

- Anthony Comegna: [00:19](#) Kevin Vallier is a philosopher at Bowling Green State University. He's a PPE specialist and prolific author, both of peer reviewed articles and books. He's also somewhat of a regular at IHS events, including the recent manuscript workshop centered around his next book. This week though, he joins us to talk about his most recent book, "Must Politics Be War?, In defense of public reason liberalism." All right, so before we get into my sort of anarchist radical kind of wackadoo criticisms of your argument, can you explain to us what is your thesis in your most recent book, Must Politics Be War?
- Kevin Vallier: [01:04](#) Well, the basic thesis is that if we have a genuinely liberal politics, one of limited government and extensive basic liberties, then that provides the foundation for people to trust one another despite their differences. And I argue in the book that we avoid a war like politics when we can sustain high levels of trust in one another and in government. So the key to showing that politics doesn't have to be war is showing the feasibility and stability of high levels of trust. And then you just say, well, what are the institutions that sustain trust or that are promising in that regard? And then I argue that the liberal rights have that feature. The basic reason is relatively simple. I mean, if you understand liberal rights as each group or person being able to kind of go their own way as an alternative to more hegemonic arrangements, where one person's doctrine or religion or ideology takes charge, then you can see why people with different ideas with different commitments would find it easier to trust one another because no one group is imposing their values on the other.
- Kevin Vallier: [02:13](#) When the hegemon in charge, they can't trust the subverted group. Suburbia group doesn't acknowledge their authority in the end. And so we'll tend to defect from social rules that are imposed by the hegemon. And certainly, the subverted group can't trust the hegemon because they are seen as immoral or unjust in opposing alien values. So a regime that tries to establish no particular ideology, including libertarianism, is going to be the one that does the best at providing each other, providing people with good reasons to be trustworthy by following those kinds of liberal constitutional rules. So that's the basic idea is that you have a non-war like politics, when you have trust. You can get trust when you have individual and group Liberty.
- Anthony Comegna: [02:58](#) And now this is what's referred to as a public reason account? I'm not a philosopher, not to brag, but I'm not a philosopher.

- Kevin Vallier: [03:09](#) It is a merit to merit.
- Anthony Comegna: [03:12](#) So tell us about that term then. What does this mean, a public reason account of liberalism?
- Kevin Vallier: [03:18](#) So there's a couple of different ways of explaining it. But the basic idea is to try to contrast it with a term that your readers may be or your listeners may be more familiar with, which is the idea of a perfectionist liberalism as say, one that's based in Aristotelian ideas of flourishing. On this view, the case for liberal institutions is that they help people to live good lives or to live the best life. That is the job of the State in some way to promote the human good, even when people reasonably disagree about what the good is. Public reason liberals acknowledge and defend a kind of constraint on the use of State power in order, pardon me, in order to promote the good in cases where it's reasonably contested. So the public reason liberal says that, well look, State power has to be justifiable to each person given their own worldview.
- Kevin Vallier: [04:12](#) And so it's wrong for the State to take a position on matters about which people would reasonably disagree. So it's particularly this idea of public justification where political power has to be justified to each point of view and that it prohibits the state promoting the human good, which many of your listeners will like in broad outline, in one way. And in fact there've been libertarian attempts to try to synthesize perfectionist moral theory of the sort you see in Iran with anti-perfectionist politics, Doug Den Uyl and Rasmussen. So there've been attempts to try to bring those together. But public reason liberalism is trying to contrast itself with a perfectionist approach to politics, one that's based on promoting the authentic human good.
- Speaker 2: [04:59](#) Now, there are a lot of strands that I want to tease at there. So I guess I'll have to take it one at a time because there's a whole lot there I want to unpack with you.
- Kevin Vallier: [05:07](#) Sure.
- Speaker 2: [05:08](#) And now I'm a historian and I have a particular interest in radical movements and I really love the English Civil War for example. It's just this explosion of all sorts of different forms of radicalism, dissenting religious traditions, different new political traditions, different kinds of movements of people taking direct action to do one sort of thing or another that that is their particular hobby horse. And it is the political military, social, ideological mess and disaster in a way of the civil war period

that causes somebody like John Locke to try to systematize politics such that it's not subject to these kinds of violent trials and tribulations that turned the world upside down and invert everything. And he gives one of the earlier attempts to publicly justify your slate of liberal rights. I wonder if first you could just-

Kevin Vallier: [06:17](#)

Yeah. Yeah. He's got a theory of public reason.

