Justice as a larger loyalty

All of us would expect help if, pursued by the police, we asked our family to hide us. Most of us would extend such help even when we know our child or our parent to be guilty of a sordid crime. Many of us would be willing to perjure ourselves in order to supply such a child or parent with a false alibi. But if an innocent person is wrongly convicted as a result of our perjury, most of us will be torn by a conflict between loyalty and justice.

Such a conflict will be felt, however, only to the extent to which we can identify with the innocent person whom we have harmed. If the person is a neighbor, the conflict will probably be intense. If a stranger, especially one of a different race, class, or nation, it may be considerably weaker. There has to be *some* sense in which he or she is "one of us," before we start to be tormented by the question of whether or not we did the right thing when we committed perjury. So it may be equally appropriate to describe us as torn between conflicting loyalties – loyalty to our family and to a group large enough to include the victim of our perjury – rather than between loyalty and justice.

Our loyalty to such larger groups will, however, weaken, or even vanish altogether, when things get really tough. Then people whom we once thought of as like ourselves will be excluded. Sharing food with impoverished people down the street is natural and right in normal times, but perhaps not in a famine, when doing so amounts to disloyalty to one's family. The tougher things get, the more ties of loyalty to those near at hand tighten, and the more those to everyone else slacken.

Consider another example of expanding and contracting loyalties: our attitude toward other species. Most of us today are at least half-convinced that the vegetarians have a point, and that animals do have some sort of rights. But suppose that the cows, or the kangaroos, turn out to be carriers of a newly mutated virus, which, though harmless to them, is invariably fatal to humans. I suspect that we would then shrug off accusations of "speciesism" and participate in the necessary massacre. The idea of justice

between species will suddenly become irrelevant, because things have gotten very tough indeed, and our loyalty to our own species must come first. Loyalty to a larger community – that of all living creatures on our home planet – would, under such circumstances, quickly fade away.

As a final example, consider the tough situation created by the accelerating export of jobs from the First World to the Third. There is likely to be a continuing decline in the average real income of most American families. Much of this decline can plausibly be attributed to the fact that you can hire a factory worker in Thailand for a tenth of what you would have to pay a worker in Ohio. It has become the conventional wisdom of the rich that American and European labor is overpriced on the world market. When American business people are told that they are being disloyal to the United States by leaving whole cities in our Rust Belt without work or hope, they sometimes reply that they place justice over loyalty.[1] They argue that the needs of humanity as a whole take moral precedence over those of their fellow-citizens and override national loyalties. Justice requires that they act as citizens of the world.

Consider now the plausible hypothesis that democratic institutions and freedoms are viable only when supported by an economic affluence that is achievable regionally but impossible globally. If this hypothesis is correct, democracy and freedom in the First World will not be able to survive a thoroughgoing globalization of the labor market. So the rich democracies face a choice between perpetuating their own democratic institutions and traditions and dealing justly with the Third World. Doing justice to the Third World would require exporting capital and jobs until everything is leveled out – until an honest day's work, in a ditch or at a computer, earns no higher a wage in Cincinnati or Paris than in a small town in Botswana. But then, it can plausibly be argued, there will be no money to support free public libraries, competing newspapers and networks, widely available liberal arts education, and all the other institutions that are necessary to produce enlightened public opinion, and thus to keep governments more or less democratic.

What, on this hypothesis, is the right thing for the rich democracies to do? Be loyal to themselves and each other? Keep free societies going for a third of mankind at the expense of the remaining two-thirds? Or sacrifice the blessings of political liberty for the sake of egalitarian economic justice?

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[1] Donald Fites, the CEO of the Caterpillar tractor company, explained his company's policy of relocation abroad by saying that "as a human being, I think what is going on is positive. I don't think it is realistic for 250 million Americans to control so much of the world's GNP." Quoted in Edward Luttwak, *The Endangered American Dream* (New York: Simon and Schuster, 1993), 184.

