

I'd like to thank both Ben and Andy for their incredibly insightful comments – they have been an immense help as I've been considering the direction I'd like to go with all of this.

Ben has raised three issues that I find particularly striking.

### 1. Means vs. Ends in Leadership

Ben asks to what extent the means of exercising citizen leadership play into its evaluation. Can we really evaluate civil disobedience, or even violence, the same way we evaluate classic public sphere advocacy?

I ought to have said more about this, but I think it's a fairly trivial extension of what I've already said – by limiting the notion of citizen leadership to leadership that is a) *democratic* in character and b) an exercise of *practical reason*, the idea already has constraints built into it that would permit (and require the state to permit) the normal sorts of organizing and advocacy protected under standard democratic constitutions (like the U.S. first amendment), as well as certain kinds of nonviolent civil disobedience, while not permitting, e.g., acts of violence, which are essentially undemocratic and uncommunicative. Compare, for example, two acts that one might engage in to oppose an unjust war: first, burning one's draft card and refusing to enlist, and second, vandalizing a military recruitment office. I think we can agree that the first, although illegal, is primarily about expressing a deeply committed opposition to the war, while the second is about forcibly interfering with the conduct of that war. The second is not *democratic* in any meaningful sense: its purpose is not to persuade fellow-citizens or express a position but to coerce an outcome. Any workable account of democratic leadership and advocacy ought to approve of the first and disapprove of the second. We must be able to say that the state was acting unjustly, though lawfully, when it arrested Martin Luther King Jr., and justly when it arrested Patty Hearst.

Civil disobedience does pose a different problem for my account. Recall that I aim to provide an account of democratic leadership that gives us reason to say that it is virtuous and that the state should permit it *regardless* of our evaluation of the ultimate correctness of the positions citizen leaders take, at least to the extent that those positions meet the shared ends proviso. But our standard intuition about civil disobedience is that the state acts unjustly in arresting a civil disobedient only when the cause that the civil disobedient is serving is actually just, and only in such cases is civil disobedience virtuous.<sup>1</sup> Should I decide to run stop signs in order to protest the traffic laws, I may not complain of injustice when I get a ticket – even if my opposition to the traffic laws represents a potentially shared end. In fact, I am probably blameworthy for running stop signs to protest the traffic laws, even if I were not blameworthy for intentionally violating an unjust law. At least for civil disobedience, it seems like the evaluation of the virtue of an act of leadership cannot be separated from the truth of the position that

---

<sup>1</sup> I take the basic idea of civil disobedience to be that a citizen consciously breaks the law and willingly accepts the punishment for doing so, and yet we ordinarily criticize the state as unjust for inflicting that very same punishment, even as we acknowledge (if we subscribe to a sufficiently positivist conception of law) that the state's infliction of that punishment is lawful.

the leader is advocating. I'm not sure at the moment how this issue can be resolved, or to what extent it genuinely poses a problem. (I would greatly appreciate readers' thoughts on this.)

## 2. The Conceptual Connection between Virtue/Justice and Stability

Ben offers some skeptical thoughts about the conceptual connection that I suggest, inspired primarily by Rawls (though I am becoming less and less sure that I can fairly attribute it to Rawls as his argument actually goes), between the stability of a state and its virtue. This claim is easy to misinterpret. The idea is not that just states will always be perfectly stable, but rather the comparative claim that just (as well as democratic, etc.) states will be more stable than otherwise-equal unjust states, and that the justice (or virtue generally) of those states is in part constituted by their stability.

I do not think that I was sufficiently clear in articulating what I meant by the conceptual connection. It may be helpful to clarify a little. The idea is the following: A state is not virtuous unless it is stable – that is, instability is constitutive of several vices of states, including injustice (because an unstable state is not one whose citizens can endorse the conception of justice under which it is run) and undemocraticness (because an unstable state is one in which citizens have less influence over their political world than they might otherwise have).<sup>2</sup> Formalize that claim (in its weakest possible form) as follows:

a) *A state is virtuous (for those virtues that require stability, including at least justice and democracy) only if it attains a certain amount of stability (minimal stability).* Slightly symbolically:  $S \text{ is virtuous} \rightarrow S \text{ is minimally stable.}$

In light of the trivial fact that b) vicious states need not be minimally stable (though they may be), and there surely are some unstable vicious states, we are licensed to infer that in general a vicious state is less likely to be minimally stable than a virtuous state.<sup>3</sup>

Various versions of claim a) have a fairly long history in political thought. The example of Plato's ideal state, crumbling due to human imperfection, is helpful here. Contrary to Ben, I don't think we can unproblematically attribute the view that "justice could only be a precarious and ultimately transitory achievement in this world" to Plato. While Plato surely thought the just state would not last forever, we can find in his work the idea that the just state will be more stable than its unjust counterparts. Thus, for example, in Book 8 of the Republic (545e-546a), Plato suggests that an aristocracy will resist change, and suggests that the inevitable dissolution of even this best form of government comes only because

---

<sup>2</sup> We might further think that a state is more virtuous to the extent it is more stable. This additional claim would strengthen the conceptual connection, but it is also more open to disagreement. For some accounts of state virtue much stronger versions of a) might be available. Consider Hobbes. It's reasonably safe to say that virtuous states are always and necessarily more stable on Hobbes's account, just because stability is the primary and overriding constitutive element of state virtue.