Speaker 2: [06:20](#)

Comment on John Locke and his sort of historical role in generating these ideas a bit for us.

Kevin Vallier: [06:27](#)

So the problem for Locke in the state of nature is not the same as Hobbes. But they do share a dilemma, which is that there exists natural moral principles, natural laws, but that people are naturally inclined to interpret and apply them differently. And given that people are free and equal, the problem is, as Hobbes says no man's reason makes the certainty. Or for Locke, the idea of, so the problem of private judgment can take a relatively peaceful state of nature and can periodically collapse it to a state of war. Though, of course for Locke, you could have the state of war under the State as well. So the basic problem I think for Locke and Hobbes is how do we solve disputes about the interpretation of the natural law? Natural law theory in the past and much of the medieval period was not really focused on the problem of disagreement. And they tended to think that people who were sufficiently virtuous wouldn't disagree all that much.

Kevin Vallier: [07:29](#)

But the way that Hobbes and Locke thought about the way that we cognize things, the way that we think, they thought it was inevitable that we were going to disagree about what the natural law implies. And so what they suggested was that we needed some form of public judge, some arbitrator to which we could all submit our private judgments that could render a public judgment that would allow us to live together in peace and to cooperate. And that indeed for Locke more than Hobbes, they would create a public trust. That word public, that phrase public trust appears in the second treatise dozens of times. It's very seldom talked about. The idea is to pride and authoritative interpretation of the natural law so that people can get on with social life together and perhaps maybe even flourish. But Locke thought, unlike Hobbes, that we had enough of a grasp on natural law that we wouldn't give up all of our interpretive power. We'd only give up some of it.

Kevin Vallier: [08:26](#)

Now, there are some times where he says, look, all private judgment is excluded, but he means the private judgment of the

part we choose to alienate. So Locke, natural rights are constrained on how much authority we're going to alienate and on the kinds of judgment or authority that we're going to alienate. So Locke, has both a doctrine of natural rights, but he also has a doctrine in public reason, in the sense of of public judgment. And many of the libertarian theories focus entirely on natural rights and entirely omit the problem of private judgment. Whereas non libertarians tend to focus almost entirely on the public judgment, the public reason part of Locke rather than the natural law and natural rights. And my own view is they're going to hang together in this elegant way in the end.

- Speaker 2: [09:12](#) Well see, now I always seem to get a hung up on Locke.
- Kevin Vallier: [09:17](#) Yeah, me too. I love him.
- Speaker 2: [09:17](#) Because in a way I can't stand him because I think he plays this nefarious and tricky historical role as a thinker and just a historical figure, otherwise, writing constitutions for the new world, for example. Defending slavery.
- Kevin Vallier: [09:36](#) That was a low point, yeah.
- Speaker 2: [09:40](#) So it seems to me again in his historical context-
- Kevin Vallier: [09:44](#) Well he's against slavery though. I mean yes, he permits it in the constitution of the Carolinas. But I mean, just to stick up for Locke, I mean the basis is there.
- Speaker 2: [09:52](#) What he says in the second treatise that it's an extension of the state of war, right, which to me is just an excuse for conflict in the period that are not actually, like it's an abstraction applied to real contexts that don't deserve the application.
- Kevin Vallier: [10:13](#) Oh, I have a much more charitable read of that. I think he thinks that if you allow slavery after war, that will keep people from getting killed because at least they can be slaves.
- Speaker 2: [10:22](#) That is a common argument that people like for example, the early slave traders made. They made that fairly, at least in the case of the slave traders, a fairly transparent excuse for continuing to get all the riches of the burgeoning slave trade. But then they had their other favorite lists of excuses that basically this is in the interest of the Africans and the Africans are doing this to them.

