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Stout, DEMOCRACY AND TRADITION

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disobeying an ideal that they are "morally obliged to obey" (188). Eberle explicitly recognizes that Audi's restraint principle is a prima facie one (56), and he ecumenically makes his proposed right for religious citizens to go against it a prima facie one: even though they have the moral (and, of course, legal) right to reject the restraint principle, they "ought to be extremely reluctant to impose coercive laws on their compatriots" (188).

Well, a reader can be excused for wondering if what we have here is mainly a difference in emphasis. I suspect that if Audi, Eberle, and Weithman (and the spirit of Rawls) could discuss a suitably nuanced approach to levels of moral responsibility, they might find some convergence in the debate over debates in the public square.

NOTES

1. "The Idea of Public Reason Revisited," in John Rawls, *The Law of Peoples* (Cambridge: Harvard University Press, 1999), 154.
2. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 50.
3. Audi's view is summed up in *Religious Commitment and Secular Reason* (Cambridge: Cambridge University Press, 2000). Reviewed in this journal by Francis Beckwith, January 2002 (19/1).
4. Because one can be a fallibilist about one's politics without being a fallibilist about one's deepest religious commitments (103—there must be a "not" missing in the fourth line from the bottom).

Democracy and Tradition, by Jeffrey Stout. Princeton University Press, 2004. Pp. xvi + 348. $35.00 (cloth).

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Pessimists about democracy worry that contemporary democracies cannot foster the qualities their citizens must have if these societies are to remain democratic.[1] This is a worry most commonly voiced by American neo-conservatives. It is very different from two charges leveled at democracy by other thinkers who are also sometimes called "conservative" but whom Jeffrey Stout more aptly labels "neo-traditionalists": the charge that democracies are not societies in which the good life can be led, and the stronger charge that the social forces at work in democracies make their citizens bad people.[2]

In this highly intelligent and challenging book, Stout directs a forceful combination of arguments against neo-traditionalist criticisms of democracy. The concluding pages of the book suggest that Stout thinks those arguments also provide him the material he needs to address the neo-conservative worry (307–08; see also 12). *Democracy and Tradition* is therefore not only an intelligent and challenging book, but a very ambitious one as well. It is a book in which Stout tries to lay out grounds for the hope he places in democracy, and to hold those grounds against the doubts and objections of a wide range of thinkers. Indeed, showing that hope in democracy is—to paraphrase Kant's remarks about reasonable

faith—a "reasonable hope" for us to have (306) is one of the central aims, if not *the* central aim, of Stout's book (see 57ff., 91).[3]

What is it to hope in democracy? Why is it important to ground that hope?

"Democratic hope," Stout insists, is not the hope that democracy will bring us redemption or save our souls (cf. 40). It is merely "the hope of making a difference for the better by democratic means" (58). Stout wants to provide his readers, especially those attracted to religious versions of neo-traditionalism, with enough reasons for such hope that they will "identify with the democratic process" (75). Put somewhat differently: Stout wants to convince his readers that they should think of themselves as members of a large and heterogeneous national community which is committed to living democratically. He especially wants to convince religious readers drawn to neo-traditionalism that they should think of themselves this way rather than as "resident aliens" in a society from which they are distanced by their faith.[4]

This aim is well chosen for, as I shall note again below, hope in and commitment to democracy may need some shoring up in societies that are all too tempted to trade off liberty for security. Moreover, democracy—Stout thinks—faces grave threats from the increasing concentration of wealth and power in the hands of elites and corporations. Countering the more virulent strains of neo-traditionalism among American citizens of faith, and contributing to the revival of an American religious left are laudable goals. If Stout has in fact done all that he sets out to do in this book, then he will have accomplished a very great deal.