<sup>3</sup> Note the weakness of this claim: it might be that vicious states are overall more stable because (say) vicious states are more likely to be *very* stable, even though virtuous states are more likely to be *minimally* stable. Stronger versions of a) will lead to stronger conclusions.

“everything that comes-to-be must decay,” (working from the latest Hackett edition) not as a result of any inherent instability in justice. Moreover, this connection between justice and stability in Plato is *conceptual*, in the sense that justice *consists in* stability in some sense – the justice of a city consists at least in part in the productive and military classes not attempting to run things and upset the order imposed by the philosophers, the absence of faction, etc. – that is, in stability – in the non-rulers’ acceptance of the system established by the rulers (see book 4 particularly for various articulations of this). The point, of course, is not an exegesis of Plato, but to highlight that the idea of a conceptual connection between stability and justice goes back that far and appears even in such a seemingly unlikely place.

As I noted in the paper, I can’t even begin to adequately defend this claim in anything smaller than a large book. But I think it is worth further investigation, either by me or by someone else – the inference from the idea that stability is a criterion of justice and democracy to the idea that just and democratic states will be more stable is at least apparently valid, and might point to a way around some handful of the many difficulties that beset teleological theories of history.

### 3. Shared Ends vs. Public Reason

Ben asks whether my shared ends proviso may be doing something different from Rawls’s idea of public reason, insofar as my proviso refers to the ends of citizen leadership, while public reason refers to the reasons offered in justification for them. I think the key issue here is how public reason is to be understood. The weakest version of public reason is just the notion that a citizen ought not to try and promote a policy (or, in my terms, an end) for which no public reasons may be offered.<sup>4</sup> On this weak version, citizens need not actually *offer* public reasons in debate over political issues, so long as such reasons are available. (Rawls suggests, for example, that the abolitionists were acting consistently with public reason, even though the reasons they offered were frequently religious.)

On that version, public reason too is about the ends of citizen leadership: the work it does is to forbid citizens from using the political process to pursue ends that are not justifiable on the basis of public reasons. It excludes ends like (we can imagine) the teaching of the ten commandments in the schools from the legitimate scope of citizen advocacy in a democratic state, just because there are no public reasons to be offered in their support.

For those reasons, I think we best understand public reason as being fundamentally about ends too – and then the shared ends proviso answers the same question as does public reason (“what kind of ends may citizens pursue through the political process”), but does so more permissively.

---

<sup>4</sup> Ben aptly notes that Rawls moved toward this position over time.

Andy, too, has raised some critical issues. He and I have some rather fundamental disagreements over the nature of public virtue, and I can only touch the surface in anything less than an entirely new paper. I'll just focus on the basics here, and also leave aside all but one the non-virtue questions Andy raises.

### 1. The Problem of Virtue Pluralism

The first, and most critical, point that Andy makes is drawn from his 2005 *Journal of Moral Philosophy* paper, "Virtue for Pluralists." While Andy's argument in that paper focuses on civic virtues (virtues of citizens), it could equally well apply to political virtues (virtues of states), and he so applies it in his comments on my paper. He points out that there is substantial reasonable disagreement about the extent to which, for example, economic egalitarianism is really a public virtue (or value – more on that below), and that there should be corresponding reasonable disagreement about the virtues of citizens meant to promote those public virtues.

Surely this is true.<sup>5</sup> But so what? My paper is not about the sorts of public virtues that we can demand citizens accept. Regardless of whether there is reasonable disagreement about those things that constitute public virtues, there is a *fact of the matter*, even if it isn't easily accessible to our common reason.<sup>6</sup> So my argument has as an unstated first premise that it's true that those things that liberal egalitarians think are public virtues are in fact public virtues.

If that's the case, then my argument goes through regardless of whether or not citizens accept it. If it is *true* that egalitarianism is more just, and it is also true that egalitarianism is more resistant to the shocks generated by "a politics of stirring things up,"<sup>7</sup> then it is true that a politics of stirring things up will lead to greater justice *regardless* of whether or not there is reasonable disagreement about the fact that greater justice is in fact being achieved.

