barry,. 'Social Criticism and Political Philosophy' in Liberty and Justice, Oxford: Clarendon Press, 1991.p 16,20.
[140] What would we make of Rawls if we were to pursue every single contradiction, inconsistency and ambiguity?
[141] See in particular chapter eight of this thesis.

the social critic himself. Drawing on Walzer's specific characterisations of his heroes in The Company of Critics, Ian Schapiro makes the point that the connectedness of the critic means that,

> 'once we appeal to affective connectedness as the basis for social criticism, it seems that valid social criticism is always a unique expression of the particular affective history of the individual social critic. The bonds, or lack of them, the emotional ambivalences, these things all reflect and constitute the social critic's specific nature and history'.[142]

By this Schapiro means that the efficacy requirement of social criticism reduces the content of social criticism to the individual social and psychological content of the individual social critic. 'If we take seriously Walzer's injunction to be ourselves, then all social criticism is necessarily radically individual'; and, we should add, relativistic. Schapiro is generally a sympathetic and subtle critic of Walzer. But here he is simply wrong. For a start, it is absolutely central to Walzer's position that there can be no private meanings in the sense required by this radical individualism. The individual may well be extremely idiosyncratic, but then the language and meanings that constitute his or her own make-up are necessarily social. The critic may use the inherited values and meanings in a unique way, but it just can't be so radically unique that it needs to be interpreted as a different language. When this happens we are dealing either with the individual reflection of a different anthropological context, or else simply with the regrettable pathology of the linguistically, morally or existentially dispossessed. i.e. (in very crude terms) the mad or amoral. To put the same point another way, if Walzer does indeed reduce social criticism to biography, there is no reason (if we are to give the argument an appropriate literary twist) to suppose that all biographies will sell equally well –if at all. To cash the analogy, the radically private social critic will not really be a social critic in Walzer's sense at all: he will be more like the heroic philosopher that leaves the cave, and so his biography will be alien and strange. It may well be an objection that the most well received biographies are populist and dim-witted (the biography of Posh Spice –to follow the analogy). But the corrective to this is not to reject biography per se. It is to offer a more compelling counter-biography (i.e. another interpretation of the shared system of values). And, of course, all this will be biography in the more literal sense too, and not necessarily any worse for it morally. That moral status is, after all, the issue at stake here. For Schapiro to thus read the reliance on biography as a regrettable implication of Walzer's argument is, therefore, to miss the point. Social

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[142] Ian Schapiro, Political Criticism.p.87.

criticism is indeed biographical in the sense that our own individual moral identities and histories are constituted by our social milieu. But it does not insulate this biography from moral critique or render it relativistic. That is the point of the eighth proposition that I have added to the list of six in Spheres of Justice:[143] social criticism names subject and object at the same time because it is indeed like self-criticism –deeply, necessarily, embedded in our own inherited psychology and identity. Schapiro and others may well think this is wrong, but it is not an embarrassment to Walzer. Moreover, to think that it is just the embarrassing outcome of social criticism is to already assume (without argument in this case) that the issue at hand has already (and automatically) been decided in favour of the alternative of detached political philosophy i.e. to assume that there can be non-biographical moral and political critique.

We have already seen that Brian Barry is perhaps the most insistent critic when it comes to the partially correct assertion that Walzer misrepresents 'political philosophy', and now he too makes a point about the role of identity in Walzer's theory. To his credit, we must note, Barry is one of the few critics who recognise that Walzer's position is in fact conventionalist rather then relativist;[144] though, as we shall see, this makes very little substantive difference in terms of Barry's critical assault. But the point that we need to briefly deal with here is Barry's assertion that '[a] lot of what Walzer says seems to me to gain unwarranted plausibility from the running together of two ways in which somebody may identify with a group'.[145]The first is the kind of belonging to a group that involves caring about it, and 'wishing to play a role in its collective life'. All this, Barry 'concedes', 'is a part of being human'. The second is 'far less benign' and refuses to weigh up the interests of one's own group with those of another i.e. it is partial.[146] There are two responses to this. The first is that Barry already assumes that partiality is bad per se, and therefore comes to the argument with an a priori answer that is already loaded in his favour. This may seem weak in the context of Barry's article, as he immediately goes on to cite those cases that most trouble particularists (Apartheid South Africa, for instance). His point is then that these societies often need an outsider to really highlight the alternatives to

[143] Chapter two, page 35. We will begin to see the full significance of the subject-object relation in chapters five and six.
[144] Brain Barry. 'Spherical Justice and Global Injustice'. Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995. p.75. In contrast, Schapiro, for example, maintains that he is a relativist in Political Criticism. p.63. This is in fact the majority view amongst his critics, and it was indeed Barry's view in his earlier assault on Walzer in 'Social Criticism and Political Philosophy' in Liberty and Justice, Oxford: Clarendon Press, 1991
[145] Brain Barry. 'Social Criticism and Political Philosophy'.p.16.
[146] Ibid.p.17.

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deeply engrained (and unjust) social practices. And not even the first form of identification, in Barry's view, is necessarily consistent with the acceptance of the kind of outside perspective needed to shed this moral light. The society in question may well simply reject outright any outside intervention. That is indeed a consequence of Walzer's position. But then Barry proceeds to drop the following 'concession' and then conclusion into the argument: 'For the sake of argument...let us concede that all criticism must stem from the first sort of identification. That does nothing whatever to advance the claims [e.g. the deep partiality] of the second sort of identification'.[147]Yet the problem with this argument is that at no point does Walzer maintain that the second form of identification <u>is</u> necessary for social criticism; and nor does he proceed from the desirability or necessity of the first sort to the desirability or necessity of the second. To insist that this is Walzer's stance is therefore deeply misleading and, in fact, Barry only manages to convey this with any sense of plausibility through considerable sleight of hand: after introducing the distinction between two types of identification, he spends three paragraphs on the critical inadequacy of social criticism based upon the first characterisation of identity, and then –as the knock-out blow- concludes from the invalidity of this that social criticism based upon the second form of identification is utterly hopeless and can not properly be called criticism at all. There is, however, no argument to show that Walzer is committed to this second ('less benign') form of identification in any way that fundamentally undermines his argument. At no point does Barry cite textual evidence to support his argument. Instead he attributes 'partiality' to Walzer by the rhetorical move of charitably allowing a more plausible reading of Walzer's characterisation of external criticism; substituting total disconnection for Barry's own impartialist ideal (though he does not make it clear here that it is his own agenda). But this, Barry maintains, still sets up a false opposition: why, he asks, 'should we suppose that the only alternative is particularist principles applied slackly and with partiality?'[148]. We shouldn't, and nor does Walzer. For the false dichotomy is actually of Barry's own making. This is because it is simply false to say that 'particularism' <u>entails</u> 'partiality' when the latter is read in Barry's narrow terms i.e. as the selfish refusal to consider the collective or individual (the case of individual refugees, for instance) interests of others. Certainly, particularism situates our ethical reasoning in the context of a particular historical community, and it is this that gives us our moral framework; but it is a framework that need not be 'closed' and that is fully compatible with a recognition of the

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[147] Ibid.p.18.
[148] Ibid.p.16.

needs and demands of other groups and cultures –though we may need to work very hard at understanding these needs.

All this is, sadly, part of a more general slipperiness that besets Barry's critique of Walzer and which is characteristic of much of the hostility that is directed towards his project. Barry's entire critical response in 'Social Criticism and Political Philosophy' systematically elides the distinction between two of Walzer's works; one of which (Interpretation and Social Criticism) has a great deal of merit in it, whilst the other (The Company of Critics) is, regrettably, considerably less meritorious. The trick then is to malign Walzer's entire project by taking the latter to be representative of the whole. So 'Social Criticism and Political Philosophy' is actually a rather clumsy and complacent piece of criticism, and is therefore best left alone.

Thus, the second response is to say that Barry again misrepresents Walzer; for Walzer never says that this form of naked partiality is a necessary feature of his position, and that's because it is not. Certainly, there _may_ be societies that are partial in this way; and Walzer must respect that –or at least say that it is 'just'- if he is to be consistent. Furthermore, it is very clearly the case that the first form of identification ('wishing to play a role in [societies'] collective life') could be to a thoroughly liberal society –one that is committed to at least some form of impartiality as a matter of principle. So, once again, we must say that Barry loads the argument in his favour; presenting Walzer's 'social criticism' in such a way that it _must_ preclude a liberal culture and political regime. Hence those of a liberal inclination (i.e. virtually all of us) will plumb for Barry rather than Walzer. There is a lot more that we have not touched upon in Barry's two pieces, most of which will unravel just as easily. But we should note one last general point of importance for the time being. This is that Barry goes on to assume the legitimacy (and decisive victory) of his arguments against Walzer when he goes on to articulate his own substantive position in Justice as Impartiality.[149]Here he singles out Walzer as the worst of those anti-universalists that he seeks to refute,[150] and so a lot does in fact hang on the accuracy and fairness of Barry's characterisation. In particular, Barry says in 'Social Criticism and Political Philosophy' that we shouldn't dichotomise between extreme Platonism and extreme particularism

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[149] Brian Barry, Justice as Impartiality. Clarendon Press: Oxford. 1995.
[150] Ibid. p.7, fn6.

(citing Hare and Scanlon as representatives of the sensible middle ground).[151] And that is roughly the same ground that he seeks to occupy in his own substantive position.

As we shall ultimately see in Chapter Nine, however, that position is far closer to a Walzerian conventionalism than we are led to believe. That, in turn, means that Barry can not simply dismiss Walzer. Indeed, if this argument is right, they both share the same moral ontology all the way down; and hence the same set of normative parameters. The implications of this are vitally important when it comes to substantive recommendations for the political and distributive structure of society. Now is not the time to make good this claim.[152] But, to anticipate the argument a little, neither Walzer's democratic socialism nor Barry's brand of liberalism flow easily from their premises. Nor should we think –and this is crucial- that there is any reason to accept Walzer's easy repudiation of an Oakeshottian conventionalism.[153]

The Sense of Disputed Shared Understandings: A Critical Misunderstanding

3.6Finally, it is important to address one last objection relating to Walzer's view of social meanings; an objection that he fails to meets satisfactorily, even though he has the conceptual means to do so. This is the objection, brought by both Dworkin and Schapiro,[154] that it is conceptually incoherent to maintain that all moral and political disagreement begins from shared understandings. In typically robust style, Dworkin declares of social criticism that '[i]t tells us to look to social conventions to discover the appropriate principles of distribution for particular goods, but the very fact that we debate about what justice requires, in particular cases, shows that we have no conventions of the necessary sort'.[155] Unfortunately, all that Dworkin offers in support of this argument is the 'plain facts' of substantive disagreement over medical care, before concluding that the 'fact of disagreement means that there is no shared social meaning to disagree about'.[156] But the salient point that Walzer really makes in Spheres of Justice (and elsewhere) is that there is no shared conclusion –at least not one that is final and definitive in the way that his

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[151] Brain Barry. 'Social Criticism and Political Philosophy'. p. 15.
[152] This argument is developed in chapters eight and nine of this thesis.
[153] Walzer, Interpretation and Social Criticism. p. 29.
[154] Ian Schapiro. Political Criticism. pp.75-78.
[155] Ronald Dworkin, New York Review of Books, No.6, April 14, 1983.p.6.
[156] Ibid. p.6.

opponents would like them to be. Thus, when Dworkin asserts that '[o]ur political arguments almost never begin in some shared understanding of the pertinent principles of distribution',[157] he would be entirely right if we were to take this statement in isolation, but also entirely wrong when we place it in context. That is because, if we are to remain faithful to Walzer's actual argument, we must exchange 'underlying' for 'pertinent'; and that yields a far more nuanced position. For it is a crucial implication of Walzer's argument that pertinence is conditioned by the ontological assumptions of the society in question – and it is this ontological background that constitutes the appropriate sense of 'shared understanding'. To take a very basic example, we do not proceed in argument from the underlying shared assumption that the earth is at the centre of the universe in a cosmos in which God ordained that we as humans have a special place in the order of things; and so we do not, in turn, argue from this that God similarly ordained a further hierarchical stratification within earthly society.[158] Perhaps one day we will come to a similar position with regard to creationism and the normative possibilities that follow from it. Clearly, the fact that this issue has not settled down into a clear shared understanding itself goes to show that even the shared understandings that underlie our contested judgements of pertinence are not themselves uncontested. But what this goes to show is not that Dworkin is right, after all, concerning the alleged incoherence of the shared understandings argument. Indeed, if he were right at this deeper level of argument, then we would all be headed in a nihilist direction (himself included). Where there is no shared meaning there is, except for the realist, no moral meaning either, or at least no moral discourse.

The conclusion is, rather, the general but true Walzerian insistence that we must look to the actual phenomenology of a given culture, and to immerse ourselves in it anthropologically –the kind of process that Dworkin dismisses as 'anecdote'. Sometimes we will proceed relatively un-problematically from shared understandings to substantive argument; and sometimes that argument will itself 'problematize' that understanding, thus undermining it. But then this does not mean that we will not settle down into a more stable understanding, from which coherent moral disagreement will start again. There is no necessary incoherence in this idea at all. Obviously, there is a necessary degree of circularity and a good deal of ambiguity. Yet, as we saw in the previous section, this circularity is not itself

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[157] Ibid. p.6.

[158] See Walzer's article, 'On the Role of Symbolism in Political Thought' for a discussion of this. Political Science Quarterly, Vol. 82, No 2 (Jun., 1967). Walzer's discussion here does not in fact insist upon a direct and causal relation between the scientific and the political, but rather in terms of the way in which the analogy from science was no longer available.

an objection in its own right –unless Dworkin can actually show us how moral argument can progress without any such circularity he is simply begging the question in his favour. His refusal to really deal with this issue of circularity, combined with his refusal to deal with the thick complexity of shared meanings, therefore inevitably causes him to bring to the argument a series of a priori assumptions that remain unjustified. Dworkin's 'pertinence' just becomes an a priori prejudice – a philosophical agenda imposed on a particularist context. Why? Because it is Dworkin himself who really takes the idea of 'shared understandings' –properly understood as 'underlying'- for granted. This is, for example, clear in his assumptions that we are all committed to the liberal notion of equality, that justice must be abstract, and that it is through reason that this is all recognized and achieved.[159] All perhaps correct, but assumptions nevertheless. Moreover, as we shall now see, when Dworkin does begin to address the real issues as posed by Walzer, he either very quickly changes the subject, or else his arguments do not actually go in his favour.

Both failings are manifest in the follow up to Dworkin's original review of Spheres of Justice. Let us take an example of the latter first. To be fair, he does make mention of the correct interpretation of 'shared understandings' as the 'underlying' basis of our shared moral meanings, though he quickly asserts that he does not know how to make sense of this 'metaphor',[160] before going on to reiterate that his own model of legal adjudication is not in principle available to Walzer –thereby seeking to distance himself from Walzer's own suggestion that legal interpretation could be taken as the model for social and moral interpretation. Walzer, unlike Dworkin's 'Hercules', can ultimately not call upon an abstract conception of justice to choose the best of a series of conflicting legal interpretations when they each fit a number of rules but are inconsistent with one another. Yet this is not actually decisive. Indeed, the success of that argument against Walzer presupposes that the issue in question (the coherence or incoherence of conflict out of shared meaning) has already been settled in Dworkin's favour; or, more precisely, Dworkin assumes that he need not take Walzer's position seriously –and thus that he has prevailed in this spat- but he actually takes that same position for granted himself in the Hercules argument. The conclusion there is that, without abstract justice to refer to, there is no way of coming down in favour of one rather than another. So Dworkin thus assumes both that moral argument proceeds from disagreement, and that 'justice' is the single and certain answer to that disagreement. But then the very fact that Hercules can make sense of these

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[159] See Dworkin, 'What is Equality? Part 1: Equality of Welfare'. Philosophy and Public Affairs 10, (1981).
[160] Ronald Dworkin New York Review of Books, No. 12 .July 21, 1983. p.45.

conflicts at all, before and not after coming to a conclusion, suggests that at the phenomenological, if not the legal level, Walzer is indeed right that moral argument proceeds from shared understandings. If this were not the case, the protagonists in Dworkin's story would just be shouting past one another. So we can, after all, make sense of the notion that moral and political disagreement arises out of shared understandings. The irony is that we can do so via Dworkin's own substantive position.

In fact, this discussion of Hercules is bundled together with a series of evasions and misrepresentations that allow Dworkin to change the subject. In part this is indeed facilitated by a slightly inadequate response on Walzer's part to the initial objection, thus giving Dworkin and other critics the opportunity to seize upon the part of that defence that is weakest. Distinguishing (rather clumsily) between first and third world cultures, Walzer says of our moral interactions with the latter that there may well be contexts in which 'people disagree because they come out of radically different cultural traditions'.[161] In that case it is true –to the extent that there is indeed radical disagreement of the type that precludes all meaningful communication- that moral and political disagreement cannot proceed from shared understandings. But this does not in any sense mean that Walzer's account is thereby falsified. It may be the case that there can be no communication in the cross-cultural situation, though even that seems pathological rather than the norm. It does not, however, follow from this that the idea of shared understandings as the starting point of moral disagreement is incoherent in the internal case. On the contrary, though in the extreme cross-cultural case the conclusion must be that there was in fact no such understanding in the first place, the very fact of this contrast with the internal case (and with the less extreme cross-cultural case) strengthens rather than weakens the point.[162] Walzer, after all, never set out to make the claim that there was indeed the kind of universal shared understanding that his critics in this regard seem to presuppose; and, so, to say that the lack of this shared understanding is a refutation of the thesis that moral discourse proceeds from the (allegedly absent) shared basis would be to totally miss the point. If there is such a cross cultural lack, all it does is strengthen Walzer's internalism.

Moreover, this is only part of Walzer's response. Immediately prior to this he draws attention to the issue of affirmative action, rightly pointing out that though we have not

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[161] Michael Walzer, New York Review of Books, No. 12 .July 21, 1983.p.44.
[162] For a variety of discussions on just how extreme the lack of shared understanding must be in order for there to be no meaningful discourse at all, see Rationality. Bryan R. Wilson (ed). Blackwell, 1991. See in particular Martin Hollis' 'The Limits of Irrationality'.

(and almost certainly will not) come to a conclusion on this, we are all proceeding via shared understandings. It is useful to reiterate the point here: it is not the conclusion we share, but the means with which we argue about the conclusion. It is also revealing that neither Schapiro nor Dworkin meet this point head on. All that Schapiro offers is a largely irrelevant detour into the failings of the first-third world distinction,[163] whilst Dworkin regrets that Walzer allegedly failed to make this clear in Spheres of Justice, 'for he would then have told us what...could make one interpretation of a moral tradition better than another'.[164] Dworkin therefore moves from the earlier claim that the idea of political conflict starting from shared understandings is conceptually incoherent, to what is in effect a conceptually distinct issue: one concerns the basis and progression of moral argument, the other the actual substantive outcome. In other words, Dworkin has simply changed the subject; moving to the terrain that suits him best in this context i.e. the great difficulty that Walzer seems to have in telling us which tradition to choose. But that was not the issue that he raised in order to ridicule the very basis of social criticism (the notion of 'shared understandings') in the first place. So to respond to Walzer's defence of this with an answer to another question is disingenuous to say the least, and, at the worst, bad argument. Once again (c.f. Barry), the abstractions of philosophical liberalism are presented in such a partial and rhetorical way that any 'right-minded' reader must opt for philosophy rather than social criticism.

Regrettably, it is often difficult not to suspect that there is not something intentional in this way of arguing against Walzer. The way in which Schapiro and Dworkin have changed the subject in their nominal responses to Walzer's defence of the coherence of saying that moral conflict arises out of shared understandings at least suggests a great reluctance to meet the issues head on and on level ground. Perhaps this is because they at least privately recognize that a proper defence of liberal universalism would involve precisely the kind of deep phenomenological and philosophical engagement that they seek to avoid; taking them into, rather than away from, the ontological considerations that (post-Rawls at least) philosophical liberalism eschews as unnecessary. That is precisely why their regular dismissal of these considerations is, in my view, so unpersuasive. As we shall later see,[165] philosophical liberalism itself—for all its denials of the need for metaphysics, a conception

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[163] Ian Schapiro. Political Criticism.pp.75-78.
[164] Ronald Dworkin. New York Review of Books, No. 12 .July 21, 1983.p.44.
[165] Chapter seven.

of self, a comprehensive view of rationality etcetera[166]- still rests upon some very weighty ontological assumptions concerning these very same issues. Engagement rather than dismissal is, therefore, what is really needed in issues that are far from incidental. The immediate point here, however, is that Dworkin is representative of an attitude towards Walzer that systematically misrepresents his thinking. It is, of course, fair to say that Walzer himself is guilty of commissioning a number of 'straw-men' in his arguments. But it is equally true that those who (rightly) make this accusation are just as guilty. We saw this with Barry, and, barring the absurd characterization of spheres as Platonic forms, it is nowhere clearer in Dworkin than in the following assertion from his original review of Spheres of Justice: Walzer's theory is 'finally incoherent' because his 'relativism is faithless to the single most important social practice we have: the practice of worrying about what justice really is'.[167]That, however, and very obviously, is precisely what Spheres is; unless, and here's the great giveaway, 'really' refers to a non-conventional moral 'reality'. Ultimately, if this suspicion proves right, it is Dworkin, not Walzer, who must defend himself against the accusation of Platonism.

Walzer's Theory of Change

3.7 We will return to this kind of issue in Chapter Nine of this thesis. Now I want to press ahead with the defence of Walzer against the charge of internal conservatism. This defence will also lead to a defence of Walzer against the charge of relativism abroad, via his account of Humean minimalism. In both the charges of conservatism and relativism, the objection is that Walzer lacks an 'external' point of view from which to mount any form of radical critique.

Without such a point of view we are stuck within the slow evolution of meanings and hence an inherently conservative ontology. Furthermore, we are also unable to differentiate between different practices and traditions in normative terms –all are equally legitimate and just by their own standards. This, in turn, means that we have no external standard with which to adjudicate between different spheres of justice when they come into conflict with one another. As we shall see, the first of these criticisms is seriously overstated. It also runs

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[166] The clearest instance of this denial is in the later Rawls. See 'Justice as Fairness: Political not Metaphysical' Philosophy and Public Affairs, 14, 3 (1985); Political Liberalism. New York: Columbia University Press, c1993. It is no surprise to find the same view in Brian Barry's Justice as Impartiality. Clarendon Press: Oxford. 1995.

[167]Ronald Dworkin , New York Review of Books, No.6, April 14, 1983.p.6.

the risk of missing the point of the argument: if the implications of the ontology of social criticism are indeed inherently conservative, then so be it. The fact that Walzer himself wants to draw radical conclusions would then really only be another instance of him doing social criticism badly i.e. of reading off normative practices that are not actually part of our shared culture. What we shall now begin to see, however, is that the conservatism charge rests on a fundamental misunderstanding of the phenomenology of social criticism.

The first, crucial, point to note is that the following defence of Walzer is one that has always been there: Walzer's own defence is most explicitly articulated in Interpretation and Social Criticism, but the necessary resources are already present in Spheres of Justice. The critic has never been encouraged to leave the 'cave', but then there are a great many vantage points within the cave from which to mount an extensive critique of specific social and political practices. Which vantage point we are to adopt is, clearly, one of the contentious points at issue; and that is indeed a very real problem when we work strictly within Walzer's stated premises. We will come to this shortly. For the moment the vital lesson for Walzer's critics should be that –regardless of the difficulty of ultimately deciding which vantage point to choose- there is in fact great potential for criticism; a whole host of traditions from which to launch a critique of other traditions, and a great many spheres from which to view society from different angles (though, as we shall see, we need to add more to the critical reliance on the spherical plurality of view points to make it cohere both with the 'autonomy' of spheres and the way in which our identity is embedded plurally in those spheres).[168]

One obvious example of this process of social change would be the way in which the church was slowly but surely disempowered with the growing internal differentiation and emergence of separate spheres within western cultures. Politics becomes separate and thus protected from the church. This, in its train, can bring radical social changes; as without the force of politics and the machinery of the state, religion can no longer be directly coercive. Hence, for example, the emancipation of previously 'deviant' sexual practices. It may well take time for social sanctions and pressure to ease, but the lever of 'separation' is already there. One only has to look at the contemporary Republic of Ireland to the see the potentially enormous social repercussions that flow from the diminishment of the one

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[168] This is an implication of the argument that I shall be making from the ontology of spheres i.e. that they condition our identity and that they this conditioning is plural. As a consequence of this, a coherent Walzerianism must offer an account of how the self is both conditioned by a plurality of spheres, yet able to view them as a totality together without being over determined by the perspective of one sphere.

sphere of religion.[169] Certainly, such processes, may be slow, but they may also be deep and profound; and, in the Irish case, they have at least been greatly hastened by the gross violation of the professed ethical norms of the church. In other words, social criticism has (and it has done so effectively) called the church to account both for the transgression of its internal norms, and (in some cases) for the effective sale of religious office and thus the violation of the religious-market boundary. This, of course, is in essence exactly the same as Walzer's example of medieval simony. A more general example is the way in which we have moved from the early liberal notion of equality before the law to at least the pretence of political equality and the aspiration (of some) towards social equality. Equality before the law really makes limited substantive difference without access to the process by which laws are made, and so this contradiction between ideal and practice leads over time to the radical transformation of society. It is this notion of contradiction that is actually present throughout Walzer's project, though it is made most explicit in Interpretation and Social Criticism. The message there is that critical edge comes from holding our interlocutors to account when they publicly promulgate values and norms that they do not in practice follow.[170]

We will look at this more fully in a moment when we turn to Walzer's account of ideology. What I want to emphasise here is the availability of this account in his earlier work. We see this very clearly in Spheres of Justice. 'The claim to monopolise a dominant good –when worked up for public purposes- constitutes an ideology'.[171]But it is also the subtext –not deeply hidden- in 'Liberalism and the Art of Separation'. One of the stories here (when we pursue its intimations) describes the way in which the state could no longer sustain the pretence that it monopolised the good of saving souls; or, more precisely, it could no longer sustain an ideology that allowed it to convert its political power into de facto ecclesiastical power and authority.[172] Walzer doesn't pursue the argument all the way in this article, but it is easy to see how one might construct the tale in terms of contradiction and hypocrisy i.e. in terms of the rising ideology of contractual and political obligation that protects the rights of the individual whilst only requiring the most minimal obligations in return. Once the

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[169] With the decline of the authority of the church there has also been a whole series of social changes. The most tangible instance of this has been the decriminalisation of homosexuality in 1993.

[170] Michael Walzer, Interpretation and Social Criticism. p. 42.

[171] Michael Walzer, Spheres of Justice.p.12.

[172] Michael Walzer, 'Liberalism and the Art of Separation'. Political Theory., Vol.12, No.3 (Aug.,1984).

state at least begins to play lip-service to this, it becomes inconsistent to claim a legitimate role in the salvation of souls.[173]

It is thus no surprise that we are also given a full description of the liberal's ideology of the individual:

> 'The liberal hero is more important as a sociological pretence than as a philosophical ideal. He or she open the way for sham descriptions of churches, schools, markets, and families, as if institutions of this sort were in fact created, and wholly created, through the voluntary acts of individuals. The sham serves a practical purpose: It rules out state interference in institutional life...'.[174]

The notion of ideology is very clearly writ large here, and with this comes the theory of change. The general point that we need to take from all this is that it is simply false to say that Walzer does not have a theory of change. It is clearly present throughout Walzer's development of complex equality and social criticism. All that it really takes to see this is a thoughtful and vaguely sympathetic reading. There is therefore very little excuse for the early stronger charges of conservatism that are levelled at Walzer; and no excuse whatsoever for the way in which Dworkin describes spheres in the static and immutable terms of Platonic forms. We may be stuck in our own hermeneutic world, but it is one that is (necessarily) changeable. We will see this to some extent in the following section, and in greater depth in Chapters Five and Eight. But now it is time to turn to Walzer's account of ideology.

Ideology and Humean Minimalism

3.8As we have seen in the previous section, the germs of this account of ideology are already present in the early stages of 'social criticism'. But it is made most explicit in Interpretation and Social Criticism. This account is based upon the Marxian-Gramscian notion of 'concessionary meanings': the thesis that the ruling class must always justify its rule in universal terms i.e. they must represent their own particular interests as the interests of those that they rule. 'What makes criticism a permanent possibility, according to this account, is the fact that every ruling class is compelled to present itself as a universal class'.[175] A ruling class can not simply assert their dominance by brute force, not if they

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[173] Surprisingly, Walzer does not draw this out in his fuller discussion in Spheres of Justice (pp.243-248), where he discusses Locke's views on religions toleration, as well as the role of the state, but without mention of Locke's contractualism.

[174] Ibid.p.325.

[175] Michael Walzer, Interpretation and Social Criticism.p.40.

want to maintain their rule with any degree of peace and longevity. So they will justify their own interests as the interests of all -'universal' rather than 'particular'. In doing so the apologists of the ruling class are forced to promulgate standards of legitimacy that the rulers will inevitably fail to live up to. The same standards that justify their rule are in reality incompatible with their particularist interests. But these standards are now public: there is an open reference point for all to point to when the ruling class violates their own stated principles. This is why 'criticism always has a starting point inside the dominant culture'.[176] The 'concessionary' meanings that an ideology gives away hold it hostage to future fortune. By seizing upon these small foot-holds the critic has critical purchase on the ideology as a whole; reinterpreting the whole structure with specific reference to the concessionary meanings that allowed entrance in the first place. In this way 'new ideologies emerge from old ones by means of interpretation and revision'.[177] Hence the paradigm case of the spread of equality through equality of all in the eyes of God, to liberal equality before the law, and on to the conversion of liberal egalitarianism into straightforward socialism.

To this initial account we must also add the Walzerian view of individuals as culture creating beings (again –also always available to Walzer). This means that we are the creators of the social meanings used for normative justification. Add to this the public preconditions and instantiations of language, and we can see the way in which meanings must always evolve. Meanings are thus inherently mutable: they evolve through use and in new contexts. There is a strong and a weak form of this argument. Walzer does not articulate the strong form, relying instead on description, before reaching the important and oft quoted conclusion that there are 'only temporary stopping points' in moral argument.[178]We will make good this lack of real argument later.[179] In doing so we will also be able to make greater sense of a distinction that Walzer draws between 'moral life' and 'moral world':

> 'The critique of existence begins, or can begin, from principles internal to existence itself.
>
> One might say that the moral world is authoritative for us because it provides everything we need to lead a moral life, including the capacity for reflection and criticism'.[180]

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[176] Ibid. p.42.
[177] Ibid. p.43.
[178] Ibid. p.49.
[179] See chapter chapters five and eight.
[180] Michael Walzer, <u>Interpretation and Social Criticism</u> .p. 21.

This rather glib formulation is in fact extremely troublesome for Walzer. For it may be the case that western societies have the plurality of viewpoints and traditions needed for internal critique, but there is no guarantee that other cultures will be normatively differentiated in the requisite sense. Moreover, it is here that we can clearly see the point at which the charges of internal conservatism and external relativism most obviously converge. If Walzer intends the moral world-life claim to be phenomenologically accurate across all cultures (and there is every reason to believe that this is his meaning), then it can only be the case that, when taken in conjunction with the great emphasis on bounded communities, all existence is authoritative and inclusive of the requirements of moral life. That, clearly, means that all societies are moral. 'Morality' thus loses any sense of differentiation, and therefore threatens to become an utterly vacuous term when we follow the implications of Walzer's distinction. For what is evolved simply is moral ipso facto. This problem is by no means unique to Walzer.[181] It besets all those who argue as a matter of phenomenological fact that our morality is somehow evolved, but who also want to pursue overtly normative arguments; and that tension is unavoidable. Nevertheless, this tension can be given serious moral content; and so it is not simply a vacuous position. It is the purpose of this thesis to articulate just such a position, building slowly through the following chapters. In this way I hope to preserve the richness of social criticism whilst giving it real critical edge.

In fact, Walzer's minimalism-maximalism distinction follows hard on the heels of the moral world-life distinction, and, by considerably widening the scope of 'moral world', this does a lot to lessen the sense of external relativism. This schema, which is absent in Spheres of Justice, builds upon the Humean conventionalism that has (correctly) been attributed to the phenomenology of social criticism.[182]This association of Walzer with conventionalism is correct because of the fine fit between 'social criticism' and the evolution of social norms that we find in Hume.[183] Both take morality to be local and particularist, evolving through constant social interactions. So, of course, both Hume and Walzer repudiate the idea of an abstract conception of justice derived through reason (in the manner of Kant, Rawls, Dworkin and Barry). That repudiation is itself part of the

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[181] The most obvious comparison is with Hayek.

[182] See (e.g.) Brian Barry 'Spherical Justice and Global Injustice'. Pluralism, Justice and Equality.76. Barry actually says of Walzer that his position is 'hyper-conventionalism', though the 'hyper' here is really only a way of re-describing that position in such a way that the distinction with 'relativism' effectively collapses. A far friendlier association of Walzer with Humean conventionalism is found in David Miller's Philosophy and Ideology in Hume's Political Thought. Oxford: Clarendon. 1981.

[183] David Hume. A Treatise of Human Nature. Selby-Bigge/P. H. Nidditch (eds.) (Oxford, 1978)

controversy that we are facing here: an 'evolved morality' is 'moral' by definition (as we saw in the potential vacuity of the 'moral world'). But this does not in fact settle the issue in favour of the universalists. For Hume offers an alternative universalism that Walzer now explicitly adopts. Rather than deducing universal moral principles through reason, Walzer's Humean minimalism looks to the facts of our moral experience across cultures. Thus, it becomes clear that there are a number of fundamental moral practices that have 'evolved' in virtually all cultures: prohibitions against theft and murder, for example. The prohibitions that we find reiterated in virtually all societies 'constitute a kind of minimal and universal moral code'.[184] But it is vital to Walzer's account that these local maximalisms precede any shared minimalism, as he wants to make it clear that he is not now repudiating his ethical particularism.[185]Thick culture conditions us and makes us feel 'at home' before we look to the thin meanings that we share with other cultures, and once we discover this thin universalism we still cannot do without our thick particularity. For a start, we must still interpret the 'facts' that we find reiterated in other cultures; and this process of interpretation will then only yield a 'core morality differently elaborated in different cultures'.[186] It is not sufficient for the kind of moral culture we need to feel 'at home'. Hence, '[m]inimalism makes for a certain limited, though important and heartening, solidarity. It doesn't make for a full-blooded universal doctrine'.[187] It doesn't open the door to a fully fledged 'universal critique' in the manner of Kantian liberalism. Instead, living in thick, particularist worlds we are only reminded of the universal content of this morality on 'special occasions'.[188] In these moments we recognise that we share an ethical sense of right and wrong with other cultures; and we can express our fraternity with others by 'marching vicariously' with them –by expressing our appreciation of calls for 'justice' even if we don't know how this is to be fleshed out in another's particular culture.[189] It is

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[184] Interpretation and Social Criticism .p.24.

[185] Ibid.p.25. 'I see no way in which the pluralism [particularism] might be avoided.' And Walzer in fact goes on to 'discuss a contemporary version of moral minimalism that claims to respect the one and the many but does not'[185]. The general target here is procedural minimalism; and more specifically Habermas' ideal speech situation, though it might equally be Rawl's original position. It is not that Walzer finds the substantive content of this minimalism objectionable. His objection is that this procedural minimalism is already thick, albeit with 'an entirely decent liberal or social democratic thickness'. The individuals in these procedural constructions already acknowledge equality, equal respect etcetera: they are 'creatures of history' (cf the fifth proposition of Spheres). In other words, like MacIntyre, Walzer's objection is that these 'minimalisms' are actually maximal; it's that they rule out other maximalisms on the basis of a 'thin' account that's actually thick. Thick and Thin therefore makes explicit a point that is clearly embodied in the third proposition of Spheres.

[186] Ibid. See also pp.23-5. See also Thick and Thin.p.4. 'This dualism is, I think, an internal feature of every morality'.

[187] Ibid.p.11.

[188]Michael Walzer, Thick and Thin.p.4.

[189] Ibid.p.7. The example he uses is that of a protest march, in another country, that we watch from the sidelines.

because we share the same basic reiterated (not 'objective') meanings that we can join in a basic moral discourse with other cultures.

Building from the ground up rather than deducing universal moral conclusions, leaves the Humean route vulnerable to the facts of our moral experience, and thus the possibility that we are not just in the way that Kantian liberals want us to be. Nevertheless, the contingency of a minimal universalism will in principle only yield troubling moral conclusions when we adopt the most stringent demands of a rational universalism (i.e. a totally non-contingent universalism that would remain morally true even if the facts of moral minimalism were not evident to us through anthropological immersion in other cultures).

Clearly, the minimalism of Humean universalism rejects this kind of thinness. Moreover, those universal principles that are reiterated will not be uniform in their application. As they are applied in practice, these fundamental principles will necessarily be diverse in their results. Murder, for instance, always becomes legitimised at certain points in every culture. But the point at which execution or killing during war is 'murderous' will clearly vary from culture to culture. Minimalism is thus likely to seem deeply imperfect to the Kantian liberal, for whom the issue of just homicide is one that can and should be given definitive cross-cultural content. This clearly reopens the issue of interpretation, and thus begs the question that the turn to minimalism was designed to answer: how do we critically engage with the moral practices of other cultures? Only now we have moved forward and not, as one might think, in a circle. For there certainly is now a common reference point from which to launch a moral critique -the agreement that there is a least a distinction between murder and execution. The debate will then be about where to draw that line. What the minimalist argument therefore achieves is the inclusion of external cultures in a globally internal dialogue. It does not settle the issue in an a priori way, but then nor is it the case that social criticism thus conceived is a guarantee of relativism and quietism when it comes to global justice. And so, the issues that are raised by the charge of relativism again bring us back to the issues of internal conservatism, of how we are to decide upon the validity or superiority of one tradition or interpretation over another, and so on. Nor should we forget that, contra Barry et al, the fierceness of these cross-cultural contestations does not mean that there is no shared understanding (3.6). It is just that those understandings will be more general, forcing us to start our dialogue at a more basic level, taking less for granted and

progressing more slowly; and, perhaps, thereby coming to more profound agreement over the course of time.[190]

Summary and Conclusion

3.9 This last section has raised some complex issues that will later become central to the argument of this thesis. What is especially important is the lack of a deeper explanation of why these reiterated norms and values occur. This explanation, building upon a Humean naturalism, will come later (Chapter Eight). The central message of this chapter, however, is that a great deal of the undeniable hostility to Walzer's argument has been based upon a failure to understand his view of language and meaning; and hence a failure to properly understand the ontology of 'spheres'. Nevertheless, in the following chapter we will see that there is still a serious normative lacunae in the idea of spheres specifically and in complex equality and social criticism generally.

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[190] Joseph Carens describes this possibility nicely with his notion of four concentric circles. See 'Complex Justice, Cultural Difference, and Political Community' in Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995.

CHAPTER FOUR

The Normative Lacuna of Complex Equality and Social Criticism

Structure of the Chapter

4.1 Whereas the last chapter was largely defensive of Walzer, in this chapter we now turn on the offensive. The main contention is that Walzer does indeed need, and have, an illegitimate extra premise in his argument; and that this is necessary in order to fill the normative lacuna at the heart of his project.

This chapter therefore turns to those critics of Walzer that are sympathetic with his general aims, but are concerned with the way in which he brings his own normative inclinations to bear upon the way in which we are to interpret individual spheres and the overall relation of spheres to one another (i.e. the overall distributive structure of society). My argument here is that many of Walzer's sympathetic critics are right in principle when they draw attention to this failing, but that they nevertheless fail to get to the root of the normative lacuna.

Following this argument, this chapter goes deeper into the structure of Walzer's argument. What we will find is a second normative lacuna. The specific argument here is that he elides the distinction between the phenomenological claim that meanings and values are necessarily plural, and the normative claim that the political and social structure of a given society should be plural. Whilst there is plenty of argument for the former, there is no consistent argument for the latter; only a spurious legitimacy by association with the argument for a phenomenological pluralism. At most, all we are given are snap-shots of Walzer's own vision of what such a society should look like.[191]

Towards the end of the chapter we will begin to see the character of the extra premise that Walzer tacitly commissions. To anticipate the argument a little: that premise is a conception of self that allows Walzer to both adjudicate between spheres and to make the move from phenomenological to normative pluralism. But, as we shall see in Chapters Six and Seven, this move creates a serious tension within the overall structure of Walzer's argument. In these two chapters we will see that Walzer helps himself to a vitally important notion of moral agency, but one that clashes with his own broadly 'communitarian' commitments.

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[191] See, for instance, the closing vision of Spheres.p.318.

Justice Across the Spheres: Critical Responses to the Normative Autonomy of Spheres

4.2 The critiques that we are concerned with here are of a different order to those that we dealt with in the last chapter. Those critical responses sought to dismiss the idea of autonomy and the meaning-based distributive logic of goods as philosophically incoherent. The last two of the four critics I deal with here also reject the autonomy of spheres and the meaning-distribution relation. Nevertheless, that rejection is tempered by considerable respect for at least the spirit of Walzer's phenomenology; and at times these critics are really arguing for the same conclusions as Walzer, and from premises that are in fact far closer to Walzer's than they suppose. None of the four critics, however, properly articulate the (tacit) normative value that drives the theory of complex equality.

Some, certainly, come close in so far as they lead us towards an account of the self that has wider ethical implications that go beyond the specific concerns of distributive justice. Russell Keat offers just such an account,[192] and one that is rare for its open commitment to the ideal of spherical autonomy. Indeed, he even wants to criticise Walzer on the basis of his analogy between the sphere of recognition and the processes of the market, in which we compete for the goods of recognition by (e.g.) trading our respect for others on condition that this is returned.[193] For that analogy threatens to corrupt the language of the sphere of recognition and thus to violate its boundaries. Instead, Keat wants to defend the good of 'recognition' from the influence of the market, and, more particularly, the 'colonisation' of recognition by the meanings of the market (in essence, subjective preference and opinion). What is important here is, firstly, the sense in which 'recognition' must implicitly rest upon an account of the self (its basic psychological needs, the dependence of identity on social interaction, the alienation that comes with social exclusion, and so on);[194] and secondly, the way in which this is attributed to Walzer as a 'universal human need'.[195]

Keat's argument is unusual in the extent to which he is prepared to defend the notion of autonomy, and it is interesting to note that even such a sympathetic critic sees the way in

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[192] Russell Keat. 'Debate: Colonisation by the Market: Walzer on Recognition' in The Journal of Political Philosophy. Vol.5, No.1, 1997
[193] Michael Walzer, Spheres of Justice: a defence of pluralism and equality. Oxford: Blackwell, 1985.p.253.
[194] The obvious influence here is Hegel's account of recognition. That, however, also owes something to the distinction that Rousseau draws between 'seeming' and 'being' in the Discourse on The Origins of Inequality.
[195] Russell Keat. 'Debate: Colonisation by the Market: Walzer on Recognition'. p.97.

which Walzer is guilty of violating his own anti-universalism. Nevertheless, Keat is perhaps too keen to defend the autonomy of spheres, and thus does not really draw out the sense in which there must indeed be a cross-spherical value if Walzer's theory is to have normative purchase as well as phenomenological richness. There are, clearly, intimations of this in Keat: if recognition is a universal value for Walzer it should never be squeezed out by the demands of other spheres, no matter how these spheres are understood in particular societies. But this intimation is all that we get. Moreover, a properly reconstructed Walzerianism needs to specifically address both the need for a cross-spherical value, and the location of this value in the kind of conception of self that Keat hints at but does not articulate in his account of recognition.

The first of these failings, the lack of a cross-spherical component in a reconstructed Walzerianism, can not be attributed to David Miller. As we saw in Chapter Three, Miller has a slightly more sceptical but still sympathetic response to the notion of autonomy.[196] He defends the idea of spheres, but does so more indirectly than Keat, defending the idea of spheres against the literalist interpretations of Barry et al –rather than seeking to shore up the 'boundaries' (as Keat does) via a further account of meaning. For Miller, the notion of autonomous spheres is to be treated more as a metaphor, rather than as a thesis about the strict entailment from the meaning of a good to its distribution. The meanings of social goods 'trigger' ethical responses within a range the scope of which is delimited by the sphere, but not determined by it.[197] Even so, even on this softer interpretation of spheres, Miller correctly sees the need for a cross-spherical value. He finds it, of course, in Walzer's equality of citizenship: 'citizenship for Walzer is more than a merely formal status; to be a citizen one has to have a conception of oneself as able to take part in the direction of society, and that is not possible unless one enjoys in civil society a position that supports such a conception'.[198]

Walzer does not seek to convert this into an Aristotelian call for the actual rotation of office amongst all citizens. Instead the normative desire is that those ruled in one sphere will be the rulers in another. Plurality and complexity thus make for a sense of equality and justice, and the criterion of equal citizenship serves as a guiding principle with which to judge substantive patterns of distribution, as either tending towards or away from the ideal. Miller

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[196] Chapter three, section 3.
[197] David Miller, 'Introduction' in Pluralism, Justice and Equality. David Miller and Michael Walzer (eds). Oxford University Press. 1995. p. 6.
[198] Ibid. p. 12

takes all this further to develop his account of equality of status. This seeks to explicate the sense that equality has for us as a free-standing value and tells us that 'distributive pluralism plus equal citizenship leads to equality of status'.[199] Equality thus explicated translates into a form of society in which specific differences in (e.g.,) income,

> 'do not crystallise into judgements of overall personal worth, and in which barriers of class do not stand in the way of mutual understanding and sympathy. This....is the meaning that equality has for us when it is a free-standing value, not merely a corollary of a notion of distributive justice which in particular circumstances has egalitarian implications'.[200]

In political terms, on this view, 'the status of individuals depends only on their common position as members of a particular society. Provided they are defined as equals by the public institutions of their society, this status must be an equal one'.[201] In short: 'The argument holds that distributive pluralism plus equal citizenship leads to equality of status'.[202] All this is in contrast to a ranked and hierarchical society 'in which there is a consensus about where people stand in a more or less sharply defined system of classes'.[203] The egalitarian society 'aspires to be a society in which people deal with one another simply as individuals, taking account only of personal capacities, needs, achievements, etc; without the blocking effects of status differences. There is therefore no one social group in which one's membership confers special privileges of status regardless of individual merit and achievement.[204]

There is much to commend in this account, and Miller does a good job of retaining the spirit of complex equality. From the start he emphasises that he is not concerned with the distribution of a 'thing', or resources. Rather, equality of status is to be understood via 'social understandings'.[205] Moreover, we are also given a convincing account of the practical application of the theory of complex equality to the substantive issues of distributive justice;[206] not as a straightforward move from specific meanings to specific policies, but more as a means of weighing the distributive importance we give (or should give) to the various policy spheres in society –perhaps allocating more central funds to education, for example.

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[199] Ibid.p.208.
[200] Ibid.p.208.
[201] Ibid.p.207.
[202] Ibid.p.208.
[203] Ibid.p.207.
[204] Ibid. p.210.
[205] Ibid. p.200.
[206] Ibid. pp.223-225.

Nevertheless, it also the case that Miller must work very hard to get egalitarian conclusions out of his Walzerian premises. As Miller himself recognises,[207] there is cause for considerable scepticism when it comes to the assertion (or hope) that American society –or indeed any western liberal democratic society- does in fact embody the shared meaning of 'egalitarianism' in the requisite sense. At the very least it has to compete with strong notions of merit and desert, and hence the possibility that 'complex inequality' best fits the pattern of our shared understandings. This will of course have serious normative implications, and it will be my purpose in Chapter Nine to argue that my reconstructed Walzerianism can not go anything like as far in the egalitarian direction that Walzer himself wants to take us in. In contrast to Walzer, this position is indeed comparatively conservative; but then the comparison is with a normative radical who insists upon pushing his premises far further than they can legitimately go. This, I shall argue, is not an indictment of the method per se, but is instead an argument for a different vision of politics.[208] I anticipate the argument here because despite being more conservative than both Walzer's and Miller's vision, it does make good a serious normative deficiency: it grounds its own normativity in a commitment to the dignity and rationality of the individual that is significantly deeper than an appeal to the conventions of 'our' society. Moreover, if we can establish this we can greatly strengthen a more limited view of equality that Miller rightly also appeals to in order to defend the political relevance of complex equality. For Miller maintains that complex equality as he interprets it shores up the normative cum political value of equal citizenship, and that this is a live issue in a climate where there is a great deal of economic migration (hence the controversy of 'guest workers').[209]But, of course, there is no real justification for this conception of citizenship outside 'our' own norms, values and practices. My theory aims to do just that.

My real objection to Miller here, therefore, is that his account of equality of status does fail to get to the deeper level that we need to reach if the membership centred normative notion of citizenship is not to be just another a priori imposition. That notion does indeed do a great deal of work in Walzer's theory, but it still lies wholly on the normative side of the phenomenological-normative divide: it is brought to the autonomy of spheres as cross-

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[207] David Miller, 'Introduction' and 'Complex Equality' in Pluralism, Justice and Equality. David Miller and Michael Walzer (eds). Oxford University Press. 1995. p. 15, 205.
[208] To make the point very crudely and briefly, Walzer should be committed to a far more conservative vision of society and concept of desert.
[209] David Miller, 'Complex Equality'. p. 223.

spherical value and does much to make sense of the problem of adjudication between both spheres and competing interpretations, but it does not satisfactorily tell us why equality of citizenship (and Miller's equality of status) should be a normative value in the first place. Of course, one could read it off from the culture of those societies that are committed to the value. But then we arrive straight back at the familiar problems of interpretation (do we in fact hold that value?) and the inability to order the spheres if this value is too contested (or in the absence of some other cross-spherical candidate). More obviously still, though this is not strictly speaking an objection to Walzer's method when treated in purely phenomenological terms, there is still nothing we can say to recommend 'citizenship' to those cultures that do not embody that value, even if 'we' do. The only way we could do so would be to just assert citizenship and the value of membership as a universal value, and that is clearly illegitimate for a consistent Walzerianism –though clearly this does not stop Walzer from doing precisely that.

Van der Veen and Social Citizenship: A False Start

4.3 We will now turn to two last instances of a sympathetic critique that insists upon the need for serious supplementation if complex equality is to be a viable normative theory. Both critiques are in fact considerably more critical of Walzer's methods than the previous two, though they also both come to strong egalitarian conclusions. Both also claim to be faithful to the spirit of Walzer's phenomenology.

The first of these critiques is Robert van der Veen's.[210] Van der Veen argues that there is no way in which we can take the thesis of the local autonomy of spheres seriously and still answer the crucial questions of a properly normative theory of justice (i.e. of where to draw the 'boundaries' and of which interpretation to favour, and so on). The obvious move then is to say that we need an extra (normative) premise to resolve these issues. Van der Veen thus immediately steps up to say that 'Walzer himself often proceeds in flagrant violation of the restrictions imposed by local autonomy'.[211] Once again the candidate for this violation is the value of membership: Walzer is committed to a conception of citizenship that tacitly underpins his normative egalitarianism. The real objection that we are given to this, however, is not really that of premise violation, but of insufficient normativity. Van der Veen is happy to maintain that Walzer's sphere of membership can act as a cross-

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[210] Robert J. van der Veen, 'The Adjudicating Citizen: On Equal Membership in Walzer's Theory of Justice' in the <u>British Journal of Political Science</u>, Vol. 29, No.2 (Apr., 1999).
[211] Ibid.p.229.

spherical value when it is no longer treated as locally 'autonomous'. But then he argues that it still needs to be heavily supplemented if it is to be 'normative' rather than just 'political'.[212] In the latter sense, citizens do indeed come together to regulate the distributive patterns of their society and to weigh the balance of spheres and their relation to one another, and to that extent membership-'citizenship' is in fact a regulative principle. But, for all that, it is still not a normative principle, for the outcomes of this regulation may well fit neither Walzer's nor any other standard of justice. Political regulation, after all, may just be based on horse-trading and the power politics of elites.

This will not take us to Walzer's desired outcome, according to Van der Veen, for two reasons. The first is because his account of the relation between understanding and distribution does not work in the empirical sense. According to Van der Veen, there just aren't the requisite shared understandings that we need to get to Walzer's ideal of distribution via the notion of 'socially recognised needs'; and so we can't get from the meaning of 'need' to a normatively just distribution of medical care.[213] Van der Veen himself, as we shall see, wants to endorse this normative claim that there is an entitlement to medical care as a socially recognised need. But then he also makes the point that such social needs can not be 'just' for Walzer (if he is to be consistent) if they are not already part of 'our' shared understanding, precisely because justice for Walzer is shared understandings. Van der Veen goes to considerable lengths to establish this point: whilst there may be shared understandings at the most basic level of physical need, this understanding is markedly absent once we decide to treat medical care as a socially recognised need.[214] This does not mean that citizenship does no work at all on this interpretation of Walzer. As we have seen, it does allow us to come together, on at least a formal footing, to weigh the relation of spheres to one another and to consider the overall pattern of distribution. But it is a political rather than a social conception of citizenship, and one that does not yield the kind of egalitarianism that both Walzer and Van der Veen want i.e. social citizenship based upon equality and self-respect. In short,

> 'if the citizens disagree on the distributive components of the social meanings of
> goods, then their joint authority to settle boundary disputes, under the principle of

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[212] Ibid. p.240.