Stout's attempt is wide-ranging and nuanced. It shows a deft and subtle command of very difficult philosophical material. I cannot begin to do the book justice in a brief review. Fortunately for readers of Stout's book, *Democracy and Tradition* has already received a great deal of critical attention. It has been the subject of at least one full-length conference.[5] Those who want detailed treatments of Stout's arguments should be able to find them quite easily. My own discussion of the book is more modest. I begin by asking whether Stout can consistently both dispel the neo-conservative worry about democracy and rebut neo-traditionalist critiques of it. Pressing this question raises the further questions of whether Stout has confronted the reasons for neo-traditionalism's appeal and whether he has provided those attracted to neo-traditionalist critiques with reasons to "identify with democratic processes."

Stout discusses three neo-traditionalists in some detail: Alasdair MacIntyre, John Milbank, and Stanley Hauerwas. He singles out these three because of their influence, particularly their influence "in the seminaries, divinity schools, and church-affiliated colleges of the wealthier democracies" (75). It is there that neo-traditionalist critiques of democracy reach church-workers and clergy. They, in turn, spread these critiques "in countless sermons throughout the heartland of the nation" (76). Thus it is because neo-traditionalist critiques of democracy ultimately reach—and threaten to win over—so large an audience that Stout is concerned to answer them. What is Stout's answer and how does he defend it?

The weaker of the two neo-traditionalist charges against democracy is the charge that democracies are not societies in which the good life

can be lived. The argument for that charge, I believe, depends upon the claims that:

(1) A society is one in which the good life can be lived only if it is a society whose members engage in collective public reflection about the good life.

and

(2) Liberal democracies occlude such reflection.

Though neither Stout nor the neo-traditionalists' lay out the argument for the weak neo-traditionalist criticism in just this way, the imputation of the argument to neo-traditionalists has some textual support. MacIntyre, who seems to endorse the weak neo-traditionalist criticism of democracy, argues for (1) in *After Virtue*.[6] He argues for (2) in, among other places, his essay "The Privatization of Good."[7] One way to answer the argument would, of course, be to show that (1) is false. Stout takes a different tack. He chooses, in effect, to rebut the argument by granting (1) but contesting (2).

Note that (2), as phrased, might seem to express a generalization about liberal democracies that is only contingently true. Read this way, (2) is not strong enough to support the weak traditionalist criticism of democracy, which is a claim about the nature of democracy. The neo-traditionalist thinks that democracies *as such* are not societies in which the good life can be led. But to take (2) as the expression of a contingent fact is to misunderstand the neo-traditionalist. What the neo-traditionalist really means by (2), I think, is that liberal democracies *as such* occlude collective public reflection about the good life.

When the neo-traditionalist says that liberal democracies *as such* occlude such reflection, she means to imply at least three further claims. She means to imply, first, that insofar as societies faithfully embody the theory of liberal democracy, they occlude such reflection; second, that societies occlude such reflection *because* they embody that theory faithfully; and third, that in the ideal liberal democracies envisioned by theorists of liberal democracy, there will be no such collective public reflection precisely because they are ideal liberal democracies. Understood as a claim about liberal democracies as such—and as a claim with these three further implications—(2) does indeed support the weak neo-traditionalist criticism of liberal democracy as such. This is how Stout takes (2), and it is this construal of (2) that he tries to undercut.

Stout thinks that (2) derives much of its plausibility from neo-traditionalists' equation of liberal democratic theory with the accounts of liberal democracy provided by John Rawls and presupposed by Richard Rorty. According to Rorty's account, religious and moral arguments about the good life simply have no place in the public deliberations of a liberal democracy. According to Rawls, arguments which appeal to comprehensive accounts of the human good need to be made good by what Rawls calls "public reasons," at least when the most important issues are stake. Rawls's requirement has the implication that claims about the human good may not have reason-giving force in public debate. Thus both his account of liberal democracy and Rorty's arguably do occlude collective public reflection on the good life. In a very interesting and careful chapter,

Stout tries to rob (2) of its plausibility by arguing that neither Rawls nor Rorty has an adequate account of liberal democracy.