- Kevin Vallier: [10:49](#) Oh yeah, the application of the theory can be corrupted. But if you have a kind of law and economics approach to some of this, then you may think well on the cases in which you would apply, you could imagine it. But not having authority for very long, of course, I'm not defending it. I'm just trying to say why Locke might think, why he might say what he says and mean well. But I understand the other perspective.
- Speaker 2: [11:12](#) Well this is what I mean when I say I look at him as sort of a tricky character in a lot of ways. So I want to go back to this point about public reason because he is very much, I think at least, again, this is how I read him. He's very much trying to give this public reason account and give so much weight to it precisely because he wants to be sure that such a revolutionary event as the English civil wars did not happen again. And he wanted to make sure that the entire structure of society would not be turned upside down like that again. And so he generates his own version of a justifiable account and says, well, look, since we're going to do government significantly differently now after the civil wars and after the restoration, then it turns out that it's going to be much more legitimate and more people should buy into this project.
- Speaker 2: [12:17](#) And we have this whole slate of rights and everything else that you can count on, but it's also a keystone part of the classical liberal historical tradition to accept this idea that politics is inherently warfare. And I think a lot of that generated at least as early as the English civil wars, when again, dissenting traditions, people like the Diggers, they knew that politics was inherently warfare precisely because everybody around them in political life was making war on them and trying to destroy their lifestyle and livelihood. And then along comes somebody like, John Locke and says, well you guys basically have to buy into what most people agree with because it's quote publicly justified and reasonable and liberal and all this other good sounding stuff. But yet it still has the effect of stamping out minority traditions. And so I wonder, isn't politics really warfare?
- Kevin Vallier: [13:25](#) So there's two nice points there. So you said this bit about what about the minority groups. And I want to address that because a big problem in Locke's conception of public reason is that he says at one point that all private judgment is to be excluded, in the domain of judgment that he's meant to cover, what you alienate. And this creates the sense that what public justification is supposed to do, is it's supposed to proceed in terms of shared reasons such that the diverse reasons of groups like the Diggers, their unusual or marginalized values play no

role in the public justification of legislation. But my whole first book on liberal politics in public faith pushes back against that model of public reason, whereas I argue in favor of what I call a convergence model on which people's diverse reasons figure into public justifications.

Kevin Vallier: [14:18](#)

So the idea is that in that case, the kind of repression of groups like the diggers because of their private reasoning or their unusual or sectarian doctrines works very, very differently. I don't think there would be repression because their reasons can figure in as defeaters for laws. It's one reason I defend a strong regime of religious exemptions, whereas Hobbes and even Locke I think to it in certain places it looks like they'd actually be pretty hostile to those. So so I like to think that it's just a sort of weakness in their doctrine of public reason, but not a weakness in the doctrine of public reason itself. So that's the first thing that I wanted to say is that there's different models of public reason and Hobbes and Locke didn't have the best model. So that's the first thing I'd say.

Kevin Vallier: [15:07](#)

The second thing is what I'm doing and asking, must politics be wars, I'm trying to translate it into a more empirically and in some ways philosophically tractable question. And the way I'm doing that is by trying to understand a warlike politics in terms of levels of trust, particularly social trust, the trust that people have in each other that we're going to follow what we regard as the basic moral rules of our order. The ones that we're tempted to read into reality, perhaps rightly, as natural laws are prima facie duties or intuitive principles. And that are also social norms in the sense that they're generally followed. So a low trust society in this sense is a tinderbox, right. Even if everyone's of goodwill, they all think that others might violate the rules. In which case, you're going to be in a state of fear, in any case where a conflict can interrupt.

Kevin Vallier: [16:05](#)

But in a high trust society there are all of these tools, common social norms, moral rules, that people can use to end their conflicts. So then the question must politics be war becomes the question of how do we sustain high levels of social trust in ways that we ordinarily think are appropriate. And that becomes a partly empirical question and then we can look at different societies and say, what are the high trust societies doing that the low trust societies are not doing? So the thought is if you translate the problem must politics be war into the question of the feasibility of trust of certain kind. I think Sweden's politics is not really war very much. Whereas the U.S. politics is much closer to war because our social trust levels are

half of theirs. That is about a third of people say most people can be trusted in our country, whereas about two thirds say it in theirs.