These questions parallel those confronted by the parents of a large family after a nuclear holocaust. Do they share the food supply they have stored in the basement with their neighbors, even though the stores will then only last a day or two? Or do they fend those neighbors off with guns? Both moral dilemmas bring up the same question: Should we contract the circle for the sake of loyalty, or expand it for the sake of justice?

I have no idea of the right answer to these questions, neither about the right thing for these parents to do, nor about the right thing for the First World to do. I have posed them simply to bring a more abstract, and merely philosophical, question into focus. That question is: should we describe such moral dilemmas as conflicts between loyalty and justice, or rather, as I have suggested, between loyalties to smaller groups and loyalties to larger groups?

This amounts to asking: would it be a good idea to treat "justice" as the name for loyalty to a certain very large group, the name for our largest current loyalty, rather than the name of something distinct from loyalty? Could we replace the notion of "justice" with that of loyalty to that group – for example, one's fellow-citizens, or the human species, or all living things? Would anything be lost by this replacement?

Moral philosophers who remain loyal to Kant are likely to think that a *lot* would be lost. Kantians typically insist that justice springs from reason, and loyalty from sentiment. Only reason, they say, can impose universal and unconditional moral obligations, and our obligation to be just is of this sort. It is on another level from the sort of affectional relations that create loyalty. Juergen Habermas is the most prominent contemporary philosopher to insist on this Kantian way of looking at things: the thinker least willing to blur either the line between reason and sentiment, or the line between universal validity and historical consensus. But contemporary philosophers who depart from Kant, either in the direction of Hume (like Annette Baier) or in the direction of Hegel (like Charles Taylor) or in that of Aristotle (like Alasdair MacIntyre), are not so sure.

Michael Walzer is at the other extreme from Habermas. He is wary of terms like "reason" and "universal moral obligation." The heart of his *Thick and Thin* is the claim that we should reject the intuition that Kant took as central: the intuition that "men and women everywhere begin with some common idea or principle or set of ideas and principles, which they then work up in many different ways." Walzer thinks that this picture of morality "starting thin" and "thickening with age" should be inverted. He says that: "Morality is thick from the beginning, culturally integrated, fully

resonant, and it reveals itself thinly only on special occasions, when moral language is turned to special purposes."[2] Walzer's inversion suggests, though it does not entail, the neo-Humean picture of morality sketched by Annette Baier in her book *Moral Prejudices.* On Baier's account, morality starts out not as an obligation but as a relation of reciprocal trust among a closely knit group, such as a family or clan. To behave morally is to do what comes naturally in your dealings with your parents and children or your fellow-clanmembers. It amounts to respecting the trust they place in you. Obligation, as opposed to trust, enters the picture only when your loyalty to a smaller group conflicts with your loyalty to a larger group.[3]

When, for example, the families confederate into tribes, or the tribes into nations, you may feel obliged to do what does not come naturally: to leave your parents in the lurch by going off to fight in the wars, or to rule against your own village in your capacity as a federal administrator or judge. What Kant would describe as the resulting conflict between moral obligation and sentiment, or between reason and sentiment, is, on a non-Kantian account of the matter, a conflict between one set of loyalties and another set of loyalties. The idea of a *universal* moral obligation to respect human dignity gets replaced by the idea of loyalty to a very large group – the human species. The idea that moral obligation extends beyond that species to an even larger group becomes the idea of loyalty to all those who, like yourself, can experience pain – even the cows and the kangaroos – or perhaps even to all living things, even the trees.

This non-Kantian view of morality can be rephrased as the claim that one's moral identity is determined by the group or groups with which one identifies – the group or groups to which one cannot be disloyal and still like oneself. Moral dilemmas are not, in this view, the result of a conflict between reason and sentiment but between alternative selves, alternative self-descriptions, alternative ways of giving a meaning to one's life. Non-Kantians do not think that we have a central, true self by virtue of our membership in the human species – a self that responds to the call of reason. They can, instead, agree with Daniel Dennett that a self is a center of narrative gravity. In non-traditional societies, most people have several such narratives at their disposal, and thus several different moral identities. It is this plurality of identities that accounts for the number and variety of moral dilemmas, moral philosophers, and psychological novels in such societies.