But Stout wants to do far more than undercut the argument for the weak neo-traditionalist criticism. He wants to provide his readers reasons to commit to liberal democracy. To do so, I believe that he would like to provide them reasons for thinking—contrary to the claims of neo-traditionalists—that democratic societies *are* societies in which human beings can lead good lives. In pursuit of that end, Stout tries to recover an account of democracy that is deeply indebted to Dewey and to contemporary Hegelianism. Stout's discussion of Hegelianism, in particular, is accessible and sophisticated. For my purposes, it suffices simply to sketch the most important features of the "alternative public philosophy" (296) that Stout tries to portray in detail.

According to Stout, democracy is not in the first instance either a method of governance or a form of sovereignty. It is a culture (195). Stout follows Whitman in thinking of a culture as

> an enduring collection of social practices, embedded in institutions of a characteristic kind, reflected in specific habits and intuitions, and capable of giving rise to recognizable forms of human character. (28)

A society is presumably democratic, in Stout's view, when a democratic culture prevails there. Its mode of governance is democratic when that culture is "embedded in [political] institutions of a characteristic kind."

Not every culture is democratic. Democracy, in Stout's view, is distinguished from other cultures by the social practices of which it consists and by the way those practices are conducted. Stout is quite clear about what those practices are. "The social practices that matter most directly to democracy," he writes "are the discursive practices of ethical deliberation and political debate" (293). Of course, as Stout recognizes, the mere presence of these practices does not itself make a culture democratic. Deliberation and debate take place in virtually every culture. A culture is democratic, Stout thinks, when citizens' deliberation and debate prominently includes holding one another accountable and demanding reasons from one another "for commitments, deeds and institutional arrangements—without regard to social status, wealth or power" (226).[8]

Stout has no illusions about the inadequacies of contemporary societies that purport to be democratic, but he is optimistic about what deliberation and debate in a democratic society can be. He thinks public debate in democratic societies can and should include explicit moral reflection that is deep and productive. Stout thinks this in part because he thinks that in the processes of holding one another accountable and of exchanging reasons in good faith, citizens will make explicit the norms on which they rely. He also thinks it because he thinks democratic societies can and should debate "the important question of character" that Whitman posed in *Democratic Vistas*—the question, as Stout puts it, of "what sort of people we can reasonably aspire to be" (p. 19). Stout insists that this is a question about what virtues we can aspire to and what virtues we can reasonably expect to acquire (29). And he thinks it is a question about which citizens of a democratic society can have meaningful public exchanges.

As I indicated earlier, Stout's treatment of Rawls and Rorty is meant to undercut the reasons neo-traditionalists have for accepting (2). In light of what Stout says about the subject matter of public deliberation in a democracy as he conceives it, I believe he would maintain that he has not just undercut the argument that was supposed to support (2). He would also say he has shown that (2) is false. And so he thinks he has shown that democratic societies *can* be societies in which, as (1) says, "members engage in collective public reflection about the good life."

One problem with Stout's argument is that it is not clear exactly why he thinks public discussion of "the question of character" can be meaningful and productive, rather than superficial and shrill. A more serious problem is that even showing that it can be will not be enough to convince neo-traditionalists and their followers that the weak neo-traditionalist criticism of democracy is mistaken. That is, it will not be enough to convince those drawn to neo-traditionalism that democracies are societies in which the good life can be led. It will not be enough because (1) states a necessary but not a sufficient condition on such societies. It states one condition that neo-traditionalists think a society must meet if the good life can be led in it. But it does not state all the conditions they think it must meet.

Suppose that in addition to (1), neo-traditionalists also accept:

(1′) A society is one in which the good life can be lived only if it is a society whose members agree on a conception of the good life.

Stout has not shown that the deliberation and debate characteristic of democracy as he conceives it will lead to any such consensus. Indeed, he says it would be a "grave mistake" to think that a "nation like ours" can be "bound together by agreement on its highest values, a religious vision of the good, or a big story about the origins and destiny of a people" (303). So Stout seems to doubt that democracies as he thinks of them will satisfy the condition imposed by (1′). Since this is a condition many neo-traditionalists arguably *do* impose, Stout needs to do more to convince them that their weak criticism of democracy is misplaced.