[213] Ibid.p.239.

[214] See in particular Van der Veen's discussion of Walzer's attempt to ground medical care as a 'socially recognised need' through the 'causal' argument that when medical programmes (research, for example) have been publicly funded then a legitimate expectation of equal distribution is created. This, Van der Veen rightly argues, just pushes the issue back a stage i.e. to the way in which that decision itself –the initial investment decision- was made. Ibid. pp. 237-239.

equal citizenship, will simply result in politically determined, but normatively indeterminate, boundaries between the spheres of justice'.[215]

We have just seen that Van der Veen makes the familiar point that Walzer's account is not actually faithful to the shared understandings of his own culture. But his objection to Walzer on this score is not just empirical. Like Barry and Dworkin, Van der Veen also goes deeper and wants to reject the thesis that the meaning of a good determines its just distribution. The tacit assumption here, of course, is that a proper normative account should give a determinate answer to the question of just distributions (note the complaint that Walzer's citizenship will 'simply' result in only politically determined outcomes).And as neither Van der Veen nor the earlier advocates of the literalist interpretation of the meaning-determination relation are nihilists, the further tacit assumption is that there is in fact an abstract principle that can in principle do the normative work that Walzer's own premises fail to achieve. The second objection that Van der Veen levels, then, is that 'criteria of distributive justice are at work antecedently to the partitioning of goods into spheres'.[216] But this is not just the assertion that such principles are at work in Walzer's inconsistent application of his own theory. The wider (and deeper) point is that this must be the process by which any properly normative theory proceeds, and that the attempted derivation of justice from the meaning of a good is a conceptual mistake.

Van der Veen's version of this argument is in fact a good deal more sophisticated than Barry's. Ultimately, however, the mistake is the same; and that mistake is to interpret 'understandings' in the determinate terms of conclusions rather then a legitimate range of premises, and to then conclude from the implausibility of this that the only alternative is abstraction. To be fair to Van der Veen, he does give a great deal more credit to the idea of shared meanings than Barry does; Barry simply says in passing that of course we must attend to these meanings, before moving straight into his own (abstract) style of theorising. Van der Veen, in contrast, brings the idea of shared meanings right into his own substantive debate:

> 'the social meaning of goods may be formed not only by current ideas of what the goods are for, but also by ideas of how their differential possession affects the well-being and agency of people, and how this bears on the justice of their interactions. In this second case, criteria of distributive justice are at work antecedently to the partitioning of goods into spheres'.[217]

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[215]Ibid.p. 240.

[216] Ibid. p. 227.

[217] Ibid. p. 227 my emphasis

Social meanings are thus given a reasonable amount of room in Van der Veen's account. It is just that he insists that their normative relevance can only take us so far in a theory of justice. Again, however, it is crucial that there is a conception of self doing the normative work in Van der Veen's account (just as in the previous two theorists). That conception is not explored by him, but there is the vital assumption that a just society respects a certain notion of human dignity –the 'well-being and agency of people' properly conceived. It is this that regulates the interaction of spheres. That much I agree with. It is, I have stressed throughout, indispensable for Walzer to commission an extra premise if the idea of spheres is to have any real normative import; and that idea is a conception of self. But, equally, it is mistake to hive off that <u>regulative</u> concept from the meaning-determination thesis per se. Certainly it is cross-spherical, as it must be if it to be of any normative use. Yet it too can be described as a social meaning, even if a contested one. So it cannot be autonomous, but then strict autonomy only follows from the literalist interpretation that we have rejected. We can see, once more, why that is to be rejected here. For the literalist interpretation assumes both that the circularity inherent in Walzer's argument is an error, and that we can replace that circularity with an external conception of justice that orders social meanings and goods (to the extent that these theorists accept that goods are social meanings at all) in a non-circular way. The ideal then, once we have a non-circular meaning, is that we proceed from conflict and contestation to a shared understanding (thus fully reversing the order of Walzer's argument).

I have argued in the previous chapter that this is wrong on both counts -that the literalist interpretation distorts the real implications of the argument, and that the literalists themselves fail to provide a non-question-begging alternative to the circularity that they find conceptually incoherent in the meaning-distribution relation. Moreover, the fact that the very notion of 'shared meanings' is one that must stand side by side with the undeniable fact of serious conflict and contestation over the meanings does not in itself tell against the thesis: it is the shared ontological assumptions, not the determinate normative conclusions, that the thesis relies upon. I stress this here because a correct interpretation (and acceptance) of the meaning-distribution relation is essential to a proper understanding of this ontology and its normative implications. Van der Veen's positive account, however, promises to describe an egalitarianism that in fact entirely <u>rejects</u> the meaning-determination relation, with all its implications, whilst remaining faithful to Walzer's project: 'Respecting Walzer's perspective …does not force one to accept the untenable idea

that meanings determine modes of distribution, independently of debates on justice'.[218] Once we acknowledge this, according to van der Veen, we are free to place Walzer alongside Dworkin et al on the 'egalitarian plateau'.[219] He then goes on to describe a procedural process in which we all happily come together to political negotiation and debate, regulated by the assumption of social and not just political equality:

> 'if it is assumed that the decisions of citizens are motivated predominantly by a sense of justice orientated buy a desire to treat one another as equals in fact, then citizenship has a substantive role to play'.[220]

The outcome that Van der Veen expects this to yield is one that distributes on the basis of 'socially recognised' needs. There is little doubt that Walzer would indeed approve of this, but it is a very large assumption that he has no right to on the basis of his own premises. For this excludes, a priori, a whole range of possible social outcomes; and a whole host of cultures that have a far thinner notion of need, as well as a thick belief in desert, conceived of in such a way that 'we' aren't entitled to anything more than the most minimal welfare – or, for that matter, political- rights. Again, the question is summed up by: why not 'complex inequality'?

Van der Veen is, therefore, not really faithful to the spirit of Walzerianism: it is Walzer's unjustified normative egalitarianism that really inspires his argument. That normativity, as we have seen, is a priori and not faithful to the phenomenological terms of complex equality and social criticism. In Van der Veen's version of it, there is only the weakest attempt to justify the assumption that we are in fact motivated by the ideal of a 'society of equals'; or, indeed, that we should be.[221] Once more, my argument will be that whatever cross-spherical and cross-cultural impact that this idea has will be based on a naturalist conception of self that is fully compatible with the notion of shared meanings. Crucially, however, the normative conclusions that I draw will fall considerably short of both Walzer's and Van der Veen's.

Moreover, Van der Veen's conception of self as equal in respect of dignity (etc) just descends upon the argument dues ex machina. Why would that regulative conception not itself be contested? Van der Veen makes much of such conflicts about shared meanings, but

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[218] Robert J. van der Veen, 'The Adjudicating Citizen: On Equal Membership in Walzer's Theory of Justice'. In the British Journal of Political Science, Vol. 29, No.2 (Apr., 1999). P.229.
[219] Ibid.p.233.
[220] Ibid. p. 242.
[221] Ibid. pp. 245-246.

is silent on this vitally important issue. Indeed, once we get to his procedural discourse politics of debate and negotiation, how is he to account for the outcomes of normative negotiation? Van der Veen's alternative to the distribution of goods via shared meanings is distribution via negotiation. But that simply begs the question of how this negotiation works. How do we actually decide upon the criteria of justice that are at work antecedently to distribution? The regulative justice of social equality is surely one of the points that is up for debate. In other words, we are straight back at the point at issue –the meaning of justice 'for us'. Certainly we can and should agree that this particular social meaning is cross-spherical and regulative. But to just replace Walzer's account with a kind of Habermasian proceduralism and discourse ethics is no better than Walzer's own a priori insertion.[222] That is just another case of an a priori idea serving the double purpose of normative premise and normative conclusion, but without an acknowledgement of the circularity.

This, finally, is symptomatic of a deep, structural equivocation at the heart of both Van der Veen's critique and his own positive account. We can see this most clearly in the way in which he wants to embrace Walzer's subtlety and nuance when it comes to the nature of moral and political debate, [223]only to then insist upon the need for normatively determinate and certain outcomes (albeit based upon a generalised procedualism rather than on substantive distributions).[224] Ultimately, this structural flaw is the result of a an attempt to reconstruct Walzer's theory that is, in effect, not a reconstruction of that theory at all; but, rather, an abandonment of it in the pursuit of Walzer's unjustified preference for a very thick egalitarianism. It is to plumb for his normativity rather than his phenomenology. This means that it cannot be properly conceived as Walzerian at all. Indeed, Van der Veen's account is far closer to 'political philosophy' than it is to social criticism.

Guttmann's Mysterious A Priorism: A Second False Start

4.4 Let us now turn to Amy Guttmann.[225] Strictly speaking, her argument is actually, ostensibly at least, critical of Walzer's method in a way that allies her with the critiques of the last chapter. Guttmann is all for 'complexity' but, like Brian Barry, opposed to the idea that the meaning of a good determines its distribution.[226] Guttmann, however, is not in the

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[222] Ibid. pp. 349-351.
[223] Ibid.p.232.
[224] Ibid.p.249.
[225] Amy Gutmann, 'Justice Across the Spheres' in Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995.
[226] Ibid.p100, 117.

Barry camp. For a start, her rejection of the meaning-distribution relation is not nearly as brutal as Barry's. Guttmann recognises it as a 'partial' truth –'the importance of attending to the values that social goods express or serve in people's lives when we develop distributive principles'. This is then complicated by the assertion that this partial truth is neither necessary or sufficient as a standard of social justice;[227] and so, on the face of it, it thus seems that Guttmann is indeed radically opposed to Walzer's phenomenology. But in fact her critique of Walzer is flawed in a way that reveals a deep, underlying sympathy for the more general project of a Walzerian social criticism. We can see this flaw immediately in the denial of the necessity or sufficiency of 'sphere-specificity'. For to the extent that Gutmann truly maintains that this is not 'necessary', we can only treat it as a straight forward contradiction of her prior recognition of its 'importance'; unless, that is, she is reading the notion of spheres in the literalist manner of Dworkin and Barry, and thus (falsely) attributing to Walzer the thesis that the meaning of a sphere logically entails a certain distribution.[228] It would then be a case of Gutmann conceding that the values of a given culture have some bearing on how the dictates of justice are to be received, and that respecting culture is itself a consideration of justice, but that it is justice that takes priority over the importance of culture and shared meanings.

That is the only reading that can make Gutmann's assertion coherent, though incorrect as a reading of Walzer. Nevertheless, the position that she finally arrives it is in many ways faithful to the spirit of the Walzerian project. This is because for all the talk of rejecting 'sphere-specificity', Gutmann still cleaves to 'complexity'; and in way that undermines her own assertion that the two concepts are distinct. For the complexity that Gutmann maintains is one that agrees with the intuitive sense in Walzer that we must bring different standards of justice to bear upon different substantive issues; each issue potentially requiring the application of a different combination of the plurality of principles that make up a 'complex' view of justice.[229] Once we relax the literalist reading of spheres,[230] however, the distinction between complexity and sphere-specificity becomes less hard, and more nuanced. Indeed, we can make no sense of the idea of complexity without some notion of specificity. To deny the latter is to deny the former. For there must be some limit to the scope of principles if they are to make any sense to us as 'complex'. In other words, Gutmann accepts the notion of complexity in the sense that there will be different principles

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[227] Ibid.p.103.
[228] See chapter three, section 2.
[229] Ibid.p.101.
[230] By this I do not mean that we should treat it just as a metaphor. See chapter three, section 3.

of justice and morality, but then if these principles are not in some sense demarcated from one another, then they will not be different principles at all; and thus we lose the notion of complexity all together. 'Specificity' is, however, a misleading characterisation of the argument. Its implications are too literal, suggesting once more that the idea of spheres and the meaning-distribution relation must yield a determinate (and highly 'specific') distribution; and one that is internal to only that sphere. It is this latter aspect of Walzer's theory that is the problem, not the specificity as such. Indeed, as we saw in section 3.6, there is no need to attribute to Walzer specific, determinate outcomes. His account of ideology –fairly latent in Spheres of Justice but explicit in Interpretation and Social Criticism- makes it clear that the meanings within spheres are mutable; in so far as there are specific outcomes, they are only 'temporary stopping points'. There is no need to rehearse these arguments here. All we should note is that, to the extent that Gutmann's interpretation is based upon Barry's literalism, it is wrong, and to the extent that she too embraces complexity, Gutmann must face many of the same issues as Walzer: the same problems of interpretation of meanings, the same boundary issues (or else complexity becomes homogeneity), and the same inability to condemn the practices of other societies –or at least she does not present any non question-begging suggestion in her critique of Walzer (which itself proceeds, rightly, from the same internalist perspective as his own).[231]

Nevertheless, Gutmann does in fact face up to these issues, even though she does not resolve them satisfactorily. She faces up to the issues by rightly insisting that we do need some form of regulative principle if the idea of 'spheres' is to have any normative purchase. In a complex society it is clearly the case that not only will there be conflicts about the meaning of a particular sphere, but also about which sphere to give precedence to when they clash. Gutmann's example revolves around the meanings of 'jobs', 'needs', and 'fairness'. In particular, she argues that the meaning of jobs in America is not based on merit alone (Walzer's 'career open to talents') but also on need, and not just on material need, but also in terms of respect and social standing.[232] To this she also adds a third meaning to the sphere of employment: the distribution of jobs as a corrective to past racial injustices.[233] 'Our social context produces three different meanings of jobs. Which in turn trigger three conflicting distributive standards'.[234] It is not that Gutmann wants to plumb directly for affirmative action on the basis of this, but that the issue cannot be settled on the

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[231] Gutmann proceeds from our meanings about 'jobs' etc. (p.106), but emphasises the way in which competing meanings clash in a way that requires moral interpretation.
[232] Ibid.p.104.
[233] ibid.p.104.
[234] Ibid.p.106.

basis of shared meanings alone, as it is precisely this meaning that is being contested. We must therefore bring cross-spherical considerations to bear on the issue. If we accept, as Gutmann urges us to, that there is a genuine conflict of meaning in the sphere of employment, then we must appeal to considerations that transcend all three competing meanings. 'What complex equality characterises as competing social meanings now looks like a moral disagreement, and the moral disagreement enlists considerations that are not specific to the sphere of employment'.[235]

The specific details of Gutmann's argument are actually rather suspect: that we may need a job for social status in fact only tells us that part of the meaning and acquisition of 'social status' is gainful employment; the reverse does not hold (i.e. that the meaning of 'job' in America necessarily involves social status) . The first meaning may well require what the second meaning does not; that employment is necessary to the meaning of social status, whereas social status is not necessary to the meaning of job.[236] But the deeper point is right. We see this far more clearly in Gutmann's discussion of inter-spherical criteria in a society that is basically just, in so far as there are no obvious systemic injustices such as the legacy of slavery and racism. Here Gutmann asserts that there are values and meanings that cross spheres even in a just society. Both individual responsibility and equal citizenship are crucial here.[237] Responsibility is a value that we find in many spheres –but which is not derived from any single sphere- and which has important implications for (e.g.) the distribution of medical-care, over and above the 'meaning' that Walzer gives the distributive criterion of medical-care as 'need'. We can and do consider the actions of individuals as morally relevant when it comes to distribution.[238] Hence distribution does not flow straightforwardly from the need. Moreover, Walzer himself also commissions a value that crosses and orders spheres. He 'relies upon equal citizenship in discussing the distribution of medical care, giving us yet another reason to think that complex equality

[235] Ibid.p.110.
[236] There is actually a serious element of back-tracking in Gutmann's argument. She concedes that in an ideal society (i.e. without past discrimination and with full employ) the career open to talents would be the right meaning. Actually the meaning isn't competing with other meanings about jobs, it's competing either with other spheres or meanings about different goods i.e. need and respect. It is not the meaning that has changed, but the weight that we give it relative to the meaning of other spheres.
[237]Ibid. p.100.
[238] There has been a recent controversy in the U.K concerning the refusal to offer surgery to obese patients until they lose weight. The decision has to do with the kind of moral consideration that Gutmann discusses in terms of 'individual responsibility' (ibid. pp. 111-114): the decision was not, that is, based solely on clinical considerations.

should be revised to make room for inter-spherical standards'.[239] The dignity of equal membership, it seems, weighs just as heavily in the balance as need.

The point we need to take from this is that Walzer does indeed have a 'master principle' which he uses to supplement spheres when their meanings transpire to be normatively counter-intuitive, and with which to adjudicate cross-spherical clashes (though, as Gutmann points out, Walzer treats 'membership' as belonging to a sphere of its own). But this should not be taken as simply a charge of inconsistency and failure on Walzer's part to follow his own method, though it is indeed these too. More importantly, Gutmann correctly argues that it is quite right for an account of complexity to rely upon a deeper, cross-spherical value. Candidates include all the usual values that are embedded in 'our' culture: the freedom and equality of persons, as well as the ideal of autonomy.[240] This last ideal functions as an abstract, regulative principle that 'may aid us in judging whether the plurality of distributive principles is consistent with a coherent understanding of human well-being'. But it is not, crucially, a 'master-principle' that imposes uniformity on complexity and so it does not become 'tyrannical'.

There are, again, doubtful elements in Gutmann's argument. Social equality, for instance, is an abstract principle that could very easily be converted into tyrannical dominance. Yet it is true that Walzer needs, and has, a cross-spherical principle. Gutmann, however, thinks that this tells against the project of complex equality as a whole. She asserts that:

> 'Fairness, individual responsibility, equal citizenship, and the dignity of persons do not constitute the social meaning of specific goods. They are not adequately conceived of as contingent cultural facts, which we just happen to hold and can readily change at our collective will. They are not master principles, which claim to dominate all sphere-specific distributions. They therefore do not seem to fit comfortably anywhere in the theoretical framework of complex equality'.[241]

This is where Gutmann is really off the mark. She dismisses complex equality without any real consideration of how we could reconstruct it without Walzer's errors and inconsistencies. We have seen already that Gutmann tends too far in favour of the literalist reading of spheres, and though it is certainly inconsistent for Walzer to posit a cross-spherical ideal, this does not necessarily mean that this move is not available to a reconstructed Walzerianism. It is simplistic to say that equal citizenship, dignity and so on,

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[239] Gutmann. p.100.
[240] Ibid.102.
[241] Ibid.p.119.

'are not adequately conceived of as contingent cultural facts'. For they are, undoubtedly, historical facts about our culture; and they certainly have not always been facts about the culture that evolved into 'ours', and neither are they respected in many other cultures. Nor is there any suggestion –either in Walzer or in the possibility of a reconstructed Walzerianism- that we 'just happen to hold' these values, or that we can change them at our collective will. Normative evolution is a great deal more complex than that, and the embeddedness of social criticism is entirely contrary to this notion of change.

Moreover, in rejecting an historicist explanation of the evolution of these values, Gutmann is seemingly content to shroud their provenance in mystery. If the values of fairness, dignity, equality, and responsibility are not 'adequately conceived' as 'contingent cultural facts', then how are they to be conceived? Gutmann gives no more than a hint of an answer, simply saying that these values constitute 'moral considerations that apply across a range of societies'.[242] But not only does this wrongly deny the historical provenance of these values, it is also suggestive of the kind of Kantian universalism that seriously undermines the richness of 'complexity'. For 'moral', in Gutmann's critique, is effectively taken as an external given: equality and dignity (etcetera) just descend upon the final argument as self-evident truths.[243] Without further articulation, and in light of her rejection of historically 'contingent cultural facts', it looks suspiciously as if Gutmann has resorted to her own a priori preference rather than argument.

That further articulation could in fact be one that at least partially reconciles the case for contingent cultural facts with the desire for a regulative moral principle with serious weight. 'Contingency' thus construed would be actually very deep, but not so deep that it represented a universal moral truth. Hegel looms large here. For the kind of contingency that he talks of is what I have in mind here: the ontological assumptions that order our perceptions and values without being explicitly questioned but that are ultimately historically contingent.[244]We can, without paradox, say that a firm belief in the dignity and

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[242] Ibid.p.119.

[243] That, we should note, also creates a phenomenological tension with her earlier insistence that our disputes about justice do in fact at least arise from social 'meanings' i.e. the contested meanings of jobs etc. The fact that Gutmann makes so much of this contestation does not alter the fact that her argument proceeds from social meanings, and it does not lessen the tension with her later a priorism. For whilst she is content to be historicist with regard to the social meanings of jobs and so on, she wants to control those meanings (normatively) with a non-historicist value. This strikes me as a very odd combination, and one that would require a very peculiar argument to make sense of this dualism of non-moral (historicist) meanings and moral (universalist) meanings.

[244] See most obvious examples of this come from pre-Renaissance science. The exemplar is the Copernican Revolution. See chapter three, section six.

rationality of persons plays that epochal role for us. That is in fact the conclusion that the Hegelian Charles Taylor draws towards the end of his own history i.e. that we are committed to the normativity of Kantian rationality and equality, if not to the conclusions that it yields in his own hands; or to the explanation of how we came to this ontology .[245] We should indeed say something very similar of the theory of complex equality: the assumption of equality is taken by Walzer not just as a normatively regulative principle about persons, but as a deeper assumption about how the world is i.e. as a world of autonomous spheres that are, Walzer mistakenly assumes, 'equal' to one another.

There is, of course, a third way in which we can justify the values that Gutmann takes as self-evident truths: the way of Humean naturalism that I will be pursuing in Chapter Eight. One of the great advantages of this justification is its own form of universalism. The other is the way in which this same universalism can retain much of the insight of historicism. We can begin to see this once we draw out another serous normative lacunae in Walzer's argument.

The Second Normative Lacunae.

4.5 We have seen that Walzer needs an extra premise to give complex equality normative content and to adjudicate between competing spheres and meanings. But then that problem also goes a little deeper. It is not just that there is no means for normative discrimination within pluralism. There is also no means within Walzer's argument for justifying pluralism per se. For even if we were in happy agreement when it comes to the interpretation of spheres and their relative standing (etc), there is still nothing in Walzer's argument to recommend this pluralism in normative terms. We could, quite consistently and with no contradiction, accept the fact of pluralism in phenomenological terms and even advocate it as a superior methodology, whilst refusing to accept that this generates any normative commitment. It is, indeed, easy enough to imagine a political leadership that does just that, constantly paying close attention to the autonomy and meanings of spheres, precisely in order to blur their boundaries and to manipulate them for their own purposes. One could say that something very much like this was at work, for instance, in the Thatcher government's 'right to buy policy' and in the conversion of the 'citizen' into 'consumer' – part of a very deliberate and quite sophisticated campaign that paid close attention to shared

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[245] Charles Taylor, Sources of The Self: The Making of the Modern Identity. Cambridge : Cambridge University Press, 1989.

understandings precisely in order to alter the relation of spheres.[246] We may well disagree with the ideology of that campaign, but Walzer gives us no real reason to reject it <u>simply</u> because –according to its critics- it fails to respect the boundaries of spheres. Nor could we reject any other ideology or political transformation simply for that reason. We could not even oppose Stalinism just on the basis of its refusal to respect pluralism as a normative value. Imposing a single, unitary good may well fail because it misunderstands the plural nature of value, but there is nothing (other than assertion) in Walzer's theory to say that the attempt is intrinsically unjust. Even the good argument that such a unitary vision will require an excessively coercive state will not in itself do the work required of it in order to justify pluralism via Walzer's phenomenology: it does not tell us that it is intrinsically bad to override plural meanings but, rather, that the methods used in order to do so have often been morally repugnant (and even this is a judgement that Walzer is not strictly entitled to if the regime is based upon a shared understanding of the role of the state).[247]

We can see the nature of this problem most clearly by returning to the seventh of Walzer's methodological postulates.

(7) 'When meanings are distinct, distributions must be autonomous'. This is why Walzer characterises justice in terms of 'spheres'. And it is at this point that his methodological position most clearly becomes normative. It is not just that meanings <u>are</u> distinct; that has been established by the fourth proposition. It is that their distinctiveness '<u>must</u>' be respected (my emphasis).

The operative term here is clearly the 'must' clause in 'distributions must be autonomous'. But then there has been nothing in Walzer's argument to suggest that the 'must' follows from the 'when', or, more classically, that the 'is' derives an 'ought'. The required suppressed premise does in fact transpire to be a naturalistic one; that pluralism is justified because it has evolved naturalistically because there is something intrinsic –something 'natural' about human nature- that requires it. This is why our social and political structure <u>should</u> be plural. But then the <u>suggestion</u> of a naturalistic argument –as the basis of the 'minimalist' prohibitions of murder and theft[248]- is all that we get, and only as a later

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[246] The right to buy policy, for example, clearly rested on the shared cliche that one's home is one's castle'. And for a great many –probabaly a majority in fact- the idea of a consumer democracy was at least initially a contradiction in terms.

[247] It <u>may</u> be, for example, that a fundamentalist state is comprised of subjects that feel that extremely repressive sanctions are in fact an aid to their own rightousness.

[248] Michael Walzer, <u>Interpretation and Social Criticism</u>. p.17.

supplement to the main thesis of Spheres. Thus, in view of Walzer's disinclination to justify the suggestion of naturalism in the comparatively easy case of theft, it is difficult not to conclude that there is no theoretical basis for his substantive commitment to pluralism. Walzer's methodological pluralism and his substantive pluralism are, in effect, two entirely separable accounts. The latter looks like little more than an a priori normative preference.

That preference comes through even stronger when we turn to the 'when' clause of the seventh proposition. Walzer goes to very great lengths to determine that there is in fact no real significant problem presented by this clause i.e. to argue that meanings are always plural and distinct. If this was indeed the case there would still, as we have seen, be a gulf between premise and conclusion in his argument. But then the argument is complicated still further by Walzer's notorious refusal to actually respect the 'when'; partly because he has great faith in the fact of internal social diversity, but just as much because he wants such diversity. There are therefore really two claims in proposition seven, one asserting the fact of diversity, the other asserting that justice is embodied in respect for that diversity. But then neither claim is fully justified, and it often difficult to tell which takes precedence –the putative fact of diversity or the value of that pluralism. Sometimes Walzer accepts the implications of the 'when' clause, whilst at other times he struggles to coherently impose the value of pluralism on the facts of the case. This is nowhere clearer than in his treatment of the Indian caste system.[249]

Walzer now faces the possibility that meanings aren't necessarily plural in all societies. Though the claim that they are doesn't directly make it onto the list of eight propositions, it is without doubt central to Walzer's project: 'there has never been a single criterion, or a single set of interconnected criteria, for all distributions'.[250] Except, it would seem, possibly at least, in 'the caste system of ancient India'. Here we can 'imagine a society where dominance and monopoly are not violations but enactments of meanings'.[251]All goods are reduced to the single, ordering good of ritual purity. In this instance Walzer accepts that, because the meanings are not distinct, there is no normative requirement that the distributions be autonomous. Methodological pluralism, in this instance, trumps the normative pluralism. 'When meanings are distinct, distributions must be autonomous'.[252]At the same time, however, Walzer tends towards the claim that distributions simply should be

[249] Michael Walzer, Spheres of Justice.pp.26-8.
[250] Ibid.p.4.
[251] Ibid.p.26.
[252] Ibid.p.10. My emphasis.

autonomous per se. He may well claim to respect the distributions of other, non-pluralist cultures; but this 'respect' involves expending a good deal of intellectual energy in the effort to show that they are in fact pluralist. Walzer clearly wants them to be pluralist. Jon Elster makes the point well when he says that,

> 'Walzer's appeal to the "repressed" indignation of low-caste Indians looks like an occult quality, introduced to insulate his theory against counterintuitive implications. His discussion of the caste system betrays a (fully comprehensible) uneasiness with the idea that the extreme subjection and abject misery of low-caste villagers might be a part of a society that is as just as any other. "Assume now", he writes,

> "that the Indian villagers really do accept the doctrines that support the caste system. A visitor to the village might still try to convince them –it is an entirely respectable activity- that those doctrines are false. He might argue, for example, that men and women are created equal not across many incarnations but within the compass of this one. If he succeeded, a variety of new distributive principles would come into view".
> The words used here –"false", "argue", "convince" –introduce an appearance of cross-cultural commensurability and argument for which Walzer has hardly any space within his framework'.[253]

Clearly this again demonstrates both the presence and need for a cross-spherical value. What Elster really brings out here, however, is the way in which Walzer also has a deep, a priori commitment to the value of pluralism and differentiation. Without this there would in fact be a little less pressure for a cross-spherical value: Walzer would only need to commission such a value in societies that were in fact plural, whereas now we can see that his insistence that all societies should be plural only makes the need for the cross-spherical value even more urgent. That value, a conception of self, provides not just the means by which we can make normative sense of the relation of 'spheres', but also the deeper justification of pluralism as a value rather than a fact. Crucially, it is only this justification that fills the normative lacunae in the move from phenomenological to normative pluralism. The same conception of self, therefore, fills both gaps in Walzer's argument.

There is, however, also another crucial issue here that will take us into that conception of self. We have just seen that Walzer is committed to pluralism as an a priori value. But then it is also the case that he is equally committed to the idea of membership and citizenship. That too is an a priori value for Walzer. Yet, aside from the fact that Walzer is entitled to neither value in an a priori form, it is not at all clear that they (pluralism and membership) coherently fit together at all in his argument; even if we allow him his a priorism. On the

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[253] Jon Elster, 'The Empirical Study of Justice' in Pluralism, Justice and Equality. David Miller and Michael Walzer (eds), 1995.p.92. Elster's citiation comes from page 314 of Spheres of Justice.

face of it, it may seem that there is no conceptual problem here. Membership as 'citizenship' could in a sense be taken as the premier value of a plural culture. In this respect we would say that it is the value that we need in order to allow the maximal pursuit of a great diversity of other values. This is effectively the position of the later Rawls.[254] Alternatively though, one could just as well argue for libertarian freedom –rather than either membership or citizenship- as the central value of a plural culture; and at the most extreme end of the libertarian spectrum there will be no such thing as 'society' at all, and hence no need for the notion of citizenship. Even the less extreme forms of libertarianism will have a very weak conception of citizenship; weaker, even, than the conception that Van der Veen describes in 'political' terms. Moreover, liberalism itself, as opposed to libertarianism, need not take citizenship to be its central value either. Good citizenship need be no more than following the terms of J. S. Mill's harm principle i.e. the injunction not to meddle in the affairs of others so long as they are only 'self-regarding'. And that value is not based upon citizenship or membership at all, but on the value of liberty. Thus, depending on how we interpret the harm principle,[255] Millian citizenship can also be very thin and minimal. For this brand of liberalism is one that places a great deal of importance on the realm of the 'private' and its protection from the public realm, precisely in order to protect the freedom of the individual. Hence privacy and personal freedom are to take precedence over the essentially public category of citizenship. To the extent that citizenship it is a value at all in liberalism, it need only be the instrumental guarantor of the central values of freedom and equality.

Concluding Remarks

4.6 Thus, in short, there is no easy affinity between the values of pluralism and membership cum citizenship. They may, or may not, cohere with one another depending upon the way in which we conceive these terms. A very thin notion of citizenship certainly does fit pluralism. The fact is, however, that Walzer's own conception of citizenship is a very thick one. Not only does he place a great emphasis on the value of membership and community, he also thickens up the notion of citizenship still further with the entitlement to 'socially recognised needs'. This much is familiar. What I want to argue now is that there is still a

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[254] John Rawls, 'Justice as Fairness: Political not Metaphysical' in Philosophy and Public Affairs, Vol. 14, No. 3 Summer (1985). Political Liberalism. New York: Colombia University Press, c1993. For a full discussion see chapter seven, sections 6 and 7, of this thesis.

[255] I am referring to the classic controversy concerning the boundaries of harm. An account that included in 'harm' the subjective offence of those affronted by homosexual practice (e.g.) could very quickly lead to a far thicker conception of citizenship, and one with clearly very oppressive tendencies.

deeper level of normativity in this conception of citizenship, and that this creates a serious tension with the a priori commitment to pluralism.

It is important to understand from the start that this is not just the point that Walzer's communitarianism is incompatible with liberal pluralist culture. This would be to say that he embeds the self so deeply in its social context that there is no real room for moral freedom. Morality would just be 'what we do around here'; and that may or may not allow for political and social freedom .There is indeed very good reason to worry that Walzer himself does not adequately address this issue. But the real reason for this does not lie in the fundamentals of his conventionalism, or in the very idea of communitarianism, but, rather, in the deep commitment to a very particular conception of self. That conception –the self as un-alienated and 'whole'- is one that ultimately prevents Walzer himself from fully pursuing the arguments that would satisfactorily meet the objection that Walzerian social criticism necessarily lacks any meaningful normative content. In part this is indeed due to the standard objection that the communitarian conception of self is over determined. Walzer is no exception here. But then the real nature of the difficulty in this instance is more complex than that. For Walzer also commissions a second conception of self that underpins his a priori commitment to the normative value of pluralism. That second conception can in fact do the required normative work, but only at the cost of seriously undermining the embeddedness and wholeness of the self. This, in turn, means that there is a serious tension between the two a priori value commitments that we attributed to Walzer at the end of the last section. Both membership as 'citizenship' and normative pluralism rest, respectively, on these two conceptions of self; and so their clash means that Walzer cannot consistently maintain his commitment to both his thick sense of citizenship and to the pluralism without a great deal of further articulation.

We will look closely at the second conception of self in Chapter Six. First we will turn to the sense of 'wholeness' that lies behind the normativity of membership and citizenship. It is a sense that threatens to tarnish Walzer with the standard objections to the potentially oppressive nature of communitarianism, but which also serves as a vitally important counterpoint to the failings of Kantian political philosophy.

CHAPTER FIVE
Walzer's post-Kantian Conception of Wholeness

Introduction

5.1 The primary purpose if this chapter is quite simply to relocate Walzer in the post-Kantian tradition to which he undoubtedly belongs, and which has been unduly neglected by the secondary literature on Walzer. In doing so we will see how Walzer is deeply committed to a normative conception of self as properly 'whole'. We will also see how this normative conception is embedded in a subtle and quite complex ontological account; one that sees the creation of reality and identity as the product of a quasi-idealist view of language. In the next chapter we will see how this ontology and the commitment to a whole conception of self creates a serious tension with another strand in Walzer's argument: the commitment to both moral freedom and to pluralism, both as a species of value pluralism and as a substantive normative doctrine.

'Political Philosophy' and the Bifurcated Self

5.2 We have seen that Walzer rejects political philosophy partly on the grounds that it is 'disconnected' from the society that it is criticising, and that it is therefore ineffective as a mode of critique. It will fail in its objective because it attempts to impose a universal conception of justice that overrides the local norms that give particular cultures their thick meanings. Yet there is also another element to this: political philosophy is pernicious because of the way it fragments the self. There is therefore a strong subtext in Walzer that draws heavily on the themes of both fragmentation and alienation; and in terms that are psychological and existential as much as they are social and political. Intimations of this are to be found throughout the project of complex equality and social criticism; very generally in the great weight placed on 'membership', but more specifically in (for instance) the highly suggestive insistence that it is crucial to the well-being of the individual that he or she feel 'at home'.[256] Just as suggestive, and just as significant, is Walzer's characterisation of political philosophy as 'heroic'. Both these locutions, as we shall see, betray the large debt that Walzer owes to post-Kantian moral and political theory.[257] This begins to come through strongly in Interpretation and Social Criticism:

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[256] Walzer, Interpretation and Social Criticism. p 15.

[257] One can also call this movement 'counter-Enlightenment'. I have opted for post-Kantian because of the greater resonances that this term has with Walzer's critique of Kantian cum Rawlsian political philosophy. But the difference in terminology is not substantively important.

'In the conventional view, critical distance divides the self; when we step back (mentally), we create a double. Self one is still involved, committed, parochial, angry; self two is detached, dispassionate, impartial, quietly watching self one. The claim is that self two is superior to self one......Self three would be better still'.[258]

What's obviously important here is the clear parallel between the Kantian dualism of reason and passion; and the way in which Walzer sees something 'heroic' in the attempted mastery of reason.[259] But there is also something curiously alienating in the attempt. The greater the success, the further we move away from the conditions of our own moral identity, and the more that the self is fragmented by the split between reason and passion. To be sure, the 'identity' has already been created. Detachment comes after. So Walzer is not now saying that philosophical liberalism is committed to an incoherent conception of 'self'. He is not bringing the familiar charge that 'philosophy' posits identity as prior to, and independent of, culture and socialisation.[260] The reach for detachment is 'heroic' in the sense of self-denial; and Walzer's disapproval is not simply a reflection of his historicist view of the futility of the attempt. There is also a clear sense in which philosophical detachment bifurcates the self; and in a way that closely resembles Hegel's critique of Kant's reason-passion dualism specifically, and the post-Kantian concern with the 'wholeness' of the self more generally. It is the central preoccupation of not just Hegel, but of Marx after him, and of (amongst others) Herder, Holderlin, Schiller and Schlegel before him.

This bifurcation is alienating in two immediate senses. In an existential sense it distances us from the very conditions that give life (continuing) meaning; and, by implication, it forces us to repudiate the basis of our own identity. The philosophical self (self two) seeks to estrange itself from the parochial but real 'self one'; the 'self' without which there could, for Walzer, be no sense of identity at all. But the bifurcation is also alienating in a moral sense: philosophical detachment asks us to ignore the rich, particularist meanings without which there wouldn't be any (significant) moral discourse. Detachment disconnects us from moral reality in Walzer's world.

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[258] Ibid.pp.49-50.
[259] Ibid. pp.50 & 5.
[260] Michael Sandel, Liberalism and the Limits of Justice. Cambridge University Press, 1998. Alasdair MacIntyre After Virtue. Duckworth, 1985.

What this amounts to, however, is far more than the familiar, practical point about connectedness and efficacy. Likewise, the objection is not just that political philosophy seeks to reduce all values to one basic good. These are of course central themes in Walzer's project. But the sense of bifurcation that suffuses this account also highlights the way in which complex equality is more than just a theory of distributive justice. For it is also the case that it embodies an account of how the good society will be one that does not threaten a particular view of how the self should be constituted; and, by extension, an account of justice that is based on how the individual life is lived well rather than only justly. There is, in short, an important account of virtue in the subtext of Walzer's project. The life well lived is one that strikes the right balance between reason and passion. Certainly, there is much in Walzer's writings to suggest that the real concern is with the imposition of the abstract 'truths' of philosophy. If this was where the account stopped we would have to say that the point is indeed a straightforwardly political one, primarily based upon the normative injunction to take seriously and treat equally the interpretations and normative concerns of all citizens. That is indeed a vital and central theme in an important article that predates the theory of complex equality.[261] 'Philosophy and Democracy' is well known for its attack upon liberal legalism and the undemocratic political impositions of a judicial elite. And this in itself clearly tells us something about Walzer's conception of citizenship: active, engaged, and expressive. Citizens in this view of democracy –the kind that Benjamin Barber refers to as 'strong' democracy[262]- are to deeply immerse themselves in the politics of their community. This is in fact both a normative recommendation and a (naïve) predictive statement of how citizens would function given the right opportunities and political conditions. We will return to this article shortly. But the immediate point is that Walzer's democratic conception of citizenship takes participation to be intrinsically good, and not just the instrumental means to better (or safer in the sense of less tyrannical) government. Democracy is the political expression of something that is fundamental to human nature: the expression or 'voice' that comes to us as culture producing beings.

All this is strongly suggestive of another essential component in Walzer's account of citizen; and this is that 'citizenship' for Walzer is heavily moralised. By this I mean not just that citizenship is a virtue to be exercised through participation and so on (though it is certainly that too). Rather, he wants us all to be active citizens in a very particular way (i.e. as social critics). This is not to detract from the undoubted fact that there will be individual

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[261] Michael Walzer, 'Philosophy and Democracy' in Political Theory, Vol.9, No. 3. August 1981.
[262] Benjamin Barber, Strong Democracy: Participatory Politics for a New Age. Berkeley: University of California Press, 1984.

critics that surpass all others. It is not to say that there will not be the outstanding moral and political leaders that led Walzer to write The Company of Critics. But to the extent that we are all to engage in social criticism –and as citizens in a thick democracy this is precisely what Walzer expects us to do- we are to do so in the manner of the social critics. We are not, in short, to seek abstractions; and we are not to seek the view point of 'self two'. Viewed in this light we can see how the injunction not to heroically split the self in two is of even deeper importance than the critique of the way in which a philosophical elite themselves force this bifurcation on their own thinking, before then imposing the results on others. In Walzer's view of citizenship we are all social critics. That is why the critique of abstraction has a vital psychological cum moral component to it: if we were all to pursue the method of abstraction, then we would all be denying to ourselves the real meaning that we give to our lives. For the further that we move away from 'self one', the further we are from a moral agency that is embedded in a thick moral world. Remove the agent from the sources of morality, and it is (on this view) clear that we are moving away from the conditions of a thick morality per se. This is the explicit argument of Interpretation and Social Criticism. But the subtext is that the method of political philosophy is not just normatively and politically wrong. It is also an existential folly that fragments the self. In short, Walzer's conception of citizenship rests on a conception of the human good; and thus a moral rather than a straightforwardly political vision. In the language of the early Rawls it is a 'comprehensive' vision of citizenship.

Fragmentation, then, is a central normative issue for Walzer. There are in fact a number of ways in which we could interpret this bifurcation, within the framework of post-Kantianism. At the most obvious level, as we have seen, Walzer's objection to the split is methodological and political. The first concern (the methodological objection) regards the 'philosophical' violation of the proper method of social criticism, and the second concern (the political objection) is a crucial component of Walzer's suspicion of the normative impositions of a judicial elite and of his strong conception of democratic citizenship. Both concerns, in post-Kantian terms, also translate into the objection that both the method and the politics represent a bifurcation of the self; and that both thereby alienate the self from a crucial aspect of their being. We can thus see two correlative senses of alienation, one individual and the other collective. The 'philosopher' is alienated from the very subject matter that he or she seeks to discern the truth of: the more he or she treats it as an 'object' to look down upon, the more the real sources of morality and justice are lost to them. The Kantian dualism of subject and object thus has important 'theoretical' implications: there

are certain 'objects' of study that the 'scientific' approach is constitutionally unable to comprehend; hence the notorious difficulty of articulating a coherent theory of personal identity,[263] and hence the sense that is crucial for Walzer's argument- the objection that the social sciences cannot 'know' its object of study in an 'objective' way. But then there are also vitally important practical implications. The second, (political) sense of alienation comes as a result of this misguided attempt to seek objective and universal normative truth, as the next move is to then to impose it on a society. In this latter, political case it is the people of that society that become alienated from their own moral traditions.

These senses are relatively transparent throughout Walzer. The great normative importance of democratic control suffuses nearly all of his work, and the methodological point is equally dominant. But the more important sense in this context is the tacit one (i.e. the sense in which the demands of philosophy alienate the self from passion and inclination). That sense of individual alienation thus takes us beyond a theory of distributive justice and into the realm of virtue ethics; of the life properly lived. We can best access this crucial sense of alienation in Walzer, first of all, through the post-Kantians that Walzer (and other communitarians) owe so much to. It is not my purpose to directly argue for their conclusions at this point; but, rather, to locate Walzer himself in that tradition.

Walzer and the Post-Kantian Tradition

5.3Thus, the early post-Kantians do in fact make explicit the normative objection that is only implicit in Walzer. To live up to the demands of Kantian moral philosophy we must repudiate all considerations that do not stand up to the scrutiny of universal reason; and this leads us into conflict with many of our most basic desires and feelings -our 'inclinations'. That, for the Kantian, is a basic requirement of morality: we are not morally free unless we are unconditioned by our own particular desires and parochial attachments. This is undoubtedly an attractive picture. The impartiality of Kantian inspired moral reasoning does indeed capture something of crucial importance in the injunction not to view 'rightness' merely from one's own self-interested perspective; though it is doubtful that we need the great theoretical edifice of Kantian theory to tell us that. But it is also the case that, in the view of both Walzer and his forebears, this comes at too high a price in Kant's system. It is not that there is a collective denial of the need for reason amongst the post-Kantians. On the contrary, the aim is to reconcile reason and inclination; to place

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[263] See footnote 14.

them on a par with one another rather than in the hierarchical relation that leads Walzer to the selves 'one' and 'two' objection. Walzer also, we should note, does not doubt our ability to reason in the Kantian way.[264] It is just that such reasoning is both radically incomplete and damaging to the moral agent if taken to be the defining feature of morality. This is not, as we shall shortly see, just a normative point for the post-Kantians. What unites both the theoretical and practical concerns –and this distinction itself is, of course, highly controversial- is the central preoccupation with the relation between 'subject' and 'object' that we also find in Walzer's eighth methodological proposition:

(9) The 'social' of social criticism 'has a pronominal and reflexive function, rather like "self" in "self-criticism", which names subject and object at the same time'.[265] As the critic is a deeply embedded being, any critique of society is at the same time a critique of the basis of the critic's own identity. We as subjects cannot fully stand outside the object of our criticism (society) and therefore cannot escape the fact that we are partly what stands in need of criticism. In these abstract terms, heroic philosophy forces a separation between 'subject' and 'object'; the kind of (Kantian) dualism that makes for bifurcation and alienation. And the corrective is also intimated in abstract terms; we are to pull subject and object together. This is why 'social criticism' 'names subject and object at the same time'.(My emphasis).

There are indeed very deep resonances here with some of the more 'theoretical' concerns of the post-Kantians. Not only are there intimations of the 'expressivist' view of language and the self that we find most prominently in Herder,[266] there is also the sense that Walzer's entire project is suffused with the same reaction to the problems of separation and alienation; and hence the psychological sense in which this separation makes the self less 'whole'. This sense is in fact taken far further by the post-Kantians. It is not just a psychological and normative problem, but also a fundamentally metaphysical one; centring on how to bridge the gap -between mind as subject and world as object- that is opened up by the Kantian view. There is thus a sustained attempt by (e.g.) Ficthe to close the gap between subject and object through an account of the 'I' that posits itself through a kind of

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[264] See (e.g.) Walzer, 'Philosophy and Democracy' .p 380. Spheres of Justice. p 5, Interpretation and Social Criticism.p.6.
[265] Michael Walzer, Interpretation and Social Criticism.p.35. Thick and Thin.p.86.
[266] See section 7 of this chapter

intellectual intuition that perceives the self as both subject and object before the category of judgement separates the two.[267] Schelling also sought to close that gap though an 'identity philosophy' that seeks to establish a pre-reflective unity of the intuiting subject and the intuited object[268]. That can only come through an account of self-consciousness that overcomes the paradox that in treating the self as an <u>object</u> of study, we are actually reinforcing the separation of subject and object; for the subject must step back from the object for it to <u>be</u> an object of study. This, for the post-Kantians, is true of judgement generally. We find similar conclusions in, for instance, Novalis and Holderlin, as well as in Hegel. All seek some way of closing the gap between mind and world; and all do so through an account of the self-consciousness of the 'I'. In all cases the aim is to reunite subject and object in such a way that both are known at the same time, rather than using subject (as mind) as a tool with which to look upon object as a separate entity. That scientifically minded mode of objective observation is fundamentally flawed in one crucial respect: it must take for granted the validity of the mind's conceptual apparatus; without, that is, any certain or objective knowledge of that apparatus or its validity. For the very means of assessment (the self or human mind) is itself the point at issue. Thus, to appraise the subjective 'I' 'objectively' we must stand back and view it as an object. This may well be possible to an extent but, clearly, an infinite regress will immediately emerge in which precisely the same issue arises for the 'self two' that appraises the subjectivity of 'self one'.[269] The overall effect of Kantian (or any post-Cartesian) dualism is, therefore, an insurmountable rift between mind and world, and hence the impossibility of refuting scepticism.

This, then, is the most deeply theoretical sense of the Kantian bifurcation of selves one and two. My point here is not of course that Walzer is similarly committed to such a deep, metaphysical view. But then it is also crucial to the post-Kantians that these theoretical issues have an equally important practical application. For the point is that Kantian reason

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[267] J.G. Ficthe. <u>The Science of Knowledge</u>. (ed and trans), Peter Heath and John Lachs, Cambridge University Press. 1982.

[268] F.W.J Schelling, <u>The System of Transcendental Idealism</u>, (trans. Peter Heath.) Charlottesville: University of Virginia Press, 1978.

[269] Holderlin's insight was to see that we can't <u>consciously</u> reject the dualist structure of Kantianism; at least not if we are doing so on the basis of 'reason' or 'judgement'. For Holderlin, rightly, sees a distinction between subject and object as necessarily inherent in <u>all</u> judgements. Judgement must be <u>of</u> something <u>by</u> something: to judge of the 'I', the 'ego', the 'subject' is to necessarily render it an 'object'. The problem is stated in <u>Judgement and Being</u>: 'How can I say 'I' without being conscious of myself? But how is self-consciousness possible? Because I oppose myself to myself, separate myself and yet despite this separation and in being opposed to myself know myself to be the same'.
See Charles Larmore, 'Holderlin and Novalis' in <u>The Cambridge Companion to German Idealism</u>, (ed) Karl Ameriks. Cambridge University Press, 2000.

bifurcates the self in every aspect. The theoretical bifurcation that we have just touched upon is not just a concern in so far as it cannot lead us to a picture of the world in its totality (i.e. a simultaneous and non-question begging view of subject and object as a unity). It is also an existential concern for the post-Kantians. We can never know ourselves or our place in the world through Kantian reason. Holderlin and Novalis express this sense of existential alienation in the language that Walzer subsequently picks up: we strive to overcome the separation of subject and object so as to feel 'at home'.[270] What is required is a sense of 'wholeness', of 'oneness' with the world. This comes through an awareness of the wholeness of 'being' that is prior to the externalisation of the self in the objective world; an externalisation that comes through our practical judgements and actions.[271] But that awareness of original unity can not itself be sought through reason (in this Ficthe and Hegel are exceptions);[272] and hence we find the vitally important turn to the aesthetic.

Thus, Holderlin and Novalis sought this kind of unified knowledge of subject and object through poetry rather than reason; in a kind of Wittgensteinian 'showing'. We shall shortly see that as well as appropriating the language of 'home' that is common to all the post-Kantians, Walzer also seeks to describe his vision of citizenship and social criticism via the category of the 'poetic'. Of course, Walzer's concern is not with the deepest existential problem of a separation of mind and world that causes Holderlin and Novalis to turn to the actual practice of poetry. But the crucial point to capture here is that this existential drive to wholeness also has its political and moral counterpart. That is because Kantian reason threatens to bifurcate the self in all aspects of life —the post-Kantian critique is itself thoroughly holistic. So too is Walzer's critique of Rawls, as he, as I am arguing in this chapter, shares some of the same existential concerns. More transparently, what Walzer also shares with the post-Kantians is a political concern with a conception of citizenship that is an adequate response to the conditions created by the modern state. Their concern is that the conditions of modernity also fragment and alienate the self (a problem that, unlike theoretical alienation and bifurcation, is susceptible to a practical political solution). The modern state thus treats all as isolated individuals and fragments the social ties of

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[270] Terry Pinkard, German Philosophy 1760-1860. The Legacy of Idealism, Cambridge University Press, 2002. pp. 143-147 .See also the 'Introduction' in The Early Political Writings of the German Romantics (ed) Frederick C. Beiser, Cambridge University Press, 1996.p.xvi.

[271] Technically it also comes through out theoretical judgements: all judgement involves a separation of mind and world. See footnote 14.

[272] One can in fact see the post-Kantian movement almost as much in terms of the reaction to Ficthe's post-Kantianism as to Kant himself, finding the Fichtean account of subjective interiority too formal and dry i.e. too rationalistic. See Terry Pinkard, German Philosophy 1760-1860. The Legacy of Idealism (Cambridge University Press, 2002). Hegel's view was that art was helpful as a means of conveying the 'Absolute', but that this itself was to be fully understood by reason. See Encyclopaedia of the Philosophical Sciences.

community. The locution of being 'at home' therefore becomes just as important in a political sense: it is important to recreate a sense of political community that embeds the self in the social ties that make human life rich and meaningful. So too does the category of the 'poetic' when Novalis and Friedrich Schlegel talk of the ideal of 'the poetic state' (organised according to the ideal of 'beauty') as well as the 'organic state'.[273]Their point is that society should be organised in such a way that human flourishing is given its maximum potential (through sub-state groups and an active citizenship in this case);[274] and that the ideal of beauty is not some crazy or proto-fascist and coercive perfectionism, but the conceptual means (now imported into their political arguments) of making sense of the proper relation between reason and passion. In fact, the objection was in large part to the reforms of state that were themselves based upon an excessively rationalistic outlook and thus in danger of heading in a totalitarian direction.[275]

It is, however, the concern with the proper relation between reason and passion that most clearly places Walzer in the same tradition; though he is also objecting to same excessive role of reason in politics when he attacks both Rawls and legal liberalism, and in one of the central premises of his theory of justice –that 'simple' equality must rely on an excessively strong state.[276] Even more important, however, is the crucial sense in which Walzer objects to the heroic bifurcation of selves one and two –the separation of subject and object- because it distorts both moral argument and the moral agent. We can see the provenance of this objection most clearly in Schiller's reaction to Kantian rigorism.

