MORAL SCEPTICISM, RADICAL PLURALISM, AND CONCEPTS OF LEGITIMACY

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Abstract

The purposes of this thesis are to advance a sceptical argument about the possibility of a liberal concept of legitimacy under conditions of moral scepticism, and to present and defend a conservative concept of legitimacy which survives this sceptical argument. After describing the scope of morally sceptical views to which this argument applies, I will present arguments that on conceptual grounds alone, we have no reason to believe that human value judgements will converge sufficiently to establish a liberal concept of legitimacy, and that the breadth of divergent conceivable conceptions of the good places the burden of proof on the believer in value convergence to demonstrate that such convergence exists on social, biological, or historical grounds. Against this background, I will present arguments which challenge several prospects for such a demonstration. The sceptical argument will establish that we must embrace a 'radical pluralism' about conceptions of the good; that differences of value are both too broad and too deep to establish the overlapping consensus of value necessary for a liberal concept of legitimacy.

The positive part of the thesis will first establish a set of core concepts of conservative ideology, and will argue that a theory which fits a definition of political anarchism may nonetheless be conservative in virtue of reflecting these core concepts. I will then set out a view in which there is no normative distinction between a legitimate and a justified authoritative directive, in which authorities are normatively unrestrained in their pursuit of a conception of the good, and in which prospective disobedience and traditional practice represent the major constraints on what states should do.

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Introduction

By far the most common complaint against interacting moral scepticism with political philosophy is that any critique rooted in it is far too corrosive; rendering any given normative political position - or indeed the project of political philosophy in general – empty, inert, or even incoherent. Rawls, "skepticism must be avoided if an overlapping consensus of reasonable doctrines is to be possible",[1] and Raz, "If [general moral scepticism] is true then nothing in this book is of any value, nor is there room for any discussion of the morality of political action.".[2] According to this view, the debate as to whether there exists objective moral value is, as it were, for other people, or at least for another time, as political philosophy can only proceed if such meta-ethical questions are suspended, because our enterprise is to make progress on the uniquely political problems that arise for the moral realist. Making such progress is indeed valuable, but this framework of assumptions is problematic, because moral scepticism doesn't necessarily have consequences for many aspects of political philosophy, and because any political philosophy which can make positive claims from outside of this perspective deserves the name. The project of this thesis is to step outside the framework of meta-ethical assumptions which ground most political philosophy, and explore the consequences of accepting moral scepticism on our understanding of the nature and moral status of political action: both by presenting an argument which defines the scope of the challenge to political philosophy from moral scepticism, which is that it prevents the establishment of a liberal concept of legitimacy, and to advance an alternative account of that concept which survives such an objection.

Though I will argue the tension between scepticism and liberalism is complex and layered, I can't deny that the claim that scepticism presents an immediate challenge to liberal concepts

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[1] John Rawls, *Political Liberalism* (New York: Columbia University Press, 1995), 62.
[2] Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986), 160.

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of legitimacy is compelling, as liberalism seldom escapes the claim that the legitimate authority of the state is justified in virtue of reasons which apply to citizens even if they disagree with them. Moral scepticism by definition eliminates the most natural route to establish this position: that there is moral truth out there, to which we all have potential access, and which in any event applies to all of us whether we recognise it or not. I will also argue that it poses an indirect challenge to other avenues to establish this, with the claim that for biological, historical, or social reasons, moral attitudes are broadly shared throughout humanity, or at least throughout a single liberal polity. I will argue that if moral scepticism is true, we have good reasons to believe that there exist interpersonal differences of value in moral and political questions which cannot even in principle be reconciled, and that such differences are substantial enough to prevent the kind of value consensus necessary for a liberal concept of legitimacy. It does not, however, prevent the development of a conservative alternative concept, which I will explore and defend.

The first two chapters of this thesis will present the sceptical component of my discussion, and will seek to defend the argument below. First, a few definitions of terms: 'External reasons' are reasons for action independent of one's subjective motivational set.[3] A 'true moral theory' will be a moral theory which generates such external reasons.[4] I will also talk a lot about 'value convergence': by this I will in general mean convergence sufficient to establish a liberal concept of legitimacy.[5]

> P1   Human beings have no epistemological access to a true moral theory.
> P2   If human beings have no epistemological access to a true moral theory, we cannot expect human value judgements to converge in virtue of

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[3] Bernard Williams, "Internal and External Reasons", in *Moral Luck* (Cambridge: Cambridge University Press, 1981), 101-113.

[4] Realist moral theories which deny reasons externalism of course exist: I exclude them here because they are challenged directly by my argument, and so need not be excluded by assumption.

[5] Strictly speaking, premiss 2 and conclusion 1 establish a much stronger claim, that there should be no expectation of convergence at all: I omit this distinction in the formal argument simply for the sake of brevity.

their reflecting a true moral theory.

From P1, P2	C1	We cannot expect human value judgements to converge in virtue of their reflecting a true moral theory.
	P3	If human beings have no epistemological access to a true moral theory, we cannot discover necessary constraints on moral reasons beyond rationality.
From P1, P3	C2	We cannot discover necessary constraints on moral reasons beyond rationality.
	P4	If we cannot discover necessary constraints on moral reasons beyond rationality, for us to expect human value judgements to converge in virtue of contingent social, biological, or historical facts, good evidence must be produced to that effect.
	P5	Good evidence cannot be produced to that effect.
From C2, P4, P5	C3	We cannot expect human value judgements to converge in virtue of contingent social, biological, or historical facts.
	P6	The only ways we can expect human value judgements to converge is in virtue of their reflecting a true moral theory, or in virtue of contingent social, biological, or historical facts.
From C1, C3, P6	C4	We cannot expect human value judgements to converge.

As well as further clarifying what I mean by moral scepticism and defining the 'radical pluralism' which I believe this argument implies, chapter 1 of this thesis will defend premiss 3 (through an argument that we cannot expect the existence of a unique reflective equilibrium, in the absence of a true moral theory on which to converge) and premiss 4 (defended as a burden of proof argument).[6] Chapter 2 will be dedicated to a defence of premiss 5, and will argue that incommensurable value differences are evident in the differences between established moral theories and ideologies, as well as in the value differences highlighted by feminist and multicultural theories. I hope to raise several arguments which tell convincingly in that direction, sufficient to justify the project of chapter 3, which is to give a positive alternative account of the matters at hand. In that chapter I will present and defend an alternative, conservative, concept of legitimacy, which I will argue survives my sceptical argument. I will first defend and clarify a set of conservative 'core

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[6] Premiss 1 is taken as an assumption, and premiss 2 is trivial, so they will not be defended.

concepts', which I will argue are central to my account, and use them to marginalise the charge of political anarchism. Following that I will set out the account in full.

Chapter 1 - Moral Scepticism as an argument for Radical Pluralism

1.1 Moral Scepticism in Political Philosophy

Just as we might distinguish between normative and meta-ethics with the two questions, "what is moral?" and "what is morality?",[7] we might distinguish between two separable questions about the moral justification for the use of state power, "what state actions are justified?", and "what makes justified state actions justified?". It is of course not the case that an account of this second question can be entirely devoid of consequences for the first, but I believe treating it in isolation is justified in this thesis for two reasons: first, the positive account I will present in chapter 3 strictly expands the range of state actions which may be called justified from those admitted by conventional liberal positions, and doesn't exclude any of them at the level of policy, and also because one of the features of my account is that it pushes many conventional questions of legitimacy into being questions of direct justification.

In spite of these two levels of discussion in political theory being somewhat entangled, we can isolate lots of different liberal answers to the second question: contract theories, overlapping consensus theories, associative theories, natural duty theories, instrumental theories, as well theories which combine aspects of these. I will argue that such accounts all share a common feature: that state actions are justified only if they are in principle endorsable by everyone subject to that state, or at least that they are supported by reasons which have force for everyone subject to that state.

I'll use 'moral scepticism' to label the claim that nobody has any knowledge of objective moral truths, either because there aren't any, or because we have no epistemological access to

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[7] Kevin DeLapp, "Metaethics", *The Internet Encyclopedia of Philosophy,* accessed May 12, 2015, http://www.iep.utm.edu/metaethi/.

such things. I'll be deliberately unprescriptive as to what moral discourse is about instead, because if my argument succeeds, it is general across most morally sceptical theories, with the exception of the very strongest. They can't, for example, be as radically sceptical as Ayer's emotivism, as even my argument assumes too much for such theories: on such a view, any normative sense of authority is impossible, because there is no contradiction in approving of the issuing of directives by an authority and disapproving of obedience to those directives, meaning no argument which establishes any duty of obedience can succeed. My argument will proceed assuming ethical theories can be systematised, that two ethical attitudes can contradict one another, and that in general to hold an ethical attitude is to have a reason to act in accordance with that attitude. This doesn't rule out non-cognitivist positions in general, as later theories in the expressivist family broadly permit moral discourse with this level of sophistication.

It is also necessary to clearly specify the extent to which the moral scepticism I take as an assumption in premiss 1 to be a denial of realism: I mean to deny both robust and minimal concepts of realism. In relation to robust theories, which take moral statements to be true in virtue of their correspondence to true or false propositions about the world, I mean to deny that such moral properties really exist, or that we have epistemological access to them even if they do: the actual (rather than perceived) truth or falsehood of a moral proposition in a correspondence sense plays no part in moral thinking, talk, or action. I also mean to deny less robust, Nagel-type, forms of realism, insofar as they appeal to external reasons (where they don't, they are directly subject to my sceptical argument, and not excluded by assumption), in which we are able to discover through some method of thinking reasons for action which are in some sense objectively good, bad, or better or worse than one another. I will take it that some critique of this form of realism succeeds, either for Humean reasons, or for shallower reasons. The view I have in mind is that the criteria by which we judge reasons good or bad

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are inseparable from the value structure in which they are embedded, and universal acknowledgement of such criteria cannot be guaranteed, as the background value structure in which such judgements are made may differ from person to person, and disagreement over background values may be rationally incommensurable between persons.

