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'Kevin Vallier' Trust in a Polarized Age

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ABSTRACT

Vallier offers a defence of liberalism that is publicly justified as an answer to political polarization. This critique argues that the philosophical solution he offers – a version of liberalism more likely to be endorsed by moderately idealized agents – may not succeed because the source of polarization lies elsewhere: in resentments arising out of changed social conditions and the alienation of parts of society unhappy with the very liberal narrative in question.

Keywords

Liberalism, justification, polarization, legitimacy, myth, community

The United States is living in a politically polarized age, and Kevin Vallier offers an answer to the problem of securing mutual trust among citizens who might otherwise be driven into the hands of extremists – with baleful consequences for America. His book is a theoretical endeavour, albeit one that leans heavily on social science, and its conclusions amount to a defence of liberal democracy, grounded in an account of the good society as one resting on a moral commitment to 'public justification'. This is in part because much has happened over the past ten years, and new voices ever critical of liberalism have emerged, just when populist voices on the left and right have grown louder and more strident. Vallier wants to defend liberal democracy when it is sorely in need of it. The question is not whether it succeeds or fails – to pose the question in such simple binary terms would not be appropriate when considering so serious an inquiry into a complex problem. It would be better to ask what he has accomplished, and where his analysis is wanting. I will turn to the latter question first but conclude with an assessment of what might be gained from careful study of Vallier's ideas.

Let me begin with his defence of the idea of public justification as the cornerstone of a theory of the good society and, therefore, of liberal democracy as the best instantiation of that theory. This defence was first offered in Vallier's earlier book, Must Politics Be War, whose thesis is summarized early in Trust in a Polarized Age. The central claim is that a peaceful politics requires a society of legal and political rules that are endorsed by 'moderately idealized agents', who accept them for the right reasons. By implication, such people should have been offered public justifications for those rules in terms intelligible to them. It is not sufficient that they comply with any rule; they must internalize it 'by habituating themselves to the rule sufficiently that they are psychologically motivated to comply with the rule and experience the appropriate reactive attitudes when they or others violate the rule' (Vallier Citation2020, 35).

Let us for the moment accept the idea that what holds a society together, in significant measure, is people's views about and consequent attitude to legal and political rules. Let us further imagine that what could motivate them to comply with rules is being offered persuasive public justifications for their suitability or appropriateness or moral correctness. What if, after those public justifications have actually been offered, what we find is that people simply disagree about the coherence, the morality – the trustworthiness—of those justifications? Some people find the arguments unpersuasive because they think they don't understand them; others find them unacceptable because they lead to conclusions they consider obviously wrong, seeing a modus tollens when the proponent is offering a modus ponens; and yet others simply doubt the veracity of the advocates of the rules because they don't trust either the intelligence or the integrity of those appealing to 'the facts' to make the case. What happens now? Well, in any ongoing political enterprise, decisions are taken, laws are passed, judgments are made, goods are distributed, and sanctions are enforced, while those who dislike or dissent from the rules and their outcomes have no alternative but to take their lumps. At this point, being told that they've been offered a public justification might be less a comfort than a case of adding insult to injury – and continued proferrings of reasons and justifications, since public justification is an unending affair, might be more than many of them can bear. As H.L. Mencken observed, injustice anyone can take, but what really stings is justice. Public justification after the fact sometimes just feels like the winners are rubbing it in.

To be sure, the kind of public justification Vallier imagines being offered is not the type that the Conquistadors offered the natives they encountered in 1513. The Spanish Crown had commanded that when they engaged the people of the New World, they should explain why they intended to subjugate them and take possession of their lands, invoking the principles of natural law to make clear that they were only doing what was justified. The Requerimiento was honored, but since the natives were uncomprehending, it often saved time to read out the proclamations justifying conquest whether or not natives were anywhere to be seen. Vallier wants justifications not only to be offered but also to be intelligible and internalizable. But what does one do, as a person or group holding political authority, when a justification is ignored or misunderstood, or rejected – by some or many or most people, even after repeated attempts to communicate? One can debate endlessly, but one cannot wait to make certain decisions, and invariably some will be disappointed and resentful. For them, a justification might feel like something no better than a proclamation made in a foreign tongue. It is nothing if not disempowering to be told one must comply because it is right even if one does not understand the reasons that decided the issue. Might it not have been easier to swallow a message like: you lost, too bad, but better luck next time!?

In the end, Vallier's confidence in the salience of a politics of justification may simply rest on an implausible moral psychology. It assumes that people might be ready to buy into an arrangement not because they stand to gain, nor because they fully understand it, but because that arrangement genuinely is grounded in considerations or reasons they could internalize or accept. That would be difficult even with a very long time-horizon, but in the context of a political cycle it looks almost impossible.