Walzer's Schillerian anti-Rigorism

5.4 Schiller's most famous objection to Kantian morality is that it leads to the deeply counter-intuitive conclusion that the more commendable person is the individual that acts morally out of duty rather than inclination; who does the right thing not because he or she

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[273]Frederick C. Beiser. 'Introduction' in The Early Political Writings of the German Romantics (ed) Frederick C. Beiser. p. Xiii. Beiser also makes the interesting point that Novalis and Schlegel objected to the rationalist instincts and justifications of the state reforms of the period; based upon centralisation and a universalising impulse that was in part inspired by Kant, and which threatened to destroy the richness and diversity of moral and social life.
[274] This is in fact what Walzer himself goes on to emphasise in his latest work: Politics and Passion: Toward a More Egalitarian Liberalism., Yale University Press, (2004). This book in fact adds little of real interest to Walzer's account of social criticism. But we shall briefly examine some of the political and normative implications of associationalism in chapter nine this thesis
[275] See footnote 18.
[276] See chapter two, page 25 of this thesis.

wants to, but because reason tells them to.[277] That is, the agent acting just from duty is more moral than the agent that does the right thing either because they consciously want to or because it is simply part of their character. That is because it is more an act of rational will and thus a greater demonstration of rational autonomy and freedom. This in turn means that the agent has cast off the parochial and psychological bounds that make him-her 'heteronomous', and thus unable to rationally comprehend the universality of the moral law; and so on.

Aside from the obvious emotional coldness of the dutiful Kantian agent –as well as the absurdity of commending the man who refrains from his inclination to rape and pillage during war, over and above the man who simply has no heart for it- there is also the problem of motivation. For the Kantian view sets morality up in a fundamental motivational competition with passion, sentiment and 'inclination'; and thus with the attachments and commitments that, as Bernard Williams (another opponent of the demands of rigorism) argues, give life itself its very purpose and meaning.[278] In terms of moral motivation, one clear problem here is that if we must be motivated by this kind of duty in order to be moral, then there will be alarmingly few 'moral' persons; and almost certainly not enough for a moral system to be stable. Basic morality, after all, cannot require us all to be saints. If it does demand that, then morality itself will constantly be undermined by our failure to honour it. Of course, one could just say that the fact that we do not live up to demands of Kantian morality is a human failing, and that we should in fact all strive to be moral saints. Even if we fail, so the argument would run, the attempt would still raise us up morally- still bring us closer to the ideal. The argument might also further contend, as Kant effectively does, that where there is an appeal to parochial attachment and inclination as part of our nature and identity, this is not our 'real' nature. All this amounts to an argument for a 'real' essence or nature that we are to uncover: to be 'truly' human is to rise up to a higher self that is identified not with inclination and feeling, but wholly with reason.

We thus come straight back to the bifurcation of the self. And Schiller's real objection is not that this makes for an unstable morality, but that it splits the self in two and alienates the individual from inclination and feeling. Kantianism thus again forces a rift within the

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[277]My account here is primarily based upon Emil C. Wimm's 'The Relation of Schiller's Ethics to Kant' in The Philosophical Review, Vol. 15. (May, 1906); and on Daniel O. Dahlstrom. 'Hamann, Herder and Schiller' in The Cambridge Companion to German Idealism, (ed) Karl Ameriks, Cambridge University Press, 2000.

[278] Bernard Williams 'Persons, character and morality' in Moral Luck. Cambridge University Press, 1981. See also 'Morality and the Emotions' in Problems of the Self: Philosophical Papers 1956-1972. London: Cambridge University Press, 1973.

self. The normative assumption here is, of course, that parochial attachment and feeling are part of our very nature; part of what it means to be 'human'. If we are to be fully human and moral, inclination must be in some sense integral (and not opposed) to morality. Schiller is thus preoccupied with bringing together the different facets of human nature and therefore making the self 'whole'. Man has legitimate recourse to his sentiments as well as to reason, and the excessive dominance of either one of these is equally a source of slavery. It is thus only through the reconciliation of the two that the individual can achieve the kind of moral graciousness that Schiller finds so lacking in the Kantian caricature (i.e. the sense that one wants to be moral rather than just dutiful). There is, once more, an important aesthetic component to Schiller's account. For he does believe in our ability to rise up to a kind of moral perfection that unites reason and feeling, but the vehicle for this is primarily through art and poetry; the sense of 'play' that combines the sensual and the rational: 'man plays only when he is in a full sense of the word a human being, and he is only wholly a human being when he plays'.[279]There is doubtless a sense in which Schiller takes this literally. But then the point of the appeal to aesthetics is less extravagant and comes back to the repudiation of an excessive reliance upon reason. Reason alone cannot reveal either the deepest truths of the world or the truth about morality, as neither are susceptible to scientific certainty or objectivity. But those truths (to the extent that they indeed 'truths' at all) can be apprehended indirectly though art and literature.[280]

The point, in short, is that Walzer's adoption of the language of subject and object, as well as that of selves one and two, ties him into the normative language and concerns of post-Kantianism: rigorism, alienation, fragmentation and 'wholeness'. This is why the post-Kantian critique objects to the dualist theoretical structure of the Enlightenment more generally: it fragments the self both 'theoretically' and 'practically'. Epistemologically it encourages us to see the self as something 'other', just another object to be studied. In moral and political terms, it divorces us from the fabric of moral discourse; and existentially it forces us to repudiate the basic content (inclinations, values, ideals) of personal identity. It is for this same reason that Walzer comes to describe Kantian-Rawlsian detachment as 'heroic'. Crucially, it is also this same conception of self that underpins his thick conception of citizenship.

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[279] Schiller, Essays. (131) (ed and trans.) Walter Hinderer and Daniel O. Dahlstrom, New York: Continuum, 1993.

[280] There are, for example, many instances of moral complexity that are best illustrated through literature rather than through philosophical abstraction. Typically theses are cases of 'tragic choice' where there are two moral options, neither of which is clearly right, and both of which leave the agent a sense of moral loss.

The Herderian Influence

5.5 So, it is not just that the demands of Kantian moral action are simply too excessive and morally destabilising. If this were the only objection it would be easy to say that it is just psychologically naïve. This is in fact quite a serious objection to Kant. If 'ought implies can' and we are psychologically incapable of the 'can', then the 'ought' begins to look very fragile. Nevertheless, perhaps one could accept that Kantian rigorism is too demanding and still maintain that it sets the standard of morality. It may only be an ideal rather than a reality, we could say, but our imperfect attempts to reach this ideal still raise us up morally. But then the objection to Kantian moral philosophy goes further than the rejection of an unrealistic rigorism; and not only because, as we have seen, it fragments the self. For the post-Kantians, the requirement of universality and abstraction from the parochial also deprives moral reasoning of its substantive content. This point is again familiar from Walzer's critique of Rawls. As we saw in the fourth proposition of Spheres, if there are any universal 'truths' Walzer regards them as vapid and morally irrelevant; though he softens this slightly in Interpretation and Social Criticism.[281] The point is that to arrive at anything approximating a universal moral truth we have to abstract so much that the conclusion is far too 'thin' to be of any interest, and we can say the same of the individual ('self two') who lives by the categorical imperative. He will have denuded himself of so much of his humanity that it's difficult to think of him as a full person at all. Abstraction not only divides the self, it also impoverishes it. It strips both moral judgement and moral personality of their content. As Hegel says, Kantian moral philosophy yields only an 'empty formalism'.[282] The echoes of this comment are no where clearer than in Walzer's critique of 'political philosophy'. But then there is also a great deal of the enormously influential Herder in Walzer's phenomenology of 'social criticism'.[283]

For one of Herder's key objections to the Enlightenment culture is that the rigid classifications and divisions of reason miss the phenomenological richness and diversity of actual experience. As Berlin says of Herder, '[t]o understand a thing was...to see how it could be viewed as it was viewed, assessed as it was assessed, valued as it was valued in a

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[281] See chapter three, section eight.

[282] Hegel. Philopshy of Right..S148R

[283] Johann Gottfried Herder, Another Philosophy of History. (trans. Ioannis D. Evrigenis and Daniel Pellerin), Hackett Publishing Company, 2004. Strictly speaking, Herder is not chronologically post-Kantian as much of his work was either published prior to, or contemporaneously with, Kant. Nevertheless, his influence on post-Kantianism is so great that the relatively minor lack of chronological fit does not render this classification anachronistic.

given context, by a particular culture or tradition'.[284] Just as Walzer tells us that social criticism must be internal, so too with Herder's anthropology. To understand a culture it is no good adopting the stance of the external observer, we must immerse ourselves in the culture if we are to understand it; and this clearly requires the virtue of empathy rather than Kantian detachment. This is essentially the same as Walzer's account of 'connected' social criticism; and it is an issue of justice for Herder as much as it is for Walzer. For both thinkers extrapolate normative conclusions from their empirical observations. If the world as we find it is necessarily plural and diverse, both Walzer and Herder also enjoin us not to impose a false uniformity on it. As values are relative to time and place, there is no universal sense of justice that we can legitimately impose on other cultures. If anything, Herder is even more insistent in this than Walzer. Walzer at least qualifies his relativism after Spheres. The reasoning is, however, the same. The normative conclusion follows from the premise that a full sense of moral identity requires a thick context, a feeling of belonging that both Walzer and Herder describe as being 'at home'. None of these 'homes' are inherently superior in Herder's view, but assimilation to a single, universal standard of value 'would destroy what's most valuable in living and art'.[285] The now familiar conclusion is that an imposed universal standard alienates us from the sources of our moral being.

Of course, this position is unashamedly humanist in its assumptions. Impartialist morality subverts the human good, and that 'good' is thick rather than thin. It is also a 'good' that suggests an account of virtue ethics. Nevertheless, we cannot simply say that impartialist moralities subvert the human good without offering an alternative ethical account. Otherwise we will simply lapse back into the unhelpful dichotomy of abstract impartialism on the one hand, and, on the other hand, a fidelity to local meanings that is so faithful to particularities of time and place that morality just becomes 'what we do around here'. Walzer does in fact have the basis of just such an alternative account, though it is not one that he himself explicitly articulates. We shall see in the following two chapters that this is based on an account of human flourishing that draws heavily on the notion of 'balance'; both as a fundamental requirement of individual well-being and as an ethical virtue. A properly reconstructed Walzerianism will therefore preserve the central post-Kantian insight (that abstraction takes us away from the sources of morality) whilst maintaining the ability to judge the merits of those very sources themselves. It will also require an account

[284] Isiah Berlin. Vico and Herder: Two Studies in the History of Ideas, London: Hogath Press. p.177. See also F.M.Barnard: Self-Direction: Thomasius, Kant and Herder' in Political Theory. Vol 11, No 3, (August 1983).
[285] Isaiah Berlin, Vico and Herder: Two Studies in the History of Ideas. London: Hogath Press p.223.

of how this normative process is to be worked out politically; of how we are to maintain a strong, shared sense of citizenship without losing the normative virtues of pluralism and differentiation.

Walzer's 'Philosophy and Democracy': the Normativity of Inclination and 'Popular Will'.

5.6 At this stage, it seems clear to me that the rejection of the 'heroic' is sufficient to establish the normative sense of 'wholeness' that motivates Walzer. It becomes clearer still when we return to the structure of the argument in 'Philosophy and Democracy'.[286] Thus, if there is a tacit assumption that political philosophy is normatively ('existentially') undesirable for the individual, there is also the explicit charge that it sets the heroic philosopher against the will of the political community at large. To the problems of existential and moral alienation we can thus add a third: political alienation. Significantly, Walzer's concern here is not with the methodological problems of the philosophical search for a single moral 'truth'.[287] His concern is with the political consequences of philosophy; and, more specifically, with an important tension between philosophy and democracy. 'Truth is one, but the people have many opinions; truth is eternal, but the people continually change their minds. Here in its simplest form is the tension between philosophy and democracy'.[288]

Thus if Kant requires us to repudiate our passions and inclinations for what is right in the light of 'reason', Walzer characterises 'political philosophy' in essentially the same terms. Political philosophy requires 'truth' and the rejection of parochial tradition; and, crucially, the repudiation of the inclinations that are conditioned by that tradition. In democracy it is entirely legitimate to bring our inclinations to the political and moral arena, even if 'reason' tells us that they are 'wrong'. Democracy for Walzer is not about the discovery of philosophical truth; it is about the exercise of 'popular will'.[289] It is not even that Walzer is

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[286] Walzer, 'Philosophy and Democracy'. Political Theory, Vol.9, No. 3. August 1981
[287] At this early stage of the project he is actually considerably more sympathetic, even going so far as to say that 'the most general truths of politics and morality can only be validated in the philosophical realm'. Ibid..p.397.
[288] Walzer, 'Philosophy and Democracy'. p.383.
[289] Ibid.p.383.

actually arguing against the <u>possibility</u> of philosophical truth at this stage.[290] He doesn't even deny the ability of individuals to think about moral or political issues in a philosophical way. Walzer's concern here is with the (clearly normative) consequences of philosophy in politics.[291] In its attempt to impose the truths of reason, political philosophy subverts the popular will; and the popular will must, surely, be the expression of historically conditioned inclinations. We therefore again arrive back at the classic tension between reason and inclination, and hence the concern for the wholeness of the self.

My argument here is that in his account of democracy and the proper role of 'popular will', Walzer also reveals a view of the proper constitution of the self: thickly connected and in tune with both his or her 'inclinations' and the values of the society in which they are embedded. I have already stressed that this in part follows from the tacit assumption that we are <u>all</u> to be social critics in the sense that Walzer is deeply committed to the values of a politically and morally active citizenry.[292] There are, moreover, two other characteristics of Walzer's argument that tell in favour of this interpretation, one we will look at more closely in the following chapter.[293] There we will see that Walzer makes heavy use of a 'co-determination thesis', by which I mean the thesis that particular conceptions of self strongly influence our conceptions of the appropriate structure of society, and that this structure then, in turn, influences the way in which we view the self. Thus, if Walzer insists upon characterising a just society as one in which the 'popular will' is placed on an equal normative footing with reason, then we can reasonably infer from this that a thickly democratic society will rest upon the assumption that its citizen's well-being depends upon their own personal sense that they are in touch with their own inclinations and parochial attachments. This, as we shall see, is indeed the assumption of co-determination that Walzer makes. We shall also see in the penultimate section of this chapter that Walzer is also deeply indebted to Herder's notion of an 'expressivist' self; and that this also strengthens the argument that Walzer's view of democratic citizenship is a heavily moralized conception. This Herderian legacy comes through strongly in the conflict between reason and popular will in 'Philosophy and Democracy'.

[290] If he's not actually arguing <u>against</u> the possibility of philosophical truth, the implication would seem to be that there is a kind of ranking ,i.e. democracy and discourse require a different <u>kind</u> of (diffuse) truth; a different <u>sense</u> of 'truth'.
[291] Walzer, 'Philosophy and Democracy'. p.379.
[292] See pages 106-7 of this chapter.
[293] Chapter six, section 6.

Crucially, and I stress this again, the tension in this article is <u>directly</u> normative rather than methodological; and in this instance the normative content is significantly more explicit than in Walzer's later work. In other words, whereas the emphasis in <u>Interpretation and Social Criticism</u> is on the way in which selves one and two schema is methodologically unsound, Walzer takes essentially the same separation here and argues directly against it in overtly normative terms. The crucial point, then, is that the alleged bifurcation of the self in Kantian liberalism is indeed a serious normative failing in itself for Walzer; seriously damaging a sense of well-being based upon 'wholeness'.

Thus, so Walzer's argument runs, in terms of moral and political value, 'popular will' is to take precedence over 'truth'. Following Rousseau, the 'people' are 'the subjects of the law, and if the law is to bind them as free men and women, they must also be its makers'.[294]Though Walzer immediately claims that he is only concerned with the consequences of this argument, rather than with a defence of it, the thrust of his analysis is based upon a contrast between imposed 'truth' and freely created democratic laws that flies in the face of this ostensible normative neutrality. 'On the democratic view, it is right that they [the people] make the laws even if they make them wrongly'.[295] To override this is, in Walzer's language, 'authoritarian'; a word that has undeniable and overt normative content.[296] Similarly with the assertion that the philosopher 'has little taste for bargaining and mutual accommodation'; seeking instead to impose and implement a singular 'truth'.[297] So despite the somewhat disingenuous claim that Walzer is not concerned with a defence of the democratic argument, it is perfectly clear that this is where his sympathies lie. Walzer favours 'popular will' over the truths of 'reason'. This is not, however, to say that popular will shouldn't be subject to constraints. He endorses rights that accompany 'the twin bans on legal discrimination and political repression'; but it must always be recognised that philosophically determined rights, even if legitimate, involve a restriction of the scope of democracy.[298] And the point that Walzer takes from this is that law must be determined <u>politically</u> in the (fallible) democratic arena; it should not be the province of a philosophically inclined judicial elite.[299]

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[294] Ibid. p.383.
[295] Ibid. p.386.
[296] Ibid. p.381.
[297] Ibid. p.381, 383.
[298] Ibid. p.391.
[299] Ibid.p.397. Walzer has in mind the American Supreme Court.

There is clearly a strong normative element in all of this. But it is actually more complex than a simple affirmation of the value of democracy. As we have just seen, it ties in to the subtext of alienation. Not only does the subversion of the popular will diminish democratic freedom, it also threatens the basis of political culture. The imposed truths of philosophy are external to the social milieu from which we derive moral and political meaning; and this means that their political imposition threatens to (collectively) alienate citizens from their engrained points of moral and political reference.[300] Philosophical 'detachment' –and hence the separation of subject and object- makes the philosopher an 'outsider'.[301] For the overall structure of my argument, what's most significant here is this explicit contrast between reason and popular will. Walzer's discussion of democracy reveals the basis of an account of collective alienation; the result of the philosophical subversion of the popular will. In the collective case, where reason dominates popular will, 'the people' become alienated from their own moral-political culture.[302] If 'reason' has no right to override history and culture, it equally has no right to impose itself on the popular will of a democratic culture. This much is obvious: there is a clear normative aversion to the excessive dominance of philosophical reason in the public domain. And this later develops into the account of individual bifurcation that we find in Walzer's later work. The excessive dominance of 'reason' in the social critic fragments the self. Both the accounts of alienation that I attribute to Walzer share the same structure. The only significant difference is that Walzer becomes less openly normative; ostensibly being more concerned with method rather than with (normative) consequences. Nevertheless, the normative content of individual alienation is definitely there; and this is partly revealed by the way in which the individual philosopher is described in terms of essentially the same contrast between 'reason' and 'popular will'. Certainly, we can't straight forwardly describe the individual case in terms of the dominance of 'popular will'. But we can say that the heroic philosopher suppresses the same norms and values that are embodied in the popular will. And we can also point to the prima facie similarity between Walzer's rejection of 'philosophy' and Hegel's critique of Kant's alienating dualisms; both of which seek to re-establish the importance of the cultural sources of ethical value. In Hegel the sociological

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[300] Ibid.p.395-6. '[I]t will involve overriding their own traditions, conventions, and expectations'. Moreover, 'they will have some difficulty understanding why the hypothetical experience of abstract men and women should take precedence over their own history'. The reference here is obviously to the Rawlsian original position, but also to Habermas' ideal speech situation.
[301] This point is made explicit in 'Philosophy and Democracy'.p.380; as well as in The Company of Critics. p xiii. .
[302] Walzer says that the alienation point may be made through exaggeration because ultimately implementation rests on interpretation rather than philosophy. But 'the exaggeration makes a point: the citizens have, to whatever degree, lost control over their lives' ('Philosophy and Democracy'.p.395).

basis of value and the insoluble link between this sociology and the constitution of the self is made fully explicit.[303] We are not fully whole in Hegel's view of identity until we reconcile the thick ethics of community with the abstract morality of the Enlightenment; with just the former we have a thick sense of identity but no real freedom, and with the just the latter we are free but only in an abstract sense that has no real ethical substance. We must, in short, reconcile reason and inclination if we are not to alienate ourselves from one of these two crucial aspects of our being.

There is no need to enter into the complexities of Hegel's position at this point; though there is one crucial divergence with post-Kantianism that characterises both and Walzer and Hegel, and which makes them unique. We will address this towards the end of this chapter. But a great deal of Hegel's theory is really only an elaborate extension of the post-Kantianism we have already considered, albeit with an ultimate faith in the power of reason that goes beyond the earlier post-Kantians. What I want to draw out now is the way in which Walzer's own reason-inclination reconciliation is based upon an account of language that is also strikingly post-Kantian. It is also an account that takes us back to one of the key issues of Chapter Three: the meanings, scope and ontological status of 'spheres'.

The Category of the Poetic

5.7 It is also clear that the concept of 'truth' as a <u>value</u> is radically down-graded in Walzer's view. Not only is there no presumption that it should automatically take precedence over 'popular will' and (by extension) 'inclination'; Walzer is also very suspicious of the idea of '<u>the</u>' truth. Truth for Walzer is far more diffuse and subtle than the anti-'truth' of the simple relativist, and so it is not simply that there are many competing truths; Walzer also rejects the stringent criterion of truth that requires it to be 'certain'. In language that (consciously or not) owes a great deal to Novalis, Holderlin and Schlegel, Walzer elucidates his meaning here by an analogy with the truths of poetry. 'Nothing so coherent as a philosophical statement, nothing so explicit as a legal injunction: a poem is never more than a partial and unsystematic truth'.[304] But it is still a truth according to Walzer. Its meaning may be obscure or difficult to grasp, and it is, indeed, very unlikely that any truly interesting piece of poetry will have a precise meaning. The whole point is that the very richness that makes poetic truth meaningful or profound also

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[303] Hegel's The Philosophy of Right is the most important statement of this. (trans. H.B.Nisbet, ed. A.W.Wood, Cambridge: Cambridge University Press, 1991).
[304] Walzer, 'Philosophy and Democracy'.p.382.

means that its interpretation will be contestable. So too with meaningful democratic discourse and 'social criticism'. In both cases, richness requires <u>community</u>. Both the critic and the poet must immerse themselves in the shared meanings of their culture if their words –aesthetic and ethical- are to have any purchase. It is only the philosopher who, mistakenly, seeks radical disengagement and incontestable truth.

> 'The poet needs fellow citizens, other poets and readers of poetry, who share with him a background of history and sentiment, who will not demand that everything he writes be explained. Without people like that, his allusions will be lost and his images will echo only in his mind. But the philosopher fears fellowship, for the ties of history and fellowship corrupt his thinking'.[305]

There is a lot that needs unpacking here. But there is one point that immediately stands out: in the terms of the poetry analogy it is entirely legitimate to bring 'sentiment' to bear on moral-political discourse. Indeed, it is evidently not just legitimate. It is necessary in order to be a 'fellow citizen'. 'Citizenship' connotes not just shared political membership, but also the common bonds that make collective communication possible. In this sense, citizenship is not just a strictly 'political' concept for Walzer. For it is in the same community that we inherit our broader sense of identity, moral as well as cultural. Both political <u>and</u> moral identity require the 'ties of history and fellowship'. It is a precondition of <u>all</u> communities that they require the shared language and bonds of fellowship. This is why 'sentiment' is so crucial for Walzer. Deny sentiment its legitimate place and you deny the individual the means of moral-political expression.

It may of course be that we <u>will</u> want to deny the importance of at least political expression. We are not all Aristotelians. But Walzer clearly does place a very high normative value on the exercise of popular will. Political expression <u>is</u> important for him. We see this not only in his account of democracy, but also in his association of 'poet' and 'citizen'. The cultural and the political meet and mingle closely in Walzer's world; and so too does the moral. The important point here, however, is that the potential for expression is vital for a full sense of self. This is in fact clearer in the case of cultural and moral expression than it is with political expression. The point is not so much that we <u>must</u> express ourselves; but, rather, that we must have the cultural <u>resources</u> to do so.

This is why shared 'sentiment' is so crucial and why disengaged philosophy is so pernicious. Abstraction, as we have seen, is not just isolating; it also makes for an

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[305] Ibid.p.382.

emaciated moral being –'thin' and rather ghostly. It deprives us of the basic material with which to <u>be</u> moral. The implication, of course, is that we are only fully moral beings in the company of other citizens or (moral) 'fellows'. Without at least the potential to be moral, how can we be properly constituted selves; how can we be fully human? Few would find it easy to accept that we are fully formed individuals without at least possessing the language of morality, even if we <u>then</u> flout the norms of that language and moral code. A total lack of recognition of moral codes, rather than conscious rejection, suggests a cognitive shortfall; a stunted maturation -a kind of incompleteness. It thus becomes natural to re-pose the classic post-Kantian question: how can the individual who repudiates 'sentiment' be properly 'whole'? The tacit conclusion that lies just beneath the surface in all of Walzer's work is that a 'philosophical' self <u>can't</u> be 'whole'; and, as we have seen most clearly in his discussion of democracy, the objection to this fragmentation is not just methodological, it is also normative. In the absence of any structurally significant difference in the basic function of 'sentiment' and Kant's 'inclination', it is difficult to see how one could deny the great influence of post-Kantianism on Walzer. To my mind at least, he must be placed firmly in that tradition.

There are two last post-Kantian affinities that I want to establish in this chapter. The first is general, in the sense that it is common to post-Kantianism generally, and builds upon the considerations of this section (5.7) by articulating the theory of language that it presupposes. The second is more specific and concerns the relation of Walzer to Hegel in particular.

Language and Ontology

5.8 We have just seen the affinity of Walzer's use of the 'poetic' with his post-Kantian forebears. Amongst the post-Kantians this is in part a response to the Kantian bifurcations of the self (and hence the counter-call for wholeness through Schiller's aesthetic play). That response clearly, as we have seen, leads to a thick conception of community; bound together through its shared language and moral discourse. It is important to understand, however, that this linguistic bond is not just a surface phenomenon: it is not just that we either come together because we happen to share the same language, or that, conversely, that we develop the same language simply in virtue of our social proximity. This is all true but comparatively trivial. The deeper point is that it is through language that our identity is constituted. At first sight, this may appear to a rerun of the classically communitarian 'constitution of the self' thesis. We are constituted through the values and practices of our

society and these are expressed and developed linguistically. All this is indeed common ground shared by Walzer, his communitarian contemporaries, and the post-Kantians. But the point goes deeper than this. The seminal statement comes in Herder, and the most explicitly linguistic contemporary statement comes from Taylor; partly through his own adoption and elaboration of Berlin's 'expressivist' interpretation of Herder.[306]

What this tells us, in essence, is that we are constituted as human beings not just socially, but also linguistically (i.e. through our formation and understanding of normative speech). So, to the extent that this is true not just of Herder but also of his contemporaries, the expressivist view of the self gives language an ontological content over and above the weaker thesis that we are socially constituted. It is not just, as it were, that we are already human and that the way in which we express our humanity is dependent on our particular parochial attachments. Rather, it is that there is an important sense in which we wouldn't be human at all without the capacity for irreducibly normative language. It is part of our essence; and this makes Taylor's Herderian arguments ontological in a stronger sense than the softer ontology of the social thesis. It is not just a question of 'who' we are, but of <u>what</u> we are. We are all (globally, universally) culture producing beings; hence, in Walzer: 'One characteristic above all is central to my argument. We are (all of us) culture-producing creatures; we make and inhabit meaningful worlds'.[307] That is the essentialist claims that lies behind all post-Kantian accounts of self and culture, and it is a claim that, when more fully articulated, takes us far beyond the parochial 'we' that universalists object to with the claim that a post-Kantian inspired internalism amounts to no more than 'what we do around here'. We shall come to the nature and scope of 'our' shortly. But what is vitally important here is the interaction of this conception of the culture creating being with its environment. As human beings we create culture whilst it simultaneously creates us; for we can only create with the materials –social goods and meanings- that are available to us. The process is two-way, 'dialogical' and circular –in almost exactly the same way that the meaning-distribution relation is; and the conceptual counterpart of which, when applied to the symbiotic constitution of self and culture, is the codetermination thesis that we touched upon in section 5 of this chapter.

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[306] Charles Taylor. 'The Importance of Herder' in <u>Philosophical Arguments</u>. Harvard University Press. 1997. <u>Hegel and Modern Society</u>. Cambridge University Press, 1979.
[307] Walzer, <u>Spheres of Justice</u>. p. 314. See also Charles Taylor's 'Interpretation and The Sciences of Man', <u>Understanding and Social Enquiry</u>, University of Notre Dame, London, 1977

Taylor's treatment of Herder also brings out a yet deeper implication. The full force of Herder's expressivism can, according to Taylor, only be appreciated in the context of the view of language that he was reacting against i.e. the view that the spoken word matched or represented an object or action in the world; that language straightforwardly comes after the cognition of a material reality, rather than being a constituent part of its creation.[308] The opposite extreme is, of course, that the objects are solely created by language rather than being designated by it. But it is the more sober middle-ground that captures the conceptual essence of the meaning-distribution relation of Walzer's spheres, and which makes sense of his casual and slightly reckless assertion that 'goods come into people's minds before they come into their hands'.[309]We are thus to understand this not as the expression of a pure philosophical idealism, but instead as a central part of an ontology – deeper than the weak ontology of the social thesis- that sees reality, as well as culture, as both created and 'given' and constrained. In general terms, this should be read as another instance of the dissatisfaction with the separation of subject and object; and, more specifically, with the theoretical failings of the attempt to view language with the objectivity of an external, scientific observer –as if language were not something in which the observer himself was deeply and inextricably enmeshed. Taylor's own adoption of this argument is also, like the post-Kantian's, a manifestation of this more general objection to the subject-object dualism. In Taylor it comes through most tangibly in his reaction to 'epistemology'; and thus the mediating categories of empiricism ('sensation', 'representation' etc) that ensure that there is always a unbridgeable gap between mind and world that must, of necessity, leave us stranded in a sceptical impasse.[310] This is exactly the same conclusion that we find in post-Kantianism and their various attempts to develop something like Schelling's 'identity logic'. We briefly touched upon the reasoning behind this in section three of this chapter, and there is no need to enter into it in any great depth here; but the crucial point is, once again, ontological: reality, not just identity, is shaped by the way in which we use language.

I am not now suggesting that Walzer himself articulates such a theory, but rather that his account presupposes it, and that the claim that goods come into our minds before coming into our hands is more than a throwaway line. It is more than this because of its bearing upon the meaning-distribution relation. For that relation clearly rests upon a view of

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[308] Charles Taylor. 'The Importance of Herder'. Philosophical Arguments. Harvard University Press. 1997.pp 80-82.

[309] Walzer, Spheres of Justice.p.7

[310] Charles Taylor. 'Rorty in the Epistemological Tradition' in Reading Rorty. (ed) Alan Malachowski. Blackwell. 1990.

language too (i.e. as public, social, hermeneutic and mutable).[311] And it is also, as we can now see, the self same view of language that provides the resources with which we build and create our identity (often recreating that language as we go). Thus, the conceptual connection that I want to emphasise is this: both the meaning-distribution relation and the formation of identity rest upon a view of language that is deeply ontological because it is central to the language based creation of reality. This quasi-idealist dimension of Walzer's argument leads to a complex ontological layering in which we (as universally culture cum self-creating beings) both create reality and are, in turn, created by it. Clearly, and this is of the most fundamental importance, 'spheres' are a central part of that linguistically created reality; part reflection and part determination of the way in which we think, act and speak about distributive justice specifically, and morality and politics more generally. Just as importantly, it is this process of constrained generation that is essential not just to our status as culture creating beings; but to our very status as being properly 'human' at all. All this is common to post-Kantianism generally and thus constitutes the first affinity that I spoke of at the beginning of this section.

But here's the difference. Walzer diverges from his forebears in the way in which he makes pluralism central to the ontology of language.[312]That is the undeniable consequence of the theory of 'spheres' (i.e. the bundle of meanings that demarcate the boundaries of a plurality of distributive spheres). Yet there is a still more important consequence that flows from this. For if we are constituted by the ontological possibilities and limitations of our language, and if this is divided into spheres, then we need some serious further articulation in order to explain how the division of language into spheres does not also divide the self into spheres. We need not enter into this argument here. That is the purpose of the following chapter. But to put the point very briefly, this Walzerian ontology seeks to overcome the dualism of subject and object, only to then multiple that relation; to create a great many spheres in which the self must re-negotiate the process of meaning creation and meaning determination –in which there are a series of subject-object relations. There is no logical contradiction in this. It does, however, pose the question of the relation of this spherical aspect of Walzer's ontology to the post-Kantian heritage of its philosophical underpinning. For the motivation behind this is the drive towards the unity of the self, and

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[311] We will pick up this theme again in the second half of chapter eight.

[312] This is not to say that there was not support for pluralism per se. On the contrary, the great emphasis on language and culture is part and parcel of a recognition of the great variety of culture and its importance for the development of the whole self. But, for all the variety, the assumptions is that the individual cultures are themselves internally homogenous. This is therefore where Walzer diverges most from the post-Kantians.

that is greatly complicated by the spherical division. To use a geometrical analogy, why would a post-Kantian motivated by this drive to wholeness pull subject and object together along the vertical axis only to fragment both subject and object along the horizontal axis?

We will deal with this question and the tension that it creates in Chapter Six. There is, however, one last post-Kantian affinity to deal with. Walzer diverges from Herder et al in his deep ontological pluralism. But he is not entirely alone in this. I have deliberately neglected Hegel thus far in this account of post-Kantianism. That is because of his great complexity and the fact that what has been of key importance is the reaction to Kantian dualisms and bifurcation; all of which is accessible in the influences we have been looking at, and to which we did not need to add a greater level of complexity in order to establish the drive towards wholeness and the ontology of language in Walzer. Hegel, however, is important to my argument in a special sense. For it is only in Hegel, and then Walzer, that we do indeed find this combination of a rejection of the separation of subject and object, plus the further ontological twist of a deep pluralism. By this I mean that both Hegel and Walzer take both the unity (of the self, of subject and object) to express a normative desire and a sociological truth, and their respective theories also embody the same normative cum phenomenological commitment to an equally deep (ontological) pluralism. The difference is that where Hegel is aware of the tension between the two and provides a means of reconciling them (ultimately the great extravagance of the 'Absolute'), Walzer does not.

Summary and Conclusion

5.9 We will soon see the full relevance of this detour into ontology. Before doing so we will conclude this chapter by relocating the discussion in the context of Walzer's thick conception of citizenship and the notion of the 'poetic'. The active citizen as social critic needs, like the poet, a linguistic community that understands the imagery and resonances of his or her words, not the precision and certainty that the 'political philosopher' seeks to impose upon normative argument and political debate. Given the phenomenology of meaning and value, such precision will never capture what really animates moral cum political life; and given the to and fro between linguistic cum cultural creation versus constraint and 'given-ness', we can now see with greater clarity why language is necessarily imprecise in the way that a poem is.[313]Of course, all this emphasis on

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[313] See also chapter three, sections 2 and 3.

'fellowship' brings to the fore the issue of 'them' and 'us' –the putative 'we' that is too easily taken for granted by communitarian arguments.

What already comes through strongly, however, is the way in which Walzer's argument does in fact presuppose a universalist stance in the notion of self-creating beings. Certainly, Walzer's own conception of creation is one that talks of 'culture' creating beings rather than the more radical notion that we are also 'reality'-creating beings. He also says 'we' are all equal in virtue of this capacity, and so it may seem that this is just another case of parochial value. The 'equality' clause here is, indeed, suspiciously parochial –the value of a thick liberal democracy; though, paradoxically, this value can be 'parochial' in a very deep sense.[314] Nevertheless, there is still a normative gap in the argument. For the implication is that this is not just the (universal) ontological claim that we are all culture producing beings by virtue of our essence as 'human', but that we are to respect this status normatively and politically; and 'equally' i.e. for each individual. Once again, there is an unjustified leap from ontology and phenomenology to normativity. Yet there is now at least the way forward to a global normativity; as once we justify the leap itself the outcome will be a minimalist universalism based upon the deeper layer of Taylorian 'self creation' and essentialism that lies beneath the more parochial sounding cultural formulation of Walzer's explicit statement.

In practical and political terms this produces its own class of problems, concerning the conflict of different expressions of this self cum culture producing essence within a given society. This is in fact the standard problem that liberalism seeks to resolve; the question of how to maximise self-expression and the pursuit of a diversity of individual life plans. Walzer must also resolve that problem if the great emphasis on 'fellowship' and a shared poetic understanding is not to become politically and morally oppressive or illiberal; if, in other words, Walzer is to successfully give group identity its necessary place in the development of a full individual identity without overwhelming their moral agency –and, crucially, without the undue dominance of, or exclusion of, some groups in favour of others. The most obvious scenario is the 'totalitarian' one in which the democratic fellowship is really little more than an intolerant and narrow-minded majoritarianism, and in which we may well be 'whole' in the sense of being deeply embedded in a thick community, but in a way that allows for no meaningful critique or nonconformity. Neither the theory of complex equality, or a reconstructed Walzerianism, can accept that. What

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[314] See chapter four, p 95.

Walzer wants and needs, just like Hegel, is an account of a non-alienated and 'whole' individual, with thick attachments and commitments; but with the potential for those commitments to be diverse, and for the thick culture to also be plural and differentiated. In short, we must, contra Kant, embrace inclination and passion in politics and morality, but we must also embrace the plurality of 'inclination'.

This all has serious implications for Walzer's conception of citizenship. At the end of the last chapter we saw that the value of citizenship as 'membership' could be interpreted either thinly or thickly. It should now be clear that the Walzerian sense is very thick: we are to be actively engaged with our fellow members in a democracy that is normatively valuable because it allows 'us' to pursue the passions that give life meaning. 'Citizenship' for Walzer connotes far more than the very minimal, private and 'self-regarding' conception that we looked at in the penultimate section of the previous chapter. It is active and public –we are all to be social critics- rather than private and non-interfering. But, most of all, it is a conception of citizenship that is a reaction to, and corrective for, the alienating tendencies of Kantian political philosophy; and hence for the moral bifurcation of the self. It is important not to lose sight of this moral dimension, as it is the moral vision of the proper constitution of the self that justifies the political emphasis on democracy and community. Yet this brings us straight back to the tension between the individual and community in its purest form: common values and collective identity versus individual freedom. The argument of the following chapter is that Walzer himself cannot address this tension within the terms of his own argument.

CHAPTER SIX

Walzer's Structural Impasse

Introduction

6.1 The purpose of this chapter is to draw out the true normative motivation behind Walzer's substantive and normative commitment to pluralism. That motivation, I shall argue, is a second normative conception of self; and one that creates a serious tension with the (first) normative conception of self as 'whole'. But then there is also a crucial sense in which this tension cannot be avoided; as it is this second conception of self that is really doing the vital work of adjudication between spheres, and of preventing moral agency from being over-determined by the culture in which it is embedded. In this chapter we are thus now in a position to make good the deficiency of the sympathetic critiques of Chapter Four. The new problem is the tension that this solution creates with Walzer's communitarian commitment to wholeness.

Two Methodological-Normative Postulates

6.2 The best way of first getting to this tension is to distil Walzer's eight main methodological postulates to two:

(A) As moral, social and cultural beings our identities are embedded in the meanings and values of the historical community that we are born into. 'Philosophical' abstraction thus strips moral discourse, and individual identity, of their sources of meaning. The corrective is a 'social criticism' that 'names subject and object at the same time'. Walzer thus wants to reject a dualist conception of self and society. He wants to bring subject and object together.

(B) The historical community in which we are embedded is necessarily plural in the sense that there are inevitably plural sources of value within any given society. Meaning and value are social creations, but this does not mean that there is only <u>one</u> source of value. This is the notion behind 'spheres' of justice: different social phenomena create meanings that are specific to that form of social practice. Thus we find that the spheres of family, market and politics have their own individual criteria of value.

This certainly doesn't do full justice to the subtlety of Walzer's position, that was the aim of Chapters Two and Three of this thesis. But the point of the distillation is to get to the nuts and bolts of the argument; and what we will find is that there is indeed a serious tension between the two principle premises. The first principle (A) can best be described as the 'social thesis'. Central to this is the idea of the socially embedded self. There is no stark contrast between the concepts of self (subject) or society (object). The rejection of this dualism is indeed the linchpin of the social thesis, and it also forms the conceptual underpinning of 'social criticism'. When Walzer tells us that social criticism pulls self and society together, the contrast is with the 'political philosophy' that pulls them apart. The error of this 'philosophical' approach is firstly methodological. In its abstraction, political philosophy actually denies itself the very terms that make moral discourse rich and meaningful. It thus misunderstands the real nature of moral discourse. Social criticism, on the other hand, takes us right into the gritty reality of political, moral and social discourse; philosophically uncertain but richer for its lack of 'truth'. This is clearly a methodological point about how moral discourse works. So too is the claim that it is only through social criticism thus conceived that we can have any real normative impact. There is, however, also a strong normative element to principle 'A'. 'Political philosophy' is wrongheaded in the sense that it creates too much distance and thereby denies itself the sources necessary for rich moral reasoning. But it also denudes the philosopher of his moral and social identity; it alienates and fragments the self. For Walzer, as I argued in Chapter Five, this is a normative failing as much as it is a methodological error.

But if principle 'A' yields a social criticism that makes for a 'whole' and non-alienated self, the tendency of principle 'B' is to do precisely the opposite. For the point of this principle is, in effect, to compartmentalise our social sources of value and identity into 'autonomous' spheres. This is the upshot of Walzer's assertion (later qualified) that 'there has never been a single criterion, or a single set of interconnected criteria, for all distributions' of social goods.[315] The point here is prior to the normative assertion that we ought to respect the various and distinct criteria for the distribution of goods within different social practices; it is that we misunderstand the phenomenology of social practices if we attempt to reduce distributions to a single criterion.[316] This is an ontological claim about the way the world 'is', and it is important to understand that this is not simply an assertion of multiculturalism. The 'spheres' of our social existence and ethical practice

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[315] Walzer, Spheres of Justice.p.43.

[316] It is of course a further, normative, failing if we then attempt to impose this reductionist misunderstanding on others through practical action.

are not to be simply understood as coexisting or competing cultural conceptions of value; it is not, say, that we are presented with either a Catholic or Hindu conception of virtue that we may or may not be born into, convert to, choose to identify with etcetera. Walzer's pluralism is certainly compatible with this. But the notion of 'spheres' goes deeper than this and cuts across these multiculturalist lines; for it is central to Walzer's position that there are spheres of justice and values <u>within</u> cultures. If we were to happily choose one, and one only, cultural or ethnic source to identity with, we would still be faced by the plural structure of value. The 'spheres' that will have their own meanings and criteria of value and justice include 'family', 'education', 'politics', 'religion', 'the market', 'the work place'; and so on, including (by extension) such categories as 'non-familial friendships'.

Now, it is obviously possible in some cultures to opt out of many of these spheres. In a modern western liberal society we are not going to coerce individuals into forming their own new family, for instance. We could perhaps say the same of politics if it were not for the fact that some recognisably liberal cultures do just this through the institution of compulsory voting. But in anything other than a very impoverished and hermitic existence we must come up against coexisting spheres in Walzer's world; and in <u>this</u> sense, 'choice' does not meaningfully enter into the equation. If we want to be public beings, if we don't seek the hermitic retreat to a world of total 'privacy', we must confront the reality of spheres. It is not a normative choice to identify with this or that sphere; though there are undeniably some spheres that we need not all engage with (religion perhaps, though secular cultures tend to engage atheists in this sphere negatively through the notion of tolerance). It is, rather, that the spheres provide and condition our identities; in much the same way that culture more generally does. This sense of embedded identity is of course now more specific. We are embedded in a wider culture but then <u>within</u> that wider culture our sense of (for example) economic or familial self is likewise embedded in the values of those particular 'spheres', as they have evolved in this particular (wider) 'society'. There is in fact a strong similarity here with the communitarian critique of contractualist accounts of political obligation: just as society is prior to the 'self', so too is (for instance) a thickly constituted economic sphere prior to the 'economic self'. And nor should we forget that Walzer needs not just a solution to the problem of inter-spherical adjudication, but also to the threat that his communitarianism over-determines the self.

What does this tell us about the two principles? In one sense it suggests that they are fully compatible. We are told that the self is embedded (A) but that it is embedded in a complex

and plural way (B). And there is certainly no logical contradiction here. But what happens to the normative conception of a whole self that we find in the social thesis of the first principle? This is where the tension arises. For Walzer makes a great virtue of pulling self and society together. He wants to <u>overcome</u> the kind of Kantian bifurcation that denies us the sources of our moral identity and makes for alienation and fragmentation. The concern, as we saw in Chapter Five, is that political philosophy alienates us from society in general and causes a rift between a parochial 'self one' and a reflective (abstracted) 'self two'. But then it is just as easy to say that the ontology of autonomous spheres has the same effect. We are divided between a 'family self', a 'political self', an 'economic self', a 'religious self'; and so on. Indeed, the fragmentation may well be <u>more</u> psychologically ruinous than the Kantian bifurcation. For at least the latter only requires a dualist structure of separation; one <u>general</u> instance of abstraction. In Walzer's world the separation is repeated many times over. To be sure, there is no doubt that he remains faithful to the intention to 'name subject and object at the same time'. But he pulls the two terms together only to then fragment 'object'. Thus in terms of the normative status of the whole (non-fragmented) self, what Walzer gives with one hand he takes away with the other. And this leaves open the crucial question of how we are to account for a unified and whole self.

The 'Common Sense' Response

6.3 There is in fact a ready and obvious response to this. This simply says something like this: 'when we are acting in the family sphere we are simply acting in that sphere', 'when we are acting in the political sphere we simply acting in <u>that</u> sphere'. And so on for each sphere. On this account that's all there is to it. It is, however, at least historically odd to find a writer that is wedded to both the social thesis and the pluralism of principle 'B'. In the post-Kantian tradition that inspires Walzer's social thesis we find that it is precisely <u>because</u> of the tension between principles 'A' and 'B' that they reject <u>internal</u> pluralism, knowing full well that to embed the self in such diversity can only lead to its fragmentation.[317] Internal pluralism for these writers militates against the normative drive toward a 'whole' self; the very sense of self that motivates their commitment to national (external) plurality in the first place. There is, of course, a very notable exception to this view in the post-Kantian tradition that we mentioned towards the end of the last chapter

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[317] This is not to say that there was not support for pluralism per se. On the contrary, the great emphasis on language and culture is part and parcel of a recognition of the great variety of culture and its importance for the development of the whole self. But, for all the variety, the assumptions is that the individual cultures are themselves internally homogenous. This is therefore where Walzer diverges most from the post-Kantians.

and which I'll only touch upon here. Hegel is unique in his <u>acceptance</u> of pluralism within society; but he is also very well aware that there is a tension that needs to be overcome. One might indeed be tempted by the claim that this tension is the very starting point of the whole Hegelian project. But the very fact that Hegel is generally thought not to have succeeded in this pluralist-embeddedness reconciliation again illustrates the force of the tension. For it is in his most trenchant critic that the accusation of separation and bifurcation simply re-emerges. Thus Marx observes that Hegel's properly constituted state rests on a bifurcation of the self into 'citizen' and 'bourgeois'.[318] It is interesting to note that a very similar concern has been raised in response to the 'political liberalism' of the later Rawls; resting, as it does, on a 'political' conception of the person that is abstracted from the 'comprehensive' concerns and identity of the private individual.[319] The concern here need not be deeply metaphysical, or indeed metaphysical at all, but simply that the kind of strong internal pluralism that Walzer espouses leads to a 'conflicted' self: conflicted, that is, between a private and a political self in the accounts of Hegel and late Rawls, and conflicted many times over between the autonomous spheres of Walzer's pluralism. So how can Walzer keep his methodological pluralism and remain wedded to the conception of a whole self? Isn't it more likely that a world of plural spheres will leave us in a situation close to the society that MacIntyre describes, just pulling us 'betwixt and between' so many potentially conflicting sources of value and identity?[320] Not necessarily. But only because Walzer tacitly, and inconsistently, invokes a strong extra premise that prevents the self from fragmenting in these circumstances. Before making this argument, however, it is important to see what <u>should</u> follow from principles 'A' and 'B' if we do not add Walzer's tacit premise.

The 'Logical' Implications of Principles 'A' and 'B'

6.4 There is, as I have said, no <u>logical tension</u> between Walzer's two principles. Indeed, viewed simply in methodological terms the two principles in fact marry well. Nevertheless, as both theses are explicitly concerned with the sources of our identity it is inevitable that there will be implications for the way in which we view the 'self'. In fact, if it is pushed far enough, the structure of Walzer's argument can easily lead us in a metaphysical direction

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[318] Karl Marx, 'On The Jewish Question', <u>Selected Writings</u>, David McLellen (ed.) Oxford University Press, 2000.

[319] The seminal statement of this is in 'Justice as Fairness: Political not Metaphysical' in <u>Philosophy and Public Affairs</u>, 14, 3, 1985. It is developed most fully in <u>Political Liberalism</u>, New York: Columbia University Press, 1996. I will discuss this in greater depth in the second half of chapter seven.

[320] Alisdair MacIntyre, <u>Whose Justice?, Which Rationality?</u> London: Duckworth, 1988.

concerning the status of the self. If we are embedded in a plural ontology it becomes plausible to take literally the notion that our activities in different spheres are the actions of different 'selves'. Unless we presuppose a deep sense of self that underlies all of our experiences, the way is open to the conclusion that there is no such thing as a unified self over time. The 'self' is no more than a particular bundle of experiences at any give time; transitory and contingent. If one were really to press Walzer's two principles to their logical conclusion, it is this broadly Humean conception of self that would be the terminus. Our experiences in different spheres wouldn't constitute the experiences of a single, unified self. We would be 'nothing but a bundle or collection of different sensations, succeeding one another with inconceivable rapidity, and in perpetual flux and movement'; little more than one of Hume's famous 'fictions'.[321]

It may well seem extravagant to suggest that Walzer's argument can be tied to the metaphysics of personal identity. That is clearly not the purpose of his argument. There is, however, a clear parallel with the Humean self. For both Hume and Walzer the self is constituted by experience. Where for Hume the self is constituted by a bundle of 'sensations', the implication of Walzer's argument is that we are constituted by multiple spheres. Thus the self must, by extension, be simply a bundle of 'spheres'. Of course, for Hume the flow of experiences that constitute the self moves so rapidly that, strictly speaking, there is no 'self'. This is clearly not the kind of conclusion that Walzer is explicitly committed to. Nevertheless, it is difficult to see how we are not led to this kind of conclusion by the phenomenological structure of Walzer's ontology. If the direction of the argument does not take us all the way to Hume's 'fiction', it still leaves the idea of a coherent self looking very fragile. The social and moral identity of the Walzerian self would vary from sphere to sphere. It may well be the same self in metaphysical terms, but in social terms it begins to look increasing fragmented and schizophrenic. Moreover, this threat of fragmentation would still hold true if one were to reject outright the suggestion that Walzer's ontology may have implications for 'personal identity'. The fact remains that there is a serious tension between his social thesis and his methodological-phenomenological pluralism; and this tension, as well as the idea of a 'conflicted' self, are both fully understandable without reference to the resources and concerns of metaphysics. So there is no way in which the accusation of a serious tension in Walzer's argument is actually parasitic on the metaphysical status of the self. But nor should it be forgotten that

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[321] David Hume, A Treatise of Human Nature, (ed.) L.A. Selby-Bigge, Oxford University Press. p. 259

the status of the self has played a pivotal role in a rich tradition of normative argument.[322] It is, indeed, the awareness of the normative ('practical') implications of a Humean and phenomenal account of the self that leads Kant to the transcendental argument that there must be some significant sense of a substantial, unified 'I'.[323] It is hardly surprising that Rawls retains this assumption whilst also, unlike Kant, refusing to be drawn into the question of its metaphysical status.[324] For without this assumption we lose a great deal. Without a unified conception of self, it soon becomes apparent that the categories of desert and responsibility come under threat; as does the more general concept of agency that they are predicated upon.

In fact, if we are to follow the real implications of principles 'A' and 'B' there will be very little 'agency' in Walzer's world. In part this is to be attributed to the familiar objection that the social thesis (principle 'A') of communitarianism over-determines the self. Thus, for the liberal, the 'embedded' self is tied too firmly to inherited roles and institutions. The social thesis thereby denies the crucial liberal values of choice, freedom, self-creation etcetera; and, given the need to maintain a 'thick' moral culture, the emphasis on 'community' also leads to intolerance of those that threaten that sense of thick culture and collective identity. These are the standard senses in which liberals tend to be dissatisfied with the social thesis. But Walzer, of course, considerably complicates the issue by adding to the social thesis his methodological and phenomenological pluralism.