Kevin Vallier: [16:58](#) So we have to figure out how to get high levels of trust. If we can do that, then we can end the war like politics. But right now it's a matter of degree and we're moving in a more warlike direction because we're the only major liberal democracy that I know of who's social trust level has fallen substantially since the early seventies. So we've gone from around half to around a third, which is actually a really big drop. Usually internationally social trust levels are very stable.

Speaker 2: [17:27](#) Well, I got to say, the 10 to 15% or so of me that is a sort of Marxist is kind of screaming out. But those folks in Sweden who have such high public trust, surely they're just bought into the mythology of the modern state or the modern social welfare, social democracy system. And it's not actually that the system they live in is not actually worthy of their trust, but they've granted it for the purposes of upholding fundamentally mythological politics.

Kevin Vallier: [18:09](#) Yeah. This is pretty interesting. If there's a lot of trust, then there's a certain way in which it's a self fulfilling prophecy. So the thought is that, look, if they really try, I mean, so there's two ways in which it's a self fulfilling prophecy. One, I think people often respond to trust with trustworthy behavior. And they don't just run off on people. And I think there's actually a lot of evidence that higher trust societies, politicians behave better than in low trust societies. So in one way, when you have higher trust, you actually get, I think more trustworthy behavior. It's not just trustworthy behavior to trust direction of fit in terms of attitudes. So it's a sort of a causal feedback loop.

Kevin Vallier: [18:56](#) Another element is that I mean to the extent that they buy the mythos, I think it becomes a somewhat voluntary organization. It's a bit like a church. Sweden is just a big church of social democracy. But that's their religion now. It's a false religion in the end, but on the other hand, lots of people have false religions. But we don't think, oh, there's a grave injustice here because they worship the wrong God. We just think, well, they've consented to something that's not true. And that's kind of how I think of Sweden, is they've largely consented to something that's not true. Now there are a lot of exceptions. Swedish state isn't so great. But I mean, compared to almost every other state that's ever existed in history or all around the world today, it's extraordinary, what it's able to accomplish.

They've actually undergone one of the biggest privatizations to deregulations in the world from the eighties to today. And they did it relatively smoothly and in response to the widely understood recognition, the democratic socialism had failed. They voluntarily adopted free markets over and over again.

Speaker 2: [19:56](#)

So just sort of as a followup question to that, one of the most important historians in American intellectual history is a guy named Louis Hartz who was a socialist. And he wrote a lot about the influence of John Locke over American history. And his argument was that Locke was of such staggering and titanic importance that there were almost no serious detractors from Lockian liberalism in all of American history. And what small handful of exceptions you can find only prove the rule. So I'm wondering, and to Hartz, this was a tragedy because again, he's a socialist. He hates private property and things like that. He saw this as a failure, part of the inherent failure of socialism in America. Locke was too hegemonic to have any room for the socialist revolution. And, and yet, the part of the point that you were making or that you want to make throughout this book, is saying that the package of liberal rights and the kind of public reason justification you're giving is not supposed to become a hegemonic system of values.

Kevin Vallier: [21:18](#)

Good, good. So this is a really difficult problem because most public reason models, in fact very few until very recently, allow for reasonable disagreement about justice. For Rawls, justice is just a way we resolve our competing claims. And if we disagree about the good, we need a notion of justice in order to help us sort through our problems. As you allow for reasonable disagreeing about justice, things kind of start to fall apart. So then the question becomes how do you find a regime of rights that people with different theories of justice can overlap on? And there I can see to the left that libertarians will have to be willing to allow for some redistribution to provide for basic social welfare. Libertarians won't think this is just. They won't think it's the best. But if they care about living in a society where they can cooperate with and trust non-libertarians, which is almost everybody, there's certain concessions they have to be prepared to make.

