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ARTICLE



Can liberal integrity handle disagreement? Perhaps not

Alexander S. Kirshner

Department of Political Science, Duke University, Durham, NC, USA

ABSTRACT

Can liberal integrity handle disagreement? I suggest that it cannot. Shmuel Nili's *The People's Duty* outlines a pedagogical approach to collective, liberal integrity – Nili claims that individuals act with integrity when they accept and act on the *right* projects and commitments, projects and commitments that they may not recognize as their own. *The People's Duty* argues that this conception of integrity simplifies and clarifies the duties of a liberal national collective. When members of a national collective disagree, however, I argue we have reason to suspect that a pedagogical conception of integrity will not simplify and clarify our duties.

KEYWORDS Integrity; liberal integrity; collective integrity; pedagogical integrity

Section 1: introduction

My son is a rebellious three-year-old. He's a good seed. But sometimes he is less than kind. In those moments, I encourage him to treat others respectfully even if he doesn't understand why he should do so. I want him to live up to ideals I hope he will one day embrace as his own. He will not always act consistently with those ideals, but he may come to see the effort to do so as his own project. My actions reflect concern for my son's integrity – the 'fidelity to the projects or commitments that the agent considers constitutive of its identity (Nili, 2019, p. 23).' But my concern is not merely that he acts on the basis of *his* projects and commitments, I am concerned that he accepts and acts on the *right* projects and commitments, projects and commitments that are not yet his. My interest in his integrity is pedagogical. A pedagogical concern with integrity makes clear sense when one is dealing with a three-year old. It may also make sense in other cases.

A decidedly pedagogical conception of integrity is at the heart of Shmuel Nili's thought-provoking book: *The People's Duty*. It is an exemplary feature of this lucid and impressive work, that Nili employs his theory to unpick a wide range of real-world problems. Indeed, a central aim of *The People's Duty* is to

CONTACT Alexander S. Kirshner  alexander.kirshner@duke.edu

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demonstrate that focusing on the integrity of a people, as a collective agent, clarifies and disentangles intricate public policy dilemmas. As Nili argues: “it is precisely because liberal values do not generate obvious conclusions regarding the kind of entanglement that has been our concern that we have been prompted to examine the idea of liberal integrity as a tool that will help us adjudicate our conflicting moral impulses (Nili, 2019, p. 35).”

In this brief essay, I consider whether a pedagogical approach to integrity simplifies our understanding of the duties of a national collective agent, whether such an approach actually clarifies what a people must do when faced by the fascinating dilemmas raised in this work. I suggest we have reason to suspect that it does not.

Section 2: a pedagogical approach to integrity

In *The People's Duty*, Nili embraces Bernard Williams' definition of integrity as one's commitment to the ideals, projects and attachments that give distinctive shape to one's life. Williams' view possesses intuitive force, a force explaining the considerable philosophical scrutiny his arguments have generated. As Nili details, when we act without integrity, when we act inconsistently with our projects and commitments, we risk alienation and the loss of connection to what makes *our* life worth living (as opposed to what makes life worth living, in general) (Nili, 2019, pp. 23–4).” Given the brevity of this response, I simply assume the validity of these kinds of concerns. If valid, these ideas might plausibly resolve practical dilemmas. If I face a difficult choice in which options A and B are otherwise on par, the fact that only A will be consistent with my constitutive projects and commitments is, I think, a decisive reason to choose A. Choosing A will spare me from internal alienation and the loss of connection to my constitutive commitments. In this sense, taking integrity seriously may prove useful for navigating our conflicting moral impulses. But whatever else it is, Williams' conception of integrity is not pedagogical. Its force depends on the fact that one has commitments and moral impulses that are recognizably one's own, not commitments that someone else thinks one ought to have.

There is another prominent way of thinking about integrity, a way that plays a more central role in Nili's argument. This is the conception of integrity famously outlined by Ronald Dworkin in *Law's Empire* (Dworkin, 1986). Nili's project cannot be reduced to Dworkin's. But their arguments share important features. On Dworkin's and Nili's views, integrity ought not be understood merely as a reason for an individual to act, but as a useful ideal and virtue for collective agents. Collective integrity allows individuals to view the state as treating community members with due respect. A state that takes integrity seriously will deal with its citizens in a consistent manner, a manner befitting their equal status. Recognizing that many communities may not act

consistently and that the actions of those communities may be informed by different, perhaps conflicting, principles, both Dworkin and Nili view integrity as a goal to be attained. So far this conception of integrity remains recognizably like the one outlined by Williams; it is merely collective, rather than individual.