On the face of it, this might seem to mitigate the potentially oppressive structure of the 'communitarian' society; and that is indeed an explicit and important feature of Walzer's

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[322] In modern political and moral philosophy we see this in, for example, the status of the 'deep' self in debates about free-will and determinism. See (e.g.) Frankfurt: 'Freedom of the Will and the Concept of a Person' in Free Will, Watson (ed), Oxford University Press, 1982; and Gerald Dworkin's 'The Concept of Autonomy' in The Inner Citadel; Essays on Individual Autonomy, (ed John Christman), Oxford University Press, 1989. In political terms we see the implications of essentially the same considerations in the literature that arose around Berlin's famous critique of 'positive freedom' and its reliance on an essentialist account of a 'real' self. (See Isaiah Berlin's 'Two Concepts of Liberty' in Four Essays on Liberty, London, Oxford University Press, 1969). More recently, there in an explicit reliance on the metaphysics of personal identity in Derek Parfit's utilitarianism (Reasons and Persons. Oxford: Clarendon, 1984). More obviously still there is the point at issue here i.e. the communitarian insistence that Rawls relies upon a metaphysical view of the self.

[323] Kant, The Critique of Pure Reason., J.M.D. Meiklejohn (trans.). New York: the Colonial Press, 1990. B131-2. The irony here is that Kant takes it for granted that this settles the argument, whereas we could of course accept the conclusion and adopt a Parfitian self. Kant standing at a different ontological cross-roads. And we might also note that the structure of the argument is rather fragile here. For Kant takes it for granted here that we do not have as 'diverse a self' as we have representations; and in this respect Kant takes the unity of the self as a premise rather than a conclusion.

For the political implications of this see Groundwork for the metaphysics of Morals, J.Ellington (trans.), Cambridge: Hackett Publishing Company, 1981.

[324] This is the argument of the second half of chapter seven of this thesis.

argument.[325] We would be embedded, but only in a richly diverse society. We have seen, however, that Walzer's pluralism goes far deeper than the simple affirmation of the virtues of 'multi-cultural' society. Unless we are to choose a hermitic existence we have no more choice than we would have in a non-plural communitarianism. It is clear that the kind of choice that we could exercise would be to not participate in a sphere at all. This may be all well and good if that sphere is 'religion' or 'family'. But what of, for instance, the 'economic' sphere? It is doubtful that even the very wealthy –those with independent means- can abstain; for even their 'private' wealth will ordered and regulated by public understandings of the 'just' distribution in that sphere. It is still more doubtful to think that there can be any degree of choice for the vast majority who are not 'independently wealthy' anyway. The point that I want to stress is that Walzer's pluralism doesn't increase the potential for us to exercise choice; it simply multiples the points of cultural contact that, as a matter of phenomenological fact, allow no meaningful choice. Thus, once we add to the social thesis the ontology of spheres, the loss of agency that follows from the social thesis becomes very much more acute. Now it is not just that we are determined by our surroundings, we are also fragmented by them. We are determined by plural and conflicting sources of value. To the social constraints upon freedom we are, therefore, to add the psychological loss of freedom that comes from an inability to act as a unified self; from being pushed from pillar to post by competing spheres. The demands that this world make on us threaten to be overwhelming; so many duties and so many identities in different spheres that it is difficult to see how the self in this world can be anything other than schizophrenic. Surely no one would want to say that this condition is one of 'freedom'.

The A Priori Assumption of Social Cohesion

6.5 There are in fact two obvious answers to this charge of ruinous fragmentation; both of which, however, fall foul of Walzer's own stated premises. I have already hinted at one of these answers in the suggestion that, unless we simply presuppose a deep sense of self that underlies all of our experiences, we are led in the direction of a Humean conception of self. We will come to this after the first of the two possible answers. Thus, one way to keep pluralism and to avoid the fragmentation conclusion is to simply assume that the spheres of a given culture cohere in such a way that that they do not come into conflict. There is

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[325] See Walzer, Interpretation and Social Criticism p.60. 'Criticism does not require us to step back from society as a whole but only to step away from certain sorts of power relation-ships within society. It is not connection but authority and domination from which we must distance ourselves'. See also chapter three section 7 of this thesis.

indeed a sense in which Walzer does just that. Michael Rustin argues that the move from justice as shared meanings to justice as complex equality violates Walzer's own principle of 'internalism', as the move to justice as complex equality relies on an anterior and a priori commitment to a normative or 'idealized' pluralism. The form of Rustin's objection here is similar to my argument in Chapter Four; being, in essence, that the move from methodological to normative pluralism is a non sequitur. Both Rustin and I treat Walzer's substantive pluralism as an a priori premise that is anterior to Walzer's internalism. Moreover, Rustin also sees a potential (and indeed likely) tension in a world of plural spheres; the potential discord and disharmony of 'complex inequality'. Thus he notes that in order to head off this obvious possibility, Walzer relies on 'an a priori concept of cultural coherence' and sets up an implicitly functionalist (or equilibrium) model in which every part of the social order is, or should be, assigned equal weight'.[326] Though Rustin is not concerned with the effects of Walzer's plural ontology on the 'self', his astute observation provides the first possible answer to the suggestion that this ontology fragments the self. If Walzer's assumption of social cohesiveness were correct, then it would go some way towards reducing conflict between spheres; and if it does reduce this conflict then it will also mitigate the fragmentation of the self that I am describing.

The very force of Rustin's objection, however, lies in the fact that Walzer simply isn't entitled to the assumption that spheres happily cohere. Indeed, the great virtue of 'social criticism' is precisely that it disallows this kind of a priori normative basis. The correct starting point for normative argument is in the phenomenological 'givens' of the culture that we are working within. Thus, to simply assume that plural spheres cohere in a smooth way (without excessive friction) is to predetermine the outcome of the argument; and this violates the principles of Walzer's own 'social criticism'. Indeed, viewed strictly in the terms of these principles, the assumption of a happy equilibrium of spheres is deeply problematic. As Rustin and several other commentators have noted, there is in fact plenty of evidence to suggest that the culture in which Walzer is himself embedded is not one that displays this kind of coherence or cohesion.[327]

So, for Rustin, social coherence serves as an a priori assumption that Walzer uses to load his phenomenological argument in the direction of 'complex equality' (rather than complex inequality); and thus a pluralism in which, to a large degree, plural spheres happily cohere.

[326] Michael Rustin, 'Eqaulity in Post-Modern Times' in Pluralism, Justice and Equality. David Miller and Michael Walzer (eds). Oxford University Press. 1995. pp.28-29.
[327] See chapter three, footnote 3.

Walzer thus commissions an a priori assumption to serve an a priori desideratum; that of a cohesive normative pluralism. In doing so he also mitigates the fragmentation that I have been describing. In abstract terms one would say that the external world ('object') is in effect less radically plural than the language of 'autonomy' would suggest; and that, consequently, the 'subject' that is constituted by the world is less fragmented. The problem, of course, is that there is only so far that one can push this line of argument without losing the distinctively pluralist tenor of Walzer's position (and it is very clear that Walzer doesn't want to lose this). He wants the normative culture that he envisions to be both 'thick' and 'pluralist',[328] yet to retain both of these values with any degree of certainty he must fudge his own methodological premises. To get to his ideal picture of normative pluralism in a thick community, Walzer must downplay his methodological pluralism; as there is nothing in this to preclude a phenomenology of discord, domination and disharmony. There is therefore no guarantee that the phenomenology of spheres will, in short, marry well with the idea of a thick community (both a methodological presupposition and a normative value) as embodied in principle 'A'. Walzer thus tacitly relaxes the methodological component of principle 'B' so that it doesn't threaten the ideal picture of his normative pluralism; a thick pluralist community that isn't pulled apart and fragmented by excessive conflict between spheres and hence fits well with principle 'A'.

Now, this trick may well meet the twin problems of social disharmony and a fragmented self. It may even be possible for Walzer to make the ('internal') argument that it simply is the case that we inhabit a more or less cohesive plural culture. Walzer could then say that the particular pluralism that he describes is faithful to his methodological premises because there are in fact genuinely plural sources of value in this culture; and that, despite robust public debate on the nature and application of these values, there is still a strong sense of community and public justice. This debate is, after all, the substance of 'social criticism'. In fact, it is not just that Walzer would want to say that thick community survives robust disagreement about our plural sources of value. It is also clear that, for Walzer, a thick democratic culture positively thrives on this rich public discourse.[329] So there is a sense in which Walzer could in principle legitimately say that 'culture' is both thick and plural, that there is a culture in which the actual phenomenology of plural sources of value doesn't

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[328] Nancy Rosenblum holds the distinction amongst Walzer's early critiques of seeing the full force of this tension in Walzer. (Nancy L. Rosenblum, 'Moral Membership in a postliberal State' in World Politics, Vol.36, No.4 Jul.,1984). Of particular interest is the way in which she sees Walzer as being tacitly committed to an Hegelian progression in which a society that is a differentiated 'community' is normatively superior to either a differentiated but socially loose culture of individuals, and to a society that is thick but undifferentiated.

[329] See Chapter five, section 6 of this thesis.

threaten his ideal of a normative cohesive pluralism. This is, in effect, the culture that Rustin describes as an idealized pluralism and that is best described in terms of the value of 'democracy'. Thus we find Stephen Mulhall and Adam Swift arguing that 'democracy' functions as an a priori value in much the same way that Rustin claims an 'idealized pluralism' does.[330] In actual fact this really amounts to the same point: an idealized pluralism that does not fragment society could only really flourish in a democratic society in which plural sources of value find expression without degenerating into conflict.

The obvious response now is to rerun the objection that this description of a thick plural ('democratic') culture does not in fact correctly describe the phenomenology of our culture.[331] I suspect that this is indeed the case. But even if it does correctly describe this phenomenology, even if it isn't the case that Walzer violates his own internalism in this instance, the reliance on a thick notion of democracy is still deeply problematic in so far as Walzer wants to say that there is scope for social criticism in all cultures.[332] For regardless of the truth (or otherwise) of the objection that Walzer misrepresents the facts of his culture, the more important point is that it is only a particular kind of society ('democratic') that does the work that he requires of it. It is only with the notion of a rich democracy that we can think of culture that both displays the phenomenology of value that Walzer is committed to, and that does so without exerting ruinous pressure on his equally cherished commitment to thick community. Without this value laden conception of a democratic public culture, that only exists doubtfully in our own culture and not at all in many others, we are still left with a tension between the value of community and the phenomenology of pluralism. We are still left with the problems of social cohesiveness and the fragmented self.

Summary of The Argument

6.6 To sum up the argument so far: I have argued that Walzer's plural ontology fragments the self and is thus in tension with the normative drive to a 'whole' self as embodied in principle 'A'. The first response to this would be to argue that this plural ontology is

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[330] Rustin, 'Equality in Post-Modern Times'.p.28. Stephen Mulhall and Adam Swift, Liberalism and Communitarianism. Oxford: Blackwell, 1996.p. 138.

[331] There is in fact an obvious sense that Walzer knows this. That's why he takes the trouble to defend democracy against an alienating philosophy; he knows that he can't simply assume that the democratic culture that he favours does (and will) prevail. So if there is no denying that democracy functions as a normative value for Walzer, the charge that our society isn't actually democratic misses the mark in this sense; as it is undoubtedly the case that 'democracy' is an important value in the culture in which Walzer is embedded. He could simply say that he his appealing to our tradition of democracy against other, competing values –a tradition of philosophically defended individual rights, for example.

[332] See chapter four, section 4 of this thesis.

structured in such a way that it doesn't actually fragment the self. Hence we find Walzer either tacitly relaxing principle 'B' or else helping himself to the rich notions of 'democracy' or an 'idealized pluralism'. This clearly falls foul of Walzer's own stated premises in so far as both moves are motivated by an a priori commitment to a normative pluralism; and this is compounded by the strong sense that, regardless of the suspicious provenance of his pluralist commitments, his picture of an idealized pluralism doesn't actually fit the internal facts of our own culture. We are therefore left with the conclusion that this first response fails. There is nothing in Walzer's argument that allows him to close off the possibility (or likelihood) that the hard methodological pluralism that he describes is incompatible with a cohesive 'thick' community. There is, equally, nothing to suggest that we should not describe this structure in terms of fragmentation; with all the implications this has for a conflicted or fragmented self.

Does this mean that we are simply stuck with this fragmented self? As I have argued, this is certainly the direction that the phenomenology of autonomous spheres takes us in, unless we soften that thesis to the point where it is it no longer a distinctively pluralist thesis. So if we are (as I think we should) to retain the hard phenomenological pluralism of principle 'B', we may well be forced to accept a fragmented and agent-less conception of self; with all the normative loss (desert, responsibility, freedom etcetera) that this brings. It may in fact be the case that this simply is the best description of a gritty reality, that our intuitive grasp of ourselves as free and moral beings is only an illusion. Nevertheless, there is still a second available response to the suggestion that Walzer's ontology fragments the self; and this is to simply presuppose a deep sense of self (a constant and unified 'I') that underlies the many 'selves' that are instantiated in so many spheres. As I am now about to argue, this is precisely what Walzer does. And though this a priori presupposition of a philosophical sense of self is entirely illegitimate in the sense that it directly contravenes Walzer's own stated methodology, it is still the appropriate (best available) response to the fragmentation of a plural ontology. In pursuing this argument, moreover, I also hope to shed some light on the motivation behind Walzer's unswerving and somewhat inconsistent commitment to normative pluralism.

The A Priori Coherence of the Self: Walzer's Distortion of the Codetermination Thesis

6.7 It is, of course, central to my argument that Walzer has at least an implicit account of the 'self'. That he does have such an account is the obvious corollary of his explicit rejection of the 'heroic' (Kantian-Rawlsian) self of 'philosophy' as detached, alienated and 'thin'. For Walzer this is the inevitable consequence of the search for philosophical 'objectivity'; it forces a bifurcating rift between a parochial 'self one' and an abstract and objective 'self two'.[333] So Walzer's account of the properly constituted self has so far been revealed largely negatively, through the contrast with what it is not. Nevertheless, when we turn to the arguments of Thick and Thin, we are finally confronted with an explicit account of the self. Crucially, however, this account is not simply an open statement of the social sources of moral identity. As if in recognition of the tension that I have been describing, Walzer turns to an explicit treatment of the 'divided self'.

So, Walzer recognizes the implications that his plural ontology has for the constitution of the self. Indeed, early on in the argument of Thick and Thin we are told that 'the self is as differentiated as the society in which it participates',[334] and this is later augmented by another assertion: 'All selves are self-divided (internally differentiated) in three different ways'.[335] We are divided between the roles we play in our life, between the different identities we assume, and between the different (and potentially conflicting) values and principles that we affirm both at anyone time and over a lifetime.[336] But if Walzer is aware that this plural embeddedness must have implications for his account of the self, this does not make it any less problematic for him. For the way in which Walzer now deals with the embeddedness of the self is to predetermine the direction these implications are taken in, ensuring (a priori) that the self is not modelled in a way that we can describe as 'fragmented'. We have so far seen that Walzer derives a rich normative conception of self from his account of social criticism (connected to a thick community and not split in two by the demands of philosophical, abstract justice). We have also seen how he assumes an idealized ('democratic') pluralism to ensure that his (plural) ontology doesn't overwhelm the value of community, thus, by extension, militating against the ideal of a 'whole' (un-bifurcated) self. What he does now to prevent this ontology from fragmenting the self is to

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[333] See chapter five of this thesis.
[334] Walzer, Thick and Thin p. 37.
[335] Ibid.p.85.
[336] Ibid.p.85.

make a very similar a priori assumption, and thus, by slight of hand, describes the constitution of the self in such a way that he can make a normative <u>virtue</u> of the plural and autonomous sources of identity. What I describe as fragmentation, Walzer speaks of in terms of balance and rich diversity.

Why choose one and not the other? My answer would be that the charge of fragmentation follows only from the strictly methodological tenets of Walzer's argument, and that what he needs to do to make the switch to a rich and valuable differentiation is to introduce a strong (and 'external') normative premise. Only now this premise is, so to speak, located <u>in</u> the self; not in an idealized pluralism but in an idealized <u>response</u> to pluralism. Whereas the illicit assumption of an idealized pluralism softens the preconditions of fragmentation, Walzer now describes the self in such a way that it assimilates the plural conditions of its identity so that these conditions not only do not fragment the self, but positively <u>enrich</u> it. Walzer, in short, sees internal differentiation not just as an upshot of his methodology, but also as a normative value in itself. So, the Walzerian self is not 'fragmented': it is 'diverse' and 'democratic'. One might therefore say that the Walzerian self is a simple corollary of normative commitment to a rich democracy, though where that value comes from is of course very problematic for Walzer. On this view, the differential model of the self would just be an extension of the earlier illegitimate move, i.e. the assumption that the plural world that Walzer describes fits his idealized and 'democratic' pluralism. But, again, the obvious question is this: is this idealized pluralism (and hence the differentiated model of the self) really worked up internally from our own culture? Perhaps it is, though we have seen how difficult this argument is in terms of Walzer's internalism, both in terms of empirical fit with our own culture and in terms of Walzer's scarcely hidden normative intuitions on the desirability of pluralism in other cultures. It is tempting to leave the argument at that, to just characterise Walzer as a particular type of leftist who can't give up on the value of deliberative democracy, even in the face of overwhelming evidence that this commitment does not fit his methodological assumptions. But this would leave unanswered the question of the <u>source</u> of Walzer's intractable commitment to normative pluralism. And this source, it transpires, is an a priori conception of self; and that's why Walzer can't simply plumb for 'diversity' over 'fragmentation'.

We can see the presence of this value laden conception of self most clearly when Walzer returns to the language of 'thickness' or 'maximalism'.[337] As we have seen, the categories

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[337] Ibid.p.96, 99, 100.

of the 'thick' and the 'thin' are crucial to the earlier claim that the abstracted self is thin and abstracted (the central claim of principle 'A'). Thickness in this sense describes the embeddedness of the social thesis. But Walzer now, somewhat curiously, wants to use the language of thickness in a different way; applying it not just to the social thesis, but also to his description of phenomenological pluralism. It is no longer sufficient to be deeply embedded in a culture to be 'thick' or 'maximalist' self. One need not now even make the misguided attempt to step outside one's culture to be thin self. All that is required is an exclusive commitment to one source of value. The 'thin' self of Thick and Thin earns that description through a failure to embrace the plural sources of identity on offer. Just as Walzer has described the social and political domination of one sphere in terms of 'tyranny' and injustice, he also describes the domination of one sphere within the self in the same terms. The key examples of this internal domination are the two 'totalizing' views of the individuals who identify their sources of value either exclusively with the 'market' or the 'political' sphere, allowing these values to suffuse everything they do.[338] These individuals are oppressed by their own narrow and obsessive identification, internally dominated by an 'autocratic' 'tyranny'. Walzer even commissions Plato's help here, to illustrate the sense that internal imbalance is an injustice; whether it is due to pernicious social circumstance or to an unwarranted, pathological obsession with one source of value.[339] It is this latter failing, pathological obsession, that is now doing the work in Walzer's a priori conception of self; a self that should be diverse, thick and balanced. The contrast is with an unbalanced and 'totalising' self; stunted and 'thin', emotionally narrow and dominated by a 'terrible one-sidedness'.[340] In terms of the overtly normative political analogy, the self that is dominated by one value is 'autocratic' and 'tyrannical'; but the differentiated (plural) self is 'democratic'.[341]

Ultimately, Walzer parts company with Plato. What Walzer shares with Plato is the analogy between the political and the psychological, the sense that the structures of both the self and society codetermine one another. The point is therefore as much a sociological thesis as it is a rhetorical and illustrative device. This alone, however, tells us nothing about the correct, or 'just', constitution of self and society; and it is in the normative content of their accounts of the properly constituted self that Plato and Walzer part company. For it is

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[338] Ibid. pp. 35-36.
[339] Ibid.p.37.
[340] Ibid.p.37.
[341] Ibid pp.91-92.

crucial to Walzer that we should not think of the self in 'hierarchical' terms;[342] it should not be dominated by any single source of value, tyrannised by a constant striving after one good that stands at the top of a hierarchical system of value (in stark contrast to the symbolism and normative import of Plato's 'divided line'). This is why Walzer is so critical of the 'philosophical' conception of (at least the moral) self as properly dominated by reason; it is based upon a pernicious and distorting hierarchy that forces a separation within the self between a particularist and intuitive 'self one', and a rational and 'superior' 'self two' (a 'super-agent').[343]

Psychological Thinness

6.8 This concern is, of course, a familiar leitmotif of Walzer's project; that political philosophy makes for alienation, and that in its universalist abstraction it can only yield a very 'thin' and vapid moral content. And now Walzer also condemns the psychoanalytic model of the self for very similar reasons, i.e. for a tripartite and hierarchical structure ('id', 'ego' 'superego') that fragments the self.[344] Thus Walzer tells us that the philosophical and psychoanalytic models of the self both 'belong to the category of the "thin". They suggest a simple linear and hierarchical arrangement of the self, with a single critical 'I' at the top of the line and a single line of criticism'.[345] On the face of it, this seems to be just a natural extension of the (albeit tacit) assertion that philosophy and abstraction bifurcate the self. But there is in fact a significant and important shift in the way that Walzer uses the language of 'thick' and 'thin' here. Where previously the emphasis was on thin <u>doctrine</u> (abstract and vapid) that did not reflect the richness of true human identity, now the language of 'thinness' is used to describe identity itself; not, note, simply as the converse of the necessary 'thick' <u>preconditions</u> of identity. 'Thinness' here does not signify just the lack of the necessary social conditions for a rich moral and cultural existence. It is, in addition to this, a personal adjective: the individual who identifies too closely with one value is 'thin', narrow and obsessive. This, clearly, takes us beyond the essentially sociological point that 'self' and 'society' codetermine one another; as this is entirely compatible with the likely existence of cultures in which both self and society <u>are</u> ordered in this hierarchical way (not just in caste society or religious society, but also, for instance, in the overwhelming sense of the political in nascent states). To condemn the hierarchical

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[342] Ibid.p.91.
[343] Ibid.p.89.
[344] Ibid.pp.88-91.
[345] Ibid.p.91

self per se is, again, to impose an a priori normative value on the argument; the idea of a balanced and 'democratic' self. Hence '[t]he hierarchical view requires a thick, pluralist and <u>democratic</u> correction'.[346]

Why does the hierarchical view of the self '<u>require</u>' this 'correction'? The 'correction' should surely only be necessary and legitimate if we are censuring the faulty observations of the theorist or anthropologist who simply gets it wrong; if, in other words, the observer misreads the social conditions of identity and thus incorrectly describes the constitution and identity of the embedded self. To simply assume a particular conception of self before looking at the actual social conditions of identity is even worse; it is to impose an a priori and deeply value-laden conception of self on the internal values and understandings of a particular culture. According to Walzer, this is precisely the mistake that 'political philosophy' makes. So perhaps the 'correction' is to bring our conception of the self into line with the reality of our own culture. This would be to correct a false abstraction by bringing us back to the gritty reality of our lived moral experience. We have already seen, however, that the suggestion that we <u>are</u> embedded in the culture of an idealized pluralism (richly diverse but cohesive) is at best dubious. In this case Walzer's own 'correction' is actually a mistake. Yet it is not <u>just</u> that Walzer is mistaken within the terms of his own internalist method; not just the case that he is doing internalism badly. If this were the case one would expect Walzer to stick to the claim that the self is as differentiated as the society in which it is embedded, and so simply accept that he has gone wrong in the process of interpretation should it transpire that his 'thick' correction does not accurately reflect social reality. But this, as we have seen, is belied by the lengths that Walzer goes to in attempting to establish as a fact that all cultures <u>are</u> actually plural in that way that he wants them to be.[347]

Walzer is, therefore, in fact guilty of the more serious error of bringing an a priori premise to the argument; of not really doing 'internalism' at all. To continue to insist on his 'democratic' correction, regardless of the conditions in which the self is embedded, is to bring an external value to the internalist argument. But what is the <u>order</u> of the infringement here? Is it simply the case that the democratic and plural self is just a consequence of the a priori commitment to a normative pluralism? If that is the case, the roots of Walzer's mistaken correction of the 'hierarchical' self lie simply in the earlier

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[346] Ibid.p.92. My emphasis.
[347] See chapter four, section 4 of this thesis.

infringement of his internalism. If we grant him his dubious characterisation of his own culture as plural and 'thick', then it does indeed seem plausible to characterise the self in this terms. In other words, if Walzer is mistaken in his interpretation of the social conditions of the self, it is not then a _further_ mistake to describe the self in these terms. It is essentially the same mistake. So it may seem to be simply the case that Walzer's 'democratic' correction of the self is just a reflection of his a priori commitment to an idealised pluralism, and that it's the pluralist component (not the account of the self) that is 'a priori'. This conclusion, however, leaves unanswered the crucial question of why it is that normative pluralism is such a strong value for Walzer; of what it is that drives _that_ value.

The Canny Self

6.9 Perhaps it is simply the case that the argument stops here. We would simply say that Walzer is unable to prevent his own historical position from colouring his analytical judgement; that he comes to the argument with such hope for a democratic and pluralist conclusion that this is inevitably what he comes away with. There is certainly some truth in this view. Walzer is very clearly committed to a particular tradition of deliberative democracy and a rich conception of citizenship. We saw this in Chapter Five. Moreover, Walzer does indeed tend to describe the phenomenology of culture in a way that suits his own normative preferences. Thus it would be understandable if the accusation here was just that Walzer is practicing something very similar to what Hegel describes as 'reflective' history; interpreting the phenomenology of pluralism in terms of the normative values and assumptions of his own historically local culture (and from a specific tradition within that). This would really amount to the suggestion that Walzer is not following his own methodological principles, and is thus led into contradiction. True though this may be, however, it transpires that there is actually something far more subtle going on. The structure of the argument in Thick and Thin in fact suggests there is a deeper reason for Walzer's stringent and somewhat inconsistent commitment to normative pluralism; and this reason centres upon an explicit account of the properly constituted self. Hence we are, variously, told that pluralism is a necessary precondition for the 'thick' self to flourish;[348] that a properly constituted society is 'just' if it allows for 'complicated life-plans';[349] that a 'many-sided' self _needs_ pluralism.[350] Much of the normative import here is implicit, resting

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[348] Ibid.p.101.
[349] Ibid.p.38.
[350] Ibid.p.102.

on contrasts between the 'thick' and the 'thin', the balanced and the obsessive. But it is not in fact necessary to delve deep into the subtext of Walzer's argument at this juncture.

Indeed, the move that he makes emerges explicitly in the text: 'Pluralism makes for freedom because it leaves room for the canniness of the self'.[351] What does this assertion mean? It means, in short, that pluralism is tied to a conception of self in a way that goes beyond the basic thesis that self and society codetermine one another; it is tied to a conception of self in such a way that 'pluralism' necessarily expresses a value claim over and above the phenomenological thesis that the world of value simply is (as a matter of fact) plural. For what is so noteworthy here is the structure of the claim; pluralism makes for freedom, and leaves room for the canniness of the self. In other words, the idea expressed here is that pluralism is not intrinsically valuable; but is, rather, extrinsically valuable in so far as it serves an a priori conception of 'self'. Thus the (illegitimate) a priori component in Walzer's argument is really based upon a conception of self. Similarly, we are told that '[m]y many-sided self (assailed from all sides) requires a thickly differentiated society in which to express my different capacities and talents, my different sense of who I am'.[352] Although this second claim comes in the context of a very brief recognition that Walzer's conception of a thick 'divided' self is the product of a pluralist society (and hence only richly plural if the codetermination thesis can establish this as empirical fact),[353] the direction of the argument is again unmistakable. Pluralism is the necessary precondition of a specific conception of self, plural yet 'thick'; a flourishing and balanced self that it is not torn apart by its rich and diverse facts. This order of argument is again evident in Walzer's account of a 'just' society: 'A just society......makes for complicated life plans, in which the self distributes itself, as it were, amongst the spheres' that are constitutive of its very identity in Walzer's plural ontology.[354] A 'just' society, the model of all good societies, is one that makes for 'complicated life-plans'; one that not only fits but serves a conception of the self as 'diverse' and many-sided –'complex' and rich rather than stunted and thin.

As attractive as this conception may be, it is extremely problematic. Even if we were to say that societies are indeed plural in the way that Walzer wants them to be, there is still no

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[351] Ibid.p.98
[352] Ibid.p.102.
[353] Walzer, Thick and Thin: 'I am inclined to say, of course, that thick, divided selves, are the characteristic products of, and in turn require, a thick, differentiated, and pluralist society'.p.101. My argument is of course that Walzer's 'inclination' is substantially stronger than he suggests here; and that it is in fact a deep a priori desideratum.
[354] Ibid.p.38.

logical barrier to the possibility or fear that this plural ontology fragments the self; no guarantee at all that the internalised voices of competing spheres will not pull us apart. To cash the political analogy, there is surely no logical reason to simply assume that the embedded plural self will be 'democratic'. It would be just as easy to describe these competing voices as an unregulated clamour; 'anarchy' rather than 'democracy'. Just as Walzer helps himself to the assumption of an idealised pluralism that is compatible with the value of cohesive community, he likewise assumes that the psychology of the multiply embedded individual will display a great degree of unity and coherence. Thus Walzer says that '[t']he self is indeed divided, but it isn't (expect in pathological cases) utterly fragmented'.[355] There is, however, no argument to support this assertion; no real attempt to establish that fragmentation is not the norm other than by fiat. It is, indeed, just as likely that the empirical evidence will not take us in this direction. The fact of the matter may well be that the pathology of fragmentation is the norm. We find this conclusion most obviously in MacIntyre's assertion that pluralism leaves the self torn 'betwixt and between' so many competing values; but it is, likewise, a crucial issue in writers as diverse as Durkheim and R.D.Laing.[356] The common ground that these writers occupy is a concern that the pluralist conditions of modernity do in fact fragment the self. For Durkheim this conclusion is qualified by the fact that he considers the pathology of fragmentation and anomie to be only transitory, whilst Laing draws the bleaker conclusion that the link between modernity and the ruinous fragmentation of schizophrenia is insuperable. All three may, of course, be entirely wrong; though I doubt that there will not be at least a significant portion of truth in their claims. Nevertheless, the important point is that the effect of modernity on individual psychology is a matter for empirical investigation.[357] This investigation may be either through the 'soft' cultural interpretation of MacIntyre or through the harder sociology and psychology of Durkheim and Laing. But the crucial point is that, regardless of the truth or otherwise of their conclusions, they do not just assume a conception of self that predetermines the conclusion of their arguments. They do not, in short, and in direct contrast to Walzer, help themselves to an a priori conception of self. It would seem, therefore, that the structure of Walzer's argument proceeds from the value of

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[355] Ibid.p.98.
[356] Emile Durkheim, The Division of Labour in Society. (trans W.D.Halls) Basingstoke: MacMillan, 1984. R.D.Laing, The Divided Self. New York: Pantheon Books, 1969.
[357] I do not intend to conduct this empirical investigation myself. But the crucial point for this thesis is that the effects of modernity on identity and psychological well-being is absolutely central to the tradition from which Walzer derives his normative concerns and conceptual premises; and, in contrast to Walzer, they are explicit in their treatment of the self. At the very least, if we are not to enter into the kind of empirical investigation conducted by psychologists and sociologists, we must still not rely upon an a an articulated conception of self when it serves as a crucial premise. That articulation is the minimum requirement here.

a certain conception of self to the value of a social structure (pluralism) that best serves it. Pluralism is valuable in virtue of the fact that it provides the social structure in which the 'democratic' self can flourish.

A New Mediating Category: Principle 'C'

6.10 This is not the end of the story, however. Walzer has helped himself to an a priori conception of self in the sense that he has simply assumed its internalised (and plural) values happily cohere; without the self disintegrating into a schizophrenic mess. But the underlying (tacit) structure of the argument is in fact more complex than this. Certainly, Walzer has bypassed phenomenological and empirical enquiry into the psychological structure of the plural self; tending to assume, somewhat naively, that it will be best characterised in the positive terms of balance and diversity. And in doing so he has, in effect, and without argument, dismissed the suggestion that his plural ontology threatens the value of a 'whole' self that we find in the social thesis. But what's really going on here is more subtle than a simple case of argument by fiat. It is not just that Walzer assumes that his favoured conception of self will prevail. He takes (tacit) steps to load the argument in such a way that he can ensure that the 'democratic' self (plural but cohesive) does indeed prevail. Thus, as we shortly see, Walzer helps himself to the notion of an active will, a 'deep' self that <u>imposes</u> order on the plural ontology that threatens to fragment its identity. Again, this a priori in two senses. It is a priori, firstly, because Walzer's internalism requires that it be worked up from actual moral experience and argument; and not brought to the argument as a prior assumption. And it is also a priori in so far as Walzer wants to take this conception of the self as the linchpin of what it is that makes normative pluralism so valuable to him that he is prepared to read it into the phenomenology of all cultures, regardless of their internal meanings. It is thus an a priori premise, 'external' both to Walzer's own stated methodology and to many of the cultures that he ostensibly applies this method to (possibly external to ours, and certainly external to many others).

Now, however, it is not that Walzer assumes away the social preconditions of fragmentations. To do this is to tamper with the external side of the thesis that self and society codetermine one another; it is to characterise 'object' in such a way that it doesn't have an adverse effect on self ('subject'). But the alternative approach, the approach that Walzer now pursues, is to shut of the possibility of fragmentation from the other side of the codetermination thesis; to provide an internal solution in the sense that the self has a ready

mechanism by which it heads off the threat of fragmentation. In other words, the threat of fragmentation is not met by assuming that the possibility will not arise, that these external (social) conditions will not prevail. It is, rather, met with the presupposition of a very active self that assimilates and ranks the competing demands that are made of it. This, in essence, is what Walzer does when he introduces the 'canny' self; underlying the multiple moral and social sources that are constitutive of its identity. 'Canniness' thus connotes a self that is able to make choices, a deep self that is able to actively navigate its way through a series of internal voices and identities; not merely listening to these competing internal voices, but actively ordering and ranking the external values and affiliations that they represent. Walzer's canny self is thus not simply opportunist in a quasi-Humean way, exercising its canniness as regulatory system that allows the smooth coexistence of multiple desires and sources of value. It is an 'agency capable of maneuvering amongst [its] constituent parts',[358] forming more concrete affiliations and identifications at the behest of a second-order ('deep') self. The 'subject', for Walzer, 'is alive and well'.[359] Indeed, so alive is this conception of self, that the 'subject' positively thrives on a plural ontology that would inevitably threaten to fragment any sense of agency that was less active; hence a unified 'subject' trumps, and brings order to, a fragmentary 'object' (society).

There is, therefore, an important sense in which the threat of fragmentation is positive for Walzer. So confident is he in the canniness of the self that he seems to view a plural ontology not just as a fact about the world, and nor even as a problem to overcome if he is to remain faithful to his normative conception of a 'whole' self as expressed in the social thesis. In fact, it seems very much as if Walzer relishes the fragmentary structure of a plural world as a positive challenge rather than as a threat; a precondition for the exercise and fulfilment of the 'canny' self. He has, after all, told us that '[p]luralism makes for freedom because it leaves room for the canniness of the self'.[360] Walzer would most probably say that this is simply a corollary of his account of spheres of justice, and that the 'freedom' he refers to is the freedom from the tyranny of one good and one source of identity; we are not determined by one source of value. But this really does nothing to lessen the sense that Walzer both needs and values the canny self; for there must be a second-order or deep self if the 'subject' is to avail itself of the freedom from one dominant source of value and identity. There must be, in short, an active sense of self that moves between and ranks these competing sources of value. Otherwise we will have simply compounded the anxiety that

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[358] Walzer, Thick and Thin. p.100
[359] Ibid. p 100.
[360] Ibid.p.98.

the social thesis, if true, diminishes our sense of freedom. For to add the worry that we are determined by our environment, we are now faced with an ontology that determines us not once within one overarching sphere; but for each sphere, and many times over. Add to this the fact that these spheres and sources of identity will often conflict with one another, and it becomes clear that any remaining sense of agency is hamstrung by the immensity of the competing demands that are placed upon it.

This takes us straight back to question that I posed in the first half of this chapter. How can Walzer remain wedded to the value of an embedded and whole self whist also insisting that the world we are embedded in is radically plural? This is the crucial tension between the two methodological principles 'A' and 'B'. For whilst Walzer could quite consistently follow through the strictly methodological implications of these principles (the embeddedness of 'A' and the phenomenological pluralism of 'B'), their combination brings serious pressure to bear on the normative value of 'wholeness' that creeps into and motivates 'A'. It forces us (I have argued) into a quasi-Humean conception of self, no more than a bundle of different and competing 'spheres'; pushed from pillar to post as and when the external sources of value ('spheres') make varying and competing demands on us. Or simply, even, as and when any given internalised source of value is felt most strongly. This makes not for freedom, but for a radical loss of agency. It makes for fragmentation and schizophrenia. Unless, that is, we add a strong extra premise to the argument. This is, in fact, precisely what Walzer does. In response to the tension between principles 'A' and 'B', Walzer tacitly introduces a third premise. This is the 'canny self'; the linchpin of a concealed but vital and operational principle 'C'. It is a principle that attempts to meet the worry that Walzer's pluralism fragments the self. If, indeed, we are to accept the (very intuitive) assumption that there is an underlying 'deep' self beneath the self that it constituted by 'spheres', then we are able to cleave to many of our cherished normative (and existential) conceptions; freedom and desert, for example.

The problem for Walzer, of course, is that this intuition of freedom, of a deep self, is a very particular intuition; it is, broadly, the conception of self that has its roots in the European Enlightenment. It may well be the case, in fact, that this intuition that we have is simply false. So to the extent that Walzer assumes the viability of the deep self without argument, this is an external and a priori premise; an illegitimate violation of his own internalism. It is even less legitimate to assume that this deep ('canny') self is operative in other cultures,

though this is what he needs to do if wants to maintain the global nature of phenomenological pluralism whilst also heading off the possibility that this ontology fragments the self. Indeed, if there is at least some plausibility in the insistence that moral culture per se is plural, it is, on the other hand, hopelessly naïve to assume that the assumption of a 'deep' self is anything other than historically local. If Walzer were to take an explicit position on this point, one might expect him to come clean; to say that our experience of plural embeddedness is not schizophrenic because we experience ourselves as canny selves. My suggestion here, however, is that Walzer will not want to make that admission. In much the same way as he cleaves to the postulate that all moral cultures are in fact phenomenologically plural, he will be most reluctant to give up on the canniness of the self. Why? Precisely because the very worth of pluralism for Walzer is that it serves and nourishes this conception of self, it makes its fulfilment possible. So when we ask ourselves why it is that Walzer is so reluctant to admit that there are indeed non-plural cultures, the answer can not be just that he crassly reads his own particularism into all cultures. He is driven to this error not just by rhetorical slight of hand; not just by the fact that his writing on the method of social criticism often slips into the practice of social criticism, advancing, as he does, a particular understanding of what makes for a valuable political culture. Walzer's insistence on the value of this pluralist ('democratic') culture is driven by a deeper assumption (both normative and ontological) that makes this culture valuable. This assumption is an a priori and thoroughly 'philosophical' conception of a 'deep' self. And it is this, I contend, that forces Walzer to seek, to hope for, evidence of the plural preconditions necessary for this global conception of self to flourish everywhere.

Conclusion

6.11 We have now come to see the a priori value that really underpins Walzer's commitment to pluralism: the canny self. It is this that prevents us from being over-determined and that allows us to think reflectively about the normative relation and ordering of spheres. How this process actually works will not be addressed until Chapter Eight of this thesis. It should be clear now, however, that there must be some serious further articulation if this value of the canny self is to cohere with the crucial value that underpins Walzer's equally deep commitment to community: the 'whole' self. I want to now begin that further articulation through a close comparison of the canny self with the Rawlsian self.

CHAPTER SEVEN
Walzerian Rawlsianism: A Shared Conception of Balance

Introduction

7.1 In this chapter we are concerned with relation of the Walzerian to the Rawlsian conception of self. It should be immediately apparent that there is a serious inconsistency in Walzer's project at this point. Having gone to great lengths to castigate the 'philosophical' conception of self, Walzer himself commissions what I am calling the 'canny' self; and that is a conception that is undoubtedly very like the 'philosophical' sense that he repudiates. Part of my argument in this chapter will be that such a conception is, when properly understood, essential to any account of moral agency. Yet that proper understanding complicates the argument considerably. For I also want to argue that the Rawlsian self is fundamentally a virtue based conception; built upon the nation of rationality certainly, but also of balance. It is this notion of balance that brings Rawls closer to Walzer, just as the necessary reliance on abstraction brings Walzer closer to Rawls. Thus, part of the point of my argument here is not just to draw out the precise nature of the Walzerian self, but also to highlight the sense that the conception of self that we thereby arrive at (in a reconstructed Walzerianism) is one that is also tacitly present in all coherent moral and political theories (hence, by way of illustration, the ultimate convergence of the Walzerian and Rawlsian conceptions of self). The end result of this convergence of balance and rationality is a view of the self that is morally free but also 'whole' and in touch with his or her 'inclinations'; and thus able to flourish both in the way that we described in Chapter Five, and in a way that is compatible with liberal intuitions regarding moral freedom. The normative upshot, as we shall see in Chapters Eight and Nine of this thesis, is a moral discourse that is neither excessively abstract or rigorist, nor simply 'what we do around here'.

The Psychology of Balance in Walzer and Rawls

7.2 The most immediate and obvious comparison here is between Walzer's 'canny' self and the 'self' that we find in A Theory of Justice.[361] Clearly, this comparison is itself controversial in so far as it is based on a contentious (though very common) reading of justice as fairness as a deductive theory premised upon a quasi-metaphysical view of the self

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[361] John Rawls, A Theory of Justice. Oxford University Press, 1973.

as being 'prior to the ends that are affirmed by it'.[362] This reading of the Rawlsian project is, of course, greatly helped along by the fact that this notorious turn of phrase is Rawls' own. But it is not my aim here to come to a judgement on whether or not the various communitarian critiques of Rawls get right to the heart of his project. Nor am I immediately concerned by the truth or otherwise of the assertion that justice as fairness rests upon a metaphysical conception of self. Though the structure of my argument in this chapter will necessarily lead to at least some kind of provisional judgement on this issue, the more important point for the moment is not the status of Rawls' own argument; but, rather, the striking degree to which Walzer's own position converges with the (Rawlsian) political philosophy that he ostensibly rejects. We can see this most clearly by first looking at the psychology of the 'normal' Walzerian and Rawlsian individual. Take the following juxtaposition:

Walzer: 'Plutocrats and meritocrats ...are tyrants as much as autocrats are, and their personalities are distorted in comparable ways. In all three cases the self is dominated by a single set of interests and qualities'.[363]

Rawls: 'Surely the preference for a certain attribute or feeling or sensation above all else is as unbalanced and inhuman as an overriding desire to maximise one's power over others or one's material wealth' .[364]

I very much doubt that Rawls would subscribe to the hyperbolic assertion that meritocrats are as tyrannical as autocrats. Nevertheless, there is a stark similarity between the two passages in as much as both Walzer and Rawls see a clear parallel between an excess of political power and the psychological loss of 'balance' that comes with the pursuit of such power. In neither writer is this identification of the political with the psychological to be construed simply as helpful analogy. As we have seen in Walzer, the very idea of 'balance' is crucial to his account of the properly constituted canny self, it must be rounded and 'thick'; for the obsessive pursuit of a single goal leads to a 'terrible one-sidedness'.[365] It distorts one's personality. So too for Rawls. To pursue a single dominant end, be it hedonistic utilitarianism or the pursuit of God, is psychologically perilous:

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[362] Ibid.p.560.
[363] Walzer, Thick and Thin. p.337
[364] Rawls, A Theory of Justice. p. 557.
[365] Walzer, Thick and Thin.p.26, See chapter six, section 6 of this thesis.

'Human good is heterogeneous because the aims of the self are heterogeneous. Although to subordinate all our aims to one end does not strictly violate the principle of rational choice...., it still strikes us as irrational, or more likely as mad. The self is disfigured and put in the service of one of its ends for the sake of system'.[366]

This assertion is clearly more than a simple corollary of Rawls' pluralism. It is not just that Rawls want to say that human ends are varied between people, and that it is simply a matter of respecting other's dominant ends. This is too simplistic. It is, rather, that Rawls wants to say that the properly constituted self strikes a balance between a plurality of ends. Though there will inevitably (indeed necessarily) be some form of order and hierarchy amongst these ends, what is striking is the way in which Rawls ties happiness to a sense of balance. We see this not only in the oft quoted assertion that the pursuit of a single end distorts the self, but also in the lengthy discussion of the so-called inclusiveness principle.[367]The central message of this principle is that we should, wherever possible, pursue the short-term course of action that is most compatible with the aims of our overall 'life-plan'. Thus, following Rawls' own example, the trip to Europe that allows us to fulfil both a love of art and a love of history will be preferable to one that only fulfils one of these desires.[368] Clearly, the wider point here is precisely that a rich life-plan should not be dominated by a single end (whether that be the pursuit of high art or football). A worthwhile and rich life for Rawls is one that is lived with reference to a variety of meaningful ends. Indeed, without this assumption there would be no pressing need to invoke the inclusiveness principle. It would be no more than a practical recommendation concerning means and ends; a hypothetical imperative simply telling us that if we have a variety of ends then we would be rational to adopt the inclusiveness principle. But Rawls has to mean more than this, otherwise we can't make sense of the normative judgment that the pursuit of a single dominant end 'disfigures' the self. As Rawls knows full well, this pursuit would not be 'irrational' in terms of any instrumental understanding of that category. What's really doing the work here is a value-laden conception of 'balance'. This conclusion is buttressed by the 'Aristotelian Principle'. For here we are told that,

'I assume that human beings have a higher order desire to follow the principle of inclusiveness. They prefer the more comprehensive long-term plan because its execution presumably involves a more complex combination of abilities. The Aristotelian Principle states that other things being equal human beings enjoy the

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[366]Rawls, A Theory of Justice.p.554.
[367] Ibid.p.412.
[368] Ibid.p.412.

exercise of their realized capacities.......and that this enjoyment increases the more capacity is realized, or the greater its complexity'(my emphasis).[369]

Though this passage in fact comes as a prelude to the longer discussion of the Aristotelian Principle, it is in many ways more revealing. For in the latter, longer passages of the Aristotelian Principle what really shines through is the sense of achievement and fulfilment through the exercise of our capacities, but this is presented in terms of a contrast between higher and lower forms of the same end; between, that is, activities that exercise certain capabilities in roughly the same way but to a higher level. Thus Rawls gives us a contrast between checkers and chess.[370] But the crucial point in terms of Rawls' commitment to 'balance' only lurks in the subtext here. The real giveaway comes in the earlier passage when the language slips from short-term plans to the idea of a 'comprehensive long-term plan'. In this locution, it is clear that the inclusiveness principle embraces far more than is suggested by the model of instrumental rationality: it recommends that a life properly lived is one that embraces a variety of meaningful (and often competing) ends. It recommends, in short, a life of 'balance'.

For both Walzer and Rawls, then, it is important that our understanding of a properly constituted self should draw heavily on the notion of balance. Of course, this similarity alone can not bridge the gulf that has come to separate communitarian and Rawlsian understandings of what actually constitutes the self. In suggesting that Walzer and Rawls share common ground in the psychological notion of 'balance' I may indeed run the risk of committing the familiar error of quoting Rawls too selectively. After all, in drawing on Rawls to tell us that the pursuit of a single goal is irrational, I have in a sense played down the (very loaded) opening sentence: 'Human good is heterogeneous because the aims of the self are heterogeneous'.[371]Rather than pointing to the similarity between Walzer and Rawls, this assertion takes us to the heart of the standard (and now rather weary) concern that Rawls has made a fundamental ontological mistake. This charge is best understood via Rawls' now notorious assertion that 'the self is prior to the ends that are affirmed by it'.[372]What this is taken to mean by Rawls' critics (including Walzer) is that justice as fairness rests on a radically incoherent conception of what it is to be a 'self'. For the 'communitarian', the 'self' is <u>constituted</u> by its ends; all of which are extracted or inherited from the social milieu

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[369]Ibid. p.414.

[370] Ibid.p.426.

[371] Ibid.p.554.

[372] Ibid.p.560.

into which we are born. Put simply, we can not be a self prior to having ends; for without ends there is no 'self' ipso facto.[373] So on this view it cannot be that the human good is heterogeneous because the ends of the self are heterogeneous; it is, rather, that human ends are diverse precisely because the ontological structure (the social milieu into which we are born etc) is heterogeneous. Clearly this argument relies on the notion that there is a distinction between biological individuals and 'selves' properly understood i.e. the sense in which the individual in a vegetative state would not really be a self or person at all.[374] If we were to really push it, we could even say that the historical source of the Rawlsian liberal's error is to conflate this distinction, to treat the 'self' as some kind of soul-like substance. This would indeed make the 'self' prior to socialisation. Doubtless, Locke did think in these term; as did Kant, albeit in a very qualified way. And this is also the basis of the claim that, ultimately, Rawls too is committed to a metaphysical conception of self; denuded of the supportive structure of Kant's metaphysics, but unmistakably Kantian in substance nevertheless. These are well rehearsed (though still highly contentious) arguments,[375] and I touch upon them here only to highlight the fact that a shared conception of a 'balanced' life isn't sufficient to establish my thesis that Walzer's conception of self is at least from the same stable as Rawls'. There is, however, another distinction that takes my argument where I want it to go. This is the distinction that Sandel claims must be inherent in Rawls' position: a (in his view) false distinction between the 'values I have' and 'who I am'.[376] In utilising this distinction I shall take the liberty of speaking of a 'deep' self that underlies the values and experiences of the self i.e. a contra-Humean conception. In section 7.7 I shall firm this up a little.[377]

The Values 'I have' and the Person 'I am'

7. 3 It is not that I want to now directly argue that Sandel is right on this point. My purpose is, rather, to demonstrate that Walzer's account of the canny self displays exactly the same structure that Sandel attributes to Rawls. So if the distinction is true of Rawls it should be equally true of Walzer. This structure, indeed, flows directly from Walzer's conception of

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[373] The definitive statement of this view is in Michael Sandel's The Limits of Liberalism (Cambridge University Press, 1998).

[374] It is thus interesting to note the implications that philosophical communitarianism has for issues such as abortion.

[375] The exemplar here is Michael Sandel's Liberalism and the Limits of Justice, Cambridge University Press, 1982. Very similar arguments are found in the argument that liberalism is committed to a radically abstract and asocial conception of self. See MacIntyre, After Virtue, London:Duckworth, 1981; and Charles Taylor's 'Atomism' in Philosophy and The Human Sciences: Philosophical Papers 2. Cambridge University Press, 1985.

[376] Sandel, Liberalism and the Limits of Justice. pp. 15-24, especially p. 20. See also p.62.

[377] This is not, however, a metaphysical thesis, and so the there will inevitably be a certain looseness here.

the canny self. We can see this clearly in the parallel that he draws between social criticism and self-criticism.[378] Just as the social critic must be aware of the competing voices and values of a plural moral and social world, so too must the canny self listen to its 'many internal critics'.[379] One might indeed suppose that to silence them is to is to commit the same error as 'political philosophy'; and this is, in fact, what Walzer has in mind. It is a normative (and personal) mistake to silence our many critics and to impose a universal and dominant value on ourselves.[380] To do so clearly offends Walzer's notion of psychological and emotional balance. But how do we hear these competing critical voices in any intelligible way? How do we order and control them so that they are not just a cacophony of competing demands? As I argued in the previous chapter, there must be some form of underlying self that is capable of ordering and ranking the values that these voices represent. In terms of another of Walzer's analogies, it seems very clear that the 'democratic' self (plural and non-hierarchical) must have some form of legislature, some mechanism of control, if it is not to descend into anarchy. What Walzer really wants is a self that allows room for a variety of competing internal voices, tolerating their diversity and giving them all a fair hearing. This is the function that is performed by the canny self; a self that encompasses and orders the competing 'democratic' demands that are made on it. All well and good. But it becomes increasingly difficult to see how this canny self differs in function from the deontological Rawlsian self. Where one must be 'antecedently individuated' prior to the 'ends it affirms', the other must surely be prior to the voices that compete for its attention. There must, as it were, be 'somebody' who listens; just as there must, on the Rawlsian model, be a self that 'chooses'. Even this small difference breaks down when we begin to ask what it is that these voices articulate. These voices surely can not come out of the blue or arise spontaneously from the individual mind, not unless Walzer wants to sign up to the most peculiar idealism. So how could there be 'competing' voices if they did not recommend potentially conflicting courses of action or forms of life; if they did not, in other words, force upon us the necessity for 'choice'? It is in fact very difficult to see how this competition takes place without reference to exactly the same kind of ends and life-plans that the Rawlsian self affirms or

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[378] Walzer, Interpretation and Social Criticism. p.35. Thick and Thin. p. 86. See chapter six, section 10.
[379] Ibid.98.