At this point, I will dismiss a tempting but inappropriate objection: the charge of relativism. We can certainly think of and talk about moral judgements in objective terms and act as though they were objective judgements, as in quasi-realism and moral fictionalism. This solves a lot of the problems and confusions with metaethical subjectivism, including and especially the linguistic problems, but it doesn't help us in the political case. As I'll argue, we might well be entitled to think of our personal morality this way, but everyone else has the same entitlement, too. It might be that lots of people have substantial disagreements with us, and if they do, even if we are all entitled to think of our morality in objective terms, then we can't say that the reasons for political action are in principle endorsable by everyone, or that they are supported by reasons which have force for everyone. The thrust of my objection to liberal accounts of political justification is sceptical, but not relativist: the objection I will establish is that while we are entitled to think, talk, and act as though our own attitudes to morality have objective force, everyone else has that same entitlement too, and politics must be broad enough in its scope for such disagreements to play a role. Liberalism can't accommodate such entitlements if disagreements are serious, and there are good reasons to believe that if moral scepticism is true then moral disagreements are serious indeed.

1.2 Radical Pluralism

Moral scepticism alone is not sufficient to establish the critique of liberalism I wish to advance in this thesis. It must be argued that moral scepticism indicates such substantive

disagreements exist: after all, it might be that even if morality is not objective, it's strongly intersubjective, and there happens to be a lot of agreement in values because of (say) cultural, evolutionary, or social factors. If we grant that, then we can then argue that these shared values extend far enough to justify most liberal political prescriptions. Arguments in this vein are familiar and have a distinguished heritage: David Hume[8] argues that in the establishment of a political system, we generate widespread acceptance of "artificial virtues" like justice, fidelity, and allegiance. We have no natural motive to approve of such virtues, but we may establish a political system by appreciation of self-interest, and generate approval of virtues which are seen as good because of the utility of a whole political system which requires them.

I'm going to argue that such artificial virtues are not sufficient to support a liberal concept of legitimacy, because our conceptions of the good are plural in a stronger sense than is usually admitted by liberal theory. This argument will continue until the end of chapter 2 of this thesis, but to give a brief summary in Humean language, I will argue that the widespread acceptance of such virtues is no guarantee that the detailed explication of political virtues will be the same across persons, or that our sentiments will direct us to some consensus understanding of what those virtues entail in practice simply because of their artificial origin.

Such a pluralism has to be stronger than the kinds of pluralism advanced and accounted for by liberal theorists. Rawls allows in *Political Liberalism* that persons are possessed of a "plurality of conceptions of the good": that our moral theories are drawn from a variety of different sources, and in foundation and also in their full realisation differ radically from one another, and are based on fundamentally different reasons. But Rawls argues that somewhere in the middle, between the foundations and the full realisation, all of these theories start to use shared concepts (like justice, freedom, and equality), and make roughly similar prescriptions about constitutions and policy. This shared conceptual structure enables talk of

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[8] David Hume, *Of the Original Contract* (DavidHume.org, 1777), paragraphs 33-35.

"public reasons": reasons rooted in these shared terms and not in a single comprehensive doctrine. These reasons can be the basis of our political organisation, and describe the terms in which we can make good political arguments in a democracy.

'Radical pluralism' is the view that differences in value extend outside matters of basic value and high generality, and there is not substantial enough agreement to establish the minimum value consensus necessary for a liberal account of political legitimacy. In this framework, the use of shared terms isn't sufficient evidence for the use of shared concepts, and our constitutional and policy prescriptions inherit the uncombinability and incommensurability of our basic conceptions of the good. I will present several mutually supporting arguments for this pluralism, which have force as long as there isn't a standard on which our value systems converge.

This is stronger than simply accepting a plurality of conceptions of the good for at least two reasons. The first is that while Rawls and many liberal theorists are prepared to accept that disagreements of value can be rooted in deep metaphysical disagreements, some of which have been around since the beginning of philosophy and have not yet achieved any consensus resolution, this theory proceeds on the assumption that such disagreements are in fact incapable of such resolution. It treats basic human value structures as freestanding, and accepts the conceptual (even if not actual) possibility of human beings endorsing any conceivable value system. In this sense, radical pluralism is broader than Rawlsian pluralism, because it seeks to include in the account all conceivable disagreements of value, and not simply those with gravitas. Moral scepticism pushes in the direction of this breadth because it forbids the acceptance of objective criteria of "reasonableness", as distinct from and stronger than "rationality", which may be utilised to exclude fringe and extremist moral positions. The purpose of reference to such fringe views is not to endorse their legitimacy, but to highlight

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clear cases in which the reasons for political action may not apply to everyone, because there is absolutely no room in such a conception of the good for endorsement of those reasons. As part of these breadth claims, I will argue that it becomes clear that willingness to compromise is a matter of value and not of rationality.

The second reason why radical pluralism is stronger than Rawlsian pluralism is because it allows that disagreements of value may extend to matters of less generality than what might be called a basic conception of the good: the broad value judgements which distinguish at the theoretical level deontology from consequentialism from religious morality from any other value structure or ideology. That moral views diverge at this level is admitted by Rawlsian pluralism; it is also obvious that a society structured with the sole purpose of bringing out the right or the good entirely according to the prescriptions of any given moral theory is likely to have significant differences from a society structured entirely around another. The breadth claim of radical pluralism is that the differences between human value judgements are far wider than Rawlsian pluralism can handle, and that the values of establishing different conceptions of the good are incommensurable with one another. The depth claim is that judgements about particular policy prescriptions may inherit this incommensurability: the reasons which make a particular policy good from the point of view of one conception of the good may not make it good in the same way for another conception of the good (which might leave some other policy option more preferable), and may even make it bad.

These breadth and depth claims together paint a picture in which human beings are divided by significant differences in conceptions of the good, and may be unwilling to compromise over the extent to which competing conceptions of the good are realised. These differences exist across particular policy choices, as well as across abstract matters of moral theory. The depth claim is to an extent independent of the breadth claim, and arguments can be advanced

which push in that direction which have no particular dependence on the claim that members of a single polity are possessed of a great variety conceptions of the good: I will make some such arguments in chapter 2. But it is lent weight by establishing the breadth claim in at least two ways: the first is that the breadth claim serves to establish that multiple and incommensurable conceptions of the good are at least possible. The second is that it lends weight to the claim that willingness to compromise is a matter of value and not of rationality, in virtue of establishing conceptual room for small differences in circumstances or actions to generate large differences in the value assigned to those circumstances or actions. The first step in arguing for this position is to make conceptual room for such large differences in value structures, and to establish this position as sceptical by demonstrating that the burden of proof is on the claim that nearness or convergence in value structures is in fact present among political agents. I will present arguments to that effect in the rest of this chapter.

1.3 The conceivability of divergent reflective equilibria

A prominent method for establishing an expectation of convergence in human moral judgements is to interpret moral reasoning as the process of seeking what Rawls called a reflective equilibrium.[9] On this view, when we think about morality, we seek a state of affairs in which there is coherence between our considered moral judgements, moral principles, and background theories, achieved under conditions of considered reflection and good information.[10] The method of wide reflective equilibrium (WRE) belongs to the coherentist family of theories of truth, and is advanced with reference to the view that if a unique WRE can be found, the moral theory contained in that equilibrium deserves to be recognised as true. Certainly, if the existence of a unique WRE could be demonstrated, it would provide

[9] John Rawls, *A Theory of Justice* (Cambridge, Massachusetts: Belknap Press, 2005), §4.
[10] Norman Daniels, "Wide reflective equilibrium and theory acceptance in ethics", *The Journal of Philosophy* (1979), 256-282.

moral reasons with universal force. This argument will not seek to invalidate seeking WRE as a method in ethics, which I think properly and broadly understood encompasses all good reasons to accept or reject a considered moral judgement, and really barely deserves a name beyond simply 'doing moral philosophy'. Advances beyond this method typically try to adduce stronger foundations of moral knowledge such as intuitions, or give special status to a particular class of moral judgements like general moral theories: I will take the method of WRE to be a suitably broad and weak theory of moral epistemology, rather than direct my attack toward foundationalism or intuitionism, which in a paper that takes moral scepticism for granted would be to knock down a straw man.

I would further say that following Kelly & McGrath,[11] I would distinguish two separate questions with respect to WRE: whether individuals have a unique WRE, and whether there exists a unique interpersonal equilibrium. As they claim, the first of these seems to deserve default assent, but the second claim doesn't follow from this. The most promising avenue to establish this is an analogy between the use of WRE in moral reasoning and the process of seeking scientific knowledge and making Bayesian inferences: as Kelly & McGrath note, if we were to make use of wide reflective equilibrium in these areas of knowledge, we would expect a great deal of interpersonal convergence. But in the end, they reject this analogy: when using Bayesian inference, there is no interpretative room with regard to how you react to a new piece of evidence, as the new evidence is included in a fixed way relative to one's priors. Even if we don't see importance in this difference, we could never get as robust a convergence in the moral case, because of the wide range of priors admissible. They note that though Bayesian inference is extremely permissible about the priors which may be entered into a process of inference, even they must be probabilistically coherent, and must contain no internal conflicts, for the use of the method to be effective. In this sense, there is a strong

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[11] Thomas Kelly and Sarah McGrath, "Is reflective equilibrium enough?", *Philosophical Perspectives* 24, no. 1 (2010), 325-359.

disanalogy between WRE and Bayesian inference, as the whole point of the method is to remove the incoherence that exists in prior moral judgements.