Of course, (1′) strikes many of us as highly implausible; for those who find it so, neo-traditionalism has little appeal. The question of whether those of us who are not neo-traditionalists should think we can lead the good life in the democratic society Stout envisions is an interesting one. Instead of pursuing it, I want to turn to the neo-conservative worry about democracy that Stout tries to address in the closing pages of his book. The neo-conservative worry is that democratic societies may not be able to foster the traits of character their citizens must have if those societies are to remain democratic. What are those traits? Neo-conservatives typically cite a traditional list of virtues including piety, self-restraint and frugality. I would like to ask about some other traits instead.

Consider the possibility that in the face of standing terrorist threats, the democracies of the West will gradually become "National Security States." Suppose, that is, that in the name of national security, they become societies in which the governmental surveillance of private citizens is increased, in which civil liberties, privacy rights and freedom of movement are gradually restricted, in which an increasingly large portion of government revenues are spent on the security apparatus and on military

adventures, and in which legislative and judicial authorities cease to serve as checks on the executive because the public demands that those authorities uncritically acquiesce in the executive's national security and military initiatives. Such a society might not have ceased to be a democracy altogether, but it would be one in which what we ordinarily think of as liberal democracy is significantly eroded. The possibility of such a transformation certainly seems to be a live one.

What qualities of character must citizens have if they are to prevent their society from devolving into a National Security State? I suggest that they must regard themselves and their fellow citizens as the bearers of very strong civil, political, and privacy rights. Only if they have such a sense of themselves and others, I suggest, will they be prepared steadfastly to resist encroachments on their liberties when they are tempted by a state apparatus that offers them protection in exchange for lesser associational and political freedom.[9]

Can democracy as Stout conceives it encourage this important trait in citizens, this sense of themselves as rights-bearers? Here Stout seems to face a dilemma. For suppose that his answer is "no." Then Stout will not be able adequately to address the neo-conservative worry about democracy. He will not be able to maintain that democracy as he conceives it can foster a trait citizens must have if they are to maintain their democracy against the temptations of a National Security State. If, on the other hand, Stout claims that democracy as he conceives it *does* foster the trait, then he will leave himself open to the strong neo-traditionalist criticism of democracy. According to that criticism, the social forces at work in liberal democratic societies make their citizens bad people. One of the things that some neo-traditionalists like Stanley Hauerwas find most objectionable about liberal democracies seems precisely to be that they encourage their citizens to think of themselves as bearers of rights.[10]

Stout may reply that what neo-traditionalists find objectionable about liberal democratic culture is not just that it encourages citizens to think of themselves as rights-bearers. It is that citizens who think of themselves in this way tend also to be selfish or self-centered individualists. Stout's own version of democracy, he may remind us, is a solidaristic enterprise. It is "likely to thrive only where individuals identify to some significant extent with a community of reason-givers" (293). If a society demands and reinforces this communal identification, Stout may claim, then it can encourage its citizens to think of themselves as bearers of rights without fostering the individualism neo-traditionalists deplore. Thus, Stout may say, his version of democracy can go some way in responding to the neo-conservative worry—by fostering the trait I have said citizens need to preserve democracy—while evading the strong neo-traditionalist criticism.[11]

But I wonder whether many of those attracted by neo-traditionalism would be satisfied with this response.

I suspect that when neo-traditionalist critiques of democracy are preached from pulpits or taught in seminaries, they do not fall on fertile ground simply because congregants and students are disturbed by the culture and the character-types for which they are told liberal democracy is responsible. Those critiques take root, bear fruit and spread because those who hear them think American democracy has reached the wrong

political outcomes—prohibiting prayer in public schools, mandating the teaching of evolution, permitting abortion, legalizing assisted suicide in some jurisdictions and enacting domestic partnership statutes in others. In short, I suspect that—whatever wide-ranging cultural critiques its proponents may offer—the popular appeal of neo-traditionalism depends upon the beliefs that democratic processes are legitimated by their outcomes, and that the outcomes those processes have yielded are morally suspect.