Strictly speaking, it should also, primarily in fact, be methodological mistake if we are to really stick to the analogy between social and self criticism. In terms of the relation between method and normative value in Walzer's argument, this is a dead giveaway. For what is clearly at work here the normative value of psychological and emotional balance. If we were to really follow the analogy with social criticism, we would be in no position to tell any given individual that they were 'wrong' about the correct ordering of their psychological make-up; just as we are (if we consistently follow Walzer's methodology) in no position to tell another culture that their shared understanding of justice is wrong. (See chapter four).

rejects. The only discernable difference at this stage is in the mediating image of Walzer's 'voices'.

This does not mean that there aren't in fact significant differences between Walzer's and Rawls' respective conceptions of 'self'. I shall come to these in due course. But the key point here is the structural similarity that Sandel points to in the distinction between the values 'I have' and the person 'I am'. If it is true that Rawls can not avoid this distinction, exactly the same must be said of Walzer. The person 'I am', in Sandel's interpretation of Rawls, is prior to the ends it chooses and affirms; and, so the argument runs, this conception of self is radically impoverished. This is both a philosophical and a normative point. For Sandel, firstly, accuses Rawls of being committed to a metaphysical conception of self as 'antecedently individuated' prior to the ends it affirms and the social roles it adopts. And, secondly, because of this radical detachment from its own ends, the Rawlsian self can never experience the full depth of moral experience; he or she can never identify so fully with a value or cause that it becomes an integral part of his or her identity.[381] This is in fact very similar to Walzer's stated objection to the 'philosophical' model of moral argument, that it is too abstract and 'thin' to qualify for any meaningful sense of 'moral identity'. The important point here is that Walzer's 'canny' self also fits, rather neatly, Sandel's distinction between the values I have and the person I am. The person I am can only be the underlying self that listens to the voices, and the values I have must be those very same voices; values, that is, that are mediated by those voices that can only have any sense at all if they are construed as the articulation or reflection of 'values'.

The parity of the Walzerian and Rawlsian selves at this juncture should not necessarily be construed negatively. The aim of the comparison is not to argue that Walzer commits the same 'error' that Sandel attributes to Rawls (and I don't intend to enter into the great controversy of interpretation that surrounds this reading of Rawls). Indeed, it is difficult to see how any sense of moral agency can do without the distinction that Sandel thinks leads to an impoverished sense of moral (and social) identity. This is precisely why Walzer, as we have seen, is driven towards his conception of a canny self in the first place. Without the notion of a self that is distinct from the values it 'has' the obvious worry is that we will lose our sense of moral agency, that we will not be 'acting' freely but merely 'acting out' inherited roles and identities. So, even if Rawls himself will want to reject the accusation

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[381] Sandel, The Limits of Liberalism. p. 62.

that justice as fairness rests on this distinction between the values I have and the person I am, there is much of moral importance that rides upon it. It may of course be the case that we are wrong to think that there is a deep sense of self underlying the values that we reject or affirm. That would mean that Sandel is at least epistemologically correct to reject the distinction between self and values (though we may still think that this is to be regretted as a loss in normative terms). [382] Be that as it may, however, it is the similarity between Walzer and Rawls that I am concerned with here; and it is clear that both of these writers must be committed to a deep self if we are to make sense of the intuition that we are able (to some degree) to 'step back' and order the values that Sandel says are so deeply constitutive of the self. There is undoubtedly a great deal to be said for the emphasis on the social constitution of our identity, but there is a normative price to be paid if we push the thesis to its logical terminus. Somewhat ironically, Walzer, a fully paid up proponent of the social thesis, states the quandary better than Rawls:

> 'We need to think critically about the parts we play and the identities we affirm. But how can we do this when these same parts and identities are constitutive of the self that does the thinking?'. [383]

One possible answer would be to adopt a rather weak conception of 'thinking' or rationality. Rationality on this view need not be the function of the kind of 'deep' self that I have attributed 'thinking' to. It need be no more than a broadly Humean instrumental rationality; simply the cognitive function that pursues the best means towards pre-given ends. Whilst Hume attributes these ends to desires rather than to reason, Walzer could also conform to the general structure of the Humean account by attributing our ends to the feelings that are imbued by inherited culture and socialisation. This ties into Walzer's view of the self as 'connected' and 'whole', embedded in the values and conceptualisations of its cultural milieu. The Humean account, moreover, as many will be quick to point out, has the added virtue of theoretical economy. For a start, it doesn't require an elaborate theory of what the good is, as this is simply reduced to desires (or the desires derived from cultural location in Walzer's case). Furthermore, the Humean model does not require a 'deep' self (the self is no more than a bundle of experiences) and thus neatly avoids the nebulous issue of what exactly the deep self 'is'.

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[382] Derek Parfit in fact thinks that this would be a normative boon, as it would make way for a new moral vision based upon his own brand of utilitarianism (Reasons and Persons. Oxford: Clarendon, 1984).

[383] Walzer, Thick and Thin.p.86. It is no coincidence that the structure of this statement exactly mirrors the structure of Holderlin's critique of Enlightenment objectivity. See chapter five, footnote 14.

However, although this limited conception of rationality would suit Walzer's purposes quite well in so far as it is compatible with the social thesis (we are nothing deeper than the values and norms that constitute us), it is far more problematic for Walzer's conception of the canny self. In fact, the Humean route is not really open to Walzer once we consider the role that 'reason' must play within the canny self. What Walzer envisions here is to be understood in the terms of reasoned democratic discourse. The canny self is not be construed as the arena of competing demands that are only regulated by the populism of plebiscite; simply giving way to the most keenly <u>felt</u> value or desire. So rationality for Walzer cannot be merely instrumental horse-trading between competing desires and values. It has to be more than this for the very good reason that he wants his 'self' to be able not just to order the parts that he plays, but also to '<u>think critically</u>' (not 'instrumentally') about them. In other words, the 'ordering' of our desires and values requires more than a simple calculation of the strategy that will allow us to pursue as many of our ends as possible. This ordering is of course a central part of all practical reasoning. We must, after all, decide which impulse or desire to act on. But this does not mean that we have to regard reason as a 'slave to the passions'. Our rational calculations require us not just to listen to the passions before servicing the needs of the most vocal. Listening alone is not sufficient for 'canny' action. <u>That</u> requires more than instrumental rationality if it is to perform the role that Walzer requires of it. We can see this by viewing Walzer's 'spheres' in the same light as Hume's 'passions'. Both impose themselves on the self in a way that brings great pressure to bear on the notion of a deep self that exists over and above the passions or values (derived from spheres) that are constitutive of it. That is, after all, the very point of Hume's sceptical epistemology. Nor should we forget that Walzer milks essentially the same argument (with spheres replacing passions) to undermine the 'philosophical' conception of self, replacing it with a heavily socialised self that we can only know by conflating the Sandelian distinction. Or, more precisely, Walzer uses this kind of argument when he wants to extol the virtues of a 'whole' conception of self as 'connected' and un-alienated.

It should barely be worth repeating at this stage that Walzer does not stick solely to this conception of a whole self. For the very point of the canny self is that it is the device that Walzer slips in when he becomes decidedly uncomfortable with the implications of his communitarian ontology. We have just seen this explicitly in the question of how we are to think critically about the self when it is the same self that is doing the thinking, and we have

also seen that Walzer is unwilling to accept the implications of merging the values 'we have' with 'who we are' when it comes to the loss of agency and the lack of rebellion amongst the Indian untouchables. That, too, is why (in <u>Interpretation and Social Criticism</u>)[384] Walzer commissions the distinction between 'moral life' and 'moral world' that we first touched upon in chapter three[385]; as the point of this distinction is to ensure that, in an ontology that draws subject and object together and thus necessarily and significantly reduces the margin between the person I am and the values I have, there will nevertheless always be the capacity for critical reflection. And, clearly, it is the role of the canny self to provide just this capacity for moral reflection.

So when push comes to shove, Walzer is extremely uncomfortable with the loss of agency that Hume encapsulates so well with the imagery of reason being the slave to the passions. To cash the analogy, the worry is that our actions will be forced upon us simply by the particular source of value that is felt most intensely at a particular point in time; regardless, one is tempted to say, of the 'rationality' of that source or action. Thus the mere fact that the self can pursue rational means to achieve a given end does not mean that the individual in question is rational in the requisite sense. It does not, in short, mean that he is '<u>thinking critically</u>'. We can see the force of this point most clearly by returning to the Humean model of reason and passion. For Hume there can be no such thing as an 'irrational' or false 'want'. Indeed, the desire or end in question could be wholly ridiculous or self-destructive (one only has to think of the stock in trade examples of addiction to see the point of this).[386] The intuitive response then is say that it is the want, not the means of pursuing it, that is 'irrational'; regardless of the cunning with which the end may or may not be pursued.

This, by extension, is what Walzer is really getting at when he describes the pursuit of a single sphere of value as 'fanatical'. Just as the unreflective and craven addict is truly a slave to his passions, so too is Walzer's fanatic the slave to a single value. He is driven simply by the passions inspired within him by the most keenly <u>felt</u> value; whereas what Walzer's model of critical thinking requires is comparative reflection. We must, if we are to 'think critically', recognise both the plural nature of value and the fact that the relative worth we

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[384] Walzer, <u>Interpretation and Social Criticism</u>. p.21.
[385] Chapter three, section 8.
[386] For the classic statement of this see H. G. Frankfurt's 'Freedom of the Will and The Concept of A Person' in <u>Free Will</u>. Gary Watson (ed), Oxford University Press, 1982. See also Gerald Dworkin 'The Concept of Autonomy' in <u>The Inner Citadel: Essays on Individual Autonomy,</u> (ed John Christman), Oxford University Press, 1989.

each assign to a sphere can only be understood in relation to the worth that we assign to other spheres. This is why obsession is irrational. It constitutes a failure to think critically about the worth of that sphere in relation to other spheres of value. The fanatic thus shuts out the competing voices of other internal critics and is thus unable to 'think critically'; and it is clearly this balanced reasonableness that constitutes 'rationality' for Walzer. We are not to simply accept inherited goals and identities. We are to weigh their relative worth and the claims that they make on our other sources of value. One might well describe Walzer's model of reason as 'relational'. The crucial point, however, is that the canny self requires a far thicker notion of rationality (and agency) than is provided by the instrumental model of reason. 'Thinking critically' cannot just be thinking instrumentally.

Thick Rationality and the Rawlsian Good

7.4 So, for Walzer we can, do, and should reason about not just the pursuit of the good, but also its content. And this is exactly as Rawls would have it too. This is why he feels the need to introduce an explicit distinction between a thin and a thick theory of the good in the latter stages of Theory. This distinction is in fact crucial to the whole project. Far from being a diversion from the main argument; it actually builds on a sentiment that is central to Rawls' conception of justice. For it articulates the reasoning behind two assertions that sit uneasily with the overall argument. The first is the notorious assertion that 'the right is prior to the good'.[387] The response to this is almost too obvious to need stating, as it is clearly the case that 'the right' embodies a conception of 'the good'. It is thus gratifying to note that Rawls is at least aware of this in A Theory of Justice. Speaking of his theory of the good this is what he has to say:

> 'I shall in fact distinguish between two theories of the good. The reason for doing this is that in justice as fairness the right is prior to the good. In contrast to teleological theories, something is good only if it fits into ways of life consistent with the principles of right already on hand. But to establish these principles it is necessary to rely on some notion of goodness, for we need assumptions about the parties' motives in the original position. Since these assumptions must not jeopardize the prior place of the concept of the right, the theory of the good used in arguing for the principles of justice is restricted to the bare essentials. This account I call the thin theory of the good: its purpose is to secure the premises about primary goods required to arrive at the principles of justice'.[388]

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[387] Rawls, A Theory of Justice. p.31, 396, 560
[388] Ibid.p.396.

The communitarians would respond to this by saying that this 'thin' account is in fact 'thick', and that 'the right' isn't nearly as neutral as Rawls would have us believe. There is a lot of truth in this objection. But though this passage does not quite get to the heart of it, it does point us in the right direction. The whole point of a 'thin' theory here is to make way for as much variety of 'thickness' as possible; to allow individuals to autonomously pursue their own life-plans within the constraints of justice. As Rawls says in the opening pages of Theory, it is for 'each person [to] ... decide by rational reflection what constitutes his good'.[389] It is the assumption of this desire that drives the 'motivation' in the original position that Rawls refers to in the later passage I have just quoted; a motivation which, he makes abundantly clear, can only be fully understood with reference to a conception of the good. And it is of course this assumption, that individuals seek to define and pursue the good for themselves, that leads to the crucial derivation of 'primary goods' in the original position. For the very point of these goods is that they give the individual the means to pursue their own ends (the prior assumption being that they will indeed have their own ends). So the 'thin' theory of the good that underpins justice as fairness can only be understood when placed in the context of an account of the self as autonomous chooser of his own ends. The 'right is prior to the good', therefore, only because 'the good' is so valuable for each individual that its legitimate pursuit must be protected institutionally. This is precisely why they come away from the original position with a list of 'primary goods' that both protect and enable that pursuit. In this respect, it makes more sense (though the phrasing is less snappy) to say that respect for individual conceptions of the good is to take precedence over any generalised conception of the good that one is tempted to impose on others (the obvious example here is compulsory religious observance). Viewed in this light the right is only prior to the good in so far as it is the precondition necessary for the good to flourish in its many diverse ways. But then, as Rawls has intimated, there is in fact a prior conception of the good that comes before 'the right'. This is the belief that we are only fully human if we exercise our capabilities as rational and autonomous choosers of the good; only if, that is, we express our self and culture creating essence. There is clearly a close affinity here with the expressivism of Chapter Five of this thesis,[390] and that is to be expected when we see the full importance that the notion of 'balance' has in the sub-text of Rawls' theory. So if there is an air of paradox about the claim that the right is prior to the good, it is only

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[389] Ibid. p.11.

[390] The implied affinity with the expressivism of chapter five of this thesis is no thus no accident. We should also bear in mind the argument of chapter four, section 3 i.e. the way in which dignity and rationality (two of Rawls central preoccupations) are constitutive of the moral ontology of our culture and place in history.

because of a failure to fully articulate the ancillary belief that the good for us (if indeed we subscribe to this view) is embodied in a particular view of humanity that, in turn, requires us to respect individual evaluations of what the good actually is. Without this assumption there is little normative value in liberal institutions. Perhaps we could then, as Galston suggests, say these institutions need not reflect anything more than a prudential modus vivendi born of weariness with ideological (and religious) war and conflict.[391]

I am inclined, for reasons that I shall shortly give, to think that institutions based upon modus vivendi are not best described as 'liberal'. The more pressing point, however, is the extent to which both Walzer and Rawls share the same conception of self, i.e. as 'balanced' and rational in the rich sense that we deliberate about ends as well as means. Such a conception of rationality immediately, incidentally, draws attention to the failure of a modus vivendi to do the normative work that Rawls requires of it. For whilst justice as fairness relies on the notion of a thick rationality for its normative justification, all that is required of a modus vivendi is that we are able to exercise a thin instrumental reasoning. Without the further assumption that we wish to exercise our higher (rational) powers of judgement, there is little to justify the full list of primary goods. It may well be that all that is needed for modus vivendi are certain key rights and liberties. In the absence of clearly coercive practices it may not even require all that much in terms of the fair distribution of opportunities and powers. The gross lack of a fair distribution of opportunity certainly has not led to a break down of modus vivendi in the U.S.A. Once Rawls adds a 'sense of one's own worth' to the list,[392] then the game must surely be up. For this is clearly a value that goes way beyond the promise of a simple modus vivendi. I may well have the requisite instrumental reason to see that my unreflective desire not to be physically attacked is best served by restraint and tolerance. But it would be a quite different order of argument to suggest that a sense of one's own worth played any real part in this reasoning; that would be to confuse self-preservation with dignity. This latter concept, we should note, is certainly compatible with instrumental reasoning; we cannot avoid using it in the pursuit of our dignified plans. It is, however, equally important to see that instrumental reasoning does not require a sense of one's own worth. It may even militate against this. The addict may well pursue his drug addiction with the most excellent instrumental reasoning, but it would be perverse to describe the achievement in terms of self-worth or dignity. This is why Rawls

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[391]William A. Galston. Liberal Purposes; Goods, Virtues and Diversity in The Liberal State. Cambridge University Press, 1991. 'Two Concepts of Liberalism', Ethics, 105, No 3, April, 1995.
[392] Rawls, A Theory of Justice. pp.92, 440-446.

must rely on a far thicker notion of rationality. After all, his assertion is that it is 'each person must decide by rational reflection what constitutes his good';[393] not, note, how best to pursue a pre-given conception of the good.

This, in turn should alert us to the fact that Rawls does not then take the idea of dignity itself as a given. Clearly it is the case that justice as fairness requires us (all things considered) to abstain from coercing others into accepting a conception of the good that is not their own. But that does not mean that Rawls takes wants as given in the way that utilitarians do. We can and should 'assess the rationality of a person's desires'.[394] Reluctant though he is to spell it out, the necessary corollary of this is a distinction between instrumental and reflective rationality. In Rawls' rather hazy discussion this is manifested in a distinction between the 'principle of effective means' and the 'principle of inclusiveness'.[395] This latter principle can certainly include the principle of effective means. But it is equally clear that the appropriate choice of effective means is not sufficient for a full sense of rationality; it alone cannot guide us in the choice of a long-term life-plan. Guidance here requires a more critical type of reasoning about the desirability of the ends we have chosen (or inherited and perhaps rejected).

It is important to keep this in mind at the various points in A Theory of Justice that suggest that Rawls does think of rationality in merely instrumental terms.[396] This is extremely hard to ignore when Rawls asserts that 'the concept of rationality must be interpreted as far as possible in the narrow sense, standard in economic theory, of taking the most effective means to given ends'.[397] Part of this anomaly is explained by the immediate context. It makes sense to speak of rationality in instrumental terms here because Rawls is discussing the conduct of rational persons in the original position; and at this juncture it is safe to assume that the ends are already given. That is why they have stepped behind the 'veil' in the first place. Their 'end' is to obtain the political structure that allows them to exercise the fuller sense of rationality that is part and parcel of leading a full and dignified life for Rawls. The famous and subsequently regretted clanger, that the theory of justice is part of the theory of rational choice, is also best explicated in these terms.[398] It may well be wildly implausible

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[393] Ibid. p. 11.
[394] Ibid..p.407.
[395] Ibid.p.413.
[396] Ibid. (e.g.) p.14, 16, 142-150.
[397] Ibid.p.14.
[398] Ibid.p.16.

to 'deduce' an entire theory of justice. It becomes considerably less so, however, if we are to treat the original position as an instrumental device itself; the means by which we deductively arrive at the institutions that serve a prior conception of the good (the idea of a dignified life).

The Turn to Political Liberalism

7.5 Thus far I have argued that Walzer and Rawls share the same conception of self in two crucial respects. Firstly, both are committed to a conception of 'self' that is firmly tied to the notion of psychological and emotional 'balance'; and, secondly, they must both be committed to a conception of the self as 'deep'. There is no need to repeat this argument just now. Before I return to it there are two questions that are crying out for an answer. The question first stems from the very obvious fact that the later Rawls goes on to repudiate those elements of Theory that suggest that justice as fairness relies upon a thick and even metaphysical conception of self. Justice as fairness has thus been recast in the terms of 'political liberalism'; stripped of its allegedly deductive foundation in a metaphysical view of the self as autonomous and prior to the ends that affirms.[399] We are still free to believe in this conception, Rawls happily maintains, but it is not necessary to cleave to this conception of self in order to affirm the value of justice as fairness. For this affirmation we really only need to think of ourselves as autonomous 'citizens'; without, that is, having to sign up to a metaphysical view of the self as 'free' in anything like the Kantian sense of autonomy. So justice as fairness, rather than being 'deduced' from a highly contentious view of the self, is, or so the argument runs, really only a systematic reflection of the political values that are already inherent in out culture. In the language of political liberalism, it is 'worked up' from our dominant values. But justice as fairness is only worked up in such a suitably selective way that it does not require its adherents to embrace a 'comprehensive' moral world view. It does not require good citizens to lead their 'private' lives according to the dictates of any particular view of what constitutes private virtue or morality. Furthermore, and more importantly, it does not assume that political (public) morality requires a particular conception of 'self' that goes any deeper than the notion of 'citizen' thinly construed (and certainly far thinner than the conception of citizenship that we attributed to Walzer in Chapter Five).

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[399] John Rawls, Political Liberalism New York: Columbia University Press, c 1993. See also the importance 'Justice as Fairness: Political not Metaphysical' in Philosophy and Public Affairs, 14, 3 (1985). We shall turn to the argument of this article in the following section.

So where does all this leave my assertion that the Rawlsian project rests upon a very thick notion of rationality that requires us to posit a 'deep' self; and how does the move to political liberalism effect the argument that Walzer and Rawls are in fact committed to the same conception of self? Assuming that the move to political liberalism does in fact avoid the need to posit a deep self, one might conclude, with some irony, that Rawls now has less need of it than Walzer. Rawls' ultimate concern is, after all, with the institutions of justice. So if he can justify these without any reference to the status of the self, there is little need to become too worried by the wider moral implications left by the retreat from the earlier active affirmation of a deep self. But Walzer, on the other hand, introduces us to the 'canny' self at the very point at which he has become concerned by precisely these implications; the point at which he is worried by the potential fragmentation (and loss of freedom) of the embedded plural self. In this context it may indeed seem plausible to draw the ironic conclusion that it is Walzer alone who must rely on the controversial notion of a deep self. As their respective projects have been critiqued and developed over the years, Walzer has moved closer to, and Rawls has retreated from, a philosophical and a priori model of the self.

Or so it seems. In fact, there is no real justification for this conclusion; pleasing though the neat reversal may be. For to accept this conclusion we have to buy into the argument that political liberalism does indeed do away with the need for a deep conception of self. This is not quite so. Rawls certainly seeks to bracket the 'status' of the self by maintaining that justice as fairness only requires a 'political' conception of the person; thereby, he thinks, allowing him to maintain the importance of freedom and equality without having to commit to any kind of metaphysical essence. According to my line of argument, this has to be a mistake. Though he may well not need to articulate it in his political theory, Rawls must at least assume that there is a deep self beneath the 'citizen'; at least if he wants his theory to remain recognisably liberal. Indeed, if he doesn't make this assumption he will actually arrive at the very same concern that led Walzer to fall back on just such a conception of a deep ('canny') self in the first place. Rawls will, in short, be faced with the problem of psychological and moral fragmentation; and this is because the structure of political liberalism takes a clear step towards the kind of 'spherical' justice that Walzer describes.[400] We see this most clearly in the crucial distinction that Rawls draws between the 'political' and the 'comprehensive'. Though conceived to sidestep the criticism that his political theory rests on a metaphysical conception of self, all that it really does is to invite us to the cast the

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[400] See footnote 48.

question of the status of the self in new terms. Now the obvious question is how the political and the comprehensive selves are to relate to one another. Clearly they are not meant to be distinct in a metaphysical sense. But, then again, we only think that suggestion is preposterous because, with Rawls, we are assuming that there is some further conception of self really doing the work here; that there is some underlying self that is <u>both</u> political and comprehensive. In fact, all this distinction really does is push the problem back a stage.

Justice as Fairness: Political and Still Metaphysical

7.6 This is immediately apparent in the early formulation of political liberalism that Rawls presents in the seminal <u>Justice as Fairness: Political not Metaphysical</u>.[401] Here we find that the requirements that political liberalism demand of us are actually quite stringent. The good citizen must be able to actively <u>reflect</u> upon their respective roles and duties in the public and private realms. If this were not the case we wouldn't be able to make sense of the citizen's ability to know when they are crossing the boundary into unreasonable public behaviour. We therefore cannot say that individuals are simply 'being' political or private during their engagement with either type of activity. Though there is a trivial sense in which this is obviously true, there is an equally obvious sense in which it has to be false, unless, that is, we want to say that the self is acting only almost entirely through unreflective desire or whim. If this <u>were</u> the case, it would now be time to rerun the argument that Walzer's account of 'spheres' leaves no room for freedom; that we are simply pushed from one sphere to another as and when the demands of a particular spheres are <u>felt</u> most strongly (see Chapter Six of this thesis). According to the terms of this argument, this ontological structure pushes 'freedom' out of the picture. I remain, for the time being at least, agnostic on the massive issue of whether we are in fact free. It may well be the case that we are not. But the important point here is that we can now run much the same argument against Rawls. Once he gives such prominence to the political-comprehensive distinction (and its public-private corollary), he must also have an account of how it is that we move between these two spheres reflectively and critically. Otherwise the crucial liberal (and Rawlsian) value of freedom comes under threat.

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[401] Rawls, <u>Philosophy and Public Affairs</u>, 14, 3 (1985).

There is an explicit recognition of this in the 'Political not Metaphysical' article. Here Rawls firstly says that 'citizens' are to be regarded as free because they have the moral power to form a conception of the good.[402] To this he adds the claim that citizens also regard themselves as free due to their status as 'self-originating sources of valid claims'. 'They think their claims have weight apart from being derived from duties or obligations specified by the political conception of justice...'.[403] Nevertheless, this second aspect of freedom is qualified by a third. We not only form conceptions of the good from which we then make valid claims; we are also to be regarded as free to the extent that we are 'capable of taking responsibility' for our ends.[404] Loosely translated, this means that although citizens expect their <u>claims</u> to be regarded as valid, they must also recognise the competing claims of both political justice and of other citizens. One might say that the freedom of self-origination is not an excuse for petulance. It must be balanced by the freedom of responsibility; the freedom that comes with the rational ability to weigh and assess the reasonableness of one's own demands. This is why Rawls describes the third aspect of the freedom of citizens in relation to the institutions of justice. There is clearly a close relation between freedom, reasonableness and responsibility. We should also take careful note of the <u>capability</u> clause in the description of freedom as responsibility. We have to able to stand back and rank our own wants and desires not just so that we can pursue a rational life plan, but also so that we can understand what is a reasonable life-plan viz a viz the institutions of justice. Reasonableness and freedom requires us to think, therefore, that 'citizens are .....capable of adjusting their aims and aspirations in light of what they can reasonably be expected to provide for'.[405] Or, more precisely, reasonableness <u>requires</u> us to be able to think rationally; to think as free ('deep') selves that are not simply driven by desire and the instrumental pursuit of it. These selves, in short, must be able to reflect on the boundary between, on the one hand, their private identities and comprehensive conceptions of the good; and, on the other, the requirements and expectations that are made of them in light of their status as a 'citizen'. In terms of the need for a deep sense of rationality, the citizen is free in so far as he or she is aware of the limited role that naked 'wants' should have in his or her rational calculations.

> '[C]itizens are to recognize that the weight of their claims is not given by the strength and psychological intensity of their wants and desires (as opposed to their needs and

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[402] Ibid.p.240.
[403] Ibid.p.242.
[404] Ibid.p.243.
[405] Ibid.p.243.

requirements as citizens), even when their wants and desires are rational from their own point of view'.[406]

So it is not that citizens are simply 'being' either public or private. Though we should not expect constant evaluation and reflection on the boundary between the public and private, we must be able to exercise this capacity if we are to be, as we must be for Rawls, rational and free political beings. Freedom is clearly both desirable in itself and a necessary prerequisite of political morality; as without the freedom of a deep self we are left short of a coherent account of our ability to bring coherence to a life that is split between the two spheres of public and private action and morality. This is not, strictly speaking, a new concern. Indeed, it echoes Marx's concern that Hegel's account of fully realized political life simply splits the self between 'citizen' and 'bourgeois'. It has, moreover, been well noted in the contemporary literature that the structure of political liberalism also threatens to split the self in two; bifurcating the self between the 'political' and the 'comprehensive'.[407] My suggestion now is that, if true, this means that the structure of political liberalism closely resembles the structure of 'spheres'. Certainly, there are only now two spheres that the self is divided between. So perhaps the potential for fragmentation is less acute. Nevertheless, it raises the same concerns that led Walzer towards the 'canny' self in the first place; it requires of Rawls that he posit a 'deep' and free self that is able to rank and order not only his own conception of the good, but also the weight that he gives that comprehensive conception relative to his political identity and obligations.

Where's the revelation here? It is, after all, hardly a surprise to find Rawls committed to an account of freedom. The political-comprehensive distinction does, however, cast the 'status' of the self in justice as fairness in a slightly different light. Rawls has of course come to insist that the original position does not in any sense rely upon a metaphysical conception of the self as, for instance, 'independent of and prior to their contingent attributes, including their final ends and attachments, and indeed, their character as a whole'.[408] Thus the veil of ignorance 'has no metaphysical implications concerning the nature of the self; it does not imply that the self is ontologically prior to the facts about persons that the parties are excluded from knowing'.[409] It is, we are told, merely a device of representation. The original

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[406] Ibid.p. 224.
[407] This was of course Marx's objection to Hegel's account of citizenship. Mulhall and Swift make the same point in Liberals and Communitarians.pp. 196-197.
[408] Rawls, 'Justice as Fairness: Political not Metaphysical'.p.238.
[409] Ibid.p.238.

position simply 'works up' and systemises our intuitions about justice.[410] All well and good, one might think. But this response is too easy. It may well seem to successfully push the 'status' of the self aside, but the issue is still there; writ large, indeed, throughout the theory of justice as fairness. For it remains the case that this account of justice is only valuable to its adherents because it continues to allow us to pursue our own rich life-plans. The parties in the original position may not be radically disembodied. But they will, if pushed to think about, understand themselves as 'deep' selves. They will think of themselves as able to form and pursue a rational and thick conception of the good; and, in doing so, they will have to stand back from, rank and evaluate their various ends. All this is inexplicable, I contend, without making some very important assumptions about the status of the self. Certainly, Rawls doesn't want to deny that we can understand the self in this way. The crucial point for him is that we do not need to do so to form a political conception of justice. However, this has to be a mistake; as they would be no point in pursuing the Rawlsian conception of justice without these preconceptions about the status of the self. Justice as fairness is, after all, in large part an account of political freedom; and we choose freedom precisely because, as free and equal rational beings, we require the political space in which our deep selves can carry out their rational plans. Yes, we need not make any metaphysical assumptions about the self in the original position. But we only come to the original position in the way that we do because we have a prior conception of ourselves as deep selves. To put it another way: we may well simply be 'working up' rather than deducing, but the single most important intuition that we 'work up' is our cultural understanding of ourselves as free and rational ('deep') beings.

Of course, there may well be groups in a plural culture for whom the idea of a 'deep' self is, ostensibly at least, not an important intuition or ideal; though they are clearly assumed to value the freedom and autonomy to not pursue that value in their comprehensive conceptions of the good. There may seem to be no real paradox here. It is simply that Rawls must assume that all citizens place a high value on political freedom; and this does not require them to subscribe, for instance, to the deeper (Kantian) conception of freedom that equates all moral action with autonomy. The good citizen could see himself as directed by God, and thus not fully 'free', but still rationally seek political freedom. Nevertheless, though Rawls claims that political liberalism does not require us all to embrace a comprehensive moral ideal of autonomy, the distinction between the political and the comprehensive still presupposes

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[410] This position –the reliance upon shared understandings that are worked up and systemised- is developed more fully in Political Liberalism. pp. 13, 14, 45-46, 100-101.

something very much like it. So when we are told that 'as comprehensive ideals, autonomy and individuality are unsuited to a political conception of justice',[411] we should keep firmly in mind the third respect in which Rawls wants us to regard political persons as free. They are free, as we have seen, in so far as they are able to rationally evaluate the legitimacy of the boundary between the public and the private. They are not 'autonomous' in a 'comprehensive' sense, but autonomous in a way that allows us to <u>understand</u> the political-comprehensive distinction; to accept the boundaries even if we 'choose' not be autonomous in our own lives. But where does all this leave us? How can we <u>understand</u> that we must act freely of comprehensive conceptions of the good when acting politically, and not understand <u>ourselves</u> as autonomous? Clearly we are not acting 'heteronomously' if we choose to set aside (e.g.) the dictates of a religious conception of the good when acting politically, even if action under that religion looks heteronomous when we live it comprehensively. There may be get out clauses here: God tells us to be political beings etcetera; but it seems implausible to expect these to be consistently coherent for every instance that requires us to square the circle between an individual's comprehensive understanding of himself as on the one hand heteronomous, and his active choice to set that aside when it comes to being an active and autonomous political being. This, to my mind, leaves Rawls with an inescapable air of paradox that can only be explained if we accept that there <u>is</u> a crucial, and unavoidable, role for the arguments about the status of the self in justice as fairness. That status is, in short, 'deep'.

The Deep Self

7.7 So in answer to the first question that I raised at the beginning of this section, the move to 'political liberalism' does not ultimately alter the conclusion that Walzer shares with Rawls the same conception of a deep self. This, however, begs the second question of this section: what <u>is</u> a 'deep' self? Answers to this question have lately tended to skirt around the issue; concentrating not so much on what the deep self 'is' as an ontological category, but, rather, on the attributes that it must possess. So we are told, primarily, that the self must be in control of its own desires and preferences; that it must be able to stand back and evaluate both its own choices and its identifications with the values that it affirms.[412] In the contemporary idiom this process is likely to be explained in terms of a distinction between

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[411] Rawls, 'Justice as Fairness: Political not Metaphysical'.p.246.

[412] We see arguments that follow at least the structure of this 'standing back' in two seminal articles: Frankfurt ('Freedom of the Will and the Concept of a Person'), <u>Free Will</u>, Watson (ed), and Gerald Dworkin's 'The Concept of Autonomy' in <u>The Inner Citadel; Essays on Individual Autonomy</u>, (ed John Christman), Oxford University Press, 1989. We also see it in Charles Taylor 's 'Responsibility for Self' (<u>Free Will</u>, Watson (ed).

first and second-order desires; the deep self has desires about desires. It exerts control over whim and impulse, and not just so it can postpone a lesser amount of desire satisfaction now for a greater amount of the same satisfaction at a later time. The deeper desire is not to <u>have</u> a certain desire at all (the ascetic might wish to subdue certain 'normal' desires and the addict may wish to subdue his cravings). All this, clearly, relies on the thick notion of rationality that I described in Walzer and Rawls. We form conceptions of the good that rank and order our desires. But what really shines out here, in the ranking of desires, is the concept of the 'will'. It is the notion of the 'will' that is central to the deep self. One doesn't even have to do any particularly detailed reading between the lines to find it; the concept not just of the will, but of 'freewill', is there, either explicitly or just beneath the surface, in virtually all contemporary accounts of the deep self.[413]Sometimes it is referred to in terms of 'autonomy'- and often there'll be a denial that this concerns the concept of the 'will-, but the outcome is much the same: a conception of self that has –to a significant and morally meaningful degree- control over the values, attributes, and desires it 'has'; and is thus morally free and accountable for his or her actions and beliefs.

There are of course many nuances to this broad account in the contemporary literature.[414] These are not my concern here. What's common to all of them, however, is a refusal to take wants as given. The concept of freewill may well be nebulous, and it may well be impossible to say what the 'will' itself <u>is</u> as a 'thing'. Few, moreover, will want to adopt the traditional 'soul' answer to the ontological question of what the will is. Nevertheless, there is, rightly, a general backlash against the positivist refusal to take the notion of freewill seriously per se.

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[413] Strictly speaking, one could cleave to the idea of a deep self without attributing the idea of the deep self to it. A technical account of personal identity –of what makes an individual the <u>same</u> person over time- may do just that. In that case we could just say that we posit the deep self as the category that events <u>happen to</u>; and that is of course fully compatible with the denial of a free will. Nevertheless, it is equally clear that what is normatively interesting about this is the implications that it has for responsibility, desert and related categories of moral evaluation. And it is this that is the crucial theme in the literature on free will. Thus (e.g.): Frankfurt's wanton is not free as he has no control over his or her desires; Gerald Dworkin's agent is only authentically free if he as rationally evaluated the desires he has and thereby come to have desires about desires; and Taylor militates against Satrean 'radical choice' for precisely the same reason –i.e. because it is in effect a denial of our ability of deep evaluation and the attempt to control our beliefs and desires. In all these cases what we are seeing is a restatement of Kantian autonomy over heteronomy. We may not <u>call</u> this control an exercise of the 'will', but it at least performs exactly the same function of that concept. None of these accounts want to tell us what the will <u>is</u> (a 'soul', for example) but, by implication, they also reject the verificationism that requires such a high standard of proof; relying instead on the practical knowledge that we need such a conception to make sense of our moral intuitions, and that we need only know it indirectly through what is <u>does</u> rather than what it is.

[414] There is, for example, considerable scope for disagreement on (e.g.) the <u>degree</u> of rational reflection required for freedom; on the extent of, and method of, our evaluation of and identification with our chosen ends. The central point in this regard is that 'rational' and 'critical' are not be treated as coextensive, and that what <u>is</u> in fact rational is still up for grabs. See 'Introduction', The Inner Citadel, (ed) Christman. See also Christman's article 'Constructing the Inner Citadel: Recent Work on the Concept of Autonomy'. Ethics, Vol.99, No.1, (Oct.,1988).

In the following chapter I hope to outline the possibility of a transcendental but also (more importantly) naturalistic argument for the existence of the 'will' (though without any commitment to what it 'is'). All I hope to have established in this very brief sketch is a greater degree of clarity: in describing Walzer's 'canny' self as 'deep' I am, by extension, also saying that he is committed to the notion of freewill. This should really come as no surprise. The idea of the will is intimately connected to the idea of a thick rationality that imposes order on its desires and preferences. Ordering, ranking and overriding our desires is an act of the will; it is an act of control over a 'given' reality. Of course, desires and impulses do not constitute the whole of given reality; and even if we do successfully control our own set of wants and attitudes, it is clearly still viable to argue that this control is itself 'caused'. That's to say that the ability to rank (if it exists) is also 'given'. I have no intention of entering into the morass of this issue, and am certainly not about to argue for an 'uncaused cause'. The important point is that both Walzer and Rawls place a great deal of faith in the ability of the self to order its world; to rationally <u>shape</u> moral norms and values rather than to merely inherit them as a given. It is this, I have argued, that makes Walzer not just oddly Rawlsian, but also characteristically 'liberal'. Or, more correctly, it places Walzer in a particular 'liberalism': a tradition that treats the self as the creator of both its own values and the particular political structure that best serves those values.

My argument, therefore, is not directly concerned with what the deep self 'is' as a hard ontological category. But it is of crucial importance that we must presuppose its existence as a soft ontological category; by which I mean that it is a conceptual category that we cannot do without if we are to make sense of our moral experience. If we then grant that liberalism is a moral as well as a political doctrine –drawing heavily on the virtues of balance and rational freedom or 'autonomy' – we will see that liberalism itself relies on this ontology of a deep self. Until relatively recently, prior to the 'liberal-communitarian' debate, this would have been a common-place assumption. Since then there has been a wide-spread insistence that there is no need for any such conception of self in political theory,[415] and this may be true of theories that are solely concerned with institutions (though it is doubtful that they can dispense entirely with such assumptions). However, it is, as I have argued in this chapter, certainly crucial to both a viable Walzerian social criticism and to Rawlsian liberalism that

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[415] The most obvious instance here is in Rawls himself, for whom the denial of the need is explicit. Other than in Rawls, however, the general trend is simply to sidestep the issue. Thus, whereas there is an undoubted and explicit emphasis on the constitution of the self in communitarian writings, there is a general refusal to meet these writers on those grounds; the assumption being that we can 'bracket' such issues as the status of the self when engaging in political theory. Hence we find virtually no mention of the issue at all in Brian Barry's <u>Justice as Impartiality</u>.

we proceed from the assumption of a deep self. Moreover, that assumption serves two purposes: it is the means by which we make sense of our capacity for critical normative reasoning, and it is the same capacity –applied in the pursuit of individual conceptions of the good- that motivates the liberal moral cum political philosophy in the first place. To Walzer's own theory we must also add a third purpose: the deep self is the conception he needs in order to make sense of our ability to adjudicate between spheres when they clash.

In the following chapters we will return to this issue again but, this time around, via the latent moral realism of (later) Rawls and Barry. For their rejection of the need for such a conception of the self is, I will argue, the result of the same search for moral and conceptual certainty –a fixed and therefore quasi-'real' meaning- that we first rejected during the defence of Walzer's meaning-distribution relation in Chapter Three. And, of course, it as a consequence of the impossibly demanding standards of realist proof that we cannot argue for the deep self in these terms. By this I mean that Barry and Rawls reject the need for such a conception because they wrongly think that any political theory that rests upon it will itself be brought down by its reliance on a category that is so metaphysically controversial; and they make this false assumption because they still cleave to the ideal of objective certainty. Once we relax the quasi-realist requirement of certainty, however, the way is open for the indirect affirmation of the deep self that I offer in the following chapter.

This, we should note, does not take us straight back to the opposition between a communitarian (or 'whole') and a liberal ('canny') conception of self. If that were the case, then the conclusion of my argument would have to be that Walzer is a Rawlsian; and, more, particularly, an unreconstructed early Rawlsian. But that is not the conclusion of this thesis. Certainly, the conception of self that I argue for is one that has 'reason' and rationality at its heart. But then that conception of reason is one that is based upon a view of language –and a linguistically created and socially manifested ontology- that does not seek either such certainty or universal truth. It is for this reason that we are able to say that the canny self does not fall into the Kantian traps of rigorism and alienation. The wings of reason are thus clipped but not entirely shorn.

I will thus close this chapter with an intimation of the normative conclusion that is yet to come. That conclusion is that the normative political philosophy that most consistently flows

from the structure of a Walzerian social criticism is a species of philosophical conservatism. We are to base our political structure around the requirements of the canny self; and so we are to affirm a pluralism that allows us to exercise that canniness. In this respect, a properly reconstructed Walzerianism will indeed yield a political philosophy that is recognizably liberal in some vitally important respects (the normative affirmation of pluralism, freedom, the rule of law, equality before the law, and a set of universal but minimal rights). Crucially, though, this political vision stops short either of Walzer's own egalitarian agenda or that of the liberal egalitarians. Walzerian premises do not justify such a position, and nor should we regret that failure.

CHAPTER EIGHT

Walzerian Naturalism

Introduction

8.1 In this chapter we will first make good the central promise of Chapters Three and Four of this thesis.[416] That promise was to provide a naturalistic justification for the a priori conception of self that underpins Walzer's normative commitment to pluralism, and which also allows him to adjudicate between competing spheres and meanings as and when they clash. Yet, in doing so, we must also preserve the rich sense of wholeness that motivates Walzer's post-Kantianism. That requires us to build upon Walzer's minimalism whilst also overlaying it with his rich historicism. At first sight this may seem paradoxical, amounting to an argument that there are natural facts about the world, but that these same facts are subject to the contingencies of time and place and thus are not, properly speaking, 'facts' at all. The paradox is, however, easily resolved once we relocate the naturalistic argument in the hermeneutically inspired Walzerian view of language.

This 'Walzerianism' bears a special emphasis at this juncture. For this thesis has, from the start, been concerned not solely with Walzer's actual arguments, but with their potential and with their philosophical and normative implications. Now that focus shifts even further from the text of Walzer's own argument. Here we are concerned almost exclusively with a Walzer<u>ian</u> argument. At this stage of the thesis we are thus to leave behind the close textual analysis that has characterised much of the previous chapters.

Walzerian Naturalism

8.2 In Chapter Three I stressed the sense in which Walzer is committed to a Humean minimalism, in which we find that, as a matter of empirical fact, some significant form of the prohibitions against theft and murder are universally instantiated. This claim, in itself, has a naturalistic tone: there are certain facts in and about the natural world – regardless of the conceptual framework or metaphysical presuppositions that an historically located discourse and culture brings to it- that are inescapably present in every society (past or present) that we care to look at; and without any real need for deep immersion or translation. It is simply a reiterated fact about the world that we all do, universally, cleave to these minimal moral prohibitions; and it is 'natural' in the

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[416] See sections 3.9 and 4.5.

sense that this is known inductively and empirically rather than being a principle or Truth derived from reason. This, clearly, must be what Walzer has in mind when, during the course of advocating his Humean minimalism, he suggests that a 'naturalistic' account of <u>why</u> the prohibitions on theft and murder are so widely and universally reiterated will offer the best explanation of this reiteration.[417]To be properly Humean, this account will have to ground these prohibitions in the 'givens' that, in turn, form the basis of Hume's natural virtues. At the most basic level, we would thus say that theft and murder are the source of a pain that it is in the very nature of the human species to avoid. Through the natural disposition to sympathy we then arrive at a generalised antipathy towards theft and to revulsion towards murder; for even if we are not ourselves directly effected, we still suffer the pain vicariously. How a given culture enforces and regulates these prohibitions at an institutional level will then vary; thus allowing us to overwrite the naturalistic and universal fundamentals with maximalist (and historicist) particularism.

Now, however, we are to apply the same structure of argument to Walzer's canny self. In essence, this is to say that the exercise of canniness is an irreducible and thus natural element of what it is to be properly human. The next step is then to say that there is a particular range of societies and institutional structures that best allow the free-play of this naturalistic conception of self; thus providing us with both a motivation for, and justification of, the pursuit of pluralist institutions –and thus adding the value and virtue of pluralism to the fact of canniness. We see this in reverse order in Walzer. For, as we have seen, he has told us that pluralism is valuable because it 'leaves room' for and 'best serves' the canny self; without, however, really providing anything in the way of argument to support the idea of the canny self in the first place.[418] That we do indeed need such a conception was one of the central arguments of the previous chapter of this thesis. That we actually have one is the argument here.

Hume, once more, provides part of the argument that we are looking for. Canniness connotes the kind of deep self and free will that we need if we are to be able to make sense of our ability to exercise a meaningful degree of moral freedom and agency, and thus to adjudicate between the spheres that are constitutive of our identity. There are, of course, different and seemingly conflicting layers of argument in Hume. And I have, in

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[417] Walzer, <u>Interpretation and Social Criticism</u>. p.17.
[418] Walzer, <u>Thick and Thin</u>. p 98. See chapter six, section 9 of this thesis

Chapter Six, utilised an analogy with Humean scepticism, regarding the idea of a deep self, to make the point that if we are simply constituted by (to borrow Kant's term) the 'manifold' impressions or sense data of our experience (or by the spheres of our social experience), then there will be no deep self and thus no moral freedom. We also saw, in the following chapter (Chapter Seven), how thin and normatively unattractive the Humean account of rationality is, at least for anyone who, like Rawls (despite his stated anti-perfectionism) and Walzer, is inclined to be wary of the value of taking wants as given.[419] But the Humean story is actually more complex than this.[420] That is because Hume does not make the mistake of giving to reason an absolute, final say in the matter. Theoretical reasoning certainly leads us to scepticism regarding the self and the will, but it is not a scepticism that ever gets off the ground in practical terms, as it is so entirely contrary to our intuitions that it must always fail to convince. It is important, too, that this intuitive grasp of a deep self is seen in the context of the consequences of its rejection .i.e. the same loss of agency, responsibility, desert, and so on, that we rely upon so heavily in our moral judgements and prescriptions. When faced with the normative loss that the rejection of deep self entails, we thus have no choice but to take this depth as a 'given'; a natural fact about the world.

By this we are not to understand a naturalistic fact in a reductionist sense .i.e. as only being a fact if it can be established beyond doubt through a scientifically minded verificationism. Cleary, if that were the requirement it would counter rather than advance my argument here. Instead we are to take these facts as given if they come into direct conflict with the requirements of the 'harder', reductive naturalism; as it is precisely this scientific perspective that forces us into the naturalistic perspective anyway.

The immediate context of this 'given' is, in Hume's writings, the classic problem of free-will versus determinism, and hence the related compatiblist versus incompatabilist dispute. The logical terminus of my arguments thus far, as well of those still to come,

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[419] Clearly, flies in the face of Rawls' stated anti-perfectionism. Nevertheless, as I argued in chapter six, there is in fact a strong element of a virtue based ethics in his commitment to the notion of balance. This, in turn, brings with it the notion that the virtue in question at least has something very similar to an ideal of excellence in the pursuit of the virtue; and hence a tacit notion of perfectibility.

[420] It is not my concern in this thesis to come to a scholarly judgement with regard to the overall coherence of Hume's works. I shall also stick to the broad strokes rather than the fine details of particular arguments, of the relative merits of the Enquiries versus the Treatises (A Treatise of Human Nature, ed.L.A.Selby-Bigge, Oxford 1965; Enquiries, Concerning Human Understanding and the Principles of Morals ed.L.A.Selby-Bigge, Oxford 1997).

would in principle commit me to a position on this issue. It is not the purpose of this thesis to pursue that issue all the way but, needless to say, the obvious conclusion will indeed be the naturalist one that we are in fact 'free' in a meaningful sense; not as an 'uncaused cause' or contra-causal will etc, but as purposive agents capable of meeting the given-ness of their situation with rational reflection and choice. That is the same line that we draw in the political theoretical context i.e. between the over determined self of communitarianism and the naivety and abstraction of its liberal counterpart. But there is also a further important affinity between the stance that one should adopt with regard to the problem of freedom of the will on one hand, and, on the other, the requirements of free agency in a normatively viable social criticism. The appropriate response to both issues revolves around the limitations that we are to place upon the objectification of certain areas of discourse and enquiry. There is therefore a parity of reasoning between (e.g.) the kind of Humean naturalism that P.F. Strawson adopts,[421] and the deeper epistemological and metaphysical concerns of the post-Kantians, over and above the more obviously moral cum political objection to Kantian inspired political philosophy. The corollary here is that the problem of moral agency only arises in this form when we treat the self as yet another object of scientific enquiry –i.e. as having no special status in the causal world of objects. The corrective is to thus reign in the scope of 'scientific' enquiry. Where a large part of the post-Kantian reaction resides in the turn to a poetic philosophy that transcends the limits and counterintuitive consequences of the scientific separation of subject and object, Strawson wants to say, instead, that we should adopt the 'standpoint' that is appropriate to the question that we are seeking to answer; only temporarily adopting the external, objective and scientific view of the self in matters where this is likely to actually advance rather than hinder our understanding.[422] So in a sense it is clear that Strawson does not reject the subject-object dualism in the same way that the post-Kantians do. But then his aim is to draw the sting out of this dualism by denying that we are faced with an 'either-or' choice: 'the appearance of contradiction arises only if we assume the existence of some metaphysically absolute standpoint from which we can judge the two standpoints that I

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[421] P.F. Strawson. Skepticism and Naturalism: Some Varieties. Methuen. 1985.

[422] Ibid. p. 35. Here we must unavoidably think in terms of degree and extent, as the social sciences must of necessity view the self as an object to some degree. The point is to draw the line at the (inevitably disputed)point at which this perspective comes to distort our norms and assumptions to such an extent that whatever insight that the objective perspective does provide is such that it is not sufficient to compensate for the distortion.

have been contrasting'.[423]That, of course, is the possibility that is also denied by the post-Kantians –hence the turn to intuition and poetry.[424]

The difference that is of crucial importance here is that it is the non-reductive naturalism that is playing the role of the poetic in Strawson's argument. The role that both these concepts play is to reclaim our intuitions from theoretical reason, not by taking theoretical reason head on, but by circumventing it. Significantly, there is no obvious incompatibility between these two approaches. The non-reductive naturalism proceeds from our unshakable convictions and the poetic –when applied to the metaphysical and existential problems of self-knowledge -picks up our convictions at the point at which they can no longer be articulated through the language of theoretical reason alone. There are indeed some significant differences between the two accounts. Most importantly, once we arrive at the 'poetic' in the context of post-Kantian knowledge of the deep self and self-consciousness, there is still a journey of discovery to be made. It is just that the journey is now made through an aesthetic mode of thought and intuition rather than through the objectifying mode of science.[425] In contrast, in the naturalism that I have been describing here, once we arrive at the given-ness of the deep and morally free self, no further articulation is required; except to then reapply that reclaimed notion to the substantive and practical issues of normative debate. Moreover, there is a great stress in the naturalistic argument on the relation of the self to others; by which I mean that the argument is driven by the concern that without such a conception our judgements normative judgements regarding the attributes and actions of other individuals are groundless, as there is no responsibility in the determinist world. This, however, is not the sole concern of the post-Kantian: the objectification of the self also leads to an existential loss in the sense that one of the most fundamental areas of knowledge in human existence (self-consciousness) is in principle inaccessible to us.

Nevertheless, the crucial commonality is still the way in which moral agency is reclaimed from the paradoxes of reason. At this point it may seem that there is no need to embrace the poetic form of the argument. We could instead rely just on the naturalistic account, without being associated with the grandiose language of idealist

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[423] Ibid.38.

[424] The obvious exceptions are Ficthe, Schelling and Hegel. See chapter five of this thesis.

