

Thick and Thin
Moral Argument at Home and Abroad

MICHAEL WALZER University of Notre Dame Press Notre Dame London

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Introduction

My aim in this book is twofold: first, to rehearse, revise, and extend a set of arguments about justice, social criticism, and nationalist politics that I have been involved in making for some ten years. The revisions and extensions also represent so many responses to my critics (I am grateful to all of them). But I shall not engage in any polemics here; I want only to get the arguments right -- what that might mean is taken up in my third chapter -- not to gain some advantage in the critical wars. These are wars that can never in any case be won, since none of the participants are inclined, nor can they be forced, to surrender. There is no final arbiter, like the sovereign in Hobbes's *Leviathan*. So I shall strengthen my arguments as best I can and wait for further criticism. Nothing in these pages is finished or done with.

But I also want, second, to put my arguments to work in the new political world that has arisen since I first presented them. This new world is marked by the collapse of the totalitarian project -- and then by a pervasive, at least ostensible, commitment to democratic government and an equally pervasive, and more actual, commitment to cultural autonomy and national independence. A universal or near-universal ideology side-by-side with an extraordinarily intense pursuit of the "politics of difference": what are we to make of this? The two are not necessarily incompatible, though their simultaneous success is bound to pluralize democracy in a radical way. It will produce a number of different "roads to democracy" and a variety of "democracies" at the end of the road -- a prospect difficult to accept for those who believe that

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democracy is the single best form of government. And sometimes, at least, difference will triumph at the expense of democracy, generating political regimes more closely attuned to this or that historical culture: religious republics, liberal oligarchies, military chiefdoms, and so on. Nonetheless, I want to endorse the politics of difference and, at the same time, to describe and defend a certain sort of universalism. This won't be a universalism that requires democratic government in all times and places, but it opens the way for democracy wherever there are enough prospective and willing citizens. More important, perhaps, it prohibits the brutal repression of both minority and majority groups in democratic and non-democratic states. (I count myself among the willing citizens; I think it best to be governed democratically; but I don't claim that my political views have the definitive endorsement of God or Nature or History or Reason.)

Difference is, as it has always been, my major theme and abiding interest. But I mean to begin, in the first chapter, by describing what I take to be a universal moment -- not a philosophical but an actual moment -- and the politics and morality it requires. I will then go on to restate my own particularist account of justice, in the second chapter, and of

social criticism, in the third -always keeping in mind the memory of the universal moment. In the fourth chapter, I will try to show how the universalism of "self-determination," always congenial to difference, can also constrain it, setting limits to our particularist projects. And at the end, in the fifth chapter, I will provide a differentiated account of the self that will, I hope, render my defense of difference elsewhere more plausible and persuasive. When I wrote *Spheres of Justice* ten years ago, I argued (and I still believe) that we need focus only on things, the objects of distribution, to work out a critical account of distributive justice. The account does not require or "rest on" a theory of human nature. But there is a picture of the self, nothing so grand as a

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theory, that is consistent with "complex equality" as I described it there and with versions of complexity that I have defended elsewhere. So I will appeal, at the end, to the inner divisions of my readers -- assuming that these are not unlike my own -- and invite them to recognize themselves in the thick, particularist stories I want to tell about distributive justice, social criticism, and national identity.

I will describe in these chapters two different but interrelated kinds of moral argument -- a way of talking among ourselves, here at home, about the thickness of our own history and culture (including our democratic political culture) and a way of talking to people abroad, across different cultures, about the thinner life we have in common. "There is a thin man inside every fat man," George Orwell once wrote, "just as...there's a statue inside every block of stone."¹ Similarly, there are the makings of a thin and universalist morality inside every thick and particularist morality -- but the story of these two is not at all like the statue and the stone. They are differently formed and differently related, as we shall see.

¹George Orwell, *Coming Up for Air* (New York: Harcourt, Brace, 1950), Part 1, chapter 3. I have borrowed the idea of thickness from Clifford Geertz's defense of "thick description" in his much-cited *The Interpretation of Cultures* (New York: Basic Books, 1973), see especially chap. 1. But it is not my claim to offer a thick description of moral argument, rather to point to a kind of argument that is itself "thick" -richly referential, culturally resonant, locked into a locally established symbolic system or network of meanings. "Thin" is simply the contrasting term; its use is illustrated in the first chapter.