[2] Michael Walzer, *Thick and Thin: Moral Argument at Home and Abroad* (Notre Dame: Notre Dame University Press, 1994), 4.

[3] Baier's picture is quite close to that sketched by Wilfrid Sellars and Robert Brandom in their quasi-Hegelian accounts of moral progress as the expansion of the circle of beings who count as "us."

Walzer's contrast between thick and thin morality is, among other things, a contrast between the detailed and concrete stories you can tell about yourself as a member of a smaller group and the relatively abstract and sketchy story you can tell about yourself as a citizen of the world. You know more about your family than about your village, more about your village than about your nation, more about your nation than about humanity as a whole, more about being human than about simply being a living creature. You are in a better position to decide what differences between individuals are morally relevant when dealing with those whom you can describe thickly, and in a worse position when dealing with those whom you can only describe thinly. This is why, as groups get larger, law has to replace custom, and abstract principles have to replace *phronēsis*. So Kantians are wrong to see *phronēsis* as a thickening up of thin abstract principles. Plato and Kant were misled by the fact that abstract principles are designed to trump parochial loyalties into thinking that the principles are somehow prior to the loyalties – that the thin is somehow prior to the thick.

Walzer's thick–thin distinction can be aligned with Rawls' contrast between a shared *concept* of justice and various conflicting *conceptions* of justice. Rawls sets out that contrast as follows:

the concept of justice, applied to an institution, means, say, that the institution makes no arbitrary distinctions between persons in assigning basic rights and duties, and that its rules establish a proper balance between competing claims . . . [A] conception includes, besides this, principles and criteria for deciding which distinctions are arbitrary and when a balance between competing claims is proper. People can agree on the meaning of justice and still be at odds, since they affirm different principles and standards for deciding these matters.[4]

Phrased in Rawls' terms, Walzer's point is that thick "fully resonant" *conceptions* of justice, complete with distinctions between the people who matter most and the people who matter less, come first. The thin concept, and its maxim "do not make arbitrary distinctions between moral subjects," is articulated only on special occasions. On those occasions, the thin concept can often be turned against any of the thick conceptions from which it emerged, in the form of critical questions about whether it may not be merely arbitrary to think that certain people matter more than others.

Neither Rawls nor Walzer think, however, that unpacking the thin concept of justice will, by itself, resolve such critical questions by supplying a criterion of arbitrariness. They do not think that we can do what Kant hoped to do – derive solutions to moral dilemmas from the analysis of

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[4] John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 14n.

moral concepts. To put the point in the terminology I am suggesting: we cannot resolve conflicting loyalties by turning away from them all toward something categorically distinct from loyalty – the universal moral obligation to act justly. So we have to drop the Kantian idea that the moral law starts off pure but is always in danger of being contaminated by irrational feelings that introduce arbitrary discriminations among persons. We have to substitute the Hegelian-Marxist idea that the so-called moral law is, at best, a handy abbreviation for a concrete web of social practices. This means dropping Habermas' claim that his "discourse ethics" articulates a transcendental presupposition of the use of language, and accepting his critics' claim that it articulates only the customs of contemporary liberal societies.[5]

Now I want to raise the question of whether to describe the various moral dilemmas with which I began as conflicts between loyalty and justice, or rather as conflicting loyalties to particular groups, in a more concrete form. Consider the question of whether the demands for reform made on the rest of the world by Western liberal societies are made in the name of something not merely Western – something like morality, or humanity, or rationality – or are simply expressions of loyalty to local, Western, conceptions of justice. Habermas would say that they are the former. I would say that they are the latter, but are none the worse for that. I think it is better not to say that the liberal West is better informed about rationality and justice, and instead to say that, in making demands on non-liberal societies, it is simply being true to itself.