Of course not everyone who disapproves of some or all of the outcomes I just listed will accept neo-traditionalism *tout court* when it is taught or preached to them. Some, ambivalent toward their society anyway because it has reached these outcomes, may find that neo-traditionalism expresses or crystallizes some of their attitudes toward it. These citizens may hold on to what Stout calls "democratic hope." They may demonstrate their hope by continuing to vote in large numbers. That they may do so suggests that they are not ambivalent about central features of democratic governance, such as campaigns and elections. They are, however, ambivalent about identifying with the larger "community of reason-givers." Their identification with that community may be conditional on its reaching the outcomes they prefer. If the community shows no sign of moving toward those outcomes, then these citizens may be increasingly disaffected from democracy. In that case, they may find that neo-traditionalism provides a compelling vocabulary in which to express their disaffection.

If this is so, then many of those Stout wants to win over to his version of democracy will be convinced only if he can argue persuasively that democracy as he conceives it will reach those outcomes. Stout offers no such argument. Indeed, he says very little about what he thinks the outcome of "ethical deliberation and political debate" in a democratic society is likely to be or about what principles of political morality constrain the outcomes. I therefore think it unlikely that he will persuade many of those attracted by neo-traditionalist critiques of democracy that those critiques are fundamentally unsound.

The problem Stout faces in winning over those drawn to neo-traditionalism is not just that he does not say enough about what the outcomes of political and ethical reflection are likely to be or about what moral and political principles constrain it. It is that, given Stout's perfectionism, it is not clear what more he *could* say. Elucidating his Emersonian perfectionism, Stout writes:

> Emerson and Whitman are committed to an ethics of virtue or self-cultivation that is *always* in the process of projecting a higher conception of self to be achieved and leaving one's achieved self (but not its accumulated responsibilities) behind. The force of "always" here is to cancel the fixed telos of perfection toward which earlier perfectionisms directed their ethical striving. The Emersonian self is constantly being reshaped. (29)

It is surely an open question whether this form of perfectionism—with its rejection of a "fixed telos"—will be of wide appeal. Whether or not it will be depends upon just what a "fixed telos" is supposed to be, what the rejection of it comes to and what personal and associational liberties contin-

uous self-transformation demands. More to the present point, it is hard to see how Stout could know in advance of actual political deliberation what the outcome of debate would be when the debate includes citizens who are constantly reshaping themselves. If he cannot, then it seems doubtful that he can provide assurance to those whose commitment to democracy is at least to some extent conditional on the outcomes it reaches.

Stout's own hope for democracy seems ultimately to rest on the faith he has in the goodness of his fellow citizens. Perhaps he would respond that those drawn to neo-traditionalism should have faith that their fellow citizens are good enough to reach the right outcomes when they engage in democratic practices.[12] Or perhaps he would respond that those drawn to neo-traditionalism should attach far less importance to reaching the political outcomes they favor and simply cast their lot with their compatriots. The problem is that both of these replies seem to depend upon a mutual trust that is currently lacking or at least severely strained. It is not clear what grounds Stout can provide those drawn to neo-traditionalism for placing as much faith in others as he does.[13]

Defenders of democracy face a formidable challenge. That is the challenge of convincing citizens who believe they will lose on what they regard as the most important issues that they should remain firmly identified with those who continue to defeat them and that they should remain steadfastly committed to the democratic processes by which that defeat is handed to them. In Stout's terms, it is the challenge of instilling "the hope of making a difference for the better by democratic means" in those who think that, on the issues that matter most, things are getting worse. The challenge may be insurmountable, at least under current conditions. It is a credit to this splendid book that its author has identified that challenge so clearly and made so fine an attempt to meet it.