[425] It should not be forgotten that the post-Kantian reaction is not an outright abandonment of reason. In the immediate context one should really regard the Enlightenment mode of reasoning as indispensable as it is this mode that shows us the paradoxes and limitations of trying to view the self objectively; and thus which sets us off in the direction of poetic thought in the first place. Enlightenment reason is a necessary stage in the journey.

philosophy. But the essential compatibility and combination of the two arguments ultimately yields a very great benefit: the reconciliation of the twin Walzerian strands of naturalism and historicism. We have just noted the way in which the poetic has far greater aspirations to knowledge than naturalism does. Yet it remains the case that both proceed to the idea of a deep self via the facts and intuitions of our moral experience and our idea of ourselves as purposive beings. We are not then logically obliged to go all the way with the post-Kantians in the search for ultimate truths. We can simply accept the terms of the poetic argument up to a point –the point at which we know that the deep self must exist, and not the point (further down the poetic path) at which we think we know want it 'is'. So why not just side with the theoretical economy of naturalism instead? The answer is that there is a serious lack in naturalism that the poetic can in fact provide. That lack follows from the fact that the kind of Humean-Strawsonian naturalism that we are advocating is one that only yields very 'minimalist' conclusions. We can thus posit the deep self in this way, but then there is little improvement upon the Kantian-Rawlsian 'philosophical' conception of self in respect of the Walzerian need to arrive at a 'canny' conception of self that is both morally free in a meaningful sense and 'thick'. The aim here is thus to combine the naturalistic deduction of agency with the thickness of the poetic. In this way we are to purchase the vital rational abstraction required by meaningful moral and political agency, but not at the excessive Kantian price of alienation and rigorism. We are, in short, to take the minimalist Humean conclusion and overlay it with poetic and historicist maximalism.

Before doing so, one final point of clarification is necessary here. There are in fact two senses of Humean minimalism in this argument. The first is the one that Walzer explicitly adopts: the sense in which there are minimal universal values that we find universally reiterated. The second is the sense that we have just been discussing: the sense that we can at least attribute the philosophical possibility of moral agency to all individuals. That is a minimal conclusion in so far as it does not tell us what the content of morality is. We are not, however, to conflate the two senses. For, strictly speaking, the second sense is a presupposition of any moral ascription, thick or thin. It is thus a sense of minimalism that is necessarily prior even to the minimal morality that Walzer speaks of. There are, therefore, also two concomitant senses of naturalism here: the moral beliefs and prohibitions that are universally reiterated as a matter of natural fact, and the naturalism that tells us that it is simply an inescapable part of our human nature (as a natural fact) that we believe in the 'given-ness' of the deep self and human agency.

My argument in this chapter is that both senses are central to the structure of a sophisticated Walzerianism. In the following section we shall see how the fundamental structure of Walzer's argument is one that does indeed force the idea of a naturalistically derived conception of self upon us, as a 'given' that we cannot escape. We will then return to the relation of this given-ness to the other form of Walzerian naturalism i.e. the form that comes through in his open commitment to a Humean minimalism.

The Walzerian Deduction (WND)

8.3 Let us now return to the relation between principles 'A' and 'B' in Walzer's argument. What we will get to is, once more, the mediating category of principle 'C' and the canny self. Now, however, we will see the full ontological force of the argument; cast in terms of the 'given-ness' of the self that we find in Hume.

Thus, principle 'A' tells us that we are embedded in our historical and social context. Principle 'B' then complicates this by saying that we are necessarily embedded plurally. We have seen the ontological implications of this in Chapters Five and Six of this thesis. The result was a serious tensions between Walzer's values of community and a 'whole' self on the one hand, and his equally strong commitment -both in the phenomenology of value pluralism and as a substantive normative doctrine- to pluralism on the other hand. But now we are to substantially change our view of what was previously presented as, at best, a suppressed premise (the mediating principle 'C') and, at worst, a straightforward contradiction. The canny self of principle 'C' is, in a reconstructed and naturalistically derived Walzerianism, to be taken as neither. Instead it is a naturalistic <u>conclusion</u>.

We are to get to this conclusion if, as we should, we accept the basic phenomenological premises of 'A' and 'B', and hence the implications for the unity of the self. For in addition to the phenomenology of embeddedness and value pluralism, there is another vitally important fact. That fact is simply this: for all the stresses and strains that the plural conditions of our identity put us under, the fragmentation of the self is the pathology rather than the norm. On the face of it, it may seem that this suggests that the thesis that the combined principles 'A' and 'B' make for moral and psychological fragmentation is a false one. Yet this is not the case. Or, more precisely, there is not an error in the reasoning behind it. That is because the falsity of the fragmentation thesis

depends on the truth of a presupposition that we can only verify <u>via</u> the fragmentation thesis itself; and, so, that thesis is not an error, but an essential part of the reasoning that leads to its own negation..We can state this form of reasoning hypothetically through the three conceptual desiderata of Walzerian social criticism. For convenience we will refer to it as the Walzerian Naturalistic Deduction (WND).

Thus: <u>if</u> we want to cleave to the phenomenological truth of the embeddedness of the social thesis (A'), and <u>if</u> we want to maintain the phenomenological truth of the value pluralism of 'B'; and <u>if</u> we want to maintain both these truths <u>without</u> accepting the fragmentation conclusion, <u>then</u> we must <u>presuppose</u> the truth of principle 'C'.

Then, further, given that we <u>do</u> in fact achieve unity of the self with a high degree of success, and thus <u>should</u> reject the fragmentation conclusion, we can proceed from the phenomenological fact of this success to the preconditions that are necessary for this achievement, i.e. the existence of a deep, 'willing' and 'canny' self.

One might now be tempted to say that the structure of this argument is 'transcendental'. In the most basic form, we have proceeded from the fact of psychological and moral unity to the conditions that are necessary in order to make sense of this fact. The avoidance of the fragmentation conclusion is indeed therefore, in this respect, transcendental. But it is not transcendental <u>instead</u> of being naturalistic. Rather, the transcendental form of the argument is a rationalisation of the brute force with which we feel the naturalistic intuition that there must be a deep self as a natural fact. It is really only another level of the same argument. Perhaps it adds a degree of philosophical respectability that the simplicity and economy of the naturalistic argument may lack. What it doesn't do is actually add anything to the naturalistic conclusion. All that either form of the argument can do is to establish the necessity of the deep self and to then describe its function in terms of the intuitions that it serves to support or validate. In this case that intuition is the <u>unity</u> of a reflective and whole canny self in the face of the fragmenting and potentially alienating implications of 'B'. In Hume's case it is the necessity of freewill for our practices of moral attribution and action. For Kant it is necessary only in his second transcendental deduction, though there is a hint of it already in the first <u>Critique</u> (i.e. in his insistence that we must be a <u>unified</u> self in order to make sense of the infinite bombardment of sense-data that the human mind must order and classify if we there are not to be as many 'selves' as there are individual

experiences)..[426] We therefore need to presuppose the existence of a deep self in two respects: epistemologically as the category that we need in order to make sense of our evident ability to organise and categorise the otherwise random bombardment of the sense-data of our experience; and, in terms of our moral experience, as the category of will or autonomy that we need in order to make sense of our moral capabilities; and thus to make meaningful moral ascriptions and prescriptions based upon the premise that 'ought implies can'.[427]The first does not straightforwardly imply the latter, but it is certainly a necessary condition of the moral freedom of the second deduction, if it is to make sense.

The key point, however, is that all of these arguments proceed from intuition and the phenomenological facts of our experience (as we perceive them).[428] Even the argument of the first critique takes our pre-given <u>intuition</u> that we are (each of us) a single and unified self. That, in turn, means that the building blocks of the transcendental argument are themselves naturalistic in so far as they are taken as a given. The argument in this form will start with the pre-critical facts of experience and then go on to vindicate those facts through reason. But even in the argument of Kant's first critique there is only so far that this can take us: ultimately we are still required to believe in the 'noumenal' self not as it is vindicated through reason, but as an article of faith. Kant can of course do without anything deeper than the phenomenal self in order for his epistemological arguments to work. But then we are right back at the same scepticism that led Hume to naturalism in the first place(i.e. the deep-seated feeling that this epistemology radically undermines the assumptions of moral action by placing the self in a deterministic causal world in which we are not morally free and thus not accountable). And the second deduction really does nothing to advance rather than reframe the issue. 'Ought implies can' is really exactly the same as the natural and unshakable feeling that we must be 'free' in the way that we need to make sense of our moral experience. My point here is, in short, that though the transcendental argument can reinforce the naturalist argument

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[426] Kant, <u>Critique of Pure Reason</u>. Kant argues that if we do not presuppose the existence of a unified 'I' that accompanies all of our experiences then 'I would have as many-coloured and diverse a self as I have presentations of which I am conscious to myself' [B131-2].

[427] Kant, <u>Critique of Practical Reason</u>. 165, 195. (Trans. Lewis White Beck New York : Maxwell Macmillan Publishing, 1993).

[428] Clearly, we can now reapply the same relativism scepticism that led us to reject objective facts in the first place; and so it may seem that the 'facts' of experience that we are relying on here are equally dubious. In a sense this is right, though it does not tell against the argument: we are not treating the facts objectively in a strong realist sense as strictly corresponding to an external reality independent of experience, but rather to the sense that we find a perception of these facts to be globally reiterated across time and place.

and articulate it with greater sophistication, it neither supplants it or adds anything of fundamental importance; as ultimately it too lies on the foundation of unshakable conviction and intuition. We may rightly use the transcendental form of argument, but it will finally lead us to the naturalistic conclusion. That is why, despite the similarity of WND with the transcendental form, we are to think of the Walzerian self naturalistically.

The Scope and Normativity of the Naturalist Deduction

8.4 So far I have argued that the simultaneous acceptance of ontological pluralism and of ontological embeddedness forces the idea of the canny self upon us if we are to make their combination coherent. But this leaves two obvious issues unanswered. One is the normative status of this naturalistic derivation. The other is the palpable sense that Walzer's principle 'B' is far too parochial to play a part in a naturalistic argument. That is because, as we saw for the case of caste in Chapter Four, the kind of pluralism that Walzer advocates is clearly not manifest in a number of cultures; and so it would seem that we can't rightly say that the argument either follows from or leads to a universal picture of human nature, and thereby loses its claim to 'naturalism'. In other words, to preserve the argument we need to account for the apparent incongruence of WND with the phenomenology of the Indian caste case, or with any other cases (either contemporary or historical) in which we cannot proceed to the fact of canniness from the phenomenology (rather than the normativity) of spheres, due to the simple fact that the society in question just isn't 'spherical' in the requisite sense. If this is indeed the case then we will be missing one of the crucial conditionals (the value-pluralism of principle 'B') that are the necessary starting point of WND. In the following section I shall argue that the caste counterexample is in fact compatible with the universality of WND. In doing so we will also begin to flesh out the normativity of that argument.

The Justificatory Power of WND

8.5 Let us start, then, with a contrast between the position that we are developing here and the theory of complex equality in its unreconstructed form. That theory could not cope with the caste case because it does not have even the most minimal 'external' criterion for distinguishing the morally good from the bad. Morality is effectively what we do around 'here', and what others do 'there', on their own patch. All that Walzer can

do is point to boundaries crossings within another society; and in the possible absence of pre-existing internal dissent this would rest on a dubious claim to understand that society better than its own inhabitants. Certainly, in response to the more extreme implications of his conventionalism, Walzer has rightly introduced his Humean minimalism; thus ensuring that there are conventions that all societies share. But though this is an advance, it is not good enough, on its own, to justify a normative commitment to pluralism. Nor does it fully dispel the doubts that are raised by the caste case: the murder of an untouchable will, for instance, still be murder, but that level of moral minimalism does not take us far enough in the vindication of conventionalism. The objector will still rightly say that the caste system is morally repugnant to us and that there's nothing that Walzer can say that makes condemnation consistent with his internalism. However, now that we have unearthed the naturalism that is inherent in Walzer's conception of self, we do have the conceptual and normative resources to seriously address this issue.

In order to make good this argument we need to begin with an important assumption, before pursuing the minimal universalism that I want to argue for via the deeper account of the ontology of spheres that I have begun to articulate both in response to the hostility to the meaning-distribution relation (Chapter Three) and in the idea of the poetic (Chapter Five). We will then use the category of the poetic to overlay the naturalistic argument with maximal, historically embedded value. What this move allows us to do is to argue for a two tiered application of WND. At the more basic (minimal but universal) level we are to take the given-ness of the deep self and argue that the same conditions that yield this given-ness are found universally; and thus that whatever normative conclusions that flow from this are also universal. But this is not the exact form that the Walzerian deduction takes: principle 'B' is an inherently pluralist principle; and so to simply take for granted the universality of WND would clearly be a case of sleight of hand. Part of the turn to the poetic, therefore, will be to argue that there is a crucial sense in which all moral ontologies (even that of the caste society) are actually plural in the way that we need them to be for WND to go through, though this does not mean that they are also plural in the substantive normative sense that Walzer himself cannot help but cleave to. This latter sense of a substantive pluralism clearly introduces a distinction between the pluralism of (all) moral ontologies and the pluralism of (some) societies. And that is indeed the case: some societies —as Walzer himself sees only opaquely- better reflect that ontology and therefore better serve the canny self. Some societies —as

distinct from moral ontologies- actively <u>thwart</u> the institutional and social pluralism that best serves this minimal but universal and naturalistic conception of the canny self. The argument that I present thereby gives us a crucial criterion by which to judge the relative worth of different forms of society, and without sacrificing the merits (phenomenological and moral richness) of conventionalism. What we can also see through this two tiered argument is the way in which the 'liberal' society has come to see canniness not just as something to be respected —not just the locus of an other-regarding and duty based morality- but specifically as a <u>virtue</u> to be exercised; just as we saw when we compared the notion of balance in Walzer and Rawls (Chapter Seven)

The assumption that we begin with is simply this: that there is a significant and meaningful sense in which we can say that the distortion or disrupted fulfilment of a natural norm is morally bad. This is to make a sophisticated point in crude terms. And we should be fully aware that the notion of naturalness has been used —is still used- in support of some highly questionable moral positions. The 'natural' status of slaves and women —as well as the 'unnaturalness' and corruption of homosexual relations- and thus the natural social 'order' all shine out as examples that bring the naturalistic argument into disrepute. This is then compounded by the scientistic and reductionist cooption of naturalism in support of the line of reason that proceeds from the undoubted occurrence of some natural phenomena to the positive moral worth of that occurrence; essentially on the grounds that 'what is natural is moral', as a matter of entailment. The prime example of this is the case of social Darwinism, whereby morality is reduced to the function of biological evolution and species survival.[429] There are certainly some superficial similarities between this and the naturalism that I am advocating here. One resides in the way in which WND is combined with a conventionalism that sees moral norms as something that are evolved; though it should be immediately clear that this — contra biological evolutionism- is not to trace evolution of moral norms through a 'hard' science. It is indeed due to its reliance on a hard naturalism —taking as natural only those facts that can be verified empirically and scientifically- that the breed of naturalism that takes social Darwinism as its exemplar is in fact unable to explain a great deal that is of moral importance. It would, for a start, rule out the canniness of the deep self as a candidate for naturalist explication. For the reductive naturalist, the natural facts that we

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[429] The most famous formulation of this is in Hebert Spencer's <u>Man Versus The State</u>, Political Writings, ed. John Offer, Cambridge University Press, 1994. For the most influential of the latest incarnation of this doctrine see E.O.Wilsons' <u>Consilience: The Unity of Knowledge</u>. New York: Vintage Books, 1999.

refer to really are just what exists in the terms of natural science. That is why the moral explanations that it yields are so unsatisfying. At best they are extremely thin. At their worst they move along the same line of reasoning that is problematic in conventionalism (i.e. what is evolved is moral by definition) but without the attraction that leads to conventionalism in the first place; viz its ability to incorporate the variety and moral richness of time and place in its general theory of moral evolution.

To take the case in point, it is extremely difficult to see what the reductive naturalistic model would say in response to the caste system. The mere fact of its continued existence over time will, presumably, be taken as evidence that it fulfils the function of evolution through the continued propagation of the human species; and that as this function is what morality is, there is nothing immoral about the caste system. I do not want to enter into this debate at any great length here. Doubtless its proponents will say that this characterisation of social evolutionism is just a crude caricature. But even if this is true, the crucial point is that this kind of reductive naturalism will not allow the canny self into the argument and hence will not allow us the means to qualitatively discriminate between good and bad social structures. If a society fulfils the function of species propagation, then it also fulfils the function of morality. Clearly there will be a minimal level here. The prohibition of murder is again the most obvious. But beyond that we are left with the somewhat paradoxical conclusion that a scientific naturalism that seeks an objective understanding of morality –to ground it in hard empirical facts- is one that actually leads to relativist outcomes: it is not so much that morality and justice are 'what we do around here' but, instead, 'what works for us'.[430] The 'us' is, potentially and in practice, no less exclusionary than the 'we'.

Before proceeding any further with my own argument, however, there is still a question of justification; of why we are right to imbue any kind of natural fact –'soft' or 'hard'- with normative, moral qualities. The obvious response is to say that any such conclusion would be a case of the famous naturalistic fallacy, jumping from an 'is' to an 'ought' when the two categories are logically unrelated.[431] There is a degree of irony here in so far as it is Hume that is most associated with the claim that such reasoning is fallacious.

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[430] In practice this could include a quite generous welfare system, for example. But then this will still be context bound. In another context it may be that a Malthusian response to inequality is the best for the survival of the society in particular and the species more generally.

[431] G. E. Moore Principia Ethica, (Cambridge University Press) 1903 named the fallacy, but the reasoning behind its first real outing is with Hume and his 'is-ought' distinction, and in his more general dismissal of the role of reason in moral motivation and normative content.(Treatise, pp445-407, Enquiries, Appendix 1).

For the irony is that our response to this should also be Humean: we just <u>do</u> move from the existence of certain facts to normative prescriptions and conclusions about those facts. That itself is a fact. This has an air of paradox about it, but there is no contradiction. It is just that in this case we are given a fact that already has normative content, as to explain this particular fact we have to explain the norms and values contained in it. One might think that this just pushes the question back a stage. We might, that is, think that the same line of reasoning requires us to then apply the same fact-value analysis to those values that are contained in the value-laden 'fact' that we are now explaining. We would then say that the values contained in this wider (normatively imbued) fact –the fact that we hold certain fundamental normative beliefs- are given no extra normative power simply by virtue of the fact that we universally hold them. It is thus an illusion to think that this fact has any justificatory power, over and above its simple descriptive content. If we were to imagine an external observer –an intelligent Martian, say- this may well be the conclusion that they would draw: that it is a fact that humans adhere to certain moral beliefs in the most tenacious way, but that this fact does not make those beliefs normatively <u>right</u>.[432]

At this point we come to an impasse. On the one hand there is a circularity in the application of the naturalist argument. We are using the universal existence of certain values to establish one key fact -i.e. that there is a minimal universal morality- but then it also the fact of their existence that we take to be proof of their <u>value</u> in the first place. In other words, we look to a universal minimal morality to establish a universal fact, and we look at the universal fact to establish a universal morality; hence fact establishes value and value establishes fact at the same time. This, then, is the circularity that is inherent in the naturalist argument. But, on the other hand, there is also something deeply suspect in the reasoning from the application of the fact-value distinction. That argument has told us that the fact-value distinction remains intact even when we take as the 'fact' the normatively laden beliefs that we happen to hold. Yet it then must lead in one of two unacceptable directions. Either it must say that there just <u>are</u> no justified values; that our belief that there are is an error for which there is explanation but no justification. In this case we must also say that there is explanation but no justification of our moral beliefs. In its extreme form this leads not to relativism but, rather, to

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[432] There is a similarity here with the notion of an 'error theory' notion of morality. This essentially tells us that we do indeed all hold certain moral values to be universally and objectively true, but that this is an error or illusion; albeit an error that we, as moral beings, can not help but repeatedly make. This has been made famous by J.L. Mackie. See <u>Ethics: Inventing Right and Wrong</u>. Harmondsworth: Penguin, 1990.

nihilism. Or we could say that it is the circularity in the naturalist argument that is objectionable. That, of course, requires the critic to offer a non-circular and non question-begging alternative if his argument is to have any positive, practical import. But then what are we to turn to for justification if not to naturalistic facts about how we (and this is now a universal 'we') do in fact judge and justify in a practical context? Are we to say that humanity is universally wrong to think that its prohibition of murder needs further justification over and above the fact that we simply do universally hold this to be a clear case of moral wrong? It would seem extremely peculiar in this case to say that something further was needed to justify this belief; to say that the 'fact' that we all have this belief has no bearing on its status as a 'value' –that it is not 'justified'.

Certainly, we can make sense of the idea that we should stand back and reflect upon these beliefs before we can rightly say that they are justified. But what then is the criterion of rightness? If it is internal to the way in which human beings do in fact proceed with practical judgement and justification, then we are back at the naturalist point of departure. If, alternatively, we are to say that there is a criterion external to this, then we come to a form of moral realism; of objectively true moral facts, the truth of which is unaltered by human practice and belief. This certainly does away with the circularity of the naturalist derivation, but it also presupposes –if it is not to lead to nihilism- that there is such an external criterion upon which justification must rest; and this leaves a glaring lacuna in the objection. Yes, the naturalist argument is circular, but to what are we to refer the argument to in order to escape that circularity? Either a God-given natural law or a Platonic realm are the most obvious candidates. But few will openly admit to a commitment to either of these as moral standards; and that would, in any case, require a further level of justification when, inevitably, we come to question the provenance and validity of that external criterion. Just as inevitably this process of justification –if is to be convincing rather that just to be taken as an article of religious faith- will have reference to the human good; for it is to rational beings (humans) that the whole process of justification is directed. It is their good, the good of humanity, that justice and morality are to serve, if we are not simply to say that this in turn serves (e.g.) God's purpose. And so it is now irresistible to approach this question of the justification of the putatively external (but secular) criterion of justification itself via the terms of naturalism. For that is a form of explanation that is uniquely equipped to answer the question precisely in these terms .i.e. through an exploration of why certain values are universally reiterated as a matter of fact. The answer to that is one that is both

explanation and justification at the same time: simply that these values and prohibitions are reiterated because they serve and promote human well-being in every context in which they have arisen. That is simply all the justification that is needed.

It is also the only kind of justification that is available in so far as any supposedly external criterion of justification must ultimately make serious reference to human well-being; and as there is an irreducibly circular element in the naturalistic process of argument –we look to the 'facts of the matter' to see what are values, and to values to see what the fact of the matter is- there is no way that the critic of this circularity can escape it either if he or she wants to advance a positive argument. At this stage, then, I want to just take it as a given, in the argument of this chapter, that there are certain states of affairs or actions that are simply morally bad in virtue of their harmful effects on humans. This is to adopt the Humean postulate that 'good' and 'bad' are the evaluative correlatives of the natural states of pleasure and pain. In some cases this really is where argument stops. Violence and malice are ultimately bad, all things considered, in virtue of the state that they produce in the recipient.[433] But this still leaves us the task of applying the same structure of argument to the naturalistic argument for the canny self. This certainly complicates the argument. But the outcome is the same. It is a fact about the self that it is 'canny' and that to thwart this canniness is (to use Hume's overly simple language) to thwart the true potential of the natural state of 'pleasure'; and thus to thwart the natural potential of the (universal) self. The first step in this argument is to expand the scope of WND; to demonstrate the way in which it is not just a product of the plural differentiation that we find in 'modern' western societies.

Value Pluralism and the Category of the Poetic

8.6 We have seen that WND presupposes the plural ontology of spheres. Clearly this a particular historical condition and therefore not a straight-forward candidate for the universality of naturalism. Yet there is also a crucial sense in which the notion of 'spheres' is radically underdeveloped, and in a way that obscures the full potential of the theory. This is because Walzer adopts the post-Kantian category of the poetic without seeing some of its vitally important deeper implications. Most importantly, we can use the category of the poetic to replace the role played by sociologically visible (though disputed) spheres in WND. By this I mean that Walzerian social criticism

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[433] This is not to say that violence is never justified. It may be necessary (e.g.) to prevent more violence.

embodies a species of value pluralism that takes value per se, whatever the historical and social context, to be irreducibly plural; and in such a way that this plurality is 'incommensurable' (i.e. in such a way that there can be two (or more) values that are of equal worth and importance that are mutually incompatible, and which can not be ranked by reference to some other, overarching value).

Let us start, then, by returning to the role of language in Walzerian social criticism. This role is most explicit in Walzer in three areas of his argument: (1) the assertion that goods comes into our minds before they come into out hands, thus stipulating that goods 'are' what we call them in our public, shared language; (2) the thesis that it is the meaning of a good that determines its distribution; and (3) the articulation of the 'poetic' nature of moral and political discourse. This last aspect in fact encompasses both the prior two points and all that is of importance in a Walzerian view of language: the quasi idealism of the linguistic shaping of reality, the public and social conditions of meaning, the inherently plural nature of meaning and therefore value, and the necessary embeddedness of the self in this linguistic cum social matrix. But what we need to draw out now is the way in which this linguistically based ontology is also one that takes conflict to be central to the moral phenomenology of all rational beings (by which I mean all humans). At first sight this may seem to be a significant departure from the stated Walzerian view that moral discourse always proceeds from the agreement of shared understandings. But we saw in Chapter Three of this thesis that this view rests on a misunderstanding. It conflates the way in which there must be shared terms of argument, in order for discourse to be meaningful at all, with the obviously false suggestion that moral disagreement must always start with substantive agreement.[434] That has never been Walzer's position, and neither is it an implication of his account of shared understandings. Rather, the shared understandings of social criticism are assumptions rather than substantive conclusions.

Nevertheless, there is in fact a deeper level to this argument and thus a sense in which conflict, rather than shared understandings, plays a pivotal role in Walzerian social criticism. The issue here, therefore, is not the way in which some critics have misread the notion of shared understandings in a superficial sense. In this respect they are wrong to attribute to Walzer a position in which moral disagreement proceeds straightforwardly from agreement. The critics have thus misread the phenomenological

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[434] Chapter three, section 6.

level at which agreement takes place. Yet now we should also be aware of another phenomenological level of the agreement-disagreement issue. If the 'shared understandings' of social criticism are assumptions rather than conclusions, it is also the case that those assumptions are arrived at and articulated (if indeed they are articulated at all) in a dialectical and fluid way; and in way that, as I am now arguing, ensures that the pluralist condition of WND is always, universally present. Certainly, it is a part of Walzer's own argument (as distinct from the Walzerianism that I have been reconstructing) that argument starts from a basis of shared understanding, but this does not mean that these preconditions of moral and political (or any other form of) discourse constitute an immovable linguistic and ontological bedrock or foundation. On the contrary, the preconditions of meaningful contestation are themselves contestable; and necessarily rather than contingently so. By this I mean that in spite of the fact that argument does proceed from shared ontological and social assumptions, there is still a vitally important sense in which any language or discourse is based on conflict; primarily in the sense that the post-Kantian tradition refers to as 'dialectical', and which is more lately described in terms of the 'dialogical'.[435] What this means is that meaning is always defined not with reference to anything 'out there' in the realist sense that we contrasted to the poetic to in Chapter Five;[436] but, instead, in relation to other meanings. The most obvious example of this is the way in which 'I' is defined dialogically by its relation to 'other'. But then this example should not be taken as an indication that we are to lapse back into a dualist mode of thought more generally. For all our words and concepts are defined in relation to each other in the classically hermeneutic sense that the linguistic and conceptual 'whole' is understandable only in relation to all its parts, and those parts in relation to other parts, and thus to the 'whole' again.

For the purposes of a more universal WND the crucial implication is that meaning and therefore value can never be fixed and static: they are always in flux as the mutation of the 'parts' of languages and value systems in turn transforms the 'whole'. Note, too, that when we plug this into the idealist dimension of both the hermeneutic approach specifically and the Herderian-Walzerian view of language more generally, we see that 'reality' is also a shifting and mutable concept; for 'we' (all self-creating beings) create objects in our minds before they come into our hands.[437] But what we should really appreciate is the inherent pluralism and differentiation of this account. Take one of the

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[435] H. G.Gadamer, Truth and Method. London. 1975.p.283.
[436] Chapter five, sections 7 and 8.
[437] See chapter five, section 6.

classic (and explicitly ontological) statements of the hermeneutic circle: Gadamer's. What Gadamer tells us is that it is not just that we should abandon the search of scientific objectivity in moral discourse, but that in doing so we should also not retreat into a kind of communal solipsism (the 'what we do around here') as a result of this rejection. We are instead to seek to understand the assumptions ('horizons') of other cultures; to engage with them and thereby reflect upon our own cultural assumptions.[438]What the lack of a scientific objectivity does not mean for Gadamer is the loss of rational cross-cultural communication. It is just that this communication will necessarily be imprecise and ongoing: the interaction of different meanings and assumptions feeds back into the 'whole' of the respective language and value systems; thereby reconfiguring it. The parts change and so does the whole. And what we get is a series of systems with their own conceptions of value which –likely as not- will embody some conception of objective 'truth', but no external standard by which we can judge the two (or more) systems independently. The result is thus inherently pluralist. At times these different systems will converge (hence the Humean minimalism that Walzer explicitly adopts -.i.e. the reiterated norms and prohibitions), and often they will clash.

This does not yet, however, provide us with what we need to make WND sufficiently naturalistic. It does not, that is, ground this pluralism in the idea of the whole but canny self. This only comes once we start to extend the implications of the Gadamerian argument to its logical conclusion; and to apply it to the constitution of the individual self. Clearly, the social context of cultures viz a viz cross cultural discourse is of enormous importance. But we should not forget another, equally important, aspect of this contextualism: the relation of words not just to one another but also to the social and cultural perspective-situation of the individual agent. We each have our own particular vocabularies; and not just in the sense that we know a certain number of words and are thus able (on the, discredited, ostensive view) to match them to their objects and so describe and discuss the world around us. This particularity of individual vocabulary arises for two reasons. Firstly, the meaning of the individual word (the part) is to be taken in relation to the vocabulary as a whole; and so even the smallest variation of vocabulary between individuals will, if we follow Gadamer's argument to its logical terminus, lead to a fine difference of meaning. This is so because the whole will be different and therefore so will the parts. Second, the process of language acquisition and

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[438] Gadamer. Truth and Method. pp 269-277.

development will also be very particular. Words take their meaning only in context, and so (e.g.) the particular instantiations of 'courage', 'dignity', 'fun', 'play', 'love', 'fairness', (and so on) of a particular individual's upbringing will be substantially different even from those other individuals from within the same culture. Add to this the prior point about the relation of words to the whole vocabulary, and we can see that there is <u>actually</u> no promise of a perfect match of meanings. That is the philosophical and logical outcome of pushing the Gadamerian position to its natural conclusion: it is not just that we can't get a perfect match with the world as it 'is', but that we can't even come to anything like permanent agreement on the use of language as our own construct. There can, therefore, be no complete convergence of meaning. So once again, in the absence of an external referent that can tell us which is the singular and objectively right meaning in a given case or context, we must accept meaning pluralism —and hence the values that are formed by these meanings- at the most fundamental level; in the constitution not just of cultures, but also of the individual self—as part of its very nature.

This, then, is the most basic sense in which I take the ontology of all cultures to be plural and thus compatible with WND. I shall expand upon this shortly. What we should stress first though is the immediate implication of this view of an individual vocabulary of meaning and value. It is an extreme application of the ideas behind the category of the poetic that leads us to this conclusion. But it is not thereby a reduction ad absurdum of that category or of the hermeneutic relation of the whole to the parts. If it were we would also draw the conclusion that it ultimately but inevitably leads to solipsism, with individuals possessing their own private bundle of meanings. In a sense this is right. Yet we can and should still draw the opposite conclusion: this account of language is in fact still inherently and unavoidably public. We can see that this is so through another application of the naturalistic argument. What we are now looking for in that argument is a vindication of our ability to immerse ourselves in discourse dialogically; sometimes with conflict, and very often with deep confusion and misunderstanding. For all that conflict and confusion, however, it is only in the most pathological cases that we can speak of outright failure; and that level of success can only be made sense of via the way in which we must think of ourselves as essentially communicative beings. That we unavoidably think of ourselves in these terms is all part and parcel of the 'given-ness' of our canniness; a necessary presupposition of our ability to immerse ourselves in a phenomenology that is inherently pluralistic —a matrix of sometimes very subtly and

sometimes very starkly differing perspectives and interpretations of the meaning of any given value. Just as in the earlier argument from canniness, the exercise of this facility is a matter of degree; at least up to a point. Some individuals will negotiate the contested territory between competing meanings with greater sophistication. Some will be narrow minded, and in a way that corresponds very closely to the Rawlsian-Walzerian characterisation of the pursuit of one single goal as, respectively, 'disfigured' or 'stunted'; thus dishonouring the virtue of balance.[439] In short, the effective exercise of balance requires the complementary virtue of excellence in communication; if, that is, balance itself is to be exercised in the fullest sense.

To this virtue of balance we can now, therefore, add the normativity of the concept of 'recognition'.[440] According to the terms of my argument, this functions both as a duty and a virtue. Let us deal with the duty first. Here we are to say that we need recognition as a moral category precisely because it is vital if we are to effectively exercise our canniness both in communication with others and in our actions. We must, in short, be acknowledged by others if this exercise of canniness is to be a true exercise of our capacity as culture (and reality) creating beings. Total failure to have one's meanings and values recognised constitutes at the very least a profound alienation, and, in the most extreme case, a failure to manifest oneself as fully 'human' at all; as it is our ability to express these meanings that makes us self and culture creating beings in the first place. Recognition is therefore a duty in the following sense: refusal to give the right kind of recognition to others is to deny their essence as culture creating beings and to stunt their humanity. The normativity here thus lies in the natural status of the self, in the same way that we argued (in section 8.5.) that there is normative presumption in favour of the preservation of and exercise of our natural capacities. Thus, to the initial conclusion of WND we are to add one more fact: we must posit (as a naturalistic 'fact') a linguistic canniness that makes sense of our ability to be culture creating beings in a complex and plural ontology, without being either overwhelmed (and fragmented) or over determined by that ontology. But for this canniness to be realised we must not be denied the right of recognition (instantiated through communication), as it is precisely

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[439] Chapter seven, section 2.

[440] This is first made famous by Hegel in The Phenomenology of Spirit, IV.A (trans. A.V.Miller, Oxford: Clarendon, 1977); and Encyclopaedia of the Philosophical Sciences, III s430-5 (translation with introduction and notes by T.F. Geraets, W.A. Suchting, and H.S. Harris. Indianapolis: Hackett, c1991). More recently we find it in the multi-culturist debate; united with its Hegelian roots in Taylor's 'The Politics of Recognition' in Multiculturism: Examining the Politics of Recognition, ed. Amy Gutmann, Princeton University Press, 1994.

this that we need if we are to exercise that canniness in practice. Canniness cannot be exercised in the solipsism of a private language.

Nevertheless, it remains the case that, firstly, there will be cultural variation in where this line is set over and above the minimal level; and that, secondly, a greater individual acceptance of the importance of recognition (above the minimum) is subject to the language of virtue precisely because 'recognition' and 'tolerance' are accepted and practiced by different individuals to differing degrees. Some will only meet the minimal level voluntarily, and some will need to be forced to respect that level. (In this context, and above the most basic and minimal rights of recognition, there is a culturally variable and negotiable line at which we will draw the distinction between simple bigotry and an acceptable but not commendable lack of intellectual and moral openness). But then, equally, some particularly canny individuals will enthusiastically go beyond the minimal level of recognition and tolerance required by the basic (universal) rights of the canny self (as derived under the terms of WND). Thus, beyond minimal recognition, the individual who takes recognition seriously will also be exercising a virtue over and above a moral duty. For communication and the fulfilment of 'our' essence as communicative beings is vital to the proper exercise of canniness, and that (as we saw in Chapter Seven) is itself a virtue. So the means by which we come to have our identity and values recognized (above our minimal rights) is thus an excellence to be pursued and practiced if we are to meet the challenge of canniness most fully. But now this virtue feeds back into the moral duty; as the same exercise of canniness is one that is only a virtue if it balanced, and that notion of balance –in opposition to one sidedness- is one that inevitably encourages the virtue of tolerance and empathy, as well as the acceptance of value pluralism. This, in turn, means that the excellence of canniness is one that also actively fosters the virtue of the 'recognition' of other individuals and their sense of identity and value. WND therefore makes both a duty and a virtue of tolerance and recognition.

But, for all the normativity of this, we should not now forget that pluralism requires canniness if we are not to be fragmented, regardless of the substantive value that we place on pluralism. At a deep level, then, Walzerian social criticism is predicated upon a species of value pluralism that has deep ontological implications concerning the ontology of the self. Value is necessarily plural and thus requires canniness. It is also necessarily incommensurable: there will be some values and meanings within this

matrix that rightly claim the same importance but which are mutually incompatible and which are not in principle ad judicable by any external criterion. There is a clear similarity here between this position and that of John Gray's own value pluralism.[441]The difference is that whereas Gray establishes this point by way of example only, the version that we are offering here is more firmly grounded in the post-Kantian derived view of language. That has a significant advantage when it comes to problematic cases such as the caste system. For it allows us to assert that the value pluralism itself is a naturalistic phenomenon -albeit one that is based upon a naturalistic view of the self as culture creating-, rather than taking value pluralism itself as a given. Rather than just looking directly at values as they happen to be instantiated across different temporal and geographical contexts, we look at the formation of value pluralism in a way that makes it ontologically inevitable. Value pluralism and the naturalistic conception of the canny self are part of the same conceptual framework. Gray, on the other hand, in effect treats value pluralism and his own brand of naturalism —essentially the same reiterated Humean universalism as Walzer's[442] -as conceptually distinct theses. What this means is that, in the absence of the kind of phenomenological evidence that Gray relies upon, and in the absence of the kind of spherical sociological differentiation that Walzer relies upon, both of these advocates of value pluralism have no where left to go. Neither can address the test case of the caste case in direct terms. Their normative reach runs out. Walzer can say nothing without contradicting his own stated premises, and Gray can only assert what is surely right but not rationally justified; i.e. that the caste system is a violation of a minimal, naturalistic morality.

My own contention in this thesis is that the wider, meaning based version of WND can in fact provide that justification. Societies and regimes that radically curtail the scope and exercise of the canny self are in violation of a universal value. Confining individuals in such a way is to prevent the exercise of human capabilities in a way that is <u>conceptually</u> the same as physical confinement: it corresponds to the naturalist Humean axis of normativity as measured in terms of the promotion of 'pleasure' and the absence of 'pain'. In slightly more sophisticated terms we are to say that the normativity of Walzerian social criticism is ultimately predicated on a universal conception of well-

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[441] John Gray, <u>Enlightenments Wake; Politics and culture at the close of the modern age.</u>Routledge.1995. See also <u>Two Faces of Liberalism</u> Cambridge:Polity, 2000; and also <u>Endgames: Questions in Late Modern Political Thought,</u> London:Polity Press, 1997.

[442] I.e. the universalism of minimalism as developed in Walzer's <u>Interpretation and Social Criticism</u> (as distinct from the minimal universal naturalism that I have been developing in this chapter –though, of course, my argument is that the more substantive ethical universalism is underpinned by the naturalism).

being. One possible, and obvious, objection to this is that it almost certainly requires an account of false consciousness or real wants. In the caste case the problem is, after all, the absence of any clear evidence that it is not accepted by the 'untouchables', and that it is accepted and affirmed normatively rather than just prudentially. It is indeed the case that naturalism posits real needs, but this is not quite the same as positing real wants and a false consciousness. For a start, we are not saying how the canny self should be fulfilled; just that external restriction of it is a denial of the conditions that are necessary to be properly 'human' at all. That denial can never be complete. It is an implication of the wider, language based WND that I have offered that there will always be the conditions that require the exercise of canniness and in which we can fulfil our essence as self, culture and reality creating beings. But then the extent of those conditions <u>can</u> be either minimal or maximal; and so we <u>can,</u> too, condemn those cultures that actively prevent individuals from exercising their canniness. An easier example for the argument here would be the case of Apartheid South Africa: an overt denial of the pluralism that – amongst other things- the victims themselves actively sought. Yet we are still not left speechless when the victims do not identify themselves as such. That would be the implication of Walzer's own conventionalism. But at the very least we now have a qualitative criterion for distinguishing (some) social forms as better or worse than others: if the untouchables do not, as it were, <u>feel</u> the 'pain' of their restricted lives, this does not alter the diminution of their natural capacity as self-creating beings. In this respect we can coherently say that there is a minimal but objective standard of well-being that is violated even if the victims do not identify with that status, in much the same way that we would say that the 'happy' slave is done a serious moral wrong in spite of his or her stated 'wants'; and in a way that also bears a significant normative resemblance to, for example, the kind of scenario when wives justify the abuse they receive at the hands of their husbands, or when torture or hostage victims come to identify with the aims and beliefs (and hence the justification) of their torturers.

At this stage I hope to have thus established an objective moral minimalism that makes good the argument that pluralism is to be justified naturalistically because it best serves the naturalistic conception of the canny self. There remain a number of conceptual issues to clear up in this chapter, before moving on to the final substantive chapter, in which we will compare this reconstructed Walzerian social criticism with the Kantian inspired liberalism of Rawls and Barry.

Of the remaining business of this chapter, the most pressing need for the completion of the argument is the relation of this minimal naturalism to the thick historicism of social criticism. This will finally allow us to reconcile the apparent contradiction between Walzer's principles 'A' and 'B', and hence their respective senses of self as 'whole' or 'canny'. In doing so, we shall also clear up some of the conceptual issues that have arisen during this thesis; issues that are intimately connected with the (positive) circularity that suffuses the Walzerian project. Specifically, we will see how Walzer's own distinction between 'moral world' and 'moral life' is one that does in fact embody a coherent, sustainable and non-vacuous view of the nature of moral discourse. We shall also briefly revisit another aspect of the poetic view of moral cum political discourse; namely, the contrast between poetic imprecision and uncertainty on the one hand, and the 'philosophical' search for certainty on the other.

Historicism and Naturalism; The Thick Canny Self

8.7 We have just seen how the individual living under conditions that restrict the scope for canniness need not necessarily recognise this restriction. Now we can draw a similar distinction at the collective level; as a distinction between those societies that institutionalise the inherent pluralism of meaning and value, and those that do not. That is, there is a distinction between a necessary ontological differentiation and a contingent sociological differentiation. Clearly, it is a consequence of the argument so far that we are to say that an institutionalised pluralism is normatively superior to a non-plural society. It 'better serves' the canny self. But this is not the same as the assertion that a liberal society is normatively superior, and it is certainly not the basis for anything like the egalitarian vision that either Walzer (inconsistently) or the so called 'liberal egalitarians' offer. What we are after in terms of normative differentiation is not a specific outcome or vision of distributive justice, but, rather, general conditions that can themselves lead to a variety of normatively just outcomes; in which morality and justice are indeed the function of conventionalist accounts of meaning. The point is that we are to allow the canny self to exercise its capacities, not to say what type of society should be chosen over and above this universal minimalism; and not to say how exactly those capacities should be fulfilled in practice.

One historical example stands out here. We can say that the social structure of the ancient 'polis' was one that displayed the conditions of canniness but which was

normatively unjust in the manner in which it failed to extend these minimal conditions equally. Beyond that, there is indeed little that we can say in the way of morally meaningful criticism. All we will be doing is expressing 'our' own moral vision through the repudiation of another. In fact, in many ways, the polis is more than adequate for the expression of canniness. With Gray, for example, I can see no reason to exclude the scenario of a thick community that is ethically valuable but which does not embrace democracy i.e. the vast majority of historical and probably most contemporary societies.[443] For sure, there is an obvious connection between democracy and canniness, and there can be no doubt that this is why Walzer embraces it so strongly. Equally, there is the obvious sense that an openly pluralist society better serves canniness than a mono-cultural society in which all are treated as equal. But there is no necessary entailment here. On the contrary, it is very easy to make sense of the objection that the choices of contemporary liberal democratic societies are themselves based upon meanings and values that have become so emaciated and thin that they do not offer a real exercise of canniness; or at least no more than some undemocratic societies. In the absence of mass deliberation in (e.g.) the U.S.A and the U.K and in (e.g.) the increasing valorisation of 'celebrity', we are immediately given a glimpse of what this kind of argument would look like.[444] There is thus still a balance to be drawn between the value of a substantive pluralism, over and above the ontology of value-pluralism, and the value of thick community. When it comes to pluralism, above a certain point, more is not necessarily better. In this respect it is right to say that we can envision very real scenarios in which a non-democratic society serves the canny self better; for without the poetic thickness that we have drawn out of Walzer's principle 'A', the self will also be emaciated and thin. The whole point of 'canniness' is, after all, to preserve the value of a thick and non-alienated social attachment, whilst also accounting for our undeniable status as morally free rational beings.

In fact, we can see how the Greek polis provides an almost exemplary illustration of the ontological conditions of morality, whilst very clearly differing from the model of liberal democracies. We can see this because Athens did in fact explicitly recognise

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[443] Gray comes to the same conclusion: 'the activity of choosing has little value if there is not available to the chooser a range of worth-while options, genuine goods, as embodied in a rich public culture or form of common life. This is a perfectly general truth, applicable to all societies and regimes, regardless of how they fare as to liberalism'.(emphasis added). Enlightenments Wake.p.84.

[444] The more general point is that even if we do not like hierarchy and elitism, we have to still face the very real possibility that with the levelling of society we also lose much that is of value. Alexis de Tocqueville saw this clearly when he spoke of the mediocrity of democracy. Democracy in America. (intro.) Alan Ryan, London: David Campbell, 1994.

precisely the kind of ontology that I have been describing, and that was, in its own way, institutionalised in the form of dramatic tragedy. It is, indeed, entirely un-coincidental that we find a great affinity between this and the post-Kantian strand of this thesis. What we see in this latter strand is a great emphasis on thickness, but when we see what their poetic view of language (as applied to the analysis of tragedy) really implies, we see that this is the language of thick pluralism and incommensurability; central to the argument of WND and actually highly visible in the polis. No where is this clearer than in the paradigmatic clash of the values of familial versus political loyalty in the Antigone.[445]There it is manifestly not the case that there is one right course of action, and that is because there is no external criterion to arbitrate between them. The pursuit of either one causes serious moral loss. This does not, however, mean that we will see the same incommensurability played out in other cultures: the particular stress that this tragedy places on the respective values is contingent. But the nature of the dilemma is not. Nor are the implications that its resolution (not, note, a reconciliation) has for the evolution of language and value.

Of especial importance is the role that reason plays here; or, more precisely, the way in which the remit of reason runs out in these cases. We see this most forcefully in Holderlin and Schlegel. For both these writers, tragedy is the meeting place of the incommensurable. But Holderlin adds to this with the assertion that it is at the point of this clash that we find the genesis of new meaning. The tragic hero is forced into an impasse where the clash of incommensurables denies them any firm meaning either with which to express their predicament or, more importantly, to anchor their own sense of identity. For Silke-Maria Weineck this entrapment in the clash of conflicting values and meanings leads the tragic hero to a personal descent into madness; the suspension of internal order and a loss of clear logos.[446] Antigone is thus driven to madness by the competing demands of familial and political duty, and in this madness she enters the realm where meaning breaks down; where there she is both right and wrong but where this ethical mixture remains unarticulated. Whatever ethical truth emerges in this conflict can, initially at least, only be shown; and so tragic poetry fills the lacuna created where order breaks down. But this is also an ethically creative moment. 'The tragic heroes, the ones whose language and reason break down, sacrifice themselves to the

[445] Sophocles, The Three Theban Plays, Trans. Robert Fagles, Penguin, 1984.
[446] Silke-Maria Weinec, The Abyss Above; philosophy and poetic madness in Plato, Holderlin and Nietzsche., Albany, 2002.

law, language and history that emerge anew from the collapse'.[447] In grand Hegelian language, where the current rein of reason and order breaks down, Geist steps in to fill the breech. In less grandiose terms, where conflict and crisis force a suspension of accepted norms and modes of belief, new ontological preconditions of understanding will emerge; not through the direction of reason (these are the preconditions of reason and understanding), but through the suspension of reason which allows intuition and sentiment to first of all be felt. 'In privileging the 'logistikon', philosophy misses the historical moment where 'logos' breaks down and the other faculties of the soul gain force'. So what philosophical logic now needs is the 'poetic logic' which is a 'logic of successions': a break in discourse –the analogy here is with a caesura in verse- in which interruption creates the possibility of a new form of discourse without such a radical break that it creates the separation of two mutually exclusive languages. Breakdown is radical but temporary (like Walzer's temporary stopping points), caused by the failure of (current) reason to deal with the crisis, and escapable only by allowing the emergence of those other aspects of the soul (intuition and sentiment) that begin to feel their way through the ethical mess. Of course, reason and order will then (hopefully, eventually) reassert themselves (it is easy to think of very long-running and messy ethical conflicts), but its rationalisations are necessarily post facto. As Weineck says, just as 'one might not be aware of the rhythm of a drumbeat until it syncopates or falters, order can be understood only through its suspension'.[448]

Ethical conflict and the clash of incommensurables is, therefore, the vehicle of change; and it is this general feature of that conflict that has allowed Weineck's extrapolation of a sophisticated theory of history from Holderlin's treatment of tragedy. What we have here is not just an exemplar of the way in which the deep plural conditions of canniness are played out differently in a variety of historical contexts, but also of the way in which these poetic meanings force the self into canniness: it is in the response to these culturally given values that the hero reacts with a breakdown that in turn creates new meaning. In other words, there is a point at which 'reason' can not answer the questions that arise out of values –just as it can not answer the deepest questions of conscious self-knowledge- and in which 'passions' simply have to play a vital role. But that passion is not 'irrationalist' as such. It is not that there is a deliberate abandonment of reason. Rather, there comes a point where reason is powerless and we fall back on pre-given

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[447] Ibid.p.67.
[448] Ibid.p.67.

assumptions and intuitions; but, at the same time, this is the precise moment in which our naturalistic powers as self and culture creating beings are at their greatest, for we then (without paradox) reason (post facto) about the point at which reason broke down. That point is one where something like 'passion' or 'inclination' steps in, and it is the point at which new meanings are created. Reason comes back in, but it is not the central driver of the creative process. That driver is instead the canny self: embedded in the thick poetic meanings of its cultural milieu but also the creator of news meanings. Historicism and naturalism, wholeness and canniness; these are both diads that are crucial to my Walzerianism; not in isolation, but as equally important aspects of an anti-dualist moral ontology. Poetic meanings are, therefore, both the crucial preconditions of any form of discourse (even if that is the thin discourse that strips poetic meanings down to whatever universal content that they may have) and the product of that discourse. We can not, in short, construct a thin theory of morality that is not totally parasitic on the category of the poetic.

There is a similarity between this account and something very much like Michelle Moody Adam's account of the necessity of conflict in morality; not just as the precondition that leads to morality as the system that regulates conflict, but as part of the very life-blood of a rich ethics.[449]In this account there can be no meaningful moral discourse if we seek to find a single, final answer. We are to come to the same conclusion in our reconstructed Walzerianism. At the deepest level, there is a two-way process here. Conflict is necessary for the exercise of the canny self, and that exercise creates, in turn, a new group of contested and conflicted meanings. And what is crucial here is that there is an inevitable lack of precision. Just as in the actual exercise of poetry, what we need to articulate in moral discourse are those areas of experience that are not in principle susceptible to exact definition. If poetry itself typically deals with subject matters (such as loss and religion) that can not be approached literally without serious distortion, the same is also true for our value-meanings. The currency of both is very often the metaphor and symbolism that is not directly translatable and that can only be understood by those (Walzer's 'fellows') embedded in the same thick context.[450]Precision misses the crucial, thick meaning. It misses the point. So too in

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[449] Michelle Moody Adams, Fieldwork in Familiar Places: Morality, Culture and Philosophy. Cambridge, Mass: Harvard University Press, 1997.
[450] There is an interesting body of literature that deals with the role of metaphor in discourse i.e. the way in which it steps in where literal meaning can not capture the phenomena in question. This is clearly the case in, for example, the poetry of loss of religion, but it is also equally applicable to political and moral discourse. Moreover, it is not simply the case that metaphor is a stand in when language fails us. On the

social criticism. Political and moral expression also operate at the boundaries of accepted norms and meanings, at the rough edges of language where concepts cannot be definitively pinned down and given a precise meaning. That is why Walzer is right to make the appeal to 'fellow citizens' in his poetry-criticism analogy: the process of political discourse can only take place in the thick environment of a community who will understand these oblique and symbolic references; never <u>completely</u> of course, but enough to enter into the same dialogue.