Kevin Vallier: [22:16](#)

Now I think in the case of out and out socialism, things are quite different because what they're advocating is so dramatically coercive. And so manifestly inefficient that it's just not, we sort of understand on reflection that it's not really a good way to organize society anymore. So the thought is that it's almost impossible to publicly justify socialism because there's a lot of

people that would rather have anarchy than socialism. Now I know you say, look, a lot of socialists would prefer anarchy to libertarianism. But would they really prefer it to a society that was liberal, democratic and that had a functional welfare state? Then I think they'll think, well, I'm not going to gamble with anarchy just to get what I want because this society isn't great, but it's something I can tolerate.

Speaker 2: [23:11](#) Well, I'm really glad you brought up that point because I was going to ask you, part of the problem with classical liberalism today across academia I think is that it's somewhat difficult sometimes to talk with our left leaning colleagues and get them to take this package of ideas or even liberalism as a broad intellectual tradition or concern seriously. That it's so fallen out of political favor with most academics that they simply don't seem to care about it even as a historical phenomenon anymore.

Kevin Vallier: [23:50](#) Yeah.

Speaker 2: [23:50](#) And so I'm wondering what kind of ways would you "market" this concept of civil society to historically marginalized and exploited people who very often see liberalism as kind of like a set of excuses for rich white men to continue getting away with exploitation? Kind of in the way that I was describing earlier.

Kevin Vallier: [24:15](#) Yeah, yeah, yeah. I mean the one of the main tools that I think religious minorities and other minorities can be used to respect those groups is by allowing for exemptions from generally applicable laws. But my view is that religious exemptions, legal exemptions should apply not just to people of faith but also to secular people. And not just to secular people who think, that certain forms of life like being drafted say are bad, but to communities that have different conceptions of justice. So for instance, I think that the Free State Project has a fairly decent chance of being able to be publicly justified because they're not trying to take over the whole country. They're not trying to destroy the welfare state as such. They're just saying, look, we're going to convince people in our region to negotiate for more state level authority. And I think federalism is a way that you give groups a sort of justice based exemption. You say, look, you can construct your own local order. So public reason ends up being really Federalist on my view and it ends up having a pretty robust role for exemptions in order to deal with precisely the problems that you bring up.

Speaker 2: [25:27](#) Now what other kinds of concessions would you personally be willing to make or do you think that classical liberals should seriously consider? You mentioned something that it sounded like you were going in the direction of a universal basic income or some sort of scheme like it. And I'm wondering what other kinds of concessions do you think would be legitimate to consider?

Kevin Vallier: [25:50](#) The main concession really is over redistribution. When it comes to other things that libertarians tend to emphasize, like foreign policy, misadventures and restrictions and civil liberties, they're going to have, what I call defeater reasons or strong reasons to reject these kinds of policies that they would rather not have done it all. So, because these policies of restricting civil liberties and going to war, coercion, initiating. Whereas in many ways the property rights, and I think sometimes libertarians can't see this, when you defend them, you have to defend them with coercion. So I think that there's a kind of asymmetry between libertarians insistent say, oh no redistribution and that all taxation is theft. And the thought that looked the U.S. government is going to be murdering hundreds of thousands of people and, oh, it's going to like monitor you all the time. Those aren't concessions that libertarians need to make.

Kevin Vallier: [26:56](#) So beyond that, it's largely reduced tuition. But there is one really important exception but doesn't apply to all libertarians. But it does apply to some, which is anti-discrimination law. So I think that libertarians have to be willing to acknowledge the authority of a lot more antidiscrimination law than they are now because they tend to want to say that non can be justified at all. So for instance, I think if you're in a Southern state and most people are using their property rights in order to systematically exclude and degrade a racial minority, then the racial minorities are going to have good reason to reject or defeat or reasons for those course of property rights arrangements such that the law can intervene to protect them through antidiscrimination law. But I actually think we resistance to any discreet antidiscrimination laws. Maybe one of libertarianism is a doctrine's great weaknesses and it's something I think libertarians should be prepared to take on board even though many aren't. So I guess there's an example I, but I do want to stress to your listeners that I'm on the things that libertarians really, really care about. Many of them, no concession is needed.