This is not to suggest that we should take reason and reason-giving completely out of the equation in politics. It's long been clear that people are not motivated simply by self-interest, and that they do care about the interests of others: the poor, the larger community, the state of the nation, and even the welfare of distant peoples. But here we have to contend with other considerations: stubborn attachments, historical interpretations, (anti-)religious convictions, and political experience. On all

important questions there are reasons on all sides. Some of those questions might be settled by deferral to the best reasons, but not all questions admit of such solutions. Many issues are settled ultimately by the contending parties agreeing to put their best reasons aside for the sake of other considerations, like peace – as the Irish did with the Good Friday Agreement. Some issues cannot be addressed in this way because people are attached to their reasons, which are bound up with their identities – as may be the case in the conflict over Palestine. To be sure, there is much to be said for continuing the practice of reason-giving, keeping the conversation going and searching for common ground. But the practice may matter more than the content.

One possible response open to Vallier, of course, is to acknowledge that motivations differ and what convinces one person may not convince another. If people continue to disagree about a particular law or policy, that law or policy will fail to enjoy public justification. Vallier is quite aware that this is more than just a possibility – that is why he has written a book on the problem of polarization. This may be what lies behind his move (shared with Gerald Gaus) to narrow the range of laws so there is less that requires justification. The question is, how much does the content of the law matter, and to what extent does its acceptability to the populace depend on other considerations that incline people to converge upon norms of civility and mutual tolerance?

One important assumption Vallier makes that is worth reflecting upon is the idea that getting to the truth of the matter matters. If people are to be given reasons, those reasons should be well grounded in evidence. There are many reasons why we might value truth and truth-telling – and for those reasons value accuracy in reporting, evidence-based conclusions, and nuanced analysis. But how important are these things for political legitimacy, or stability, or a sense of belonging to a political community? Like John Rawls, who thought long run stability could not be sustained if political society was nothing more than a modus vivendi among parties operating in the context of a precarious balance of power, Vallier believes that legitimate authority can only be sustained if members of society trust one another for the right reasons. He also thinks that liberal rights help to generate trust for the right reasons. His precise claim is that ‘Since liberal order alone can be publicly justified, it alone sustains social, legal, and political trust for the right reasons. Thus, a fully liberal politics is not war’ (p. 39). He goes on to suggest that a regime of liberal rights is one to which those who otherwise differ sharply in their moral convictions can commit not just because it is everyone’s second choice but because such a regime offers liberty and integrity to each individual and group equally (p. 41). Perhaps for different reasons, people will converge upon the same rules, and those rules are liberal ones.

None of this seems likely to me. Such reasons may indeed appeal to some, but again, motivations differ and what convinces one person to commit to a course of action may not convince another. Not all reasons motivate everyone, and not everyone is motivated by reasons. Not everyone is going to prize freedom highly, and among those who do, freedom will not be prized equally, or traded away with equal reluctance. When, in 1492, Ferdinand and Isabella presented Spain’s Jewish inhabitants with the option of converting to Christianity or leaving, half of them left for Muslim ruled lands, which offered them second-class status but freedom of worship. But the other half remained, preferring becoming conversos to exile. There were some who stayed but kept to their Jewish faith in secret, and there were surely others who preferred to stay to try to resist repression in other ways. Preferences are shaped by numerous factors, both exogenous and endogenous to social and political circumstances. Liberal regimes will find many who are drawn to what they have to offer, but others will find in them only disappointment and disillusion, while yet others will regard them with nothing

but contempt. Indeed, it is painfully clear that within liberal regimes there are plenty who reject liberalism and long for other forms of political association – even though it may be possible for some people to embrace liberal rules from a variety of different perspectives.

Vallier is not unaware of this. In the Epilogue to Trust in a Polarized Age he notes quite candidly that it is true that in America today 'we are a liberal society, and yet we are experiencing increasing partisan divergence and lower trust' (p. 278). His response is that this can be fixed by strengthening the liberal rights practices we already have, limiting corruption, creating more even-handed judicial systems, better protecting property rights, and compressing economic inequality. We could do better still if we control rent-seeking, increase economic growth and improve governance. The answer is more liberalism.