This point is important, so it's worthwhile to string the dialectic out a little bit further. In "Virtue for Pluralists," Andy seems to take the position that the civic virtues are *in fact* those virtues about which there is no reasonable disagreement. Were this true of political virtues, it would seriously undermine my argument. But civic and political virtues come apart here. Andy's argument about civic virtues is based on a conscious and explicit methodological choice: he defends a "forensic theory" of civic virtue under which we learn what civic virtue is by examining what "several authors claim to be necessary and none seriously contests." That might be plausible for civic virtues because civic virtues are, on Andy's account and the accounts of most liberals, explicitly instrumental: civic virtues are those things necessary to make the state come out the way we want it to. And, as Andy points out, it's hard to get traction on instrumental civic virtues except by this approach: it would require too much empirical heavy-lifting to learn what civic virtues are necessary for, e.g., a healthy democracy in a way that

---

<sup>5</sup> Subject, at least, to any skepticism one might have about reasonable pluralism. As repeatedly noted, I have quite a lot of that skepticism, but that's a much bigger argument.

<sup>6</sup> I have nothing to say to those who take metaethical positions denying that there is a fact of the matter.

<sup>7</sup> I wish I had come up with "a politics of stirring things up," and also "the ratchet of political virtue." I hope Andy won't mind my shamelessly stealing them for any future drafts of the paper that may come into being.

satisfied social-scientific standards of proof, and we can't simply read them off the normative theories of liberalism.<sup>8</sup>

The public virtues with which I'm concerned, like justice and democracy, are not instrumental in the same sense. When we ask what it is good for a state to be, we don't ordinarily (unless we are utilitarians) think we are making empirical claims about how the state serves some other value – we think that our normative theories give us reason to say that a state's democracy or justice is an end in itself. The forensic approach is a lot less plausible here.

Andy's objection strikes home to this extent: it might be that reasonable disagreement undermines the mechanisms that lead to the ratchet: if not everyone agrees that egalitarianism is a public virtue, for example, we might have less reason to believe that people in egalitarian societies will be more supportive of their social order and thus that their societies will be more stable. I can do no more with this point than again hide behind Rawls and his account of how people come to endorse just societies.

## 2. Do states have virtues? (Yes.)

I don't think this is as much of a problem as Andy suggests it is. It surely is not right, for the reasons Andy gives, to say that "state A is virtuous" is just shorthand for "state A's citizens are virtuous." But nothing is wrong with the emergent account that describes a state as having a virtue to the extent its institutions lead to it to display the behavior associated with virtue. I think this is a debate between old-fashioned Aristotleans and everyone else: it seems to me that we are making virtue do too much work when we talk about "states of character," and that we do too little work if we abandon the language of virtue altogether and simply talk about the instantiation of values.

Instead, let's take a more, well, deflationary account of virtue. To sketch an idea very loosely: let's say that a virtue is just a behavioral tendency (I shy away from the word "disposition," because that's a little too cognitively loaded to unproblematically apply to states) to achieve the values served by that virtue. A virtue is different from the instantiation of a value because the instantiation of a value could happen by chance, while a virtue is something that has to be true in virtue of some feature of the object possessing the virtue. Consider an example: a state could pick its policies at random, but it could turn out, by sheer chance, that those random policies always coincide with the general will of its citizenry. We might think that such a state is instantiating a *value* of democracy, but it is not instantiating the *virtue* of democracy, because the state doesn't actually have a behavioral tendency toward democratic outcomes. On the other hand, a state whose policies coincide with the general will of its citizenry

---

<sup>8</sup> Actually, I'm skeptical about the forensic approach even for civic virtue. Social scientists from Tocqueville through Almond and Verba and to Putnam have thought they've gotten strong empirical results about characteristics of citizens and how they relate to the health of political communities. Also, the forensic approach does not actually entail that the core civic virtues are *in fact* limited to what Andy says they are, merely that there has not been a sufficient argument to establish any others – it is again an epistemic rather than an ontic claim.

because of some feature of that state's institutions, or the dispositions of its people, or both, can be said to be instantiating the virtue of democracy.

Such an account of state virtues, it seems to me, is perfectly coherent, and it gives us the conceptual apparatus to distinguish between incidental instantiations of value and instantiations of value that are in some strong sense identifiable with what a state *is* – the difference between a state that just happens to have a low Gini coefficient and a state that is distributively just.

### 3. Where did this word “autonomy” come from?

Andy takes issue with my sudden shift to the language of autonomy toward the end of the paper. This requires some more explanation than I gave. I do not claim that the early sections of the paper argued from some notion of what autonomy is to my account of democratic leadership. Strong assumptions of autonomy are not even necessary or helpful to the paper.

My invocation of autonomy was meant to serve a different purpose. We ordinarily think that part of the point of democracy is that it instantiates the autonomy of citizens. Consider Rousseau's argument that citizens in a state constructed under his terms are as free as they were in anarchy. And many democratic theorists want to reason from an idea of political autonomy to claims about how democracy should function – e.g., to the claim that majority rule is the best decision process, because it preserves the maximum public control over the acts of the state done in their names, or to objections to things like judicial review. But these arguments only work if political autonomy has some substantive content – if we all know what we are saying and are saying the same thing when we appeal to the idea of citizen self-governance and autonomy. My point in invoking the term was to suggest that the leadership principle can provide that content.