Kelly & McGrath's conclusion is that if we expect WRE to produce convergence, we must find some limit on the admissible range of starting points. But if we take for granted the nonexistence of a moral theory which generates external reasons, it becomes extremely difficult to produce such a limit at the conceptual level. To make use of criteria of reasonableness simply takes the liberal position for granted: what is or is not reasonable is not value-independent. Few people would think of themselves as unreasonable, and even if they do, they would think of themselves as justified for other reasons. If we don't have epistemological access to external reasons, there can be no universal, value-independent criteria of reasonableness, beyond conventional 'rationality'. The criteria of rationality I have in mind are those which Hume would have called 'Reason', and in modern terms are those which would operate in the 'cognitive' rather than 'conative' faculty:[12] the most plausible candidates for such constraints may be that we may not believe two value judgements which stand in contradiction to one another, we may not prescribe only impossible actions or outcomes, and we may not prescribe neither any action nor inaction in any given possible hypothetical set of circumstances. Strictly speaking, from a Humean point of view, such constraints are not absolute, and some passion-level commitment to coherence is necessary to require even these constraints, but I will not dispute the thought that these passions, if any at all, are in fact universal across moral agents. In any event, constraints of this sort are necessary for the method of WRE to get going at all.

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[12] This identification of Hume's distinction between the passions and reason as anticipating the modern cognitive/conative distinction should be attributed to Peter Millican, who made brief reference to this thought in his chapter on Hume in Tom Angier, *Ethics: The Key Thinkers* (2012), on p. 129, and who has elaborated on it significantly in conversation.

So I will take it that with moral scepticism as an assumption, rationality and not reasonableness is the only possible conceptual constraint on the initial moral attitudes which can be used in a reflective process. If this is the case, it is obvious that individual reflections in the process have more than one possible outcome: if two moral attitudes stand in contradiction to one another, the contradiction can be resolved by abandoning either one of the moral attitudes. But this in itself is not enough to completely answer a belief that seeking WRE will produce interpersonal convergence: such individual reflections take place against a background set of moral judgements which include general moral theories, and there may turn out to be conceptual characteristics of the difference between general and particular judgements which push different processes of WRE toward interpersonal convergence. Kelly and McGrath make a persuasive case that we can't expect convergence in moral judgements for the same reason that we expect it in scientific judgements. I will attempt to supplement this with a demonstration that at least two different WRE exist, as an answer to the claim that there are conceptual characteristics of moral attitudes which may play this role instead.

To demonstrate this, we may note that there are conceivable pairs of action rules which are incompatible with one another, and any argument which undermines one of the rules undermines both, so there's no reason to choose between them. Any WRE which includes one of these action rules would also be in equilibrium if it included the other instead. Coordination problems have a structure which facilitates demonstrating a clean case of such action rule pairs, as they present a choice between two options which provide outcomes of the same value with respect to all other reasons: otherwise, they wouldn't be pure coordination problems. Someone might have initial values which mandate that absolutely everyone should drive on the left (that there is something morally objectionable about driving on the right, offensive in the conduct of others as well as in personal conduct), and someone else might have initial values which mandate that everyone should drive on the right. Because

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of the structural features of a coordination problem, there can be no principle which undermines one of these values but not the other: both options achieve an outcome of the same value with respect to all other reasons. Of course, such values may be embedded in a value structure which uses equally arbitrary general principles, such as "in cases of indifference, choices between left and right should reflect the dominant handedness of the people subject to that choice". If that were the case, then the same interchangeability and indifference to other reasons applies at the level of these arbitrary general principles instead, and the argument still goes through.

This argument means to make use of the structural features of a coordination problem, and doesn't rest on an argument that no coordinated solution, such as providing two separate road systems, could be achieved. That particular case rests on widespread acceptance of the principle that we should live and let live when it comes to which side of the road other people drive on: a principle which undermines both absolutist lefties and absolutist righties in the same way. The crucial feature is that coordination represents a familiar case of a problem where the choice is between two arbitrary options, where no principle could undermine one choice but not the other. Of course, a standard objection to holding the values which make this case work is precisely that they are morally arbitrary, and it might be tempting to press the point in opposition to this argument that there can be no consistent WRE which doesn't involve some standard which excludes morally arbitrary data from moral judgements. If we admit a concept of moral arbitrariness at all, then this follows, but the content of what is and is not morally arbitrary is not value-independent, and has a significantly different scope across different moral theories, which (for example in accounts of distributive justice) is often substantively manifest and often crucial. As such, there can be no WRE which includes mandating driving on the left which couldn't include mandating driving on the right instead.

So purely in terms of logical consistency, it's not the case that different initial conceptions of the good must necessarily converge on a single WRE. This is a technical point, but in combination with the disanalogies between WRE and scientific reasoning raised by Kelly & McGrath, it demonstrates that if we're not expecting our value systems to converge, we must appeal to shared contingent facts about our conceptions of the good, and not that we can expect them to converge necessarily. I take these considerations to be enough to support premiss 3 in my sceptical argument.

1.4 Burden of proof

The previous section established by an investigation of convergence in WRE that in the absence of epistemological access to external reasons, we cannot expect human value judgements to converge on conceptual grounds. The next stage in the argument, in order to make a defence of premiss 4, is to argue that the potential breadth of reflective equilibria is large enough to justify placing the burden of proof on the claim that we should expect value convergence for contingent reasons, rather than on the claim that we should not expect it. This is not the only way in which the breadth claim of radical pluralism might be established: it might be that there are only a small number of WRE, but they contain very little common ground. I don't think this is the case, and so I will not defend the breadth claim in this way, though I will later raise considerations which might tell in that direction if this chapter is unpersuasive. A second pressure on this 'burden of proof' project is that it is not entirely obvious that even if there are a large number of WRE that the differences between them should be significant. This second consideration will be in part addressed in the next chapter in discussion of compromise and shared concepts, but I hope the discussion here will tell in that direction, too.

The question arises as to exactly what could operate as a driving force for convergence in moral attitudes at the conceptual level, if not those things ruled out in the previous section. There is perhaps a gap in its conclusion, in that my coordination cases argument establishes only that conceptual features of moral attitudes can't produce a unique WRE, and not that they might produce a small number of similar equilibria: perhaps only highly arbitrary values with the features I described cannot be brought into an otherwise unique interpersonal equilibrium. But if this was the case, there must be strong conceptual features of what counts as a moral attitude, or at least which differentiate different kinds of moral attitude (such as general and particular) and grant one kind a privileged status. To establish that the burden of proof is not on the sceptic with respect to the breadth claim of radical pluralism, this thought must be answered.

I take moral attitudes to be the belief that the world should be a particular way: either that the agent or others should perform certain required actions, establish a certain set of outcomes, reshape their character in accordance with certain virtues, preserve certain features of the world as they are, or some such. As I have argued already in the previous section, the only shared constraint on such attitudes if there is no true moral theory is rationality, to which I assigned three candidate features. Perhaps those features are not exhaustive, but I think they represent good candidates for core components of the concept, and strike me as more or less exhaustive conditions at least for the method of seeking WRE to even begin. In order to establish that the range of conceptually possible WRE is broad, we must investigate the limits which those constraints place on the moral attitudes which may justifiably be held by moral agents.

The first rationality constraint I referred to was consistency: we may not justifiably hold two moral attitudes which stand in direct contradiction to one another. Alone, this barely operates

as a constraint at all: we may consistently value the realisation of any possible world. The size of the possibility space for moral attitudes if limited only by consistency is the size of possibility space in general, and there are as many unique WRE as there are possible worlds.

The second constraint was possibility: we may not justifiably prescribe impossible actions or outcomes. Of course we can think impossible things good, but we cannot sensibly require that we achieve them: we can only require that we work to achieve the nearest possible approximation to them. This of course dramatically reduces the number of possible WRE, but not nearly enough to leave those which remain small or similar: all possible actions by all existing moral agents are still in play.

The third was completeness: we must have a moral theory which does not prescribe neither any action nor inaction in any given possible hypothetical set of circumstances. Prima facie, this would seem to put pressure in the direction of systematisation of moral theories and a requirement for generalisation of attitudes into moral principles, but this need not be the case. A WRE may be undetermined in a different sense, in that it may contain moral attitudes with respect to certain situations that say "whatever was going to happen here anyway should happen". This is not an unfamiliar notion: pacifist theories, and theories which emphasise only personal conduct, can be undetermined in this sense over the actions of others. This scope for WRE to be conservative in this sense means that completeness does not necessarily require systematisation, and so moral attitudes may be held only with respect to particular situations, and may be undetermined over lots of them, leaving the scope of possible WRE almost as wide as it was after the previous condition.

The point of this rather laboured discussion was to demonstrate that it is not necessarily the case that a WRE need include general moral principles or systematic moral theories at all: at the conceptual level, WRE could be obtained containing only particular moral judgements,

and may be undetermined over lots of things in any event. If this is the case, then the conceptual constraints on what may be a WRE are very weak indeed. As such, we can expect a very large number of WRE when the only shared constraints are those of rationality. This means that a priori, we have very little reason to believe that the value judgements of moral agents will converge, which is enough to establish that the burden of proof must be to prove the sceptic about convergence wrong.