In the course of this thesis, I have strongly suggested that there is a rich and important account of virtue in both Walzer and Rawls; even though Rawls claims to be anti-perfectionist (Chapter Seven). Now we can see how this fits into the naturalistic argument. For even though I have been arguing that there is a naturalistic universalism behind the self, it does not straightforwardly follow from this that all social forms will explicitly recognise it. Some will be such that the canny self can flourish, but the <u>process</u> of flourishing will not itself be the primary value. Instead there will be great emphasis on a particular value or values, and thus on the outcome of the canny self i.e. the sense that it correctly affirms or pursues the 'right' value(s) as seen in that historical context. This does not necessarily mean that that culture will be oppressive or value monistic. If the thesis of value pluralism is correct, there will always be the conditions of canniness; and if there is canniness–and here we see a supremely virtuous circle inherent in the global version of WND- there will always be the conditions of value pluralism. These conditions <u>can</u> be suppressed to a great extent, but it is a suppression that always take an active and coercive political will. The default position of all moral and social systems, when left to evolve 'naturally', is value pluralism. But then, as I have just suggested, we should understand that this does not require the ideology of that culture to explicitly recognise that pluralism as a value itself. Indeed, most historical cultures have not been pluralist in the 'liberal' and political sense. There have indeed been different values (and thus the plural conditions of canniness), but the primary value

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contrary, as Rorty rightly says, to paraphrase the metaphor in literal language is to negate it as a metaphor –to automatically make it literal[456]. Making full sense of the metaphor kills it. On the account I have been giving, we also cannot render the metaphor (or the 'poetic' generally) 'literal'. To do so is to denude language of far too much of its 'thick' content. Moreover, it is at the borders of the literal and the metaphorical that we find linguistic and moral innovation. Metaphor allows the expression of <u>new</u> modes of language, and the expression of new moral norms; triggered by perceived inadequacies in literal norms, expressed figuratively, but ultimately (if accepted) to be codified and accepted as literal. (Richard Rorty, 'Unfamiliar noises: Hesse and Davidson on Metaphor" in <u>The Aristotelian Society, Supplementary Volume LXI</u>, 1987).

The same applies for humour and irony. This is constituted by, and in turn reflects, very rich and thick linguistic and cultural norms.

is not the <u>challenge</u> that this presents to us individuals; it is not the challenge of 'balance' that we find in Walzer and Rawls. The conscious sense that pluralism presents us with this challenge –the sense that our response to the plural conditions of identity is an opportunity to exercise a virtue- is '<u>our</u>' own 'thick' normative layer covering the underlying phenomenology of value pluralism. It is the value that animates the ideology of liberal democratic society (though this is not to say that all theorists of that society are willing to admit to or see this). In grand Hegelian language, we should say that it (the conscious <u>value</u> of canniness) is the geist of our own historical 'moment'; one that we <u>see</u> better due to the undeniable fact of great pluralism and social differentiation in 'modernity', but one that is in fact nascent in all moral ontologies and cultures.[451]

There is of course another vitally important point that flows from all this: the circularity of meaning. In the next (final) chapter we will take the necessity of imprecision and circularity in moral discourse as the basis of a comparison of Walzerian social criticism with Rawlsian liberalism. First I want to make one final point concerning the ontological structure of WND and its relation to the distinction between 'moral world' and 'moral life'.

Moral World, Moral Life

'The critique of existence begins, or can begin, from principles internal to existence itself.
   One might say that the moral world is authoritative for us because it provides everything we need to lead a moral life, including the capacity for reflection and criticism'.[452]

8.8 We first visited this distinction long before we arrived at the argument either for the true character of the Walzerian self or its naturalistic deduction and derivation. The worry then was that the distinction was simply vacuous: it seems to tell us that <u>any</u> moral ontology ('moral world') is moral by definition: morality is given a conventionalist definition, and so what is evolved simply is moral. Yet we can now see that, though Walzer does not articulate it itself, this makes perfect sense in the context of WND; and we need very little further articulation to see why. Existence universally provides us with the necessary poetic (thick <u>and</u> plural) <u>resources</u> for moral agency or 'life', without which we cannot begin to exercise our full capacities. There is of course a

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[451] This is the conclusion that Gutmann (e.g.) should have come to in her critique of Walzer, (4.4. of this thesis.)
[452] Michael Walzer, <u>Interpretation and Social Criticism</u> .p. 21.

sense of circularity here: we look to poetic plurality as indirect proof of the canniness of the self; and we look to the canniness of the self to say that there must be poetic plurality. We are thus both the product of and creator of this plural phenomena. Given the idealist strain of the view of language upon which much of this phenomenology is based, if we are in principle ever to break out of this circularity, it is to the self side of the equation that I suspect we must look. That said, however, it is also a central theme of this thesis that the subject-object dualism is an unhelpful one; and that at some point explanation of the precise relation between these two categories must simply stop. That is why we are not to join Gray in treating naturalism and value pluralism as conceptually distinct theses. They are part and parcel of a single general phenomenon – our moral and normative experience -that can't be neatly split into two separate categories. It is not in any case, as we shall see in the following chapter, a circularity that opponents of Walzerian social criticism can escape either.

This moral world-life distinction therefore also embodies a circular relation, but one that is unavoidable and positive. This, as I have just intimated with reference to the quasi-idealism of Walzerian social criticism, is ultimately the result of the ontology that I described as 'soft' earlier in this thesis.[453] By this I meant the assumptions that precondition the way in which we construct our conceptions of reality i.e. in which goods and things <u>are</u>, as Walzer says, products of our minds. Reality will thus, to a certain extent, vary from one context to another; material objects will constitute different 'goods' in different places. But there is one good that should have the same basic meaning universally i.e. the good of the canny self. This does not mean that there will not be very significant and important variation. There will, for example, be different conceptions of 'citizenship', depending upon how a particular society regards the value of privacy and private action relative to the value of, say, pursuing common projects. (One can indeed imagine a very small state being compatible with canniness, but, equally, a large state is not automatically incompatible –it's just that we tend to draw an historical association with large states and tyranny). Equally, of all the goods that we distribute, it is the idea of the self that is by far and away the most important. If we take virtually any of the great moral outrages of history, we will find this issue almost immediately: in the justification of slavery, in the practice of ethnic cleansing, in the practice of apartheid; and, of course, in the justification of the caste system. Typically the move is simply to (usually unconsciously) recognise the value of the

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[453] Chapter three, section 4.

canny self, but to deny that each and every individual is fully 'human' in the requisite sense (the differential usually being based upon an account of unequal rationality). My final argument in this thesis will be that in 'our' society –by which I mean the cultures that produced and embraced both the Reformation and Kantian strands of liberal ideology[454]– there is no justification for the kind of normative conclusions that either Walzer or the 'liberal egalitarians' advocate. Rather, a properly reconstructed Walzerian should lead to a species of philosophical conservatism.

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[454] This in effect now means the 'Western' societies that we describe as 'liberal democracies'; especially the British and North American varieties.

Chapter Nine

Conclusion: The Philosophical Conservatism of Walzerian Conventionalism

Introduction

9.1 My purpose in this final chapter is to follow through on the normative implications of the Walzerian social criticism that we have now reconstructed. What this will entail is an endorsement of Walzer's conventionalism as Oakeshottian. This Oakeshottian endorsement is, of course, contrary to Walzer's own insistence that this is not the form that his conventionalism takes.[455]But then this disjunction between premise and normative conclusion in Walzer's position should come as no surprise at this stage of the thesis: that has been one of its main themes. What we will now find is that the vision of society that we should pursue, if we are to take Walzerian social criticism seriously, is one that Walzer himself would not endorse. Primarily this is because Walzer is not entitled to his own normative commitment to egalitarianism, at least not if he is to remain faithful to the premises of his argument. Yet it does not follow, as so many egalitarians assume, that it is the premises themselves that are wrong. On the contrary, with the exception of the failure to recognise the need for a value (the canny self) that mediates the interaction of 'spheres', the premises of the argument are entirely correct. It is the egalitarian conclusion that does not follow. Indeed, it is the way in which Walzer pushes such implausible normative conclusions that does much to bring his project of complex equality and social criticism into disrepute. What Walzer <u>should</u> endorse is precisely the kind of emphasis on freedom over equality that we find in philosophical conservatism; and hence he should also endorse the value of a sense of respect that is based upon desert, rather than on a competing conception of respect that is based upon an a priori insistence on the overriding value of equality. This does not mean that there is no room for the value of equality within philosophical conservatism. On the contrary, we are equal in the formal freedoms that we possess; namely, the same freedom of belief and action that every citizen rightfully has. But the endorsement of philosophical conservatism does mean that we are not to regret the emergence of a system of 'complex inequality'; and this is precisely because it is complexity – regardless of the way in which this maps onto to either equality or inequality- that best

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[455] Walzer, <u>Interpretation and Social Criticism</u>.p.29.

fits both the phenomenology of our moral experience and the more specific phenomenology of the canny self. Moreover, not only are we not to regret the potential for complex inequality: we are also to fear the 'solution'. For any attempt to seriously enforce the kind of substantive equality envisaged by both Walzer and by the 'liberal egalitarians'[456] will be precisely the type of action that requires a coercive 'state'; and hence the kind of action that purportedly led Walzer to the rejection of 'simple' equality in the first place.

Thus, we must stress once more, the error in Walzer's project is not a failing of method, but of inference and application. It is <u>not</u> the case that conventionalism itself is at fault. Indeed, to think that it is the method that is mistaken is, itself, the great mistake of the liberal egalitarian critic's treatment of Walzer. This mistake is particularly acute in Brian Barry, and that is why I have, for much of this thesis, taken him as the exemplar of the kind of philosophical reasoning that we must oppose. For as we are about to see, Barry's own position ultimately falls back on exactly the same kind of conventionalism and particularism that he seeks to refute; and which he disparages Walzer for as its arch exponent.[457] There is also a sense in which this is another instance of a wider mistake; of an unjustified a priorism in liberal egalitarianism generally. We see this most clearly of all in the line of argument that we dismissed right from the start of this thesis i.e. the argument that Walzer's premises cannot exclude the possibility of complex inequality and that <u>therefore</u> the method must be wrong. This, it seems to me, is not an argument at all, but an article of faith instead; and one that there are very good reasons for rejecting. At the very least, what we need is an argument <u>for</u> that article of faith; and <u>that</u> argument, I would suggest, can only be found in (or made in the terms of) the particularities of 'our' particular tradition. It is this type of argument, however, that Barry so vehemently rejects. In view of the ground that we are now about to cover –the terrain of a conservative view of tradition and equality- it will be useful to now revisit the essence of Barry's objection to social criticism one last time.

Barry's Realism cum Conventionalism

9.2 I first suggested that Barry was a moral realist in Chapter Three. That is because, although he does not cleave to a picture of values as ontologically real 'things' akin to

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[456] Here I mean the usual suspects: Rawls, Barry and Dworkin.
[457] Barry, <u>Justice as Impartiality</u>, p. 6, f6. see also chapter three, section 5 of this thesis (p.63).

Platonic forms, he does hold out for certainty, and thus an objective truth of the matter when it comes to fundamental normative judgements. The same applies for Rawls (both early and late): for all the talk of the too and fro of wide reflective equilibrium, the fact is that the aim is to fix the meaning of our moral and political terms. Even if there is change and agreement over time, the ideal of contructivism is a collective rational convergence; the terms of which are essentially the same (i.e. 'reasonable' and impartialist) in both Barry and Rawls. There is, to be sure, a serious and long-running controversy concerning the alleged realism of Rawls.[458]But then the sense in which I am now attributing a latent moral realism to Barry and Rawls is not quite the same as the argument that they are realist in virtue of the discovery of moral facts about the world. This is the kind of realism that we can attribute to Rawls if we seize upon the 'perspective of eternity' with which he closes the argument of A Theory of Justice.[459]Nevertheless, we can still say that Rawls and Barry are constructivists, and that morality is a creation of our making (minimal globally and maximal locally), but then so is the notion of 'reality'. That is the implication of the quasi-idealist ontology we find in Walzer and which we are to keep in a reconstructed Walzerianism. It is of the utmost importance, however, that we see reality thus constructed as fluid and negotiable; as the product of a two way process in which individuals collectively shape and are shaped by a linguistically based reality.

Inherent in this are two crucial implications: that there can be no single, fixed reality; and that there can be no final stopping point in the creative process. This second implication also means that all discourse –moral, social, scientific- will necessarily be circular; and in precisely the way that Barry objects to so stridently in his attack on the meaning-distribution relation in Spheres of Justice.[460] And it is the denial of this circularity that is part and parcel of the realism of Barry and Rawls. That is because their realism follows from the search for certainty and finality, and not because they are committed to something like the ontology of Platonic forms. But the effect is identical. What is sought is a fixed and static, certain and immutable, conception of the objective

[458] Even many of Rawl's followers attribute a universality to him, in the sense that he theory is intended to be timelessly true. See R. M. Hare, 'Rawls' Theory of Justice', Reading Rawls, ed, Daniels. N, .Stanford University Press. 1989. T. M. Scanlon. 'The Aims and Authority of Moral Theory'., Oxford Journal of Legal Studies., Vol 12, No1. p.3. J. Hampton, 'Political Philosophy and Metaphysics'., Ethics. 99. July 1989. p. 792.
[459] Rawls, A Theory of Justice. p.587. See Milton Fisk ('History and Reason in Rawls' Moral Theory', Reading Rawls, (ed.) N. Daniels, Stanford University Press, 1989.) for an example of those that take Rawls at his word here.
[460] See chapter three, section 3 of this thesis.

and universal truth of the matter. To be sure, this is to be found in the rationality of reasonable persons rather than in the heavens or in Mackie's 'queer' things;[461] but the sense of certainty and reality is no less for that. Indeed, if we are right in following the Walzerian logic in saying that reality is the linguistic product of creative human beings, the objection here is not so much that Rawls and Barry are realists per se, but that they are monistic realists. The view here is that there is one reality, one set of meanings that best describe moral practice; and that once we have uncovered these meanings through discourse, we have arrived at the universal truth of the matter. It makes no difference in practice that these meanings and words are not said to correspond to objects and things 'out there' in the world. Thus, in these terms, Rawls is a thorough going realist in the way that he seeks unanimity and finality;[462] in the way that we are all to converge on the same meaning and understanding,[463] thereby yielding principles the knowledge of which must be open to individuals in any generation'.[464]

We find the same sense of realism in Barry too. For Barry this is manifested in the same Rawlsian commitment to a universal and objective conception of the 'right', as well as in his insistence that Walzerian social criticism can say nothing to regimes and practices that we find abhorrent. This latter assertion clearly presupposes that there is a right answer to fundamental moral questions; that there is a fact of the matter about what is morally right –hence the complaint that Walzer himself is not able to make the 'best of' moral traditions i.e. to come to the conventions of a society (whether one's own or another's) with the ability to objectively judge what is good and bad about it. This is the first sense in which Barry thinks that there is in principle an objective set of moral truths. Barry, after all, does not deny his own universalism; and there is indeed something realist about this insistence upon a clear moral standard, even if (once again) it is not realist in the strong sense of moral norms. But there is in Barry the same latent realism that we have just attributed to Rawls (i.e. realism as certainty of meaning). Thus, the second sense in which we should say that Barry is realist is in the sense that I first suggested in Chapter Three.[465] That is the sense of realism that is revealed through Barry's rough but misguided treatment of the meaning-distribution relation. In this rejection Barry is most insistent that Walzer's argument must be fundamentally and hopelessly incoherent on account of its inherent circularity. Yet it takes very little to see

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[461] J.L. Mackie, Ethics: Inventing Right and Wrong. Harmondsworth: Penguin, 1990.
[462] Rawls, A Theory of Justice.p.134
[463] Ibid.p.134
[464] Ibid.p.131
[465] Chapter three, section 3.

that the force of this criticism is entirely negated unless we are told how it is possible to proceed in moral argument without something very much like this same sense of circularity. It is, moreover, clear that Barry rejects this circularity in principle because the ideal that he cleaves to is one of non-circular certainty; an ideal in which we do indeed come to ascertain the meaning of moral terms, goods and values in a way that brings discourse to a close –a closure that comes with the discovery of the objective facts of the matter, of what justice actually means for certain.[466] Barry, in short, is realist in the same sense as Rawls: there is a fixed, static meaning of justice that we must all (as rational beings) converge upon. Once again, the absence of external forms makes no practical difference to the outcome of the argument.

Of course, Barry professes scepticism when it comes to knowledge of the 'good'; but not, crucially, when it comes to knowledge of the 'right'. But here's the point. For all his professed scepticism with regard to the good, Barry cleaves to the objectivity of the right –as agreed upon (effectively 'discovered') by all reasonable persons- with a great deal of certainty; yet it is a certainty that has the strong flavour of a moral realism, whilst in fact actually being little more than a covert form of the same conventionalism that he (wrongly) castigates Walzer for.

This charge of conventionalism has been made before, and it centres on the way in which Barry adopts the Scanlonian conception of 'reasonableness' and packs it with his own normative intuitions; 'intuitive' because unjustified, and conventionalist because Barry is really only reflecting the values of a particular tradition. It follows from this that his own 'first order' impartiality is anything but. I do not intend to embark upon a close textual analysis of Barry at this late stage of the argument. The point here is in essence the same as that made by, for instance, Matt Matravers and Richard Arneson: that justice as impartiality is in fact a heavily moralised theory.[467] We see this in the way that Matravers argues that Barry morally loads justice as impartiality from the start by tying 'reasonableness' to 'equality' before the device of the Scanlonian contract is even put into use in the derivation of substantive principles;[468] and then in the way in which Barry falls back on a conception of the 'vital interests' of the individual when he

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[466] Dworkin is actually more explicit than Barry on this point (see chapter three, section 6), but the underlying logic of Barry's argument is ultimately more revealing.

[467] Matt Matravers, 'What's 'Wrong' in Contractualism'?'(pp.108-120) Richard Arneson, 'The Priority of the Right Over the Good Rides Again' (60-87), both in Impartiality, Neutrality and Justice (e.d.) Paul Kelly, Edinburgh University Press, 1998.

[468] Matravers, 'What's 'Wrong' in Contractualism'?'. p 110.

doesn't want to accept the implications of his view that to do wrong on his account is to act 'unfairly' viz a viz other participants in the contract. For it is clearly the case that this does not work in many cases of serious wrong-doing: it is a simple miss-description to say that the act of rape is wrong because it reneges on the mutual terms of agreed behaviour as reached in the contract –to say that it is wrong because it is 'unfair'.[469] Barry knows this. But then it increasingly looks like he is bringing moral criteria to the contact rather than deriving them from it (the thick notions of equality and 'vital interests' are put in to the contract rather than being taken away from it). It follows, once more, that Barry's account of the right cannot be truly impartialist as there are a number of outcomes that may well be derived from a truly impartialist theory, but which Barry rejects outright. The most obvious of these is, of course, the rejection of justice as 'mutual advantage',[470] but it applies equally to the utilitarianism that Arneson defends against Barry's quick dismissal,[471] as well as to the philosophical conservatism that I am about to advance in the following section. And the crucial point is that Barry's own normative input prior to the generative process of the contract must itself have its own normative sources; and, as Matravers all but admits himself, it is extremely difficult to see how these sources are not themselves Walzerian in essence.[472]

The alternative is to say that these sources are realist. There is indeed an important sense of this in Barry, as I have argued with regard for his desire for certainty and universality. We can see this even more clearly now, whilst also seeing how it must fail as an aspiration towards realism as traditionally conceived. For Barry's hostility towards the meaning-distribution relation is thrown into sharp relief by the palpable sense of circularity in his own argument: what is moral is what 'reasonable' persons will agree to, and what is reasonable is what is morally permissible. Arneson makes the point best, however: 'the content of morality is what is morally reasonable, and the utilitarian is not morally reasonable'.[473] In other words, Barry's argument either only yields a circular empty formalism, or else it is substantive only because the notion of 'reasonable' is packed with Barry's own a priori intuitions. On the face of it, it would seem, then, that this position is anything but 'realist'; and that is indeed the conclusion that we should reach. The point here, therefore, is that Barry's 'contractualism' becomes so normatively loaded that he must own up to either a latent realism or to the loathed

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[469] Ibid.pp.112-115.
[470] Barry, Justice as Impartiality, pp.33-39.
[471] Arneson. 'The Priority of the Right Over the Good Rides Again', pp. 78-85.
[472] Matravers, 'What's 'Wrong' in Contractualism'?'. p.119.
[473] Arneson. 'The Priority of the Right Over the Good Rides Again'. p.62.

Walzerian alternative. Even if he were to own up to the realism, there would still be an indispensable Walzerian strand. We would just rerun the original argument that 'political philosophy' steals the terms and conventions of everyday morality and political discourse. But we would also say that Barry gets it wrong in terms of substantive principle. And it is also right to still say that Barry is a realist even if he is, like the later Rawls, merely 'working up' conventions. For it remains the case that Barry still cleaves to the ideal of certainty and non-circularity. That is to say, he takes the sources of his argument from the culture in which he is embedded, but he then in effect reifies them: he seeks to convert these sources into the single, <u>real</u> meaning of what the 'right' really is for <u>all</u> societies –an external referent from which all can guide their fundamental normative judgements (even if this judgement is 'only' concerning the 'right' rather than the 'good' or, as Barry says, only concerning how we are to live together rather than how we are to live as an individual pursuing a thick conception of the good). In contrast to this, a properly reconstructed Walzerianism does <u>not</u> seek to borrow the legitimacy of a tacit realism. It also works up the values and conventions of a particular culture, but that working up is fluid and plural. It does not seek static closure. Why? Because it <u>admits</u> to, and is not embarrassed by, the inherent circularity of normative reasoning.

One final point concerning Barry and Rawls is in order here. We have just seen the familiar concern that Barry, like Rawls, brings his normative preferences to the conditions of the contract (thus seriously undermining the claim to impartiality). But then the view that I am offering as an alternative has no need for the device of the contract in the first place. All that it needs is a recognition of the value of the canny self. In my view, this justifies a species of philosophical conservatism, but the argument <u>could</u> be made that it meets Rawls and Barry halfway i.e. that it is the canny self that justifies their 'liberalism' but not their egalitarianism; and so the obvious move then is to unyoke egalitarianism from liberalism –to, in my view, purge it of an influence that is really alien to that tradition. We should note, too, that the later Rawls eschews, and Barry avoids, any reliance on the concept of the self. Clearly my position is that this has to be a mistake, as ultimately we <u>do</u> have to get involved in the justification of convention; not to override it, but to settle competing interpretations. This is not possible without reference to the ultimate repository of value: the self. The same applies if we want to condemn the practices of other cultures. Thus, when Rawls tells us that we are free to consider the self in his theory as (variously) naturalistically or

transcendentally derived (or indeed in any other way), he is right only in the sense that it is of no direct relevance how he arrived at this conception of self if we are in fact all in broad agreement when it comes to his political characterisation of it.[474] But in a vitally important sense this is preaching to the converted. He can say nothing to those who radically differ from him, just as Barry can say nothing to the 'unreasonable'. Unsurprisingly, my own view is that Rawls should stick to the naturalistic strand that often emerges in his project. That I think this does not yield liberal egalitarianism is supplementary to the more general point that I am making here and which follows directly from the argument of Chapter Eight: that our ultimate normative recourse is to the constitution and well-being of the self; and this can only have content if we do not 'bracket' the issue of what the self is. That said, the final task of this thesis is to make good the promise of a philosophical conservatism.

Philosophical Conservatism

9.3 Early on this thesis I mentioned that Walzer seeks to distance himself from Oakeshottian conventionalism[475]. The basis of this repudiation is ostensibly that Oakeshott only appeals to 'traditions of behaviour' and thereby rules out reference to 'general concepts'.[476]It is in virtue of his own apparent appeal to such general concepts, however, that Walzer attempts to distance himself from Oakeshott; and by virtue of which he feels able to say of his own model of interpretation that it is 'considerably more adventurous than he [Oakeshott] allows'.[477]The obvious conclusion is that Walzer does not want to yield to the logic of his own argument i.e. that inherent in the phenomenology of social criticism there is indeed a normative compulsion towards an Oakeshottian conservatism. Nevertheless, that Oakeshottianism is indeed the natural terminus of the argument and is the basis of the normative conclusion that we should draw and which we shall pursue in this chapter. For the distinction between 'traditions of behaviour' and 'general concepts' is a weak one: clearly 'general concepts' can be a constitutive component of 'traditions of behaviour', and it is in principle easy to discern these concepts by unearthing the assumptions that lie beneath reiterated practices and behaviours. The distinction is certainly not strong enough to drive a wedge between Walzer and Oakeshott, and even more certainly not sufficient to justify many of

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[474] See (e.g.) Rawls, Political Liberalism.,p. 31 and p 300..
[475] Chapter three, p.63.
[476] Walzer, Interpretation and Social Criticism, pp. 28-29. Michael Oakeshott, Rationalism in Politics. (Indianapolis: Liberty Press, 1991).
[477] Walzer, Interpretation and Social Criticism .p. 29

Walzer's own normative preferences. The most glaring of these preferences is the democratisation of the work place.[478] This is precisely the kind of counter- conventional imposition that Oakeshott does, and which Walzer should, rule out. This is not because it is based upon a general idea, but because the idea is a bad one, at least in the sense that it corresponds neither to the traditions of Walzer's society, or to the deeper concepts and assumptions that are embedded in those traditions. So this democratization is indeed based upon a 'general idea', but one that is not based in the traditions of behaviour found in Walzer's own society. That is the primary reason that an Oakeshottian conventionalism would rule it out; not because this strand of conventionalism is intrinsically more conservative than the Walzerian strand. The conclusion, therefore, is not that Walzerian social criticism is qualitatively different from Oakeshottian conventionalism (it isn't), but that Walzer attempts to stretch it further than it can go. And in fact the traditions-concepts distinction only exists at all in virtue of a rather dubious reading of Oakeshott's suspicion of general concepts. It is the excessive abstraction of rationalism that he objects to, not to the use of general concepts per se. There is, therefore, no reason to actually rule out the use of 'general concepts' in Oakeshott's conventionalism. On the contrary, it is inevitable that we will find these whenever we look deeply into 'traditions of behaviour'; traditions based on, for instance, the general ideas of desert and responsibility. What we should take from Oakeshott, then, is instead a deep suspicion of abstract theorising in politics; and hence the same kind of methodological and normative reaction to 'political philosophy' that we find in Walzer.

One of those 'general concepts' that we should endorse and build upon is the idea of desert. This normative notion is indeed central to the whole project of complex equality, and it is part of what makes that project so intuitively appealing. We will enter into the implications of this momentarily. One of those implications will be the need for a relatively small and restrained 'state'. That is, after all, a crucial component in Walzer's rejection of 'simple' equality. But first I want to draw out the suspicion of reason a little more, as it is this that is most central to Walzer's place in the tradition of philosophical conservatism. There is a great affinity between Oakeshott and Walzerian social criticism here. For my purposes, we see it most strongly in the way in which Oakeshott chides the rationalist for his or her need for certainty and in the

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[478] Walzer, Spheres of Justice. pp. 298-299.

corresponding fear of uncertainty and mystery.[479]This, it should hardly now need saying, is the same attitude towards rationalism and certainty that we reached via the post-Kantian category of the poetic. Moreover, the rejection of certainty and the endorsement of poetic phenomenology also bring Walzer and Oakeshott closely together in their view of change. As Oakeshott says, the 'rationalist' (and for us this primarily means the liberal 'political philosopher') 'does not recognise change unless it is self-consciously induced change, and consequently he falls easily into the error of identifying the customary and the traditional with the changeless'.[480] This perfectly matches the phenomenology that I have described and sought to defend throughout this thesis, especially in Chapters Five and Eight. So too does Oakeshott's objection that rationalism seeks to be entirely self-contained: to start with certain premises and to finish with certain conclusions, and to deny the cultural inheritance and given-ness of the premises and assumptions from which their arguments proceed.[481] And, finally, we can say the same of Oakeshott's deep dissatisfaction with what is essentially the Kantian inspired precepts of 'modern' moral education: that it strips away all the thick richness of culture and tradition.[482]

Now is not the time to re-defend these arguments. But there are now some very tangible political implications that follow from the location of Walzerian social criticism in the tradition of philosophical conservatism. The clearest implication is that the role of the state must be constrained. The reason for this is similar to the adage that happiness is beyond the competence of the state. The same is true of meaning: value and moral meaning must evolve from the bottom up and cannot be politically executed from the top-down in anything but a clumsy and coercive fashion. Walzer knows this in theory but does not recognise it in practice. That is why the concept of the 'state', central to the opening argument of Spheres, soon becomes conspicuous only by its mysterious absence.[483]It makes another appearance in Walzer's latest work (Politics and Passion), but there it is still only the under-developed counter point to a view of 'civil society' as

[479] Oakeshott, 'Rationalism in Politics'.p.16.
[480] Ibid.p.8.
[481] Ibid.p.17.
[482] Ibid. pp. 40-41.
[483] In Spheres of Justice the role of that state is taken as a central theme in the opening discussion but soon transpires to do very little real work. At the end of Spheres is in fact conspicuous by its absence when Walzer lists the attributes of his vision of justice (318). There he talks of a 'decentralised democratic socialism', thus shifting the locus of the argument away from a centralised state. But this certainly does not solve the problem. It just moves it. For there will still be the need for coercion, even if this is a coercion that it multiplied many time over at the local level. And given the strength of Walzer's egalitarianism at this juncture, it is right to suspect that his vision will require a great deal of local coercion (and a coercion that must ultimately still be sanctioned by a central state).

a broadly liberal cum Hegelian affair; a thick network of sub-state associations. We are given a general account of the necessity of state action in order to maintain the rough equality of groups, and hence a viable pluralistic civil society.[484] Yet we are not told how the state is to decide which groups are worthy of aid and which are not, and nor are we told what form the intervention will take. Given Walzer's views on the tyrannical tendencies of simple equality, this neglect is wholly unjustified. For it now looks very much like there is something that is indeed functioning as a criterion of simple equality within the argument of Politics and Passion. That function is the right of groups to an equality of resources; subject, of course, to the extremely loose proviso that some groups will be debarred from aid in virtue of their unethical practices. To be fair, Walzer does go on to offer a general criterion for this: groups and associations that prevent an individual from developing and acting as a full citizen will not be candidates for aid.[485] But that, of course, begs the question of what a 'full citizen' is; and the danger then is that Walzer himself is introducing a very thick (ethical) criterion of citizenship –that the state is the arbiter of legitimate political identity. This, we should note, would not be an embarrassment for a theory of philosophical conservatism, but that is my normative purpose and is not the aim of Walzer's far greater commitment to the value of equality.

We should not deny this emphasis on associationalism. It is fully compatible with, and a central part of, the tradition of philosophical conservatism.[486] But that tradition does not refrain from judgement on the relative worth of different associations. I want to simply stress the point here before going on to elaborate it. For that elaboration rests upon a contrast with Walzer (and with the liberal egalitarians) that may seem to be contradictory at first sight. On the one hand we should say that Walzer and the liberal egalitarians must use the state far too coercively for Walzer to maintain that he is motivated, like the liberal, by the fear of a strong state and its threat to freedom. Applying the same argument to some of the demands of the liberal egalitarians would, by extension, be to say that they actually have no claim to be 'liberal' at all. So it is an objection, from the conservative perspective, to both Walzer and the liberal egalitarians that they do in fact require an illiberal state in order to bring their normative preferences to fruition. That is, in short, a case of rationalist politics; and it is part and parcel of the

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[484] Walzer, Politics and Passion, p.68.,73.,77.

[485] Ibid.p.87.

[486] Within that tradition the most important figures that Walzerian conventionalism should identify with are Hume and Oakeshott, but there are also significant commonalities with (e.g.) Edmund Burke's distaste for the practice of abstract theorising. (Reflections of the Revolution in France.{ed and intro} J.G.A.Pocock. Indianapolis and Cambridge, 1987).

intrinsic tension in liberal egalitarianism –how to balance the competing demands of liberty and equality. But on the other hand, we <u>do</u> (sometimes) need to discriminate between the relative worth of different associations. Philosophical conservatism has a serious liberal component –freedom and the small state- but it does not, and should not, base its political doctrine on the notion of equality. And this, it would seem, must mean that the conservative state is also coercive: that it must coercively use the apparatus of the state to enforce its discriminations. What philosophical conservatism gives with one hand, it thereby takes with the other.

This is of course true, but then it is also true of any political doctrine other than anarchism. And a large part of the point of philosophical conservatism and my reconstructed Walzerianism is that it is not, strictly speaking, a substantive <u>political</u> doctrine at all. In this respect it is has something important in common with the sociological liberalism of Francios Guizot and Alexis de Tocqueville:[487] the social drives the political, which can only reflect but not alter the mours of the thick culture. This, crucially, relocates the problem of coercion. There are two aspects to this. The first respect in which philosophical conservatism shifts the location of coercion lies in the way in which it is not, as I have just mentioned, a straightforwardly political doctrine. Conservatism seeks to move forward, if at all, through the notion of 'consensus'. It is thus a doctrine of reflection –the reflection of socially evolved norms- rather than of reform. Whatever political and institutional reform we are led to is not itself the result of political reflection, but of the slow evolution of the meanings and values that are found at the sub-political level ('society'). There will indeed be quasi-coercive practices at this level; the kind of social pressure that Mill worried about. There is, then, no question that a conservative doctrine of the small state will potentially codify coercive measures (such as the prohibition of homosexuality) in a highly questionable way. It is not my argument here to suggest that, when put into political practice, philosophical conservatism can not be pressed into the service of some very bigoted attitudes. The same goes for Walzerian social criticism: it will also be the case that what is legitimately considered socially harmful –and thus reflected in the political and legal structure of that society- will be a function of time and place.

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[487] Francios Guizot, <u>General History of Civilization in Modern Europe</u> (6 vol., 1829–32; tr. by William Hazlitt, 3 vol., 1846). Alexis de Tocqueville, <u>Democracy in America</u>.

We will return to this shortly. But there is also another important sense in which philosophical conservative and Walzerian social criticism have the great virtue of not being directly coercive. Thus, the second respect in which philosophical conservatism shifts the location of coercion is that the onus on the concept of coercion in philosophical conservatism is only coercive prevention. This is the kind of preventative coercion we need to protect the individual's sphere of negative liberty. The contrast is with the redistributive demands of egalitarianism, in which the state must act coercively to bring about a new state of affairs; a rationally derived normative ideal that is imposed politically and may well have no real regard for the existing traditions that it over-rides. This latter conception clearly involves the violation of the individual's negative liberty. It will not simply prevent him from acting in certain ways, but will force him or her to act positively in so far as he or she will have to forego certain property rights in order to fund material redistribution.

Of course, part of the point will be that the ideal shouldn't have regard for those existing traditions, precisely because they are unjust. It may also be the case that the indirect coercion of social norms is also too oppressive, and unjust in itself. It is not my purpose here to argue for the classically conservative view of property rights as absolute, as a manifestation of freedom that can never be constrained by the value of equality. It should also be clear that my reconstructed Walzerianism is not to be pressed into the service of a either a political or moral doctrine of negative liberty. On the contrary, the non-political and sub-state realm of the social is of the utmost fundamental importance precisely because it makes room for the canniness of the self; and this is a conception of self and freedom that has a crucially 'positive' component. There will, as I have argued, always be a positive component to the canniness of the self. That is part of the universal essence of the Walzerian Naturalistic Deduction and the universal characterisation of the self as a culture producing being. This, in itself, begins to answer some of the questions that are begging for an answer here; especially the normativity of a conservative view of property rights. At the most basic level, property transfers will always be justified (with coercion) where the most basic prerequisites of the ability to exercise canniness are denied by physical and political circumstance. Glib as it may sound, there will always be a justification in a naturalistically based Walzerianism for the most basic welfare provisions.

Yet, beyond this, patterns of material distribution are indeed relative to time and place: they are to be understood in the social norms of the society in question. To impose a rationalistic and universal template of these local patterns on distribution (in the manner of Barry and Rawls) will indeed require an excessively coercive state. But, note, it is not primarily the appropriation of material property that is the most decisive normative objection. Rather, the objection is that, without a social consensus pushing these political changes, the state illegitimately appropriates and subverts non-material goods i.e. the socially contingent meanings and values that give life meaning. This, to my mind, is far more of an ethical gamble than the appropriation of physical things; for it is to potentially subvert the basis of normative existence. The Walzerian social criticism that I am offering here thus differs from classical conservatism in this one crucial respect: it builds upon Walzer's fundamental insight that the goods of distributive justice are meaning and values as well as material property. To follow the logic of this argument a little further, we should say that these meanings come under the rubric of property rights as well and that, as such, there should be a prima facie case for their protection and preservation under the terms of a Walzerian inspired philosophical conservatism.

It is also important to understand that this is not a straight forward defence of the status quo, and not just a simple denial of the obvious point of the critique of the status quo – that the mere presence and longevity of a given tradition does not make it just. The point, rather, is that it must be within the terms of the tradition that the critique is launched. It must be a social push –the discourse, conflict and the evolution of values- that drives the political change and is reflected by distributive laws and institutions. There is no denying that this process is slower than radical, top down reform; and this also makes it inherently conservative. It also makes the process local. Distributive justice is indeed 'what we do around here' (once we satisfy the minimum outlined under the terms of the Walzerian Naturalistic Deduction of Chapter Eight). The riposte, however, is the same as before: we disrespect the canniness of the self –the culture creating essence of us all- if we pre-empt the social evolution of meaning with a radical political agenda. We also, notoriously, run the risk of rushing into directly coercive practices in order to enact such a vision.

Thus far, my argument here has been quite abstract and indirect. Philosophical conservatism has been presented in general terms and in contrast to a general and

unspecified view of liberal egalitarianism. In the following section we shall add a little more substantive content to the discussion. There is, however, one last general point to be made here. This builds upon the premise of philosophical conservatism that the state should reflect rather than impose social practices. Walzerian social criticism should undoubtedly endorse this view of the state. But this is not to say that the social practices it reflects in 'our' culture are ones that support the narrow defence of property rights that we find in classical conservatism. We have already seen an element of this argument in the reminder that we are to conceive goods ('property') in the wide Walzerian sense. More prosaically, we should note that we do in fact have a social consensus that does already justify a considerable degree of property redistribution. Very few people will argue (in the U.K at least) against any form of tax, and very few will argue against some form of redistributive supply of health care (even if it is in the form of insurance). Liberty is not inviolable in principle in 'our' culture, and the political system legitimately reflects that. At an even deeper level (and this will apply generally to the U.S as well, though I don't intend to provide the details here), we can without controversy say that 'equality' is indeed an absolutely central value of the specific moral ontology in which we are embedded. I have made the point repeatedly, but it bears repeating here, if only to highlight what it is that a Walzerian conservatism will conserve: 'equality' serves the function of an Hegelian and epochal given –the ontological value and normative assumption that orders our thoughts and from which we cannot escape.[488] Tocqueville saw this very clearly. But whereas he ultimately saw the provenance of this value in God, we are to see it in the naturalism of the canny self; universal in an (often) unacknowledged minimal sense, but transformed into an explicit (and maximal) value and virtue in the cultures indebted to the rich tradition of liberal political thought. This does not mean that we have to say that we are all equally able to exercise canniness with excellence. We are not. But it does mean that this absolutely central value is one that we must all have an equal basic opportunity to exercise. To the equal access to basic welfare then, a Walzerian conservatism can consistently add the right to equal political participation and access; though we can, with equal consistency, say that this is not necessarily the 'just' system for another culture –one in which, perhaps, democratic participation is judged to seriously undermine other valuable resources for the exercise of our culture creating essence. It remains the case, however, that in 'our' culture probably the greatest good that we distribute is the status of 'citizenship', as it is this that is the prerequisite for the equal opportunity to exercise

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[488] See chapter four, section 4 of this thesis.

canniness. And that it why Walzer is right to seize upon the enormous value of political membership.

The normative point, in short, is that philosophical conservatism is not intrinsically opposed to distributive justice. But there is only so far that it can and should go. We will now turn to some of the limitations of distributive justice.

The Rejection of The Difference Principle

9.4 The most tangible contrast between the constitutionally based liberal egalitarianism of Rawls and Barry and what we can now call Walzerian conservatism, is in the rejection of material redistribution over and above the needs of a minimal welfare state. What that minimal welfarism amounts to in practice can not be stipulated in advance. The welfare rights and needs of citizens will indeed vary from one set of social understandings to another. There can be little doubt, however, that it will rule out the 'difference principle' that Barry adopts from Rawls.[489] It would be ruled out because the justification of social differentiation is not the business of the state or of politics. Rewards, financial and other, are distributed on the basis of social meanings. It is these meanings and understandings that allowed differentiation in the first place, and so to require justification now (at the stage of the difference principle) is to miss the point: those differential distributions are already justified by the social meanings that gave rise to them in the first place. To impose the difference principle upon this pattern of distribution is thus another case of rationalism in politics. It may be the case that, at some point in the future or in another society, the political institutionalisation of the difference principle will in fact form a deep part of the social understanding of a thick society; and then the desire to implement it politically will no longer be the imposition of an abstract idea. But the point to reiterate is that it is the social that is to drive the political, and there is very little reason to believe that the difference principle forms part of 'our' social meanings. If it did then Rawls and Barry would not have such great difficulty with the 'problem of stability'. That is an issue that is far less problematic for philosophical conservatism, as social meanings are already stable. But they are not, we should reiterate, immutable; and so it is not the case that the advocate of the difference principle can now just rerun the argument that the very point of the contrast between liberal egalitarianism and Walzerian conservatism is that the latter can actually say

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[489] See Rawls, A Theory of Justice (p. 302) and Barry, Justice as Impartiality,p.95)

nothing meaningful about what is just- that the point of liberal egalitarianism is indeed to disrespect social meanings that can not be justified normatively. But, firstly, it is not the case that the Walzerian social critic can not avail him or herself of the language of injustice and reform; and, secondly, the liberal egalitarians would at this point be just presupposing the validity of the abstract method (Rawlsian and Scanlonian contracts) against the attention to existing norms.

To strengthen the argument of Walzerian conservatism at this point would be simply to repeat arguments that have gone before. As a final point regarding the difference principle, however, it is far more likely that the appropriate means of redistribution is through a welfare safety net and through state sponsored health and education programmes (for instance). This is, to be sure, something very like the status quo that we currently have in the U.K (though that is not necessarily to say that we should not expand the role of the welfare state). Over and above this –and, indeed, over and above something considerably more minimal –it seems that the likeliest candidate to fit our distributive intuitions (construed as our shared social understandings rather than abstracted 'intuitions' squeezed out of the hypothetical device of the contract) is that of Pareto efficiency. We may balk at the vast disparities of wealth that this can yield. We may also find it vulgar. Yet this does not necessarily mean that it is a case for distributive justice. We are, in fact, far better able to describe our feelings towards such a situation with the language of virtue; of 'greed' and 'avarice', ostentation and material shallowness. All this will have to be thrown into the mix with other values and virtues. The most important of these is probably that of desert, and we shall return to this category in the following section. But we should immediately note one counter-consideration to the idea of desert that has been seized on by the liberal egalitarians; that of 'moral luck'[490].For there is absolutely no need for a Walzerian conservatism to deny the role of luck, and no need to say that disparities of wealth are indeed not 'deserved' in the way that liberal egalitarians would ideally want them to be. Very few individuals (including those who have never studied political philosophy) would really deny this argument. What we would say, however, is that it is an absurdity to think that this permits of any kind of political solution. Life can be cruel, and it is axiomatic in philosophical conservatism that it is not the business of the state to legislate for

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[490] The debate here has been prompted by Rawls' own argument that the difference principle is the fair constitutional and institutional solution to the idea that we do not 'deserve' our inherited talents and therefore do not have an automatic entitlement to the rewards that we reap through them. (See e.g., A Theory of Justice., pp73-4 and 101-102).

happiness; and that is because it simply <u>can't</u>. In this respect, it is entirely right to say that an overly active state runs the very real risk of compounding rather than resolving misery. Why? Because the issues that it would seek to redress (moral luck, desert and genetic inheritance) are just far too complex for anything but the most minimal kind of state-guided action. Moreover, the fact that philosophical conservatism will not seek to legislate on these matters does not mean that we will automatically refrain from moral censure. On the contrary, it is entirely consistent to challenge the vices of greed and avarice with the social duties of responsibility and community, and with the virtues of humility and beneficence. Once more, the conclusion is that it is in social meanings that we should seek the corrective to perceived social injustices.

Walzerian Conservatism and Walzer's Egalitarianism

9.5 I have now come to use the terms 'philosophical conservatism' and 'Walzerian conservatism' interchangeably. Clearly, however, that conflation must be Walzerian; as Walzer himself reaches for egalitarian conclusions that simply do not follow from his premises. I do not intend to launch into a case by case critique of the list of normative desiderata that he offers at the end of <u>Spheres</u>.[491] Nor am I now going to engage in any detail with his latest work. It largely suffices to point up the sub-heading of <u>Politics and Passion</u>, for it is designed to be an argument <u>Toward a More Egalitarian Liberalism</u>. Here egalitarianism is raised with a seriousness that we have not seen since <u>Spheres</u>, though now Walzer focuses on an egalitarian 'meat and potatoes' multiculturalism in which groups rather than individuals are the recipients of material redistribution, and so in which these groups have an equal chance to compete in the conflictual sphere of civil society.[492] Interestingly, there is significantly less emphasis on the specific content of Walzer's own vision of how this will play out in substantive terms. We do not, for example, find the same substantive arguments for (e.g.) industrial democracy or for the 'sharing of hard work and free time'.[493] (Though, equally, there is no reason to assume that this is not still his preferred outcome). Nevertheless, there is still a lacuna in the latest argument. For Walzer reintroduces the role of the state, just has he did in <u>Spheres</u>, only to then fail to cash out what its role <u>really</u> is. In the most general terms it is to protect minority groups through material redistribution, but then Walzer also (rightly) says that it should not endorse all groups. The problem is that Walzer only really gives a

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[491] Walzer, <u>Spheres of Justice</u>. p.318.
[492] Walzer, <u>Politics and Passion</u>, (e.g) pps. 3,.38, 74.
[493] Walzer, <u>Spheres of Justice</u>, p. 318.

semblance of an answer to the obvious question of which groups to endorse, and of which groups to actively help through the redistribution of material resources. It is central to the argument at this stage that Walzer acknowledges some form of distinction of worth between groups. And he is right to do so not on the basis of reason alone, but also with reference to the 'passions' that have now, at this late stage in the Walzerian project, become fully explicit. There is, therefore, nothing to object to in the latest account, in so far as it represents an explicit affirmation of the value and necessity of the passions. But given the fact that Walzer seeks a proactive and egalitarian redistribution of resources it is absolutely crucial that we are given some means of normative differentiation. Now, however, Walzer refuses to be drawn into the question of the terms of the exact relation of reason versus passion; and rightly so. That is not something that can ever be settled once and for all, and for each and every context. Nevertheless, Walzer's argument is indeed far too weak. For all that we are told is that the really important distinction in normative terms is not that between reason and passion, but, rather, the distinction between good and bad passions; and yet we are only given the loosest –rather unconvincing- narrative example of this distinction (an account of our commonsensical aversion to war).[494]

What I hope is already clear is that the objection here is not that Walzer is wrong in terms of the general moral phenomenology of the good-bad issue. That is indeed something that can not always be answered in clear terms. When it is, it will be either with reference to the minimal rights and needs of the canny self, or else to the thick values of the community in which the group finds itself. The objection is rather that it is precisely the moral and ethical complexity of this phenomenology that means that Walzer has no legitimate business in pressing the state into the service of a proactive redistribution. The Walzerian conservatism that I am offering here does not face these difficulties precisely because it only seeks the negative protection of groups (and the individuals in them) rather than their equalisation. Race hate has no legitimate expression whatsoever in this conservatism, but then it is no embarrassment either that some groups will be disadvantaged by the traditions they cleave to and the values that they espouse. And that disadvantage is not something that the state should act upon to positively alter (as distinct from the duty of the state to protect practices from interference when they harm no one).

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[494] Walzer, Politics and Passion. p.125.

There is no need to be drawn into this issue at this stage of the argument, except for two brief comments. The first is that my Walzerian conservatism does have the resources to act robustly in relation to groups: on the grounds of both the minimal naturalism and the values of 'our' culture, there would be no meaningful discussion necessary before we were to proscribe anything along the lines of female circumcision. The 'relativity' of value simply, and un-paradoxically, would not make an appearance in any practical sense. The second relates to 'moral luck'. Thus, it may be a case of bad luck that one is a member of a group that one feels deeply committed to but which does not fulfil an individual's deepest sense of moral and self-identity, but the state has no business in remedying this. An obvious example is homosexuality and priest-hood, a matter that the Walzerian conservative will leave entirely to that sub-state group. The reasoning behind this is, once again, simple and a little brutal: the state can't legislate for happiness. Nor can it step in to arbitrate in the very rich interpretation of religious meaning that we find at the heart of this debate.

Thus, the substantive normative argument of Politics and Passion is, once again, a leap too far from what Walzerian premises allow.[495] Admittedly, there is a shift in methodological focus, reflecting the way the liberal-communitarian debate has segued into the multiculturalism debate. As a result it is the plurality of groups, rather than spheres, that is now playing the deep structural role and that is therefore driving the argument. Nevertheless, just as the phenomenology of social criticism does not allow the state to play the role of arbiter of normative meaning, so too does that same phenomenology prevent it from playing exactly the same role in what is effectively the positive favouring and active advancement of some groups and their values. It should now go without saying that there is no way that Walzer can consistently make the

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[495] It is interesting (and gratifying) to see the way in which Politics and Passion makes explicit the themes that were previously in the sub-text of Walzer's work, and which I have spent much of this thesis unearthing. The most notable of these is the emphasis on 'passion' i.e. the 'inclinations' that Kant rejects and that I concentrated on in chapter five. We also see the 'totalising' theme re-emerging when Walzer speaks of those 'greedy' groups that do not allow their members to simultaneously identify with other groups. (p. 49).At this stage, the fact that Walzer is now explicit actually adds nothing to the normativity of the argument, and so for reasons of apace I shall not pursue it here.

Just as gratifying is the following passage (, p.126)'It's not that reason and passion can't be conceptually distinguished; I have been making that distinction throughout this chapter. They are, however, always entangled in practice –and this entanglement itself requires a conceptual account. So it is my ambition to the blur the line between reason and passion: to rationalize (some of) the passions and to impassion reason. Our feelings are implicated, it seems to me, in the practical understanding as well as the political defence of the good and even the right. I am going to argue for this simple proposition without elaborating anything like a theoretical psychology'. (emphasis added).

Of course, a great deal of this thesis has been concerned to do just that.

normative leap from his own premises to the earlier call of <u>Spheres</u> for, most notoriously, industrial democracy and the equitable distribution of dirty work.

One final comment with respect to <u>Politics and Passion</u> remains. For despite the unjustified egalitarianism, there is an important aspect of the argument that should be endorsed in any form of philosophical conservatism and which should indeed be central to Walzerian conservatism. This is not just the role of 'passions', but also the renewed emphasis on pluralism and associationalism. Thus, Walzer now speaks of civil society as 'a realm of difference and fragmentation and therefore a realm of conflict'.[496]It is summed up best in an earlier article, however:

> '...civil society is described as a realm of conflict and fragmentation: here economic interests, religious views and perhaps also ethnic solidarities are organized, expressed and confronted. The Hegelian state then creates a superior unity. But this is a unity, we may add today, always qualified by difference...'.[497]

This, in short, is the type of society that the canny self needs: one that allows for pluralism and which does not even ideally seek the total elimination of moral conflict, and one that relies for its survival on a conservative conception of state; and so, just as importantly, it is <u>not</u> the type of society that justifies liberal egalitarianism.

This, of course, means that we can't possibly rule out the notion of 'complex inequality'. If we are to remain faithful to the phenomenology of spheres, we must accept the possibility that there will be a class of individuals that excel in a great many of these spheres, and also a class that excels in none. That is simply a matter of empirical fact. But it also something that we can not, with any consistency, regret in normative terms. That is just an entailment of the moral ontology of spheres. Each sphere has its own criterion of distribution, and the individual who fulfils these various criteria many times over has no normative case to answer. The suggestion that he or she does is really only another instance of the false logic that moves from the inegalitarian consequences of Walzerian social criticism to the conclusion that the method that yields these consequences must itself be wrong. That Walzer himself is clearly anxious in this regard does nothing to alter the obvious implication[498] (i.e. that it is the normative conclusion and not the method that should be rejected). For what <u>really</u> follows from the

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[496] Walzer, <u>Politics and Passion</u> p.72. Elsewhere we are told that civil society is 'the realm of fragmentation and struggle but also of concrete and authentic solidarities'

[497] Michael Walzer, 'The Civil Society Argument' in <u>Towards a Global Civil Society</u>. Michael Walzer (ed.) Providence, RI: Oxford, Berghahn Books, 1994. p.2. See also <u>Politics and Passion</u> .p.46.