In a paper called "The Law of Peoples," Rawls discusses the question of whether the conception of justice he has developed in his books is something peculiarly Western and liberal or rather something universal. He would like to be able to claim universality. He says that it is important to avoid "historicism," and believes that he can do this if he can show that the conception of justice suited to a liberal society can be extended beyond such societies through formulating what he calls "the law of peoples."[6] He

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[5] This sort of debate runs through a lot of contemporary philosophy. Compare, for example, Walzer's contrast between starting thin and starting thick with that between the Platonic-Chomskian notion that we start with meanings and descend to use, and the Wittgensteinian-Davidsonian notion that we start with use and then skim off meaning as needed for lexicographical or philosophical purposes.

[6] John Rawls, "The Law of Peoples," in Stephen Shute and Susan Hurley, eds., *On Human Rights: The Oxford Amnesty Lectures, 1993,* (New York: Basic Books, 1993), 44. I am not sure why Rawls thinks historicism is undesirable, and there are passages, both early and recent, in which he seems to throw in his lot with the historicists. (See the passage quoted in note 9 below from his recent "Reply to Habermas.") Some years ago I argued for the plausibility of an historicist interpretation of the metaphilosophy of Rawls' *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971) in my "The Priority of Democracy to Philosophy," reprinted in my *Objectivity, Relativism and Truth* (Cambridge: Cambridge University Press, 1991).

outlines, in that paper, an extension of the constructivist procedure proposed in his *A Theory of Justice* – an extension which, by continuing to separate the right from the good, lets us encompass liberal and non-liberal societies under the same law.

As Rawls develops this constructivist proposal, however, it emerges that this law applies only to *reasonable* peoples, in a quite specific sense of the term "reasonable." The conditions that non-liberal societies must honor in order to be "accepted by liberal societies as members in good standing of a society of peoples" include the following: "its system of law must be guided by a common good conception of justice . . . that takes impartially into account what it sees not unreasonably as the fundamental interests of all members of society."[7]

Rawls takes the fulfillment of that condition to rule out violation of basic human rights. These rights include "at least certain minimum rights to means of subsistence and security (the right to life), to liberty (freedom from slavery, serfdom, and forced occupations) and (personal) property, as well as to formal equality as expressed by the rules of natural justice (for example, that similar cases be treated similarly)."[8] When Rawls spells out what he means by saying that the admissible non-liberal societies must not have unreasonable philosophical or religious doctrines, he glosses "unreasonable" by saying that these societies must "admit a measure of liberty of conscience and freedom of thought, even if these freedoms are not in general equal for all members of society." Rawls' notion of what is reasonable, in short, confines membership of the society of peoples to societies whose institutions encompass most of the hard-won achievements of the West in the two centuries since the Enlightenment.

It seems to me that Rawls cannot both reject historicism and invoke this notion of reasonableness. For the effect of that invocation is to build most of the West's recent decisions about which distinctions between persons are arbitrary into the conception of justice that is implicit in the law of peoples. The differences between different *conceptions* of justice, remember, are differences between what features of people are seen as relevant to the adjudication of their competing claims. There is obviously enough wriggle room in phrases like "similar cases should be treated similarly" to allow for arguments that believers and infidels; men and women, blacks and whites, gays and straights should be treated as relevantly *dis*similar. So there is room to argue that discrimination on the basis of such differences is *not* arbitrary.

If we are going to exclude from the society of peoples societies in which infidel homosexuals are not permitted to engage in certain occupations, those societies can, quite reasonably say that we are, in excluding them, appealing not to something universal, but to very recent developments in Europe and America.