This isn't an argument that we should assume until we can prove otherwise that there are people walking around who want all white roses painted red, or an argument that as a point of philosophical methodology we ought to give up on resolving certain value conflict with reason: it's an argument that we have good reason to believe (until proof to the contrary can be found) such pervasive, deep, and intractable disagreements as there in fact are became pervasive, deep, and intractable because they spring from different moral attitudes, because they are drawn from different and isolated value structures, and because reason is not capable of judging between the options. From a purely conceptual point of view, we have good reason to believe that a great many such disagreements exist, and so there must be a burden of proof on a challenge to this claim.

Chapter 2 - Radical Pluralism and Overlapping Consensus

2.1 Evidence of value convergence

In the previous chapter, I argued that we can expect a very great number of reflective equilibria to be possible, in the absence of value-dependent constraints on what may be admitted as priors or used as principles of reasoning. I argued that the breadth of conceptually possible reflective equilibria meant that the burden of proof was on the believer in value convergence, in virtue of the fact that we have little a priori reason to believe that it will be the case, knowing nothing about the social, biological, and historical context of human beings. I deliberately left one potential answer to this claim partially unchallenged: that in spite of the fact that the number of conceivable reflective equilibria may be very large, they may nonetheless be similar in several important respects. I passed that challenge to this chapter, because it involves establishing an idea which I will make great use of in my defence of premiss 5 of my argument, which is that there is no good evidence that human value judgements in fact converge. Moral theories certainly permit, deny, praise, blame, and assign moral characteristics to states of affairs: they tell us what things we should care about. They also, to an extent, tell us how much we should care about certain things, sometimes in categorical, but also potentially in ordinal or cardinal terms. Such prescriptions may be deeply embedded in the structure of a moral theory, or they may exist more or less independently of the categorisation of outcomes and actions into goods, rights, bads, wrongs, and different kinds of value. A major argument of this chapter will be that the complexities of this feature of morality may make theories which appear to have strong similarities in fact be rather far apart from one another, in virtue of the fact that what may appear to be a small change to one theory may well be a very large change to another.

The main thrust of this chapter will be that there is insufficient evidence that the shared social, biological, and historical context which feeds into human value structures is enough to establish that the values of a single political community are sufficiently close to establish a liberal concept of legitimacy. There are many different liberal accounts of legitimacy, and the critique I propose to make is fairly general; this needs to be justified. I will only indirectly treat consent theories, as my objections to such theories are familiar and present in the liberal literature. Actual consent to the authority of the state would in even a radical pluralist context justify its legitimacy fairly securely; the problem with such an account is that in nearly all cases no such consent exists. Attempts to re-theorise consent such that no actual declaration of consent is necessary, such as tacit, hypothetical, or normative consent in fact establish conditions which can't reasonably be called consent at all, and as such can't be said to possess the same normative status, as has been argued most famously by Hume,[13] Dworkin,[14] and Edmundson,[15] respectively. Beside actual consent accounts, all prominent liberal theories of the legitimacy of the state presuppose some moral reasons shared among the citizens subject to its authority, and that role is largely played by the necessity of the state as a coordinating body to establish and promote shared and mutually beneficial projects. This feature of the state is crucial to fair play, associative duty, and natural duty accounts of obligation to the state, as well as (as I have argued elsewhere)[16] Raz's instrumental 'service conception'. The breadth claims of radical pluralism even by themselves present a challenge to justifying the state in this manner: there exist conceivable (anarchist) reflective equilibria in which the necessity for coordination is not recognised, or overruled by other duties, such as R. P. Woolf's 'duty of autonomy'.[17] I will present arguments here to the effect that the depth claims of radical pluralism also pose a challenge to justifying the state in virtue of the

[13] David Hume, *Of the Original Contract* (DavidHume.org, 1777).
[14] Ronald Dworkin, "The Original Position", in Normal Daniels, ed. *Reading Rawls* (1975), 17.
[15] William Edmundson, "Consent and Its Cousins", *Ethics* 121, no. 2 (2011), 335-353.
[16] Daniel Hartas, "A Defence of Raz on Authority", (Term Paper, CEU, 2015).
[17] Robert Woolf, *In Defense of Anarchism* (1970), chapter 1.

necessity of coordination. The thrust of this approach will be that our values are sufficiently different from one another such that the basic requirement for coordination does not necessarily overrule value-grounded concerns about the manner and content of that coordination: that such concerns may be strong enough to conflict with and overrule a duty of obedience to the state grounded in the necessity to find a coordinated solution of some kind. That is to say that there will be circumstances under which many prominent value structures would permit disobedience to the law in virtue of some egregious wrong, which does not appear to be a wrong so egregious (and might even appear a right) in other value structures. To do this I will first recount the familiar critiques of universal value from feminist and multicultural writers, and demonstrate their relevance to value convergence. I will then present an argument in opposition to liberal theories which describe value convergence in terms of what Rawls called an 'overlapping consensus', as a critique of grounding convergence in the use of shared concepts, or willingness to compromise.

2.2 Feminist and multicultural critiques of universal value

If the most promising evidence of value convergence is that our values are in part determined by biological, cultural, and social context, then the status of the most prominent line of critique to that position must surely be given to feminist, multicultural, and intersectional critiques of universal value. These arguments do not deny that our values are so determined, and indeed many thinkers in this vein would follow Foucault in believing that our values are more or less completely determined in this way. I would tend to take the view that our values are largely determined by context and also partly by reflection, but that those influences can push us in radically different directions, either because of the role of reflection, or (as is the thrust of a feminist or multicultural critique of universal value) because the context we face is

not universal, and admits of many radically different perspectives on that context, in virtue of position in social structure, the kind of power relations to which we are subject, or having being raised in a different cultural tradition and environment. This represents a direct challenge to evidence for value convergence, in that it can only be expected in virtue of shared context to the extent that context is in fact shared, and the feminist and multiculturalist traditions present challenges to the concept of universal value in this vein.

Okin[18] raises some of these issues in the course of advancing a feminist critique of *A Theory of Justice*. The original position, as advanced by Rawls, is an attempt to give an account of an objective standpoint from which conclusions of value independent of the particular facts of our existence can be derived, and by taking that perspective we can produce shared moral reasons to act in conformance with justice. Liberal feminists such as Okin modify this theory from its original presentation such that all adults and not merely the heads of households are present behind the veil of ignorance, but Okin herself raises concerns that this might not go far enough in terms of making such a position gender-neutral. Indeed, many feminist writers would question the extent to which assuming such an objective position is conceptually possible or desirable, as this way of thinking does not so much recognise as abolish different-gendered perspectives in the original position. Okin quotes de Beauvior, "one is not born, but rather becomes, a woman." Womanhood is so pervasive as an aspect of character, that the experience of separating yourself from the particular facts of your existence is a very different experience from that of men. This is essentially the claim that values are plural across genders, and that the modes of thinking from the perspectives of different genders are diverse at the level of value. Okin raises this criticism but does not answer it, meaning only to reformulate Rawls such that his work can be used as a tool for feminist critique. Of course, we might expect a liberal feminist to react to this point with the claim that the position of

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[18] Susan Okin, *Justice, Gender, and the Family* (Basic Books, 2008), chapter 5.

woman is not so different that core liberal concepts of freedom, equality, public reason, and so on, are not acknowledged so differently from that perspective as to exclude the possibility of a liberal overlapping consensus centred around those values.

This would work, if it were not the case that a great deal of feminist writers take the position of woman as a gender to be far more radically different from the male-defined values of liberalism than that. MacKinnon,[19] in her essay *Desire and Power*, argues that any sense of an objective perspective is intrinsically male. "Women's situation with respect to [the project of social science] is that we have been "world" for an implicitly male-centred social science. We come to this project as the to-be-known-about, as part of that world to be transformed and controlled". Women's position, in her view, is intrinsically that of the "object" of objectivity: women are a thing, directed by society only toward self-annihilation. Objectivity, in any sense, must be inherently of men, because the state of being a woman is that of having no independent existence: that of having no values of your own. In this sense, liberalism evaporates womanhood because it has no frame of reference with which to get inside a woman's perspective: womanhood cannot matter if the aim of your theory is to achieve an objective perspective. This becomes a penetrating criticism of even value-pluralistic liberalism, as womanhood has no "value", yet still demands recognition, and is possessed of the political potential for that recognition. It is from this line of thinking that agonistic forms of feminism develop, in which consensus is viewed as inherently undemocratic,[20] and leads to new forms of oppression by silencing new value conflicts which emerge from perspectives necessarily excluded from consensus terms.

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[19] Catharine MacKinnon, "Desire and Power", in *Feminism Unmodified: Discourses on Life and Law* (Harvard University Press, 1987).

[20] Noëlle McAfee, "Feminist Political Philosophy", *The Stanford Encyclopedia of Philosophy* (Summer 2014 Edition), http://plato.stanford.edu/archives/sum2014/entries/feminism-political.

I cannot move on from this point without at least brief reference to the manner in which this kind of claim operates in intersectional feminism. Objectification and oppression, on this view, operate on more than one dimension, and oppressed perspectives other than that of woman, such as oppressed races, cultures, religions, classes, and other gender and sexual identities exist: these perspectives are oppressed in different ways and different respects, and when those perspectives intersect with one another produce still more of what bell hooks called "interlocking systems of oppression".[21] In intersectional feminist theory, there is an enormous multiplicity of such excluded perspectives, which each give rise to different challenges to those consensus values established by the powerful. These suppressed conflicts of value structures, and the dynamics of intersectional oppression represents one sense in which the depth claims of radical pluralism might necessarily appear.