But both Dworkin and Nili add two additional features to the mix, complicating matters. A political community, on their view, ought to act consistently with core principles even when some individuals within that community may not recognize those principles as their own. Moreover, integrity is a distinctly liberal virtue, requiring that polities act consistently with specific principles and requiring members of the polity to see the acceptance of certain liberal principles, like equal respect and consideration, as constitutive projects. Putting these claims together, Dworkin and Nili conclude that citizens within a polity should see acting with fidelity toward liberal principles as a project of theirs, in the communal sense, even if many of them do not currently see those principles as their own. As Nili observes, it is precisely because some members of our society do not embrace or understand liberal commitments, that we ought to “understand the realization of equal rights as an identity-grounding project (Nili, 2019, p. 41).” Fidelity to the ideal of liberal equality, in other words, is not something that can be assumed or taken for granted, it is an ideal that must be strived for and defended once it is achieved. These moves, however, leave us with a pedagogical conception of integrity and its value. Just as I want to my son to treat commitments that are not yet his own as his own, Nili and Dworkin think it is the duty of individuals who don’t recognize certain activities as consistent with their projects to embrace specific alternative projects. Does this matter? I think so.

Section 3: pedagogical integrity and disagreement

A pedagogical conception of liberal integrity may fail to clarify what we should do when individuals disagree about the constitutive projects and commitments defining their community. To see this, consider how our reasoning changes when individuals disagree about the implications of liberal commitments – both groups in this debate acknowledge that they are liberal, but part ways with respect to the meaning of these commitments.

Nili’s motivating dilemma conveys this point. Readers are asked to consider the position of American citizens when the United States faced a choice to limit economic ties with the Apartheid regime. We are asked to imagine ‘that black South Africans, even while seeing themselves as victims of the apartheid regime ... have publicly opposed foreign divestment from this regime out of uncertainty about divestment’s economic consequences (Nili, 2019, p. 20).’ If black South Africans made such an appeal, would our stomachs still churn at the thought of engagement with South Africa? Nili

suggests they would churn (and that they ought to). And he concludes that, under these circumstances, our disquiet about America's reticence to limit its relationship with the Apartheid state can only be made sense of by considering the import of communal identity (I believe our disquiet might be explained more simply – our unease might reflect our sense that our actions contribute to the persistence of an unjust regime).

Assuming Nili is correct about the centrality of integrity to our dilemma, would a focus on it actually adjudicate our conflicting moral impulses? I am not sure. Nili suggests that given the ignominious history of the United States, the American people must understand their interest in integrity as counting against making common cause with a country that subjugates its black citizens. On this view, what it is to be American, rightly understood, is to have a commitment not to participate in the mass subjugation of black people. That seems plausible. But imagine, for instance, that some segment of the American population believed that given the ignominious history of the United States, the American people must understand their interest in integrity as counting against ignoring the expressed preferences of black people (in this case black South Africans). Presumably a commitment to liberal equality tells strongly in favor of respecting the expressed preference of a majority of South Africa's citizens.

Here we are imagining, I think quite reasonably, that citizens of a liberal polity will disagree about the implications of liberalism and liberal integrity. Nili may be correct that, all things considered, liberal integrity depends on disengaging with South Africa even if Black South Africans disagree with this strategy. But defending this claim will require more than observing that America might be considered liberal and that it has a devastating, racist history. Taking integrity into account means that we must consider what course of action is most consistent with liberalism, properly understood, *and* that we must make complex judgements about the essential nature of our vexed and disputed history. Moreover, in this scenario, a pedagogical integrity argument will lack the intuitive force of non-pedagogical integrity arguments. This is because a pedagogical conception of integrity severs the natural connection between the ideal of integrity and the presumed value of choosing actions that recognizably reflect one's own projects and commitments.

In response, one might claim the following:

Of course citizens will disagree about the implications of a shared commitment to liberalism. Moral reality is complicated. What matters is that citizens take that commitment seriously and consider what actions are consistent with collective integrity.¹

I don't see how this response could alleviate my concerns. One way to think about how we should act as a polity is to consider what would be most

consistent with our common status as liberal agents. This is the standard liberal approach. The justification for moving beyond the standard approach and considering liberal integrity depends, in significant part, on two ideas. If we take integrity seriously we will be better positioned to understand *how* we can act consistently with liberal values – by understanding them as long term commitments and projects. And, second, if we take integrity seriously we will be better positioned to understand *why* we should act consistently as liberals – to avoid the alienation involved with acting inconsistently with our commitments.

I grant that a concern for liberal integrity might play the roles just described when members of a polity actually agree about the nature of their collective commitments. Integrity seems most helpful when individuals recognize certain commitments as their own and see certain acts as being consistent with those commitments. But Nili wants his theory to apply to the real world. His theory does not require unrealistic agreement about our common commitments. In this respect, the conclusions Nili draws are not dependent on what individuals are actually committed to. I think this means that a focus on collective liberal integrity will often fail to live up to its promise. In the case described above, I have stipulated agreement about the import of liberalism as a long-term commitment. But it is unclear how that agreement might help us resolve reasonable disagreements about the nature and implications of that long-term commitment. As a result, when we disagree, the ideal of liberal integrity provides no additional resources for understanding *how* to act as liberals. In such cases, our understanding might be better advanced simply by asking what course is most consistent with liberal values – i.e. the standard approach.