I agree with Habermas when he says, "What Rawls in fact prejudges with the concept of an 'overlapping consensus' is the distinction between modern and premodern forms of consciousness, between 'reasonable' and 'dogmatic' world interpretations." But I disagree with Habermas, as I think Walzer also would, when he goes on to say that Rawls

can defend the primacy of the right over the good with the concept of an overlapping consensus only if it is true that postmetaphysical worldviews that have become reflexive under modern conditions are epistemically superior to dogmatically fixed, fundamentalistic worldviews – indeed, only if such a distinction can be made with absolute clarity.

Habermas' point is that Rawls needs an argument from transculturally valid premises for the superiority of the liberal West. Without such an argument, he says, "the disqualification of 'unreasonable' doctrines that cannot be brought into harmony with the proposed 'political' concept of justice is inadmissible."[9]

Such passages make clear why Habermas and Walzer are at opposite poles. Walzer is taking for granted that there can be no such thing as a non-question-begging demonstration of the epistemic superiority of the Western idea of reasonableness. There is, for Walzer, no tribunal of transcultural reason before which to try the question of superiority. Walzer is presupposing what Habermas calls "a strong contextualism for which there is no single 'rationality.'" On this conception, Habermas continues, "individual 'rationalities' are correlated with different cultures, worldviews, traditions, or forms of life. Each of them is viewed as internally interwoven with a particular understanding of the world."[10]

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[9] All quotations in this paragraph are from Juergen Habermas, *Justification and Application: Remarks on Discourse Ethics* (Cambridge, MA: MIT Press, 1993), 95. Habermas is here commenting on Rawls' use of "reasonable" in writings earlier than "The Law of Peoples," since the latter appeared subsequent to Habermas' book.

When I wrote the present chapter, the exchange between Rawls and Habermas published in *The Journal of Philosophy* (vol. 92, no. 3, March 1995) had not yet appeared. This exchange rarely touches on the question of historicism versus universalism. But one passage in which this question emerges explicitly is to be found on 179 of Rawls' "Reply to Habermas": "Justice as fairness is substantive . . . in the sense that it springs from and belongs to the tradition of liberal thought and the larger community of political culture of democratic societies. It fails then to be properly formal and truly universal, and thus to be part of the quasi-transcendental presuppositions (as Habermas sometimes says) established by the theory of communicative action." [10] Ibid.

I think that Rawls' constructivist approach to the law of peoples can work if he adopts what Habermas calls a "strong contextualism." Doing so would mean giving up the attempt to escape historicism, as well as the attempt to supply a universalistic argument for the West's most recent views about which differences between persons are arbitrary. The strength of Walzer's *Thick and Thin* seems to me to be its explicitness about the need to do this. The weakness of Rawls' account of what he is doing lies in an ambiguity between two senses of universalism. When Rawls says that "a constructivist liberal doctrine is universal in its reach, once it is extended to . . . a law of peoples,"[11] he is not saying that it is universal in its validity. Universal reach is a notion that sits well with constructivism, but universal validity is not. It is the latter that Habermas requires. That is why Habermas thinks that we need really heavy philosophical weaponry, modeled on Kant's – why he insists that only transcendental presuppositions of any possible communicative practice will do the job.[12] To be faithful to his own constructivism, I think, Rawls has to agree with Walzer that this job does not need to be done.

Rawls and Habermas often invoke, and Walzer almost never invokes, the notion of "reason." In Habermas, this notion is always bound up with that of context-free validity. In Rawls, things are more complicated. Rawls distinguishes the reasonable from the rational, using the latter to mean simply the sort of means–end rationality that is employed in engineering, or in working out a Hobbesian *modus vivendi*. But he often invokes a third notion, that of "practical reason," as when he says that the authority of a constructivist liberal doctrine "rests on the principles and conceptions of practical reason."[13] Rawls' use of this Kantian term may make it sound as if he agreed with Kant and Habermas that there is a universally distributed human faculty called practical reason (existing prior to, and working quite independently of, the recent history of the West), a faculty that tells us what counts as an arbitrary distinction between persons and what does not. Such a faculty would do the job Habermas thinks needs doing; detecting transcultural moral validity.