Supporting the depth claims of radical pluralism from a purely multiculturalist perspective takes a slightly different form, more directly connected to challenging the necessity for coordination as an overriding value. These theories challenge the appropriate scope of coordination, and argue that the nature of the particular dialogue between an individual and their culture mean that people belonging to a particular culture within a single polity would achieve greater welfare if cultural difference were recognised in law, and established cultural practices were permitted in deviation of practices of coordination. Like value-pluralism in general, multiculturalism takes the view that rights, freedom, harm, and fairness, among many of the other features of liberal values, are not understood in quite the same way by everyone, and cannot meaningfully make universal or equal guarantees. Multiculturalism goes further still, in making the claim that these diverse aspects of human nature are primarily culturally determined. To borrow Taylor's exposition,[22] human nature originates in

[21] bell hooks, *Yearning: Race, Gender, and Cultural Politics* (Boston: South End Press, 1990), 59.

[22] Charles Taylor, "The Politics of Recognition", in *Multiculturalism: Examining the Politics of Recognition*, ed. Charles Taylor and Amy Gutmann (Princeton, New Jersey: Princeton University Press, 1994).

a "dialogue" between the individual and their situation: our diverse value systems reflect the cultures into which we are born. As such, there is an extent to which values can still be universalised within a culture, and so particular social and institutional structures may be suited to certain groups better than the arrangement prescribed by a universal liberalism would be. As such, multiculturalism represents a positive challenge to liberalism: that we would be better off if universal values were not presumed, and the particular needs and interests of different cultures were recognised. This challenge to liberalism operates in more or less the same way as the depth claims of radical pluralism, in that there are circumstances under which some value structures would permit disobedience to the law in virtue of some egregious wrong, which is not interpreted as an egregious wrong in other value structures.

This discussion aims to give weight to the claims of radical pluralism, in virtue of the fact that it does not diverge significantly from two other notable critiques of liberal thinking. Differences of gender, and gender in intersection, as well as differences of culture, represent the cases most clearly established in the philosophical literature of deep differences from liberal values, sufficient to be an obstacle in the development of an overlapping consensus. This line of critique is familiar, and so too may be the answers to it, so from here I will argue in a different vein: that we have reason to suspect that the similarities between established moral theories and ideologies may not be as close as they appear, and might in themselves contain prescriptions of disobedience in circumstances which differ between those theories.

2.3 Compromise, and shared concepts

It would probably not be unfair to say that there is a consensus in normative ethics that established moral theories such as deontology, consequentialism, and virtue ethics must be brought into broad (though of course, not total) conformity with a large body of common-

sense morality, and if one of those theories were to deviate substantially from that body of received wisdom as substantially revisionist, that would constitute a problem for such a moral theory. I would not in general deviate from this consensus: to use Daniels's terminology with respect to WRE,[23] such a process can be understood as bringing moral theories into conformity with widely held particular moral judgements. However, two remarks must be made with respect to this approach to normative ethics in reference to the particular context of this project. The first is that to claim these theories are near one another in virtue of their concordance with a pre-existing consensus 'common-sense' morality would be to take for granted that which I have already argued has an burden of proof incumbent upon it to establish: it must be demonstrated that such a consensus is widespread. As an aside with respect to common-sense morality, as a body of knowledge it is in itself subject to the concerns regarding compromise and shared concepts I am about to raise, and it is worth mentioning that recent developments in experimental philosophy, such as work by Greene,[24] and Doris & Stich,[25] have approached a new avenue by which this might be regarded as at least an open question. The second remark is that while these theories may have been marshalled into line with common-sense morality in terms of what we should care about, this is not necessarily the case in terms of how much we should care about things that we should care about. I will address instead two prominent approaches to claims of convergence between established moral theories or ideologies: the use of shared concepts, and willingness to compromise as value-independent.

With respect to the first of these, this sort of approach can be seen clearly in Rawls: the establishment and use of shared concepts is crucial to the project of *Political Liberalism.*

[23] Norman Daniels, "Wide reflective equilibrium and theory acceptance in ethics", *The Journal of Philosophy* (1979), 256-282.
[24] Joshua Greene, "The secret joke of Kant's soul", *Moral Psychology: Historical and Contemporary Readings* (2007), 359-372.
[25] John Doris and Stephen Stich, "Moral Psychology: Empirical Approaches", *The Stanford Encyclopedia of Philosophy* (Autumn 2014 Edition), http://plato.stanford.edu/archives/fall2014/entries/moral-psych-emp.

Unreasonable comprehensive doctrines are defined as those which cannot support a "reasonable balance of political values",[26] where political values are those which reflect our status as "free and equal citizens as a corporate body",[27] and establish the basic structure of society as "that all citizens can reasonably be expected to endorse in light of their common human reason."[28] In *Political Liberalism*, Rawls understands a reasonable comprehensive doctrine as a particular balance of values, which are themselves recognised and more or less universal across a polity. Rawlsian pluralism, in this way, requires that the concepts involved in assembling a reasonable comprehensive doctrine are more or less common, and as concepts are more or less understood in the same way across comprehensive doctrines.

The first point to make with respect to this is that shared language doesn't necessarily imply shared concepts. Deontologists and consequentialists (say) agree on the necessity for democratic institutions, the protection of individual rights, and so on, but their grounds for believing those things valuable are completely different, and if fully realised would probably lead to very different kinds of societies. Theorists in those traditions use the same words, but refer to different concepts in using them. When a consequentialist talks about rights, they mean those-legal-protections-for-individual-action-which-if-respected-lead-to-the-best-outcome-overall, whereas a deontologist means those-moral-protections-necessary-for-free-agents-to-live-and-act-with-dignity, or something like those. These concepts need not necessarily overlap, and in many cases we see the lack of overlap manifest when people talk past each other in real political debates. An example might be the case of civil liberties: a deontologist may come to a view that as a matter of right, we need more extensive protection of civil liberties than a utilitarian would advocate on the grounds that there's a bigger disutility from a loss of security. In this way, a policy which is a good for consequentialists

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[26] John Rawls, *Political Liberalism* (New York: Columbia University Press, 1995), 243.
[27] Ibid., 139.
[28] Ibid.

may be much less good or even bad for a deontologist, in spite of being justified entirely in the language of rights, freedom, security, or welfare: words which have meaning (but different meaning) in each of those traditions. Shared language is no guarantee that people won't talk past each other: all it does is obfuscate such cases. If this is true, there is no such thing as value-independent political language or public reason; not if words can't be isolated from the value system in which they are featuring.

This is not to say that deontologists and consequentialists share only very limited common ground over these concepts: their concepts are very close, of course, precisely because one of the major goals of normative ethics has been to bring moral theories into line with common-sense morality, and it has been very important to demonstrate that these theories can reflect concepts like freedom and welfare in some conventional way. But such a project is not complete, and the correspondence with these concepts is certainly not exact. Nor would we want it to be exact, as there certainly should be some scope for moral theories to revise our intuitions and challenge consensus. Where such deficiencies exist, and where such challenges are made, we can't expect them to correspond between theories which in their basic structure have little to do with one another. It also must be remembered that the relative importance of components of political concepts is contested between these theories, and also that if radical pluralism is true, there are likely to be several best forms of these theories, each pulling in slightly different directions. I use the civil liberties case to show that it is at the edges of these concepts, where they most readily come into conflict with one another, that these differences in the use of concepts manifest themselves. Where we debate what precisely is necessary for freedom, or what can be legitimised by protections of security – where, in short, the common-sense understanding of how these concepts relate to one another is clearly not well-defined – the direction of push from different theories is different, as the way in which these common-sense notions have been systematised into a moral theory becomes more relevant to

the determination of a position than whatever nebulous common-sense intuitions remain at the fringes of political concepts. Morality as well as practical politics is replete with such cases: the extent of moral personhood, the appropriate extent of rights, the content of autonomy, and the meaning of privacy are all issues precisely because our concepts are vague with respect to these problems. Our concepts are also weak where different kinds of value – their interaction, their priority relationship, and their applicability – are at work in a single question. In such cases, the conventional understanding of a term of course takes a back seat to how the concept is interpreted and systematised inside a moral theory, and it is in this sense that at crunch time, when major issues are at stake, that the common use of terms is less important than the precise sense in which concepts are embedded in a moral theory.

Most real politics takes place in these grey areas, and the differences between value structures in the understanding of these concepts takes centre stage when such issues are discussed. Moral theories in this area differ both on exactly what features of those problems we should care about, and the relative weight of different features, meaning they are capable of producing very different answers, precisely because where the interpretation of an established concept is unclear, it is the job of a moral theory to extend rather than reflect our understanding of that concept, and it is in this sense that the use of such concepts can importantly differ between different moral theories. When this is true, the interpretation and intention behind shared language grounds our concepts, and our use of even shared language is embedded in the value structure which we articulate. Even where there is substantial agreement between established moral theories, there are no conceptual guarantees that this should be the case. But certainly, in most issues which present themselves in political debate, it is our theory which determines our use of concepts, and not the other way around, and so it no longer becomes useful to think of the concepts in use as shared.