[498] Walzer, <u>Spheres of Justice</u>, p. 20.

notion of spheres is not a substantive ideal of equality, but rather the ideal of 'desert'. In fact, it is not just that we must reach this conclusion because it follows from the premises of spherical justice. Walzer also compounds his own inconsistency via the account of 'balance' in the canny self (Chapter Six). For as we saw in Chapter Seven, both Walzer and Rawls are committed to this conception of balance as a virtue; and, so, the individual that actively engages in a great many spheres exercises this virtue. But then, if this virtue is not to be a counsel for the normative value of mediocrity, the same account of balance must also celebrate multiple success in those spheres. The balanced individual is one that is certainly aware of the plurality of normative sources, but the individual that excels in each of these spheres does more than just fulfil a series of discrete criteria of success and excellence. He or she also exercises the more general excellence of balance and perfection. That is the value that we see most clearly in Rawls' Aristotelian Principle,[499] and that is the consequence of placing great normative value on desert as well as plurality. Both criteria are fully present and crucially important in both Walzerian social criticism and the Walzerian conservatism that I am offering here.

More negatively, aside from the positive value that we are to place on the notions of desert and balance, it is clear that the attempt to override the effects of complex inequality would be one that draws far too heavily on the coercive powers of the state; powers that Walzer ostensibly fears but which he must also rely upon to enact his egalitarian vision.

The Problem of Affirmative Action

9.6 Desert, of course, is a contestable concept, and one that conservatives often have great difficulty defending. There is therefore one last normative and practical test that I want to put Walzerian conservatism through in this final chapter: the case of affirmative action. One might think that there is no basis for such a policy in philosophical conservatism, precisely because it violates the standard of 'desert'. In a sense this is right, but not without exception, and not for quite the same reasons that opponents of conservatism would suggest –i.e. that it has nothing to say about justice other than the preservation of the status quo.

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[499] Rawls, <u>A Theory of Justice</u>, p.414. See chapter seven, section 2, of this thesis.

What we do find is that there is a presumption against affirmative action on the same basis of desert that we have just seen to be central to Walzerian conservatism. The job goes to the best candidate regardless of the 'fairness' of the process by which he or she became the best candidate. The reasoning behind this is the same as the reasoning behind complex inequality: the normative intuition and shared understanding behind both the affirmation of complex equality and the rejection of affirmative action is the value of desert. Once again, we must also say that affirmative action will require an over-active state as the arbiter of the conflicting meanings of desert versus justice. But it is not quite so simple as saying that 'desert' must always win out. Nor is it a refusal to acknowledge that a great deal of material (and non-material) distribution of goods has been the result of anything but desert. Walzerian conservatism need not say that inheritance is deserved, but then it can also play the same luck card and say that the redistribution of that inheritance would be underserved as well. The same applies for 'moral luck'; both because the state can't legislate for happiness (not all cases of bad luck are susceptible to state correction) , and for the Sandelian reason that it is an unjustified logical leap to assume that just because the individual does not 'deserve' his material and non-material assets the recipients of redistribution do.[500]

Nevertheless, it also follows from the contextual basis of values that the idea of job distribution according solely to the ability to do the job in question is not one that we can say is universally right. We can not, if we are to consistently adhere to contextualist premises, say that criteria other than ability are not relevant to the distribution of jobs. To say that the question can be settled once and for all and 'in principle' is to miss the complexity of normativity. It is certainly true that the meaning of 'job' in the U.K is that it is to be distributed according to ability (even if this criterion is sometimes only honoured in the breech). That is because 'desert' and 'ability' are entwined in the meaning of 'job'. But if we are to take the case of affirmative action in the U.S, there is no reason to automatically draw the same conclusion. Where there have been racial injustices on such a scale, and where they have been forced to the surface of political and moral discourse, it is natural to think of the terms of discourse themselves as part of the dispute. That is, the relation of capability to desert is set against the same kind of context that we saw in the account of tragedy in Chapter Eight. There the very notion of 'meaning' breaks down as we see the direct and irreconcilable clash of incommensurable values. It is not that one meaning (either racial justice or desert tied to

[500] Sandel, Liberalism and the Limits of Justice, p. 96.

ability) will win, and it is not that they can coexist without dialectical conflict; thus allowing us to say that different principles apply in different contexts. Rather, the clash in effect calls into question (and potentially destroys) both meanings. 'Desert', 'job' 'ability' and 'justice' –these are all terms that lack substantive content in the moment that they come into direct conflict. For part of their content lies precisely in the disputed relational constitution of the meaning (desert tied to ability). Just as we saw in the 'madness' of poetic tragedy, rational discourse breaks down whilst new meanings emerge. Before the new meaning emerges 'desert' and 'job' are really only place holders –empty conceptual categories that are temporarily unoccupied and which await a new content. What that content will be is not something that can be determined a priori, and it is not a content that can be imposed by the state. It will emerge instead through the poetic qualities of social criticism: rich but imprecise, and through shared social understandings that are nevertheless based upon conflicting accounts of meaning and value.

In the case of affirmative action in the U.S. it seems that this is precisely what has happened. The notion of desert cum ability has come into direct conflict with the fact of a sense of luck that is an appropriate candidate for state intervention i.e. the 'bad luck' to be born into a race that has been systematically denied the resources necessary to compete in the job market based upon the kind of 'moral luck' that would not ordinarily be the business of the state. That bad luck is indeed not really luck at all, but the reflection of precisely the type of institutional bias that Walzerian conservatism should rule out in the first place. Black Americans have been denied fair competition for the rewards of desert cum ability by the legislative mechanisms of the state. Of course, one could now insist that this was indeed a reflection of social norms and therefore justified under the terms of Walzerian social criticism; and there is indeed a sense in which this is true. But then the slavery that was also justified in this way would always be prohibited by the naturalistic minimalism that I argued for in the previous chapter. Furthermore, and perhaps more importantly, it is this same fact that now most convincingly justifies affirmative action. For it is precisely because such palpable injustices were underpinned by social sanction that there is now (rightly) the kind of collective anxiety and guilt that leads to the fundamental questioning of a society's values and meanings–and hence the same kind of neurotic breakdown and 'madness' that we see in the value conflicts of Greek tragedy. It is from this breakdown that there then emerges a new meaning in the job-desert-capability matrix: present desert tied to

the correction of past denials of desert based upon race rather than ability, and hence the normative downgrading of the 'ability' component. And hence, also, a shift in locus from the individual to the collective i.e. the sense that an entire grouping's desert (past as well as present) should count when it comes to the allocation of individual jobs.

Conclusion

9.7 This last case serves to highlight the flexibility of Walzerian conservatism. Difficult moral and political issues are to be dealt with on a case by case basis. But there are also some important core principles: the priority of freedom over equality, the primacy of the social over the political, and the recognition of the limitations of rationalism in all areas of our moral and political experience. It should also be clear that this is a form of politics that allows for the 'thick' sense of community that is central to the post-Kantian and Walzerian concern with the normative value of 'wholeness', whilst also allowing the free and full exercise of its 'canniness'. For what the argument from canniness justifies is a thick social pluralism and a minimal, modest state. That conception of politics will not begin to address all the ills of society or the unfairness of the human condition. But that is because the philosophical conservative knows that no political system can deliver such a promise, and that the attempt to do so is itself potentially dangerous. As a final point, I do not wish to suggest that the likes of Barry and Rawls are 'dangerous' in the sense that Hayek and Popper thought that the advocates of a state-planned socialism were dangerous (as indeed they were in a sense). Nor do I think that their vision is utopian. But it remains the case both that liberal egalitarianism must stretch the state beyond its legitimate bounds, and that there is nothing in the phenomenology of complex equality and social criticism that can be used to justify that extension . It is for this reason that, in the absence of a convincing (and truly distinctive) alternative to the phenomenology of Walzerianism, we must opt for Walzerian conservatism.

I wish to now close this thesis with some final remarks concerning the interpretation of Walzer. It is very clear to me that Walzer can not justify his own normative preferences with his own view of the phenomenology of social criticism, and it is equally clear that a suitably reconstructed Walzerian social criticism is indeed the best approach to moral and political argument. That is why I have gone to such great lengths to defend it. This defence is needed in virtue of the contradictions inherent in Walzer's own project, as

well as in his failure to develop some of the most important premises and arguments that he must rely upon, even if only tacitly. So there is indeed much to take Walzer to task for. But, that said, over the course of writing this thesis I have been constantly amazed at the dismissive attitude that a great many theorists have towards him. It should go without saying that I regard this dismissal as totally unjustifiable. But it is also rather curious. On first reading Walzer the notion that he was 'post-Kantian' immediately jumped out at me, as did the view that he was strongly committed to a corresponding conception of self. Yet this view transpired to be quite idiosyncratic. Crucially, this is not because those conceptual and normative resources are not there to be found in Walzer's work; but because, perhaps, 'political theory' has over recent years become far too concerned with pure conceptual 'analysis' rather than with the history and tradition of that activity as well. Were this not the case I suspect that Walzer would have been taken far more seriously; that many more theorists would engage with his work and discover the enormous richness of the subtext and the great fruitfulness of the many contradictions and tensions. So, in a sense, I would prefer that much of my claim to originality, in this thesis was redundant; that Walzer was already properly appreciated, and taken apart only with the intention of giving his arguments their proper due –even if they are then rejected. This, however, has not been the case, and so this thesis has necessarily been, in equal parts, a vindication as well as critique of Walzer. The end result is my own Walzerianism.

Bibliography

Armstrong, Chris, 'Philosophical Interpretation in the Work of Michael Walzer' in Politics, Vol.20. No.2 .,pp87-92.

Armstrong, Chris, Complex Equality and Sexual Inequality, PhD thesis, Bristol, 2001.

Anderson, Benedict, Imagined Communities, (London: Verso, 1991).

Andre, Judith, 'Blocked Exchanges: A Taxonomy', Ethics, 103 (1992-3)., pp29-47.

Austin, J.L., How to do Things With Words, (1962) J.O. Urmson (ed.). Oxford: Oxford University Press, 1965).

Austin, J.L., Philosophical Papers, (1961) 3rd ed. J.O.Urmson and G.J.Warnock (eds.). Oxford: Oxford University Press, 1979.

Avineri, S., Hegel's Theory of the Modern State. Cambridge: Cambridge University Press, 1972.

Avineri, S., and de-Shalit, A., (eds), 1992, Communitarianism and Individualism, Oxford: Clarendon Press

Aristotle, The Poetics. Malcolm, Heath (trans.) London: Penguin, 1996.

Arneson, Richard, 'The Priority of the Right Over the Good Rides Again', in Paul Kelly (ed.) Impartiality, Neutrality and Justice: Re-reading Brian Barry's 'Justice as Impartiality' (Edinburgh: Edinburgh University Press, 1998), pp. 60 – 86.

Bader, V, 'Radical Democracy, Community and Justice, Or, What is Wrong with Communitarianism?' in Political Theory. Vol., 23, No 2, 1995., pp211-246.

Barber, Benjamin Strong Democracy: Participatory Politics for a New Age. Berkeley: University of California Press, 1984.

Barnard, F.M. Self-Direction: Thomasius, Kant and Herder'. Political Theory. Vol 11, No 3, (August 1983).

Barry, Brian, The Liberal Theory of Justice: A Critical Examination of the Principal Doctrines in A Theory of Justice by John Rawls (Oxford: Clarendon Press, 1973).

Barry, Brian 'Social Criticism and Political Philosophy' in Liberty and Justice, Oxford: Clarendon Press, 1991

Barry, Brian Justice as Impartiality: A Treatise on Social Justice Volume 2 (Oxford: Oxford University Press, 1995).

Barry, Brian. 'Spherical Justice and Global Injustice', David Miller and Michael Walzer (eds.) Pluralism, Justice, and Equality (Oxford: Oxford University Press, 1995), pp. 67 – 80.

Barry, Brian 'John Rawls and the Search for Stability', Ethics 105 (1995), pp. 874 – 915.

Barry, Brian 'Political Theory, Old and New', in Robert E. Goodin and Hans-Dieter Klingemann (eds.) A New Handbook of Political Science (Oxford: Oxford University Press, 1996) pp. 531 – 548.

Barry, Brian 'Something in the Disputation not Unpleasant', in Paul Kelly (ed.) Impartiality, Neutrality and Justice: Re-reading Brian Barry's Justice as Impartiality (Edinburgh: Edinburgh University Press, 1998), pp. 186 – 257.

Barry, Brian Culture and Equality: An Egalitarian Critique of Multiculturalism (Cambridge: Polity, 2001).

Barry, Brian 'The Muddles of Multiculturalism', New Left Review 8 (March – April 2001), pp. 49 – 71.

Barry, Brian 'Second Thoughts – and Some First Thoughts Revived', in Paul Kelly (ed.) Multiculturalism Reconsidered: Culture and Equality and its Critics (Cambridge: Polity, 2002), pp. 204 – 238.

Beiser. F.C. (ed) The Early Political Writings of the German Romantics Cambridge University Press, 1996.

Beiser, F.C, German Idealism, The Struggle against Subjectivism, 1781-1801, Harvard University Press, 2002.

Beitz, Charles, Political Equality. Princeton: Princeton University Press, 1989.

Bellamy, R, 'Justice in the Community –Walzer on Pluralism, Equality and Democracy' in D. Boucher and P. Kelly (eds) Social Justice From Hume to Walzer. Routledge: London, 1998.

Bellah, R et al. Habits of the Heart, Berkeley: University of California Press,1985

Benhabib, Seyla, (ed.) Democracy and Difference. Princeton: Princeton University Press, 1996.

Berger, Peter, Luckman, Thomas, The Social Construction of Reality, (1966). Harmondsworth: Penguin, 1979.

Berlin, Isaiah. 'Two Concepts of Liberty', Four Essays on Liberty, London, Oxford University Press, 1969

Berlin. Isaiah Vico and Herder: Two Studies in the History of Ideas. London: Hogath Press, 1976.

Berlin, Isaiah The Crooked Timber of Humanity; Chapters in the History of Ideas. (ed) Henry Hardy. John Murray, 1990.

Blackburn, Simon, 'Has Kant Refuted Parfit?' in Dancy. J, (ed) Reading Parfit, (Oxford: Blackwell Publishers. 1997), pp. 180-201.

Bleicher, Josef, (ed.) Contemporary Hermeneutics. London: Routledge, 1980.

Bleicher, Josef, The Hermeneutic Imagination. London: Routledge, 1982.

Boucher, David and Paul Kelly (eds.) Social Justice from Hume to Walzer (London: Routledge, 1998).

Burke, Edmund, Reflections of the Revolution in France.(ed and intro) J.G.A.Pocock. Indianapolis and Cambridge, 1987.

Brink, David. O, 'Rawlsian constructivism in moral theory', Canadian Journal of Philosophy, 17 (1987)., pp71-90.

Broad. C.D., 'Self and Others' in Cheney. D. R. (e.d.), Broad's Critical Essays in Moral Philosophy (London: Allen and Unwin, 1971), pp. 262-282.

Bubner, Rudiger The Innovations of Idealism. CUP.2003

Buchanan, A.E., 'Assessing the Communitarian Critique of Liberalism', Ethics, 99/1989, pp.852-882.

Butler, J., 'Of Personal Identity' in J. Perry (e.d.), Personal Identity, (Berkeley: University of California Press, 1975)., pp. 99-105.

Caney, S., 1992, 'Liberalism and Communitarianism: A Misconceived Debate', Political Studies (June), pp.273-90.

Carens, Joseph 'Complex Justice, Cultural Difference, and Political Community' in Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995.

Cassam, Quassim, Self and World, Oxford: Oxford University Press, 1999.

Cavell, Stanley, Must We Mean What We Say? (1969). Cambridge: Cambridge University Press, 1976.

Cavell, Stanley. The Claim of Reason. Oxford: Oxford University Press, 1979.

Cohen, Andrew Jason, 'On Universalism: Communitarians, Rorty and ("Objectivist") "Liberal Metaphysicians"', Southern Journal of Philosophy 38 (2000), pp. 38 – 75.

Cohen. G. A. 'On The Currency of Egalitarian Justice' Ethics 99, 1989.

Cohen, G. A, If You're an Egalitarian, How Come You're So Rich? (London: Harvard University Press, 2000).
Cohen, Joshua ('Review' of Spheres of Justice. The Journal of Philosophy, Vol. 83, No. 8, Aug., 1986.

Collingwood, R.G., The Idea of History. T.M. Knox (ed). Oxford: Oxford University Press, 1946.

Collingwood, R.G, An Autobiography. S. Toulmin (ed). Oxford: Oxford University Press, 1978.

Connolly, William, The Terms of Political Discourse (1974) 3rd ed. Oxford: Oxford University Press, 1994.

Connolly, William, Identity/Difference. Ithaca: Cornell University Press, 1991.

Constant, Benjamin, 'The Liberty of the Ancients Compared with that of Moderns', in Political Writings (ed and trans.) Biancamaria Fontana. Cambridge: Cambridge University Press, 1988.

Cunningham, Anthony The Heart of What Matters; The role for Literature in Moral Philosophy. University of California Press. 2001.

Christman, John 'Constructing the Inner Citadel: Recent Work on the Concept of Autonomy'. Ethics, Vol.99, No.1, (Oct.,1988).

Christman, John (ed.) The Inner Citadel; Essays on Individual Autonomy, Oxford University Press, 1989.

Dahlstrom, Daniel O. 'Hamann, Herder and Schiller'. The Cambridge Companion to German Idealism. (ed) Karl Ameriks. Cambridge University Press, 2000.

Daniels, Norman (ed.), Reading Rawls: Critical Studies on Rawls' A Theory of Justice (Oxford: Basil

Blackwell, 1975).

Daniels, Norman. Review of Spheres of Justice in The Philosophical Review, Vol.94, No.1 (Jan.,1985).

Davidson, Donald, 'Actions, reasons, and causes', in Essays on Actions and Events. Oxford: Oxford University Press, 1980., pp 3-20.

Davidson, Donald, Inquiries into Truth and Interpretation (Oxford: Oxford University Press, 1984).

Davidson, Donald Subjective, Intersubjective, Objective (Oxford: Clarendon Press, 2001).

Del Caro, Adrian Holderlin; The Poetics of Being, Wayne State University Press, 1991.

Den Hartogh, Govert, 'The Architectonic of Michael Walzer's Theory of Justice', Political Theory, Vol. 27, No. 4 (Aug., 1999)., pp 491-522.

Dennett, Daniel, 'Conditions of Personhood', in Rorty., A (ed.) The Identity of Persons. Berkeley: University of California Press, 1976., pp. 175-196.

Dennett, Daniel, Freedom Evolves (London: Allen Lane, 2003).

Descartes, R, Meditations on First Philosophy, Cottingham J, (ed.) Cambridge: Cambridge University Press, 1996).

Doppelt, G, 1989, 'Is Rawls Kantian Liberalism Coherent and Defensible?', Ethics (July 1989), pp.820-21

Downing, Lyle. A. and Robert B. Thigpen. 'Beyond Shared Understandings', Political Theory. Vol. 14, No. 3 (Aug.,1986).

Dryzek, John, Discursive Democracy. Cambridge: Cambridge University Press, 1990.

Dryzek, John, Deliberative Democracy and Beyond, Oxford: Oxford University Press, 2000.

Dummet, Michael, 'What is a theory of meaning?' in S.Guttenplan (ed.) Mind and Language. Oxford: Oxford University Press, 1975.

Durkheim, Emile The Division of Labour in Society. (trans W.D.Halls) Basingstoke: MacMillan, 1984.

Dworkin, Gerald 'The Concept of Autonomy' in The Inner Citadel: Essays on Individual Autonomy, (ed John Christman), Oxford University Press, 1989

Dworkin, Ronald, Taking Rights Seriously (London: Duckworth, 1977).

Dworkin, Ronald, 'To Each his Own'. The New York Review of Books. 30/6 (April 1983)

Dworkin, Ronald, 'What is Equality? Part : Equality of Welfare' and 'What is Equality? Part II: Equality of Resources'. Philosophy and Public Affairs 10 (1981).

Dworkin, Ronald , 'Liberal Community', California Law Review, 77, 1989

Dworkin, Ronald, 'Liberal Community' in Avineri. S and De-Shalit, A., (eds.) Communitarianism and Liberalism. Oxford: Oxford University Press, 1992., pp 205-223.

Dworkin, Ronald (Sovereign Virtue. Cambridge, MA, Belknap/Harvard University Press, 2000).

Edwards, Michael, Civil Society. Polity, 2004.

Etzioni, Amitai The Essential Communitarian Reader, Lanham: Rowman & Littlefield, 1998.

Etzioni, Amitai, The Monochrome Society, Princeton: Princeton University Press, 2001.

Feinberg, Joel, 'Rawls and Intuitionism', in Norman Daniels (ed.) Reading Rawls: Critical Studies on Rawls' A Theory of Justice (Oxford: Basil Blackwell, 1975), pp. 108 – 124.

Ficthe, J.G. . The Science of Knowledge. Ed. and trans. Peter Heath and John Lachs. Cambridge University Press. 1982.

Fishkin, James. S 'Defending Equality: A View From The Cave: A Review of Spheres of Justice: A defence of Pluralism and Equality', Michigan Law Review, Vol. 82, No. 4, 1984.

Fishkin, James. S, Democracy and Deliberation, New Haven : Yale University Press, 1991.

Flew, Anthony, The Politics of Procrustes. Buffalo, NY: Prometheus Books, 1981.

Frankfurt, H.G 'Freedom of the Will and The Concept of A Person'. Free Will. Gary Watson (ed), Oxford University Press, 1982.

Frankfurt, H.G, 'Equality as a Moral Ideal', Ethics, 98 (1987) .,pp21-43.

Frankfurt, H.G, 'Identification and Externality' in The Importance of What we Care About: Philosophical Essays. Cambridge: Cambridge University Press, 1997., pp 58-58.

Frankfurt, H.G., 'Identification and Wholeheartedness' in The Importance of What we Care About: Philosophical Essays. Cambridge: Cambridge University Press, 1997., pp 159-176.

Frazer, E., and Lacey, N., 1993, The Politics of Community: A feminist critique of the liberal-communitarian debate, Hemel Hempstead: Harvester Wheatsheaf

Frazer, E., 1999, The Problems of Communitarian Politics, Oxford: Oxford University Press

Gadamer, H. G. Truth and Method. London: Sheed and Ward. 1975.

Gadamer, H. G., Philosophical Hermeneutics. D.E. Linge (trans.). Berkeley: University of California Press, 1976.

Galston, William. A. 'Community, Democracy, Philosophy: The Political Thought of Michael Walzer', Political Theory, Vol.17, No.1 (Feb., 1989).

Galston, William A, 'Pluralism and social unity', Ethics 99 (1989)., pp711-726

Galston, William. A. Liberal Purposes; Goods, Virtues and Diversity in The Liberal State. Cambridge University Press, 1991.

Galston, William A. 'Two Concepts of Liberalism', Ethics, 105, No 3, April, 1995.

Gaus, Gerald F., Justificatory Liberalism: An Essay on Epistemology and Political Theory (Oxford: Oxford University Press, 1996).

Gauthier, David, Morals By Agreement. Oxford: Oxford University Press, 1986.

Gewirth, A. 'Ethical Universalism and Particularism', The Journal of Philosophy. Vol. 85, No.6 (June 1988), pp283-302.

Goodin, R. E, 'What Is So Special About Our Fellow Countrymen?'. Ethics, 98 (July 1989), pp663-686.

Goodin, R. E., 'Democratic deliberation within'. Philosophy and Public Affairs. 29 (2000)., pp.81-109.

Giddens, Anthony, New Rules of Sociological Method. London: Hutchinson, 1976.

Giddens, Anthony, 'Hermeneutics and Social Theory', in Shapiro, G. and Sica A (eds). Hermeneutics: questions and prospects. Amherst: University of Massachusetts Press, 1984.

Guizot, Francios General History of Civilization in Modern Europe (6 vol., 1829–32; tr. by William Hazlitt, 3 vol., 1846).

Gutmann, Amy. (ed.), Multiculturalism and 'The Politics of Recognition', Princeton: Princeton University Press., 1992

Gutmann, Amy 'The Challenge of Multiculturalism in Political Ethics', Philosophy and Public Affairs, 22 (1993)., pp171-206.

Gutmann, Amy, (ed.) Multiculturalism: Examining the Politics of Multiculturalism (Princeton: Princeton University Press, 1994).

Gutmann, Amy. 'Justice Across the Spheres' in Pluralism, Justice and Equality, (ed.) David Miller and Michael Walzer, 1995., pp99-120.

Gray, John, 'On the contestability of social and political concepts', Political Theory, 5, 1977., pp331-348.

Gray, John, Post-Liberalism: Studies in Political Thought (London: Routledge, 1993).

Gray, John, Beyond the New Right: Markets, Government and the Common Environment (London: Routledge. 1993

Gray, John, Enlightenments Wake: Politics and culture at the close of the modern age.Routledge.1995.

Gray, John Mill on Liberty: A Defence (London: Routledge. 1996).

Gray, John, Endgames: Questions in Late Modern Political Thought, London:Polity Press, 1997.

Gray, John, Two Faces of Liberalism. Cambridge:Polity, 2000.

Gray, John 'Where Pluralists and Liberals Part Company', in Maria Baghramian and Attracta Ingram (eds.) Pluralism: the Philosophy and Politics of Diversity (London: Routledge, 2000), pp. 85 – 102.

Gray, John 'Pluralism and Toleration in Contemporary Political Philosophy', in Rodney Barker (ed.) Political Ideas and Political Action (Oxford: Blackwell Publishers, 2000), pp. 101 – 111.

Gray, John Straw Dogs: Thoughts on Humans and Other Animals (London: Granta, 2002).

Grice, H. P, 'Persona Identity', in Perry. J, (ed.) Personal Identity, Berkeley: University of California Press,1975., pp 74-95.

Griffin, James, Well-being: Its Meaning, Measure and Moral Importance, Oxford: Clarendon, 1986.

Griffin, James, Value Judgement: Improving Our Ethical Beliefs, Oxford University Press, 1998.

Grondin, J, Introduction to Philosophical Hermeneutics. New Haven: Yale University Press, 1994.

Grondin, J, Sources of Hermeneutics. Albany: State University of New York Press, 1995.

Haksar, Vinnit, Indivisable Selves and Moral Practice. Edinburgh: Edinburgh Press, 1991.

Hacking, Ian, Why Does Language Matter to Philosophy? Cambridge: Cambridge University Press, 1975.

Hampshire, Stuart, Thought and Action. London: Chatto and Windus, 1959.

Hampton, Jean, 'Political Philosophy and Metaphysics'., Ethics. 99. July 1989. p. 792.

Hampton, Jean, 'Should Political Philosophy Be Done without Metaphysics?', Ethics 99 (1989), pp. 791 – 814.

Hare, R.M, 'Rawls' Theory of Justice', Reading Rawls, ed, Daniels. N, Stanford University Press. 1989.

Hayek, Friedrich. A, The Road to Serfdom. Chicago: University of Chicago Press, (c 1944)

Hayek, Friedrich. A, 'Individualism: True and False' in Individualism and Economic Order. London: Routledge and Kegan Paul, 1949., pp1-32.

Hayek, Friedrich. A, Law, Legislation and Liberty. London: Routledge, 1982.

Hegel, G.W.F Philosophy of Right.

Hegel., G.W.F Encyclopaedia of the Philosophical Sciences.

Hegel, G.W.F The Phenomenology of Spirit, IV.A (trans. A.V.Miller, Oxford: Clarendon, 1977); and Encyclopaedia of the Philosophical Sciences, III s430-5 (translation with introduction and notes by T.F. Geraets, W.A. Suchting, and H.S. Harris. Indianapolis: Hackett, c1991).

Hegel, G.W.F 'The difference between Fichte's and Schelling's System of Philosophy'. In (e.d) Rudiger Bubner, German Idealist Philosophy. Penguin, 1997.

Herder, Johann Gottfried, Another Philosophy of History and Selected Political Writings. (Trans. And ed) Ioannis D. Evrigenis and Daniel Pellerin. Hackett Publishing Company, 2004.

Hirst, Paul, Associative Democracy: New Forms of Economic and Social Governance. Cambridge: Polity Press, 1994.

Holderlin, Friedrich, Holderlin. (ed., trans) ., Michael Hamburger. Baltimore: Penguin Books, 1961.

Hollinger, Robert (ed.) Hermeneutics and Praxis, (Notre Dame: University of Notre Dame Press, 1985).

Hollis, Martin and Steven Lukes (eds.) Rationality and Relativism (Oxford: Basil Blackwell, 1982).

Hollis, Martin, 'The Poetics of Personhood', in Alan R. Malachowski (ed.) Reading Rorty: Critical Responses to Philosophy and the Mirror of Nature (and Beyond) (Oxford: Basil Blackwell Ltd., 1991), pp. 245 – 256.

Hume, David, . A Treatise of Human Nature. Selby-Bigge/P. H. Nidditch (eds.) (Oxford, 1978)

Hume, David, A Treatise of Human Nature, ed.L.A.Selby-Bigge, Oxford 1965; Enquiries, Concerning Human Understanding and the Principles of Morals ed.L.A.Selby-Bigge, Oxford 1997).

Hume, David, 'Of the Original Contract' in Miller. E. F., (ed.) Essays: Moral, Political and Literary. Indianapolis: Liberty Fund, 1985., pp 265-487.

Inwood, Michael, A Hegel Dictionary, Blackwell, 1997.

Kagan, S, The Limits of Morality. Oxford: Clarendon Press, 1991.

Kant, I, The Critique of Pure Reason., J.M.D. Meiklejohn (trans.). New York: the Colonial Press, 1990. B131-2.

Kant, I, Critique of Practical Reason. 165, 195. (Trans. Lewis White Beck New York : Maxwell Macmillan Publishing, 1993).

Kant, I Groundwork for the metaphysics of Morals. J.Ellington (trans.), Cambridge: Hackett Publishing Company, 1981.

Kautz, Steven, Liberalism and Community (London: Cornell University Press, 1995).

Keat, Russell, 'Debate: Colonisation by the Market: Walzer on Recognition'. The Journal of Political Philosophy. Vol.5, No.1, 1997

Kelly, Paul (ed) Impartiality Neutrality and Justice; Re-reading Brian Barry's 'Justice as Impartiality'. Edinburgh University Press, 1998.

Kelly, Paul 'Contractarian social justice: an overview of some contemporary debates', in David Boucher and Paul Kelly (eds.) Social Justice from Hume to Walzer (London: Routledge, 1998), pp. 181 – 199.

Kelly, Paul, 'Political theory in retreat? Contemporary political theory and the historical order', in Noël O'Sullivan (ed.) Political Theory in Transition (London: Routledge, 2000), pp. 225 – 241.

Kelly, Paul (ed.) Multiculturalism Reconsidered: Culture and Equality and it its Critics (Cambridge: Polity, 2002).

Korsgaard, Christine M, 'Personal Identity and the Unity of Agency: A Kantian Response to Parfit', Philosophy and Public Affairs, Vol. 18 (1989)., pp 101-132.

Korsgaard, Christine M., The Sources of Normativity (Cambridge: Cambridge University Press, 1996).

Krausz, Michael (ed.) Relativism: Interpretation and Confrontation (Notre Dame, Indiana: University of Notre Dame Press, 1989).

Kuhn, Thomas, The Structure of Scientific Revolutions (Chicago: University of Chicago Press, 1970).

Kukathas, Chandran, 'Cultural Toleration', in Will Kymlicka and Ian Shapiro (eds.) Ethnicity and Group Rights. Nomos XXXIX (New York: New York University Press, 1997), pp. 69 – 104.

Kukathas, Chandran, 'The Life of Brian, or Now for Something Completely Difference-Blind', in Paul Kelly ed.) Multiculturalism Reconsidered: Culture and Equality and it its Critics (Cambridge: Polity, 2002), pp. 184 – 203.

Kymlicka, Will, Liberalism, Community and Culture, Oxford: Oxford University Press, 1989.

Kymlicka, Will, Multicultural Citizenship, Oxford: Oxford University Press, 1995.

Kymlicka, Will and Ian Shapiro (eds.) Ethnicity and Group Rights. Nomos XXXIX (New York: New York University Press, 1997).

Laing, R.D. The Divided Self. New York: Pantheon Books, 1969.

Larmore, Charles, Patterns of Moral Complexity, Cambridge: Cambridge University Press, 1987.

Larmore, Charles, The Morals of Modernity (Cambridge: Cambridge University Press, 1996).

Larmore, Charles 'Holderlin and Novalis' in The Cambridge Companion to German Idealism. (ed) Karl Ameriks. Cambridge University Press, 2000.

Lewis. D. K., Convention: A Philosophical Study. Cambridge: Harvard University Press, 1969.

Lukes, Steven, 'Relativism in its Place', in Martin Hollis and Steven Lukes (eds.) Rationality and Relativism (Oxford: Basil Blackwell, 1982), pp. 261 – 305.

Lukes, Steven. Individualism. Oxford: Basil Blackwell, 1985.

Lukes, Steven Liberals and Cannibals: The Implications of Diversity (London: Verso, 2003).

Macedo, S, Liberal Virtues: Citizenship, Virtue and Community in Liberal Constitutionalism, Oxford: Clarendon Press, 1990

Macedo, S., , Diversity and Distrust, Cambridge: Harvard University Press. 2000

Mackie, J.L. Ethics: Inventing Right and Wrong. Harmondsworth: Penguin, 1990.

MacIntyre, Alisdair, A Short History of Ethics. London: Routledge, 1967.

MacIntyre, Alisdair After Virtue, London:Duckworth, 1981

MacIntyre, Alisdair , Whose Justice?, Which Rationality? London: Duckworth, 1988.

MacIntyre, Alisdair, Three Rival Versions of Moral Enquiry (London: Duckworth, 1990).

MacIntyre, Alisdair, Dependent Rational Animals: Why Human Beings Need the Virtues (London: Duckworth, 1999).

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

Mali, Joseph and Robert Wokler (ed.) Isaiah Berlin's Counter-Enlightenment. American Philosophical Society, 2003.

Mason, Andrew, 'Special Obligations to Compatriots'. Ethics., 107 (April 1997)., pp427-447.

Mason, Andrew, 'Communitarianism and Its Legacy' in N. O'Sullivan (ed) Political Theory in Transition. Routledge: London, 2000.

Marx, Karl, 'On The Jewish Question', Selected Writings, David McLellen (ed.) Oxford University Press, 2000.

Matravers, Matt, 'What's "Wrong" in Contractualism?', in Paul Kelly (ed.). Impartiality, Neutrality and Justice: Re-reading Brian Barry's Justice as Impartiality (Edinburgh: Edinburgh University Press, 1998), pp. 108 – 119.

Mayer, Robert. 'Michael Walzer, Industrial Democracy, and Complex Equality'. Political Theory. Vol.29, No.2 (April, 2001).

Mendus, Susan, '"What of soul was left, I wonder?" The Narrative Self in Political Philosophy', in John Horton and Andrea T. Baumeister (eds.) Literature and the Political Imagination (London: Routledge, 1996), pp 53 – 69.

Mendus, Susan, 'Pluralism and Scepticism in a Disenchanted World', in Maria Baghramian and Attracta Ingram (eds.) Pluralism: the Philosophy and Politics of Diversity (London: Routledge, 2000), pp. 103 – 119.

Mendus, Susan, Impartiality in Moral and Political Philosophy. Oxford, New York: Oxford University Press, 2002.

Michaelis, Loralea 'Politics and the art of suffering in Holderlin and Nietzsche', Philosophy and Social Criticism. Vol 27, no 5.

Mill, J.S. On Utilitarianism/On Liberty. Mary Warnock (ed). London: Fontana, 1962.

Miller, David Philosophy and Ideology in Hume's Political Thought. Clarendon Press: Oxford, 1985.

Miller, David, Market, State and Community. Oxford: Clarendon Press, 1989.

Miller, David, 'Distributive Justice: What the People Think', Ethics, 102 (1991-2), pp 555-593.

Miller, David, 'Deserving Jobs', Philosophical Quarterly, 42 (1992)., pp161-181.

Miller, David, 'Complex Equality', Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995).

Miller, David and Michael Walzer (eds.) Pluralism, Justice, and Equality (Oxford: Oxford University Press, 1995).

Miller, David, On Nationality (Oxford: Clarendon Press, 1995).

Miller, David, Citizenship and National Identity, Cambridge: Polity Press. 2000

Moody Adams, Michelle Fieldwork in Familiar Places: Morality, Culture and Philosophy. Cambridge, Mass: Harvard University Press, 1997.

Moore , Principia Ethica. Cambridge: University Press, 1903.

Mouffe, Chantal, 'Liberal Socialism and Pluralism: Which Citizenship?' in J. Squires (ed.), Principled Positions: Postmodernism and the Rediscovery of Value. Lawrence and Wishart: London, 1993.

Mouffe, Chantal, 'Pluralism and Left Identity' in M. Walzer (ed) Toward a Global Civil Society. Berghahn Books: Oxford, 1995.

Mouffe, Chantal The Democratic Paradox. New York: Verso, 2000.

Mulhall, Stephen and Adam Swift Liberalism and Communitarianism. Oxford: Blackwell, 1996.

Nagel, Thomas, The View From Nowhere (Oxford: Oxford University Press, 1986).

Nagel, Thomas, The Last Word (Oxford: Oxford University Press, 1997).

Nagel, Thomas, Concealment and Exposure (Oxford: Oxford University Press, 2002).

Narveson, Jan, 'Equality vs. Liberty: Advantage, Liberty', Social Philosophy and Policy, 2 (1984) .pp33-60.

Newey, Glen, After Politics, Basingstoke, Palgrave, 2001.

Nozick., R. Anarchy, State and Utopia (Blackwell, Oxford, 1974).

Oakeshott, Michael, Experience and Its Modes (Cambridge: Cambridge University Press, 1933).

Oakeshott, Michael On Human Conduct (Oxford: Oxford University Press, 1975).

Oakeshott, Michael Rationalism in Politics (Indianapolis: Liberty Press, 1991).

O'Neill, Towards Justice and Virtue. Cambridge: Cambridge University Press, 1996.

Orlie, M.A, 'Beyond Identity and Difference', Political Theory, Vol.27, No.1 (Feb., 1999), pp.140-149.

Pateman, Carole, Participation and Democratic Theory. London: Cambridge University Press, 1973.

Pateman, Carole, The Problem of Political Obligation: A Critique of liberal Theory, Cambridge, Polity, 1985.

Parfit, Derek, 'Personal Identity', The Philosophical Review, Vol.80. Issue 20, 1971., pp3-27.

Parfit, Derek. Reasons and Persons. Oxford: Clarendon Press, 1987.

Perry. J., 'The Problem of Personal Identity' in Perry. J., (ed.) Personal Identity. Berkeley: University of California Press, 1975., pp 3-30.

Pettit, Philip, A Theory of Freedom. Cambridge: Polity Press, 2001.

Phillips, Anne, Divided Loyalties. London: Virago, 1987.

Phillips, Anne, The Politics of Presence. Oxford: Oxford University Press, 1995.

Pinkard, Terry German Philosophy 1760-1860. The Legacy of Idealism. Cambridge University Press. pp. 143-147 .

Putnam, Hilary, Reason, Truth and History (Cambridge: Cambridge University Press, 1981).

Putman, Hilary, The Many Faces of Realism (LaSalle, Illinois: Open Court, 1987).

Quine, W. V. O., Ontological Relativity and Other Essays. New York: Colombia University Press, 1969.

Quine, W. V. O., From a Logical Point of View: 9 Logico-Philosophical Essays (Cambridge, MA: Harvard University Press, 1980).

Rawls, John, A Theory of Justice, London: Oxford University Press, 1973.

Rawls, John, 'Justice as Fairness: Political not Metaphysical' Philosophy and Public Affairs, 14, 3 (1985);

Rawls, John, Political Liberalism. New York: Columbia University Press, c1993.

Rawls, John, 'The Independence of Moral Theory', in Samuel Freeman (ed.) John Rawls: Collected Papers (London: Harvard University Press, 1999), pp. 286 – 302.

Raz, Joseph, The Morality of Freedom. Oxford: Oxford University Press, 1986.

Rousseau, R. R., Discourse on the Origin of Inequality in Cole, G. D.H (ed.) The Social Contract and Discourses. London: Everyman, 1997.

Rousseau, R. R., The Social Contract in Cole, G. D.H (ed.) The Social Contract and Discourses. London: Everyman, 1997.

Rorty, A.O., (ed) The Identities of Persons. Berkeley: University of California Press, 1976.

Rorty, Richard, Philosophy and the Mirror of Nature (Princeton: University of Princeton Press, 1979).

Rorty, Richard, Consequences of Pragmatism (Minneapolis: University of Minnesota Press, 1982).

Rorty, Richard, 'Unfamiliar noises: Hesse and Davidson on Metaphor" in The Aristotelian Society, Supplementary Volume LXI, 1987).

Rorty, Richard, 'Dewey Between Hegel and Darwin' (pp. 1 – 15), in Herman J. Saatkamp Jr. (ed.) Rorty and Pragmatism: The Philosopher Responds to His Critics (London: Vanderbilt University Press, 1995).

Rorty, Richard, Achieving Our Country: Leftist Thought in Twentieth Century America (London: Harvard University Press, 1998).

Rorty, Richard, 'The Communitarian Impulse'. Colorado College Studies 32 (1999), pp. 55 – 61.

Rosenblum, N.L, 'Moral Membership in a postliberal State', World Politics, Vol.36, No.4 (Jul.,1984)

Rosenblum, N.L, , 1998, Membership and Morals, Princeton: Princeton University Press

Rustin, Michael For a Pluralist Socialism. London: Verso, 1985.

Rustin, Michael, 'Equality In Post-Modern Times' ,Joseph Carens 'Complex Justice, Culture and Politics' and Jon Elster 'The Empirical Study of Justice'. Pluralism, Justice and Equality. (David Miller and Michael Walzer).

Sandel, Michael, Liberalism and the Limits of Justice, Cambridge: Cambridge University Press, 2nd edition. 1998.

Sandel, Michael, Democracy's Discontent, Cambridge: Harvard University Press. 1996.

Scanlon., T. M. 'The Aims and Authority of Moral Theory'., Oxford Journal of Legal Studies., Vol 12, No1. p.3.

Scanlon., T. M. 'Contractualism and Utilitarianism' in Utilitarianism and Beyond. B. Williams and A. Sen (eds.). Cambridge : Cambridge University Press, 1982.

Schelling., F.W.J The System of Transcendental Idealism.(trans.) Peter Heath. Charlottesville: University of Virginia Press, 1978.

Scruton, Roger, The Meaning of Conservatism, Palgrave, 2001.

Schact, Richard, Alienation. London: Allen and Unwin, 1981.

Schapiro,G and Sica, A. (eds.) Hermeneutics: questions and prospects. Amherst: University of Massachusetts Press, 1984.

Schapiro, Ian, Political Criticism. Berkeley: University of California Press, c1990.

Schapiro, Michael, (ed) Language and Politics, New York: New York University Press, 1984.

Searle, John, Speech Acts. Cambridge: Cambridge University Press, 1969.

Searle, John, 'Rationality and Realism: What is at Stake?', Daedalus 122 (1992), pp. 55 – 84.

Searle, John, The Construction of Social Reality. London: Allen Lane, London, 1995.

Searle, John, Mind, Language and Society: Doing Philosophy in the Real World (Weidefeld and Nicolson, London, 1999).

Shklar, Judith N, Ordinary Vices (London: The Belknap Press of Harvard University Press, 1984).

Shklar, Judith N, American Citizenship: The Quest for Inclusion. Cambridge, Mass: Harvard University Press, 1991.

Simmel, Georg, The Philosophy of Money (trans.) Tom Bottomore and David Frisby. London: Routledge, 1990.

Sonia Sikka. 'Enlightened Relativism; The Case of Herder'. Philosophy and Social Criticism. Vol 31, no 3.

Weineck, Silke-Maria. The Abyss Above; philosophy and poetic madness in Plato, Holderlin and Nietzsche. Albany. 2002.

Sophocles. The Three Theban Plays. Trans. Robert Fagles. Penguin, 1984.

Spencer, Hebert, Man Versus The State, Political Writings, ed. John Offer, Cambridge University Press, 1994.

Stine, J., 'Parfit and the Buddha: Why There Are No People', Philosophy and Phenomenological Research, Vol. 48. No. 3 (1988)., pp519-532.

Strawson, P.F, Skepticism and Naturalism: Some Varieties. Methuen. 1985.

Strong, Tracy, B.(ed) , The Self and the Political Order. Oxford: Blackwell, 1992.

Taylor, Charles, Hegel. Cambridge: Cambridge University Press, 1975.

Taylor, Charles , 'Interpretation and The Sciences of Man', Understanding and Social Enquiry, University of Notre Dame, London, 1977

Taylor, Charles, Hegel and Modern Society. Cambridge University Press, 1979.

Taylor, Charles, 'What's wrong with Negative Liberty' in Philosophy and the Human Sciences: Philosophical Papers, vol.2. Cambridge University Press, 1985.

Taylor, Charles, 'Atomism', in Philosophy and The Human Sciences; Philosophical Papers 2. Cambridge University Press, 1985.

Taylor, Charles, 'Rorty and the Epistemological Tradition', in Alan R. Malachowski (ed.) Reading Rorty: Critical Responses to Philosophy and the Mirror of Nature (and Beyond) (Oxford: Basil Blackwell Ltd., 1991), pp. 257 – 275.

Taylor, Charles, The Ethics of Authenticity (London: Harvard University Press, 1992).

Taylor's 'The Politics of Recognition' in Multiculturism: Examining the Politics of Recognition, ed. Amy Gutmann, Princeton University Press, 1994.

Taylor, Charles, 'The Politics of Recognition', in Amy Gutmann (ed.) Multiculturalism: Examining the Politics of Multiculturalism (Princeton: Princeton University Press, 1994), pp. 25 – 73.

Taylor, Charles Philosophical Arguments (Cambridge, MA: Harvard University Press, 1995).

Taylor, Charles, 'Irreducibly Social Goods' in Philosophical Arguments (Cambridge, MA: Harvard University Press, 1995).

Taylor, Charles, 'Cross-purposes: the liberal-communitarian debate, in Philosophical Arguments. Cambridge MA: Harvard University Press. 1995., pp181-205.

Taylor, Charles. 'The Importance of Herder'. Philosophical Arguments. Harvard University Press. 1997.

Taylor, Charles 'Responsibility for Self' in Free Will, Watson (ed). Oxford University Press, 1982

Tocqueville, A. Democracy in America, (intro.) Alan Ryan, London: David Campbell, 1994.

Thompson, J.B., Critical Hermeneutics. Cambridge: Cambridge University Press, 1981.

Trappenburg, Margo, 'In Defence of Pure Pluralism: Two Readings of Walzer's Spheres of Justice'. The Journal of Political Philosophy. Vol. 8. No 3. 2000.

Tully, James and Skinner, Q., (eds.) Meaning and Context. Cambridge: Polity, 1988.

Tully, James, 'The Illiberal Liberal: Brian Barry's Polemical Attack on Multiculturalism', in Paul Kelly (ed.) Multiculturalism Reconsidered: Culture and Equality and it its Critics (Cambridge: Polity, 2002), pp. 102 – 113.

Van der Veen,Robert J, 'The Adjudicating Citizen: On Equal Membership in Walzer's Theory of Justice'. British Journal of Political Science, Vol.29, No.2 (April, 1999).

Waldron, Jeremy 'Money and Complex Equality', Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press. 1995.

Walzer, Michael, 'On the Role of Symbolism in Political Thought', Political Science Quarterly, Vol. 82, No 2 (Jun., 1967).

Walzer, Michael, Obligations: essays on disobedience, war, and citizenship. Cambridge, Mass, 1970.

Walzer, Michael, Radical Principles: Reflections of a Unreconstructed Democrat. New York: Basic Books, 1980.

Walzer, Michael, 'Philosophy and Democracy'. Political Theory, Vol.9, No. 3. August 1981.

Walzer, Michael, 'The Moral Standing of States: A Response to Four Critics'. Philosophy and Public Affairs. Vol 19, No.3 (spring, 1980).

Walzer, Michael, Just and Unjust Wars: a moral argument with historical illustrations. London: Allen Lane, 1978.

Walzer, Michael, 'Politics and the Welfare State: Concerning the Role of American Radicals' in I. Howe (ed) Beyond the Welfare State. Shocken Books, New York, 1982.

Walzer, Michael, 'Spheres of Justice: An Exchange', New York Review of Books, 30/12 (July 1983), 43.

Walzer, Michael, 'Liberalism and the Art of Separation'. Political Theory., Vol.12, No.3 (Aug.,1984)

Walzer, Michael, Exodus and Revolution. New York: Basic Books, c1984.

Walzer, Michael, Spheres of Justice: a defence of pluralism and equality. Oxford: Blackwell, 1985.

Walzer, Michael, 'Justice Here and Now' in Frank Lucash (ed), Justice and Equality Here and Now. Ithaca, NY: Cornell University Press, 1986., pp89-107.

Walzer, Michael, Interpretation and Social Criticism. Cambridge, Mass; London: Harvard University Press, 1987.

Walzer, Michael, 'Socializing the Welfare State' in A. Gutmann (ed) Democracy and the Welfare State. Princeton University Press, New Jersey, 1988.

Walzer, Michael, 'A Critique of Philosophical Conservatism' in The Philosophical Forum, Vol. 21, no.s 1-2,, 1989, pp 182-196.

Walzer, Michael, 'The Communitarian Critique of Liberalism', Political Theory. Vol. 18., No, 1. (Feb 1990),pp6-23.

Walzer, Michael, 'Exclusion, Injustice and the Democratic State', Dissent, 40 (1993), .,pp55-54.

Walzer, Michael, Thick and Thin: moral argument at home and abroad. Notre Dame: University of Notre Dame Press, c 1994.

Walzer, Michael,.. 'The Civil Society Argument' in Towards a Global Civil Society. Michael Walzer (ed.) Providence, RI: Oxford, Berghahn Books, 1994.

Walzer, Michael, 'Response' in Pluralism, Justice and Equality. David Miller and Michael Walzer (ed). Oxford University Press, 1995).

Walzer, Michael, 'Response to Bader', in Political Theory, Vol 23. No2, May, 1995.

Walzer, Michael, On Toleration. New Haven: Yale University Press, 1997.

Walzer, Michael, Politics and Passion: toward a more egalitarian liberalism. New Haven: Yale University Press, c2004.

Walzer, Michael, Arguing About War. New Haven, Conn., London: Yale University Press, 2004.

Watson, Gary, (ed.) Free Will. Oxford University Press, 1982.

Warnke, Georgia, Gadamer: Hermeneutics, Tradition and Reason (Cambridge: Polity, 1987).

Warnke, Georgia, Justice and Interpretation. Polity, 1992. p.18.

Weston, Michael Philosophy, Literature and the Human Good. Routledge. 2001

Weston, Peter, 'The Empty Idea of Equality', Harvard Law Review, 95 (1982)., pp537-596.

Williams, Bernard, 'Morality and the Emotions' in Problems of the Self: Philosophical Papers 1956-1972. London: Cambridge University Press, 1973.

Williams, Bernard, 'The Idea of Equality' in Problems of the Self: Philosophical Papers 1956-1972. London: Cambridge University Press, 1973.

Williams, Bernard, 'The Truth in Relativism', Proceedings of the Aristotelian Society. 75, 1974-5, pp. 215-228.

Williams, Bernard, 'The Self and the Future' in Perry. J., (ed.) Personal Identity. Berkeley: University of California Press, 1975., pp 179-198.

Williams, Bernard, 'Persons, character and morality' in Moral Luck. Cambridge University Press, 1981

Williams, Bernard, Ethics and the Limits of Philosophy (London: Fontana, 1985).

Williams, Bernard, 'Auto-da-Fé: Consequences of Pragmatism', in Alan R. Malachowski (ed.) Reading Rorty: Critical Responses to Philosophy and the Mirror of Nature (and Beyond) (Oxford: Basil Blackwell Ltd., 1991), pp. 26 – 37.

Wilson, E.O. Consilience: The Unity of Knowledge. New York: Vintage Books, 1999.

Wilson Bryan R. (ed), <u>Rationality</u>.. Blackwell, 1991. See in particular Martin Hollis' 'The Limits of Irrationality'.

Wimm, Emil C 'The Relation of Schiller's Ethics to Kant'. <u>The Philosophical Review</u>, Vol. 15. (May, 1906).

Winch, Peter, <u>The Idea of a Social Science</u>. London: Routledge, 1958.

Wittgenstein, Ludwig. <u>Philosophical Investigations</u>. Oxford: Blackwell, 1953.

Wood, A. W, <u>Hegel's Ethical Thought. Cambridge</u>: Cambridge University Press, 1990.

Young, Iris.M., <u>Justice and the Politics of Difference</u>. Princeton: Princeton University Press, 1990.