But this cannot, I think, be what Rawls intends. For he also says that his own constructivism differs from all philosophical views that appeal to a source of authority, and in which "the universality of the doctrine is the

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[11] Rawls, "The Law of Peoples," 46.
[12] My own view is that we do not need, either in epistemology or in moral philosophy, the notion of universal validity. I argue for this in "Universality and Truth," included in Robert Brandom (ed.), *Rorty and his Critics* (Oxford Blackwell, 2000). Habermas and Apel find my view paradoxical and likely to produce performative self-contradiction.   [13] Rawls "The Law of Peoples," 46.

direct consequence of its source of authority." As examples of sources of authority, he cites "(human) reason, or an independent realm of moral values, or some other proposed basis of universal validity."[14] So I think we have to construe his phrase "the principles and conceptions of practical reason" as referring to *whatever* principles and conceptions are in fact arrived at in the course of creating a community.

Rawls emphasizes that creating a community is not the same thing as working out a *modus vivendi* – a task which requires only means–end rationality, not practical reason. A principle or conception belongs to practical reason, in Rawls' sense, if it emerged in the course of people starting thick and getting thin, thereby developing an overlapping consensus and setting up a more inclusive moral community. It would not so belong if it had emerged under the threat of force. Practical reason for Rawls is, so to speak, a matter of procedure rather than of substance – of how we agree on what to do rather than of what we agree on.

This definition of practical reason suggests that there may be only a verbal difference between Rawls' and Habermas' positions. For Habermas' own attempt to substitute "communicative reason" for "subject-centered reason" is itself a move toward substituting "how" for "what." Subject-centered reason is a source of truth, truth somehow coeval with the human mind. Communicative reason is not a source of anything, but simply the activity of justifying claims by offering arguments rather than threats. Like Rawls, Habermas focuses on the difference between persuasion and force, rather than, as Plato and Kant did, on the difference between two parts of the human person – the good rational part and the dubious passionate or sensual part. Both would like to de-emphasize the notion of the *authority* of reason – the idea of reason as a faculty which issues decrees – and substitute the notion of rationality as what is present whenever people communicate, whenever they try to justify their claims to one another, rather than threatening each other.

The similarities between Rawls and Habermas seem even greater in the light of Rawls' endorsement of Thomas Scanlon's answer to the "fundamental question why anyone should care about morality at all," namely that "we have a basic desire to be able to justify our actions to others on grounds that they could not reasonably reject – reasonably, that is, given the desire to find principles that others similarly motivated could not reasonably reject."[15] This suggests that the two philosophers might agree on

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[14] Both quotations are from ibid., 45.
[15] I quote here from Rawls' summary of Scanlon's view in *Political Liberalism*, 49n.

the following claim: the only notion of rationality we need, at least in moral and social philosophy, is that of a situation in which people do not say "your own current interests dictate that you agree to our proposal," but rather "your own central beliefs, the ones which are central to your own moral identity, suggest that you should agree to our proposal."

This notion of rationality can be delimited using Walzer's terminology by saying that rationality is found wherever people envisage the possibility of getting from different thicks to the same thin. To appeal to interests rather than beliefs is to urge a *modus vivendi*. Such an appeal is exemplified by the speech of the Athenian ambassadors to the unfortunate Melians, as reported by Thucydides. But to appeal to your enduring beliefs as well as to your current interests is to suggest that what gives you your *present* moral identity – your thick and resonant complex of beliefs – may make it possible for you to develop a new, supplementary, moral identity.[16] It is to suggest that what makes you loyal to a smaller group may give you reason to cooperate in constructing a larger group, a group to which you may in time become equally loyal or perhaps even more loyal. The difference between the absence and the presence of rationality, on this account, is the difference between a threat and an offer – the offer of a new moral identity and thus a new and larger loyalty, a loyalty to a group formed by an unforced agreement between smaller groups.