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If not shared concepts, we might locate our prospects for a value consensus in a universal willingness to compromise. Such a willingness does certainly extend so far: genuine near-absolute consensus grounds what Shklar[29] and Williams[30] call 'the liberalism of fear'. Even if there's no available consensus about what we want, there at least is plenty about what we don't want: a state of nature, and value conflicts being resolved with violence. We might justify the liberal state on the grounds that it provides protection from these universal bads. I won't deny the near-universality of these values, but liberalism requires that the concepts which ground political action are universally acknowledged, or that the actions taken by the state are in principle justifiable to everyone. If justification for a liberal state can extend no further than the liberalism of fear, it collapses into a justification for only a very small state: a night-watchman state, with perhaps minimal welfare entitlements necessary to protect social cohesion. We couldn't go any further than those features of a state which there genuinely is universal agreement on.

There are liberal avenues, though, to advocate that there is a greater willingness to compromise than this. We might argue that in common political practice the difference between full realisation of our values and a compromise is not so great that we would be willing to fight about it, and abandon democratic compromise for the sake of full realisation of our values. Why should this be true? Willingness to compromise, and how much we care about small differences, is just another parameter in a moral theory, and legitimate moral theories exist which place very strong value on very small differences. Deontology, for example, includes very strong red lines. Thinking about the civil liberties case again, slightly crossing the threshold of a matter of right in deontology is a major wrong, whereas for a consequentialist the same policy change might just be slightly sub-optimal, or even an

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[29] Judith Shklar, "The Liberalism of Fear", in *Political Liberalism: Variations on a Theme*, ed. Shaun Young (SUNY Press: 2004), 149-166.
[30] Bernard Williams, "The Liberalism of Fear", in *In the Beginning Was the Deed: Realism and Moralism in Political Argument* (Princeton, New Jersey: Princeton University Press, 2005), 52-62.

improvement. Consensus-seeking in such cases may amount to nothing more than a dictatorship of the fussy.

This amounts to the claim that we often care more about the full realisation of our value system than we care about being able to reach an accommodation with our opponents: a society in which our conception of the good is fully realised of course looks better to us than one in which we've compromised with our opponents and realised it less fully. The extent to which we are willing to compromise is a matter of value rather than rationality, and there can be incommensurable disagreement about what constitutes an acceptable compromise, as well as what constitutes good policy. In general, requiring willingness to compromise as a matter of rationality implies a unique rational mandate for this attitude: that the fear of an opponent effectively realising their value system is a stronger motivation than the hope of one day being able to do the same for your own. People can sensibly and rationally endure significant disutilities for the sake of keeping up hope, and a system which rests on compromise ignores the force of that motivation.

In my first undergraduate lecture on welfare economics, the professor remarked that philosophers disliked economists for reducing utilitarianism to the social welfare function $W=\Sigma(u_i)$, and Rawls to the social welfare function $W=\min(u_1,u_2,u_3\ldots u_n)$, when philosophers have written entire libraries on the subject of the interpretation of those doctrines. If a political economist were to model the picture of compromise I'm describing here, they would draw a welfare function for each individual with a sharp spike at their ideal policy outcome, and then rapid dropoffs of utility in all directions away from that ideal point. I would argue this describes a lot of people very well, and even if it describes only a minority, there are no grounds of rationality to exclude such people from the reasonable bounds of political debate. It is precisely such a person, for whom the hope of achieving as much good as they can

exceeds their fear of someone else being able to do the same, which liberalism fails to accommodate, and our political philosophy ought to be able to.

Bringing all of the considerations raised in this chapter together, I hope to have made a strong case that there is not sufficiently good evidence of value convergence to prove that such convergence exists to a sufficient degree to establish a liberal concept of legitimacy grounded in shared value content, and the sceptical part of my argument is complete. Divergence in values when constrained only by rationality is sufficiently great that there will be circumstances under which many justified value structures would permit disobedience to the law in virtue of some egregious wrong, which does not appear to be a wrong so egregious (and might even appear a right) in other value structures. Perhaps shared value content across established democratic polities is sufficient to ground a pure liberalism of fear, but in this pure form such a liberalism of fear amounts to a sort of unconventional near-libertarianism, in which only a very small state can be justified. I believe the existence of a state with a far greater extent, and justified in taking a great deal more political action than that, can be established, but in order to do so we need to leave liberal concepts of legitimacy behind. In the remaining chapter, I will present an alternative account of when political actions are justified, which certainly does not belong to the liberal family of theories, and which I will argue instead is best characterised as a conservative theory of political justification.

Chapter 3 - The Conservative Alternative

3.1 Political anarchism, conservative core concepts, and Disraeli

I wish to begin this chapter with a few remarks to distinguish the view which will be advanced here from the kinds of views which might more conventionally be called political anarchist. That my view fits a definition of political anarchism as the position that there can be no account of legitimacy which guarantees even an ideal state legitimate authority over all its citizens in relation to all laws and in all circumstances is not something I wish to dispute. I wish to call my view a conservative view in a Freeden-esque, morphological[31] sense, rather than in what might be termed a foundationalist sense, in which the distinguishing feature of the view is its concordance with this definition of political anarchism. The fact that the state doesn't have universal legitimate authority is not a 'core concept' (in Freeden's sense) of the position. To deny that any directive of the state can ever be good, or even to deny that the state has a justified role to play in the resolution of coordination problems, is the position of an extremist. I regard the exclusion of extremists as it operates in this view, in that the state may use its power to coerce them in spite of their not having external reasons to comply with such coercion, as being as much a peripheral feature of the position as the exclusion of the views of extremists as 'unreasonable' is to a liberal position. This view aims to give an alternative philosophical account of the nature of political debate and conflict as it occurs on a day to day basis, based on acknowledgement of the fact that different conceptions of the good, different parties, almost always talk past each other. The driving force behind presenting this conservative alternative is expressly not that extremists should be taken seriously; it's that conflicts between conceptions of the good cannot be isolated from our understanding of political practice.

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[31] Michael Freeden, *Ideologies and Political Theory: A Conceptual Approach* (Clarendon Press, 1996), 4.

It is also not a political anarchist view in the sense of regarding state actions as unjustified. It argues that there is no sense of legitimacy which justifies state action in virtue of providing everyone with a external reason to accept the authority of the state; state actions may be justified for other reasons. On this view, state actions are justified insofar as they are good, and unjustified insofar as they are bad. In this sense, this view denies a special separation between the moral and the political – that is to say, between the justifiable and the legitimate – in that it does not provide us with uniquely political reasons to comply with a directive which we regard as morally unjustified. It is an approach inspired by a famous aphorism from Disraeli:

> "I am a Conservative to preserve all that is good in our constitution, a Radical to remove all that is bad."[32]

Disraeli's approach to conservatism - the approach known in Britain as 'One Nation Conservatism', or 'Tory Democracy' - is understudied in the philosophical literature, and reflects much less the standard philosophical understanding of conservatism, but is no less conservative for it. Hayek offers a definition of conservatism which entirely misses the point of this strain of conservative thinking:

> "by its very nature [conservatism] cannot offer an alternative to the direction in which we are moving. It may succeed by its resistance to current tendencies in slowing down undesirable developments, but, since it does not indicate another direction, it cannot prevent their continuance."[33]

Compare this to Disraeli, after his successful passage of the 1867 Reform Act:

> "In a progressive country change is constant; and the great question is not whether you should resist change which is inevitable, but whether that change should be carried out in deference to the manners, the customs, the laws and the traditions of a people, or whether it should be carried out in deference to abstract principles, and arbitrary and general doctrines. The one is a national

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[32] Benjamin Disreali, Campaign Speech in High Wycombe, November 27, 1832, in "Selected speeches of the late Right Honourable the Earl of Beaconsfield" (1882), accessed at https://archive.org/details/selectedspeeche00disrgoog

[33] Friedrich Hayek, "Why I am Not A Conservative", in *The Constitution of Liberty* (London: Routledge, 1990), 398.

system; the other is, to give it an epithet, a noble epithet – which it may perhaps deserve – a philosophic system."[34]

Disraeli was and is widely considered to have been ahead of the Liberal party – and perhaps even many of the liberal theorists – of his day on the questions of social reform and popular enfranchisement, passing many measures designed to improve the living and working conditions of the people, as well as his Reform Act, which was at the time considered extremely radical and passed over the objection of the Liberal leadership in opposition. Only Burke and Thatcher stand as tall in the development of British conservatism; if anyone is a conservative, Disraeli is, and the tradition to which he gave birth deserves recognition as a central conservative school of thought, in spite of it being very poorly captured by Hayek's representative definition.

So to defend the claim that my account of legitimacy is conservative, I would hope to provide alternative core concepts to describe conservatism, and use those concepts to develop my view. Freeden himself does better than Hayek in characterising conservative ideology, proposing as core concepts:

> "(1) a resistance to change, however unavoidable, unless it is perceived as organic and natural; (2) an attempt to subordinate change to the belief that the laws and forces guiding human behaviour have extra-human origins … (3) the fashioning of relatively stable … conservative beliefs and values out of reactions to progressive ideational cores … (4) … substantive flexibility in the deployment of decontested concepts, so as to maximise under varying conditions the protection of that concept of change."[35]

The importance of (1) to conservative thinking cannot be denied, though Freeden overplays the importance of the 'extra-human' sanction of that particular mode of change, which is far more frequently defended (especially by Disraeli)[36] in terms of its efficacy. (2) is somewhat

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[34] Benjamin Disraeli, Speech to the Conservatives of Scotland in Edinburg, April 3, 1867 (*The Times* Archive, April 4, 1867)

[35] Michael Freeden, *Ideologies and Political Theory: A Conceptual Approach* (Clarendon Press, 1996), 344-345.