I do not disagree with any of these recommendations, and am an advocate of liberalism, even as I recognize that I differ from other liberals on what exactly this requires. My problem is with the shape of the argument, which looks to go something like this: our society is polarized because we are short on mutual trust, which is evident in a deep hostility between liberals and those who repudiate liberalism, but the answer is to have more liberalism because liberalism will help restore the trust that has polarised us. The argument is not question-begging in a strict sense, but the solution to the problem on offer is only feasible if we were not so polarised in the first place and so inclined to accept the liberal reforms proposed. It may be, however, that Vallier's concern is not polarization between liberals and anti-liberals but among people who are potential liberals yet who deviate from liberalism in divergent ways. This move may make the problem more tractable, but at a cost. It would suggest that Vallier is simply engaging in an argument among (potential) liberals and less interested in figuring out what to do about deeper sources of conflict. I do not think that is his purpose.

The trouble may be that, for all the empirical social science upon which he draws, Vallier has offered a philosophical solution to what is essentially a political problem. What is needed is a better understanding of why American society is polarized and some practical solutions to how this problem might be addressed. While there isn't in a review of this scope nearly enough space to tackle this subject, a few thoughts might be worth airing.

We might begin with the question of how and why Americans are polarized. To take the first part of the question first, are the American masses polarized or are the elites polarized or are both? What strikes me is that while there have long been deep, cross-cutting cleavages in American society (an old observation in political science), there is a long history of bipartisanship among elites, both cultural and political. It appears that now the fissure separating the political parties has grown deeper and wider. It may be that the divide between the elites and the masses has become more pronounced. Here an insight of Aristotle's is surely worth exploring. In the Politics (Book IV.I.I) Aristotle suggests that the best constitution is one controlled by a numerous middle class that stands between the rich and the poor, for those that possess the goods of fortune find it easiest to obey the rule of reason and are less likely than the rich or the poor to act unjustly to their fellow citizens. Such a constitution is less prone to faction and more likely to be stable.

The concept of trust does not make an appearance in Aristotle's analysis, perhaps because it did not emerge as an important notion until the nineteenth century. But the more important consideration

Aristotle identifies is the way in which social stratification, particularly along the dimension of wealth, bears upon the way in which power is exercised and has the capacity to generate faction and division. Vallier does touch on the subject of income inequality, but this matter may deserve much more exploration if we are to understand the roots of polarization. The story of the disappearing American middle class is a contentious one, but there is plenty of evidence of financial hardship among the fully employed and rising levels of indebtedness among all but the upper echelons of society to suggest there are powerful economic forces at work that may better explain polarization than other factors. Vallier may give too little attention to this possibility.

A second, possibly complementary, hypothesis is worth considering in trying to understand why a society becomes polarized. Vallier's guiding assumption seems to be that what binds people into a political community is a form of trust rooted in an appreciation that they have been listened to and given reasons that are well founded for the institutions and policies they are asked to accept. But perhaps this is not what matters most. What is of much greater significance is whether or not people are ready to buy into the narrative that is the story of their society. For this to happen the narrative does not have to be true. Indeed, it may even be better if it were not true if the truth turns out to be less uplifting or comforting than the myth.

In the American case, a great economic unravelling may well have coincided with the collapse of important elements of the American myth: that it was a nation conceived in liberty and dedicated to the proposition that all men were created equal. The narratives that put a more positive spin on the Civil War – the story of emancipation – or a more positive spin on Jim Crow – the story of the victory for Civil Rights – might promote a more reflective attitude among those whose circumstances are secure, but also foment resentment among those who now see themselves no longer cast as the protagonists in the story of moral and political triumph they once shared with their fellow citizens. If such an analysis is at all plausible, then the path to depolarization might have to be a rather different one than Vallier imagines.

What, then, are we to take away from Trust in a Polarized Age? There are two points it makes that deserve serious consideration, even if, ultimately, the analysis and prescriptions are found wanting. The first is that the critics of liberalism have not shown that it is liberalism per se—that is the source of the problem, and that a repudiation of liberalism or a return (or retreat) to some other set of values is the answer. Just as it will not do to propose more liberalism, neither will it suffice to call for less. Certain liberal commitments are deeply entrenched in American social, political, and indeed, constitutional life, and these cannot be varied at will, even if the ambition is to do so gradually and over considerable time. Though it is not a part of his intention, Vallier's book draws our attention to the fact that the problem of polarization is, above all, a political matter and not a philosophical one.

The second takeaway from the book, then, is that if we are to address the political problem, we have to look harder at the extent to which political – which is to say, democratic – processes have lost their legitimacy among a significant portion of the population. The breaching of the Capitol on 6 January 2021, when the confirmation of the results of the Presidential election was about to take place is a striking piece of evidence of this. Perhaps we need to ask not whether polarization is the cause of the decline in democratic legitimacy but whether that very decline lies at root of subsequent polarization.

Reference

Vallier, K. (2020). *Trust in a polarized age*. Oxford University Press.

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