In the hope of minimizing the contrast between Habermas and Rawls still further, and of rapprochement between both and Walzer, I want to suggest a way of thinking of rationality that might help to resolve the problem I posed earlier: the problem of whether justice and loyalty are different sorts of things, or whether the demands of justice are simply the demands of a larger loyalty. I said that question seemed to boil down to the question of whether justice and loyalty had different sources – reason and sentiment, respectively. If the latter distinction disappears, the former one will not seem particularly useful. But if by rationality we mean simply the sort of activity that Walzer thinks of as a thinning-out process – the sort that, with luck, achieves the formulation and utilization of an overlapping consensus – then the idea that justice has a different source than loyalty no longer seems plausible.[17]

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[16] Walzer thinks it is a good idea for people to have lots of different moral identities. "[T]hick, divided selves are the characteristic products of, and in turn require, a thick, differentiated, and pluralistic society" (*Thick and Thin*, 101).

[17] Note that in Rawls' semitechnical sense an overlapping consensus is not the result of discovering that various comprehensive views already share common doctrines, but rather something that might never have emerged had the proponents of these views not started trying to cooperate.

For, on this account of rationality, being rational and acquiring a larger loyalty are two descriptions of the same activity. This is because *any* unforced agreement between individuals and groups about what to do creates a form of community, and will, with luck, be the initial stage in expanding the circles of those whom each party to the agreement had previously taken to be "people like ourselves." The opposition between rational argument and fellow-feeling thus begins to dissolve. For fellow-feeling may, and often does, arise from the realization that the people whom one thought one might have to go to war with, use force on, are, in Rawls' sense, "reasonable." They are, it turns out, enough like us to see the point of compromising differences in order to live in peace, and of abiding by the agreement that has been hammered out. They are, to some degree at least, trustworthy.

From this point of view, Habermas' distinction between a strategic use of language and a genuinely communicative use of language begins to look like a difference between positions on a spectrum – a spectrum of degrees of trust. Baier's suggestion that we take trust rather than obligation to be our fundamental moral concept would thus produce a blurring of the line between rhetorical manipulation and genuine validity-seeking argument – a line that I think Habermas draws too sharply. If we cease to think of reason as a source of authority, and think of it simply as the process of reaching agreement by persuasion, then the standard Platonic and Kantian dichotomy of reason and feeling begins to fade away. That dichotomy can be replaced by a continuum of degrees of overlap of beliefs and desires.[18] When people whose beliefs and desires do not overlap very much disagree, they tend to think of each other as crazy or, more politely, as irrational. When there is considerable overlap, on the other hand, they may agree to differ and regard each other as the sort of people one can live with – and eventually, perhaps, the sort one can be friends with, intermarry with, and so on.[19]

To advise people to be rational is, on the view I am offering, simply to suggest that somewhere among their shared beliefs and desires there may

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[18] Davidson has, I think, demonstrated that any two beings that use language to communicate with one another necessarily share an enormous number of beliefs and desires. He has thereby shown the incoherence of the idea that people can live in separate worlds created by differences in culture or status or fortune. There is always an immense overlap – an immense reserve army of common beliefs and desires to be drawn on at need. But this immense overlap does not, of course, prevent accusations of craziness or diabolical wickedness. For only a tiny amount of non-overlap about certain particularly touchy subjects (the border between two territories, the name of the One True God) may lead to such accusations, and eventually to violence.

[19] I owe this line of thought about how to reconcile Habermas and Baier to Mary Rorty.

be enough resources to permit agreement on how to coexist without violence. To conclude that someone is irredeemably *ir*rational is not to realize that she is not making proper use of her God-given faculties. It is rather to realize that she does not seem to share enough relevant beliefs and desires with us to make possible fruitful conversation about the issue in dispute. So, we reluctantly conclude, we have to give up on the attempt to get her to enlarge her moral identity, and settle for working out a *modus vivendi* – one which may involve the threat, or even the use, of force.