Speaker 2: [28:07](#) Now those are for a sort of policy concessions. But does this mean that sort of in your everyday life, in your social

interactions with people, you have to try to make nice and sort of shake hands and be friendly with people who have really horrible ideas from, the nice kind of horrible ideas like social democracy to the nasty kind of horrible ideas like a fascism or he left something like that?

Kevin Vallier: [28:40](#) It depends on how much you care about being able to maintain relations of trust with those other people. And I think people have really good reason to care about maintaining those relationships because trust is of such fundamental value empirically speaking. But there are some people that you think, look, I mean they're not even trustworthy with respect to the basic moral rules of our order, then there's no reason to trust them. So the social democratic left, I mean it's going to be trustworthy with respect to lots of norms, whereas the sort of tanking left is going to be trying to tear the whole system down including everything you kind of hold dear. So I think it's perfectly legitimate to be much, much more critical and enforceful with folks who are trying to impose coercion and control that many people reasonably reject than people who are just proposing something more, a lot more mild even if they are misguided. So it does vary based on what people are actually wanting to do. We can be harsher with the Marxist and then we can with the Swed, or this sort of Swedish free market, a welfare state person, capitalist welfare state person.

Speaker 2: [29:51](#) And now as I understand it, this book, *Must Politics Be War?*, is part of a sort of series that you have going and the latest of which was subject of a manuscript workshop here with IHS just last month. I was wondering if you could tell us a bit about the manuscript workshop and what this next book will be like.

Kevin Vallier: [30:14](#) Well, it was a wonderful experience and I'm extremely grateful for the opportunity, but here's basically how the two books are related. The first book asks the question, must politics be war in principle? Because a lot of people think now politics is such as war. So there's no, that's not strictly speaking an empirical question about the real world. That's a more lofty philosophical question and I started to answer it by trying to say, look, our moral psychology is broadly compatible with trust across different perspectives and that's what ends a war like politics. But there is an additional question which is of equal, if not greater importance, which is do liberal democratic institutions create trust in the real world with real people? So the next book, a liberal democratic piece, creating trust and polarized times. It's also coming out with Oxford and with luck, it'll be out in November. That it makes that argument.

- Kevin Vallier: [31:08](#) It takes the liberal institutions that I think are publicly justified and goes through the empirical literature and political science and economics that's been building for decades to try to show that many of those same institutions promote trust. There's some that where we can't detect an effect yet. Freedom of speech, Preston and religion don't seem to have much of an effect, which is odd but we can't find one, but there are a number of different things that do seem to matter. Freedom of association helps some. Basic market economy that give the integrity of legal property rights, not necessarily tax rates. Those seem to help trust social and trust and trusting the government. High quality of governance in terms of operation by the rule of law and you know sort of general constitutional constraints on power. Then reduce corruption and rent seeking. Those I think are highly trust promoting.
- Kevin Vallier: [32:03](#) And then I think elections help but it's more complicated to show given the data. It's also important that there'd be some basic forms of economic security, but the data is ambiguous and whether those have to be provided through government funds or whether they can be provided with privatized social services. So those are the institutions for which I think there's evidence that they help trust in the real world. That also I think can be publicly justified. So that's what's going on in that book. So, and while the most politics we war is more at philosophers so it's a little more expensive. This next book will be under \$30 I think they make a nice pair. But for, for folks who are interested in that philosophical challenge, you should get the verse book. But if you're interested in the empirical data then the second book is more for you. I mean I think both problems are important. First you have to get the philosophical problem off the ground. You have to say, look, a non-war like politics is feasible for us. And then you come in and you say, okay, look, actually here's what's going on in the real world. And that adds to the argument. But either book can be read entirely on their own.
- Speaker 2: [33:18](#) Kevin Vallier has my absolute greatest thanks for joining us on the show this week for indulging me in my skeptical form of harassment. He put up a great defense and after all, that in itself is sort of a form of evidence, at least for his point of view. A lot of us out here feel a bit tapped out of public reason at this particular historical juncture. But hey, maybe that's exactly the sort of role we classical liberal academics can take on out there in the arena for our own part. We can't wait to hear more about professor Vallier's ideas in progress.