[36] Benjamin Disraeli, Speech in the Manchester Free-Trade Hall, April 3, 1872 (*The Guardian* Archive, April 4, 1872)

wide of the mark in general, and especially so in relation to the One Nation tradition. Certainly frequent reference is made to a national interest as opposed to a sectional, class interest, and that the whims and prejudices of particular ministers should be subservient to that interest, which is often poetically personified in the Throne,[37] and less frequently, in religious terms. But the national interest is far more often advocated in contrast to advocacy of the sectional interest of a particular class: the middle class in Disraeli's day, and the working class, or the vested interests of the trade unions, in the latter part of the 20th Century. (3) and (4) mean to establish the reactionary nature of conservatism, which establishes itself in every generation as "a mirror-image of [progressive] ideologies, it acquires a set of ideational concepts almost by default.".[38] Reactionary thinkers exist, to be sure, but the One Nation tradition is ill-defined if it is defined that way. Conservatism is suspicious of progressive ideology, but its suspicion is grounded in it being a disguised defence of a sectional interest or particular point of view, or at least vulnerable to that classic objection to a utopian vision: failing to take the whole picture into account. With respect to the first of these, conservatism is nearer to socialism than it is to liberalism of any flavour. Disraeli writes of this:

> "[the Whigs are] a miserable minority arrogating to themselves the bewildering title of "the People", and achieving all this misery and misfortune, all this havoc and degradation in the sacred name of liberty, and under the impudent pretence of advancing the great cause of popular amelioration, and securing the common good and general happiness. My Lord, the Whigs invoke "the people," let us appeal to the nation."[39]

With respect to the second, a certain modesty (the bombastic tone of that Disraeli quote notwithstanding) is certainly implicit in most conservative thinking. Conservatism is suspicious of the ability of human beings to remake their world, and believes itself to have

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[37] Ibid.

[38] Michael Freeden, *Ideologies and Political Theory: A Conceptual Approach* (Clarendon Press, 1996), 337.

[39] Benjamin Disraeli, Vindication of the English Constitution (1835), accessed at https://archive.org/details/vindicationengl01disrgoog

learned from history that greater ambition is well known for producing greater mistakes. It is perhaps this tendency which Freeden in part mistakes for the attribution of the forces guiding human action to extra-human sources: this is not foundational to conservatism, so much as the view that human beings have only a limited capacity to anticipate the consequences of their actions, and that ambitious projects undergone in the name of progress too often lead to catastrophic burdens on the people they set out to aid. This isn't because extra-human forces like the market conspire to make that so, more often it's because human beings fail to recognise their own limitations and weaknesses.

From this analysis, I would propose alternative core concepts of conservative ideology:

Practice over principle. The driving force of politics is not the principles which direct our actions, but rather the practical political context in which those actions take place. Political action should be taken with reference to the most practical amelioration of an existing social or economic problem, rather than with reference to the establishment of an ideal or principle.

The importance of tradition. Practices and conventions which have survived as traditions have done so because they employ methods which have been tested and proven to work both in general and with reference to a specific polity. Where possible, progressive measures should conform to those tried and tested practices, because it is more likely to be efficacious if it does.

National over sectional interest. Political actions should always be taken with reference to the good of the nation as a whole, rather than with reference to the advancement of a single class, sectional interest, or particular point of view.

Modesty. Change should be organic, gradual, tentative, and experimental, because we cannot fully anticipate the consequences of radical action, and it may lead to extremely negative consequences, as it so often has in the past.

The picture I wish to paint of the nature of political disagreement, the constraints on state action, and political justification, will reflect these core concepts, and for that reason, I choose to regard this view as predominantly a conservative, and not as a political anarchist view, in spite of its concordance with a definition of political anarchism.

3.2 Justification of state action without a conventional concept of legitimacy

Radical pluralism presents an account of human value structures in which our moral attitudes even in a state of reflective equilibrium are so diverse that a conventional liberal justification of the apparatus of a modern democratic welfare state cannot be universally justified in the sense that would establish a conventional and liberal concept of legitimacy. The project of presenting an alternative account of legitimacy which does survive that objection must be to provide a sense in which the establishment of such a conventional modern state can receive some sort of justification without the tools of liberalism: to do that, I propose using the tools of conservatism. It first must be made clear the condition that the justification for political action must be universally applicable should be abandoned, and political actions cannot be justified to everyone in virtue of the fact that they are supported by external reasons. In this sense, the project of establishing a normative concept of legitimacy as distinct from a concept of justified political action in general must be abandoned as well: there are no normative terms by which we can necessarily claim that a state action should be upheld or a directive obeyed even if a citizen has come to an informed all-things-considered judgement that it is

wrong. In normative terms, "legitimacy" in the liberal sense describes a state which has the ability to generate obligations of obedience even to directives which are not supported by the best reasons. While I will retain an instrumental, indefinite, notion of the legitimacy of a state, this conservative view collapses the normative distinction between a legitimate action and a justified one: authoritative directives are justified piecemeal in relation to the moral justification for a particular directive – that directive's status as authoritative – and not in virtue of the general moral status, the legitimacy (in the conventional sense) of the authority which issues them. An authority could achieve legitimacy in the conventional sense on this view if all its directives were justified with respect to reasons which apply to all its citizens: this could happen with a highly homogeneous population and a rather limited government, but it is not in general the case, and meeting this condition is not necessary for specific duties of obedience to be activated.

The first question that must arise at this point is how state action can be justified at all, if citizens can be justified in disobeying directives they think are wrong. My answer to this narrow question is familiar: state action can be justified to citizens in virtue of conformity with Raz's normal justification thesis:

> "The normal way to establish that a person has authority over another person involves showing that the alleged subject is likely better to comply with reasons which apply to him (other than the alleged authoritative directives) if he accepts the directives of the alleged authority as authoritatively binding and tries to follow them, rather than by trying to follow the reasons which apply to him directly."[40]

On this view, citizens are required to view a state directive as authoritative, and are under a duty to obey it, when it is the case that doing so would lead their actions to be in better conformity with their own conception of the good. Using the normal justification thesis in this way is weaker than Raz's use for two important reasons: firstly, for Raz, the reasons

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[40] Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986), 53.

which apply to citizens include objective moral reasons, and by virtue of this all citizens are required to comply with authoritative directives which reflect general moral duties, and secondly, the depth claims of radical pluralism forbid the general justification of a state role in coordination on the grounds of normal justification: concerns about the manner of coordination may override the value of coordination in general. These considerations establish when the state does in fact have authority over a citizen: the cases in which a citizen can consider themselves justified in breaking the law are far narrower even than these. Even with just these conditions, it should be clear that this is enough to justify that the state has authority over nearly all of its citizens, with respect to nearly all laws, nearly all of the time. Unless the citizen in question is simultaneously an accomplished moral philosopher and economist, we may presume in general on epistemological grounds alone that the state does in fact know better than the citizen with respect to most questions of law and policy. As I have argued elsewhere,[41] on this narrow question, the matter of the authority of a state becomes analogous to a case of moral testimony. From the point of view of the citizen, in part because of the default assumption that the state knows best, what matters for a disobedient action to be justified is not that the citizen *believes* that obedience will lead to better conformity with the reasons that apply to them, it is that obedience will *in fact* lead to better conformity with the reasons that apply to them. Because of this, as I argued in the other paper, justified disobedience can be limited to cases in which the citizen is extremely confident that they have in fact arrived at a better all-things-considered judgement as to the right thing to do, with respect to their own conception of the good, than that judgement which could support the relevant authoritative directive with respect to their own conception of the good, in virtue of a general prudential requirement to minimise expected wrongdoing as we understand it. With these qualifications, I believe we can limit justified acts of disobedience

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[41] Daniel Hartas, "A Defence of Raz on Authority", (Term Paper, CEU, 2015).

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to three sorts of case: the standard cases of the expert doctor and the midnight jaywalker, and a case peculiar to this account, the extremist, who has no place in their conception of the good for the state to have a justified role in coordinating over policy disagreements.

After this description of the conditions under which disobedience can be justified from the point of view of the citizen, the next step in developing this account is to acknowledge that what is justified from the point of view of the citizen is not necessarily justified from the point of view of the state. We may presume that the authoritative directives of the state reflect the conception of the good of those in charge: this may not be the case at times, and in virtue of this the state may permit leniency in cases of clearly justified disobedience such as the expert doctor and the midnight jaywalker. But with respect to the extremist, the state has its own conception of the good, and from its own point of view it minimises expected wrongdoing by coercing obedience from the extremist by the threat and use of force: if such actions are mandated by their own conception of the good, then those in power are as justified in taking that coercive action as anybody is in doing anything which conforms to their conception of the good. On this view, power is fundamental, and the good things which the state is permitted to work and coerce to achieve is limited only by what it can do. It is in this sense that I recognise the first of the conservative concepts from the previous chapter in this account of political justification: practice as more important than principle in our understanding of the driving force of political action. It is the duty of the state to provide the most practical amelioration of an existing social or economic problem, subject only to the constraints found in their own conception of the good, and not subject to constraints of external and abstract principle.