NOTES

1. I received helpful comments on earlier drafts from Jennifer Herdt, Jean Porter, and Jeff Stout.
2. Stout puts the stronger criticism somewhat less baldly. "Do we have reason to be happy with the kind of people we have become under the influence of modern ideas, practices and institutions? The traditionalist answer to this question, of course, is no" (118).
3. Note that Rawls has a similar aim. He says the task of political philosophy is the vindication of reasonable faith—"reasonable faith," he says, "in the real possibility of a just constitutional regime." See "The Idea of An Overlapping Consensus" in John Rawls, *Collected Papers*, ed. Freeman (Harvard University Press, 1999) 420–48, 448.
4. The phrase "resident aliens" is Stanley Hauerwas's.
5. The conference was held at the University of Tennessee in October of 2004. For some background information on the conference, see: http://web.utk.edu/~religion/symposium/background.htm
6. Alasdair MacIntyre, *After Virtue* (University of Notre Dame Press, 1981).
7. Alasdair MacIntyre, "The Privatization of Good", *Review of Politics* 52 (1990): 320–48.
8. I am not sure even this is enough to make a culture democratic, but let that pass.

9. At 291ff., Stout discusses "three 'formidable constituencies' that are currently contending for control of the American state." He remarks that "[d]emocracy will face unpromising odds at the national level so long as the three entrenched constituencies jointly control the political landscape" (292). I would add that the state itself is a formidable political actor which can pose its own distinctive threat to democracy.

10. See, for example, the interview with Hauerwas posted at: http://www.beliefnet.com/story/146/story_14666_1.html.

Speaking of Dietrich Bonhoeffer, the interviewer said to Hauerwas "But his beef with liberal democracy seems more philosophical and thoroughgoing. He says that the language of rights and liberties, as you write in your book, 'cannot help but lead to godlessness and the subsequent deification of man, which is the proclamation of nihilism.'" Hauerwas replied "That's right, and in noting that, I hoped some people would see a parallel to the present day in this country."

11. See 289, where Stout says "Assuming, as I do, that democratic individuality is a good thing, not to be confused with atomistic dissolution of social life."

12. See 308: "we should not imagine the life-giving sources on which we depend as something alien to American democratic modernity. That stream is in us and of us when we engage in our democratic practices."

13. Stout seems to treat his faith in his fellow citizens as basic. It seems to be on the basis of such faith that he puts his hope in democracy. In moving from faith in his fellow citizens to faith in democracy, Stout reverses what I believe to be the more plausible order of argument followed by Rawls. Rawls argues first (and at very great length) that it is possible for human beings to sustain a just liberal democracy. He then argues from this conclusion to the conclusion that human beings have a moral nature; see *Political Liberalism*, lxi–lxii.

Clearly Rawls can proceed as he does because he has substantive standards of justice available to him: he takes a liberal democracy to be just only if its political outcomes are constrained by reasonable principles of justice. Since Stout does not endorse principles of justice or any other criteria for just political outcomes, he is not in a position to say much about what a just liberal democracy would be like. If he cannot say what a just liberal democracy would be like, then it is hard to see how he can argue that it is possible for people to sustain a just liberal democracy except by appeal to faith in his fellow citizens. In that case, the Rawlsian order of argument may not be open to him.

Freedom and Anthropology in Kant's Moral Philosophy, by Patrick R. Frierson. Cambridge University Press, 2003. Pp. x + 211 pages. $55.00 (hardback).

HEINER BIELEFELDT, Director of the German Institute for Human Rights, Berlin

Patrick Frierson's book fits into a series of recent Kant publications devoted to challenging the stereotype that Kantian philosophy is a purely abstract enterprise, largely disconnected from human experience. The most famous formulation of that stereotype, which itself was already brought up by some of Kant's contemporaries, is Hegel's allegation that the Kantian moral law remains "something empty which can never become reality." However, like Onora O'Neill, Allan Wood, Paul Guyer, and