Moreover, in cases of this sort, focusing on liberal integrity may not help individuals better understand *why* they should embrace a particular course. Imagine that liberals who favored continuing to trade with South Africa were persuaded that, in the interest of liberal integrity, they should support a policy of divestment. Those individuals would likely suffer the alienation and loss of connection to their projects and commitments that focusing on integrity was presumably aimed at avoiding. Nili discusses the alienation felt by Nazis – when their state takes actions inconsistent with their constitutive commitments. He claims that their alienation is morally weightless. But here we are discussing liberals who hold reasonable views about their identity-grounding commitments. And these costs would have to be accounted for in our practical deliberations with respect to how to proceed. In cases like this then, it seems that a pedagogical conception of liberal integrity will fail to clarify the question of what is to be done. Instead, bringing these considerations to bear will complicate our decision, adding additional, conflicting reasons to weigh.

In the preceding example, liberal citizens disagreed with one another about the implications of liberal integrity. But what about the situations in which many citizens are not liberals (but are not Nazis)? Nili, to his considerable credit, investigates a number of cases that fit this description – e.g. the United States in the 1980s, Chile in 1988 and contemporary Israel. In each of these cases, Nili outlines a dilemma – disengage with South Africa or not, legally pursue leaders of the military regime or not, treat Druze citizens as full members of the polity or not – and he concludes that the liberal integrity of the people in question weighed heavily in favor of disengaging with South Africa, of pursuing Chilean military leaders and treating Druze citizens as full community members. These are defensible conclusions. But they rely on a thoroughly pedagogical understanding of integrity.

My understanding of Nili's argument is that these polities feature liberal institutions. And citizens have a duty to ensure that those institutions speak with one, consistent, coherent voice. Therefore the polities in question have reason to pursue the liberal course (assuming for the sake of argument that it is clear what the liberal course is). Yet, it is far from evident that the core political and legal institutions of these polities are unproblematically liberal. It has been a consistent feature of American political practice that citizens enjoy extra voting weight if other people living in their electoral district are unjustifiably enslaved or disenfranchised. The Chilean constitution was written during military rule. And the Israeli political system allows for the restriction of political parties if they do not accept the Jewish character of the Israeli state. If choices within these polities were actually consistent with their essential institutional character, the choices might be far from liberal. Based on a superficial analysis of these cases, acting liberally might actually require eschewing collective integrity – i.e. since the institutions' core identities are not wholly liberal, those identities should not determine our course of action. As in the South African scenario, accounting for integrity may actually complicate our analysis of what ought to be done.

More problematically, large numbers of citizens that faced the dilemmas Nili outlines were not liberals. Recall that many Chileans supported Pinochet. Many Americans support racial subordination. Many Israelis are not committed to treating Arabs equitably. For these individuals, acting consistently with the implications of liberal integrity would require acting inconsistently with their own illiberal projects and commitments. To return to where I began – it is very likely consistent with liberalism and the value of integrity for me to request that my son do something that conflicts with his juvenile projects. He is just three. And he is still in the process of working out his core commitments. But the illiberal citizens I have been discussing are not all children. These are not analogous cases. And our reasons for embracing pedagogical integrity in the case of my son likely won't apply neatly in those cases.

We are faced with a potentially tricky choice. Perhaps our reasons for acting liberally in these cases are not dependent on liberal integrity. Non-liberals should act consistently with liberal principles regardless of their commitments, one might conclude. Clearly, this conclusion does not help the case for the import of liberal integrity.

Alternatively, we might accept that because many individuals are not liberal, they cannot act consistently with liberal integrity and act on their own constitutive projects and commitments. By implication, acting consistently with liberal integrity would require many individuals to suffer the costs that we typically associate with acting *without* integrity – e.g. alienation and so on. Nili might respond that non-liberal Americans, Chileans and Israelis are unreasonable, like Nazis. They do not have morally important interests in non-alienation. Liberal integrity simply does not account for them. I think this conclusion might have unattractive implications for Nili's argument. But even if that conclusion is correct, this theoretical path preserves the case for liberal integrity at a cost. We would have to relinquish a core argument for liberal integrity's distinct intellectual utility – that it will help us make sense of the conflicting commitments we actually have.

Section 4: conclusion

Shmuel Nili has fashioned an insightful and compelling argument for the import of liberal integrity. Acknowledging the force of his claims and the interest of his cases, I have emphasized the gap between an intuitive understanding of integrity's import and the notion of liberal integrity that Nili develops in this work. In fact, I have little doubt that a political theorist of Nili's estimable skill will rebut my concerns, showing why we should embrace an ideal of liberal integrity that is not grounded in people's own projects and commitments. But I am less confident that that ingenious conception of integrity would have any appeal to those who are not liberals. And that conception, because of its pedagogical character, may not hold intuitive appeal for those who think of themselves as liberal. To be successful then, that pedagogical conception of liberal integrity will not have to 'adjudicate our conflicting moral impulses.' Instead, it will have to defeat and undercut those impulses.

Note

1. James Wilson raised this objection.

Disclosure Statement

No potential conflict of interest was reported by the author.

Notes on contributor

Alexander S. Kirshner is Senior Fellow at the Kenan Institute for Ethics and Associate Professor of Political Science at Duke University. He has a forthcoming book entitled *Legitimate Opposition* (Yale), arguing that legitimate opposition is not democratic but is valuable nonetheless. His first book was *A Theory of Militant Democracy: The Ethics of Combating Political Extremism* (Yale, 2014).

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