The principal constraint on state action is then of course the risk of opposition groups and private citizens resisting and disobeying their directives, in virtue of their judging them

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unjustified or inappropriate. In order for citizens to judge themselves justified in doing this, they must meet the conditions I have already outlined, and have confidence that any given new directive issued by the state does not conform to the reasons which apply to them. A consideration which would lend enormous weight to such a judgement is if the new directive stood in opposition to the authority of previous governments, and the body of conventions and practices which should be described as established tradition. In this sense, tradition makes radical policy action far more costly and more risky, because directives in contravention of tradition are far more likely to be assessed by groups and citizens acting in opposition to the government to be reasonable grounds for disobedience. Furthermore, because of this feature of tradition, those practices which survive as such will be those which best guarantee that government action will conform to the interests of the polity at large. It is in this way that democratic institutions develop organically, as they did in the United Kingdom: by the gradual accumulation of traditions which made policy changes with a negative effect on the prospects for the peaceful transfer of power, or the pursuit of policies in egregious contravention of the conceptions of the good of a large body of the population, too costly for any government to want to undermine them. In this sense, democracy is valuable on this view in virtue of the large body of tradition which grounds it, which is to say its unique resistance against the attempts of the powerful to modify or distort it as a practice, and modesty in policy choices is incentivised by the democratic controls which have evolved to restrain it.

In this way, we do get some instrumental concepts which are close to the conventional normative understanding of legitimacy. Conformity with traditional practices, especially those essential to democratic mechanisms for the transfer of power, operates as a constraint on the actions of government, because the authoritative status of those practices implies citizens will far more easily overcome the instrumental qualifications on justified

disobedience when they are threatened or abandoned. Traditional practices are highly likely to be regarded as authoritative. This is in part because traditional practices inform the social context in which our conception of the good develops, and so their status as authoritative is likely to be far more widespread among citizens than a new practice instituted by an innovative directive. It is also, perhaps more importantly, that they have been endorsed by numerous authorities over time, raising the bar considerably on when a citizen can be justified in judging that they have come to a better all-things-considered view about the right thing to do than comply with the practice, simply in virtue of the amount of consideration a traditional practice has received over the years. So in this way, traditional practices are both more likely to be authoritative in fact, and independently of their actual authoritative status less likely to be judged grounds for justified disobedience. We might therefore construct a sort of definition of legitimacy around states which issue their directives "in deference to the manners, the customs, the laws and the traditions of a people", in virtue of the fact that such a definition captures those states highly unlikely to generate legitimate grounds for disobedience. This definition of legitimacy doesn't, as it were, "fill out the corners", and there are some conceivable extremist positions which would not accept this justification of a modern democratic welfare state on these grounds. But for nearly all of the people, nearly all of the time, these two features of traditional practices can ground compliance with the directives of such a state. The fact that traditional practices inform the social context which determines our values does produce a kind of limited, artificial, and contingent consensus (though it is insufficient in itself, and is not conceptually guaranteed), and the fact that tradition carries with it a greater authority than the directives of the government of the day, in virtue of having been reflected on, accepted, and established by so many authorities and citizenries over the years, dramatically raises the bar in terms of the confidence responsible

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citizens must have in judging themselves justified in disobeying state directives which conform to traditional practice.

Nonetheless, it must be emphasised that on this view, such political conflict as there is, still largely takes place across incommensurable conceptions of the good. Governments and oppositions by and large talk past each other, and compete fiercely in order to have their conception of the good realised as fully as possible. Respect for tradition need not be codified in their conception for it to operate as a constraint; this aspect of a conservative account in this sense is simply noticing that it in fact does. Indeed, on this view, we can still have a liberal view about what state actions are justified, but they're made justified not because they are universally endorsable, but because they feature in a liberal conception of the good. Of the four features of conservative ideology I indicated, pursuing national over sectional interest is perhaps the least relevant to a conservative account of political justification, and is more properly situated in a broadly conservative conception of the good, though this way of thinking is certainly incentivised by a democratic tradition. As Foucault famously said, "politics is the continuation of war by other means".[42] This would do to describe the picture of political conflict I outline here: generally uncompromising groups competing to have their ideas about the right thing to do realised fully if they possibly could be, but constrained by a democratic tradition to be able to achieve that only by peaceful methods.

Since my final dismissal of liberal consensus theories was slightly qualified, it becomes my job not just to articulate this position but also to defend its appeal. The question of whether this picture of politics is more appealing than the very small state of the liberalism of fear is less trivial than it might seem: it is after all the case that on this view, people find themselves subject to directives from an alien conception of the good a great body of the time. As a consequence of the picture of compromise in radical pluralism, it necessarily follows that

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[42] Michel Foucault, Society must be defended (New York: Picador, 2003), 48.

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conditions under the small state of the liberalism of fear would necessarily be better for some people than the conditions when an alternative conception of the good issues directives they strongly disagree with. But it need not follow from that that they prefer the system of a near-minimal state as a whole, to the whole of the conservative system I have presented here. The question becomes about whether people's fear of living under such a conception is a greater motivational force than the hope that one day they might be able to establish their conception in the same way. People will, on the whole, tolerate enormous costs in welfare if they can retain hope that things might be better one day: under the state of the liberalism of fear, conditions are slightly better than under an opposing government, but there is no prospect that things will ever improve, which is far less likely to be tolerable. In this sense, if the reader might permit a mawkish conclusion to the main body text of this thesis, I conceive of this choice as between a Conservatism of Hope and a Liberalism of Fear, and I believe that if I have successfully established the choice as such, then it's one choice over which I expect human value structures to be in concordance.

Conclusion

The purpose of this paper was twofold: first, to advance a sceptical argument against the possibility of a liberal concept of legitimacy – that is, a concept of legitimacy which rests on the view that the reasons supporting state action are in principle universally endorsable – by raising considerations which ought to lead us to believe that human value disagreement is both too broad and too deep to make this possible, and second, to advance an alternative, morphologically conservative, concept of legitimacy, which admits no distinction between legitimate and justifiable, and as such constrains legitimate political action only in terms of its concordance with the conception of the good of a political actor. To make this argument I took one assumption for granted: moral scepticism, as the view that we have no epistemological access to robust reasons. I did not intend to address this paper to the realist who affirms our access to such reasons, and there is nothing in my sceptical argument which is aimed at challenging that; rather, it aimed to explore the consequences if that isn't the case. Even so, such a realist may find some appeal in the conservative concepts I advanced in chapter 3: that this alternative view is compatible with radical pluralism is a significant advantage of the view, but it has others. The picture it paints of political action is decisive, robust, and fundamentally agonistic: it takes away the safety net, and gives principal importance to robust character, leadership, responsibility, and virtue, as the defining features of effective political action. It also puts all methods of political action on the table, and gives the street protestor and the dissenting academic the same kind of authority as a state, and potentially more where the state is very wrong, if they know how to use it. To say this view is egalitarian in its distribution of power would be plainly wrong, but knowledge and value are paramount, and they are paramount wherever they are found, trumping an in principle

commitment to uphold the institutions which protect a despicable but marginally democratic leader. Perhaps in this final section there is something to appeal to even the realist.

Radical pluralism, as I have argued, is not a wholly unfamiliar notion, and ideas like it appear in both feminist and multiculturalist challenges to liberalism. I framed it at first as pluralism in what might be called 'middle values': the values between our basic conception of the good and the value we place on seeing that conception fully reflected in our institutions, society, and practices. To say that a consensus exists around those values, we must identify a common core across value systems that is more or less independent of those value systems, or else, as I believe, the notion of shared middle values is squeezed out from the pressure at both sides. No liberal argument I have seen has yet persuaded me that such a consensus is possible, without dramatically reducing the scope of what the state may do, to the point at which the alternative understanding I present looks more appealing.

It is worth repeating again that this view is conservative with respect to what justifies state actions, and not necessarily so with respect to what state actions are justified. Putting my cards on the table, I regard myself as broadly liberal egalitarian (though heavily tempered by instrumental concerns, I admit) with respect to this more thoroughly normative question, so I certainly believe this to be the case. This is not an argument that liberal values have no place in politics: it's an argument that the establishment of liberal values should be justified in a different way. In this respect, it differs from a liberal concept of legitimacy only in that it doesn't just legitimise the establishment of those values compatible with liberalism, but also potentially a few more besides; I hope to the extent that it is compatible with even very radical feminist and multiculturalist views, by broadening the notion of value so much that it can incorporate the things they advocate beyond the extent to which merely liberal pluralism can incorporate them into public reason.

I'm bad at writing conclusions, and I've been trawling the internet for advice on how to make this section of my thesis work. One rather crass web resource (which shall remain nameless) argued that the central purpose of a conclusion should be to answer the question "So what?". If this account is indeed indifferent to what values should direct political action, and which values should shape the institutions in which those actions should take place, then it is a fair question. Perhaps in the end, my account is vulnerable to the charge of impotency from Rawls and Raz, in that giving this account changes nothing about the kinds of policies and institutions political philosophy should lead us to advocate. This might be true to an extent, I admit, but changing our understanding of what political conflict is, and how political action should be understood, can impact our values in an indirect way. There is a distinction between morality and etiquette, and if radical pluralism is true, it teaches us that political opponents are far more usually misguided than bad, and political debate should be conducted with a courtesy which reflects this fact. Such courtesy, in my country at least, is far more usually found among conservatives than others, and I might tentatively suggest that some of the considerations I have raised in this paper, about radical pluralism but also about conservative modesty, might be why. This account also teaches more or less universally that political action should be decisive, in that it should be unconcerned with side constraints and quandrous ruminating. Values, once determined, should be grabbed with both hands, and pursued energetically and quixotically as far as political context will permit us to do so, because that is how change is made, and because if we don't do it there are other political actors who will: the fact that we judge them wrong won't save us from their vision. Irrespective of values, this approach to political action should be respected and encouraged, and in the conservative view I advocated here, it is central to our understanding of the operation of politics.

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