A stronger, more Kantian, notion of rationality would be invoked if one said that being rational guarantees a peaceful resolution of conflicts – that if people are willing to reason together long enough, what Habermas calls "the force of the better argument" will lead them to concur.[20] This stronger notion strikes me as pretty useless. I see no point in saying that it is more rational to prefer one's neighbors to one's family in the event of a nuclear holocaust, or more rational to prefer leveling off incomes around the world to preserving the institutions of liberal Western societies. To use the word "rational" to commend one's chosen solution to such dilemmas, or to use the term "yielding to the force of the better argument" to characterize one's way of making up one's mind, is to pay oneself an empty compliment.

More generally, the idea of "the better argument" makes sense only if one can identify a natural, transcultural relation of relevance, which connects propositions with one another so as to form something like Descartes' "natural order of reasons." Without such a natural order, one can only evaluate arguments by their efficacy in producing agreement among particular persons or groups. But the required notion of natural, intrinsic relevance – relevance dictated not by the needs of any given community but by human reason as such – seems no more plausible or useful than that of a God whose Will can be appealed to in order to resolve conflicts between communities. It is, I think, merely a secularized version of that earlier notion.

Non-Western societies in the past were rightly skeptical of Western conquerors who explained that they were invading in obedience to divine commands. More recently, they have been skeptical of Westerners who suggest that they should adopt Western ways in order to become more rational. (This suggestion has been abbreviated by Ian Hacking as "Me rational, you Jane.") On the account of rationality I am recommending, both forms of skepticism are equally justified. But this is not to deny that these societies *should* adopt recent Western ways by, for example, abandoning slavery,

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[20] This notion of "the better argument" is central to Habermas' and Apel's understanding of rationality. I criticize it in the article cited above in note 12.

practicing religious toleration, educating women, permitting mixed marriages, tolerating homosexuality and conscientious objection to war, and so on. As a loyal Westerner, I think they should indeed do all these things. I agree with Rawls about what it takes to count as reasonable, and about what kind of societies we Westerners should accept as members of a global moral community.

But I think that the rhetoric we Westerners use in trying to get everyone to be more like us would be improved if we were more frankly ethnocentric, and less professedly universalist. It would be better to say: here is what we in the West look like as a result of ceasing to hold slaves, beginning to educate women, separating church and state, and so on. Here is what happened after we started treating certain distinctions between people as arbitrary rather than fraught with moral significance. If you would try treating them that way, you might like the results. Saying that sort of thing seems preferable to saying: look at how much better we are at knowing what differences between persons are arbitrary and which not – how much more *rational* we are.

If we Westerners could get rid of the notion of universal moral obligations created by membership in the species, and substitute the idea of building a community of trust between ourselves and others, we might be in a better position to persuade non-Westerners of the advantages of joining in that community. We might be better able to construct the sort of global moral community that Rawls describes in "The Law of Peoples." In making this suggestion, I am urging, as I have on earlier occasions, that we need to peel apart Enlightenment liberalism from Enlightenment rationalism.

I think that discarding the residual rationalism that we inherit from the Enlightenment is advisable for many reasons. Some of these are theoretical and of interest only to philosophy professors, such as the apparent incompatibility of the correspondence theory of truth with a naturalistic account of the origin of human minds.[21] Others are more practical. One practical reason is that getting rid of rationalistic rhetoric would permit the West to approach the non-West in the role of someone with an instructive story to tell, rather than in the role of someone purporting to be making better use of a universal human capacity.

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[21] For a claim that such a theory of truth is essential to "the Western Rationalist Tradition," see John Searle, "Rationality and Realism: What Difference Does It Make?" *Daedalus* 122, no. 4 (Fall 1992), 55–84. See also my reply to Searle in "John Searle on Realism and Relativism," included in my *Truth and Progress* (Cambridge: Cambridge University Press, 1998). I argue there that Dewey and Davidson have shown us how to keep the benefits of Western rationalism without the philosophical hangups caused by attempts to explicate this notion.