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ONE: Moral Minimalism

I

I want to begin my argument by recalling a picture (I have in mind a film clip from the television news, late in that wonderful year 1989), which is the actual starting point, the conceptual occasion, of this chapter. It is a picture of people marching in the streets of

Prague; they carry signs, some of which say, simply, "Truth" and others "Justice." When I saw the picture, I knew immediately what the signs meant -- and so did everyone else who saw the same picture. Not only that: I also recognized and acknowledged the values that the marchers were defending -- and so did (almost) everyone else. Is there any recent account, any post-modernist account, of political language that can explain this understanding and acknowledgment? How could I penetrate so quickly and join so unreservedly in the language game or the power play of a distant demonstration? The marchers shared a culture with which I was largely unfamiliar; they were responding to an experience I had never had. And yet, I could have walked comfortably in their midst. I could carry the same signs.

The reasons for this easy friendliness and agreement probably have as much to do with what the marchers did not mean as with what they did mean. They were not marching in defense of the coherence theory, or the consensus theory, or the correspondence theory of truth. Perhaps they disagreed about such theories among themselves; more likely, they did not care about them. No particular account of truth was at issue here. The march had nothing to do with epistemology. Or, better, the

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epistemological commitments of the marchers were so elementary that they could be expressed in any of the available theories -- except for those that denied the very possibility of statements being "true." The marchers wanted to hear true statements from their political leaders; they wanted to be able to believe what they read in the newspapers; they didn't want to be lied to anymore.

Similarly, these citizens of Prague were not marching in defense of utilitarian equality or John Rawls's difference principle or any philosophical theory of desert or merit or entitlement. Nor were they moved by some historical vision of justice with roots, say, in Hussite religious radicalism. Undoubtedly, they would have argued, if pressed, for different distributive programs; they would have described a just society in different ways; they would have urged different rationales for reward and punishment; they would have drawn on different accounts of history and culture. What they meant by the "justice" inscribed on their signs, however, was simple enough: an end to arbitrary arrests, equal and impartial law enforcement, the abolition of the privileges and prerogatives of the party elite -common, garden variety justice.

II

Moral terms have minimal and maximal meanings; we can standardly give thin and thick accounts of them, and the two accounts are appropriate to different contexts, serve different purposes. It's not the case, however, that people carry around two moralities in their head, two understandings of justice, for example, one of which is brought out for occasions like the Prague march while the other is held in readiness for the debates soon to be joined on taxation or welfare policy. The march, it might be argued, is an appeal for support abroad; the debates will draw on home truths and local values; hence the reliance

on garden variety justice in the first case and on more highly cultivated and deeply rooted varieties of justice in the second. But this is not the way the distinction works. Rather, minimalist meanings are embedded in the maximal morality, expressed in the same idiom, sharing the same (historical/cultural/religious/political) orientation. Minimalism is liberated from its embeddedness and appears independently, in varying degrees of thinness, only in the course of a personal or social crisis or a political confrontation -- as, in the Czech case, with communist tyranny. Because (most of) the rest of us have some sense of what tyranny is and why it is wrong, the words used by the demonstrators shed whatever particularist meanings they may have in the Czech language; they become widely, perhaps universally accessible. Were there no common understanding of tyranny, access would fail. At the same time, the same words have further meanings for the marchers, which they will argue about among themselves and which we, looking on from far away, may well miss. They resonate differently in Prague than their translations resonate in, say, Paris or New York.

The contemporary argument about relativism and universalism is probably best understood as an argument about the extent and legitimacy of those resonances. What range of difference can the idea of morality cover? I want to suggest a way of thinking about this question that attends to the experience of the Prague marchers. Clearly, when they waved their signs, they were not relativists: they would have said, rightly, it seems to me, that everyone in the world should support their cause -- should join them in defense of "truth" and "justice" (I am quoting the signs, not expressing irony or skepticism about their message). But when they turn to the business of designing a health care system or an educational system for Czechs and Slovaks or arguing about the politics of their union or separation, they will not be universalists: they will aim at what is best for themselves, what fits their history and culture, and won't

insist that all the rest of us endorse or reiterate their decisions. ²

This dualism is, I think, an internal feature of every morality. Philosophers most often describe it in terms of a (thin) set of universal principles adapted (thickly) to these or those historical circumstances. I have in the past suggested the image of a core morality differently elaborated in different cultures. ³ The idea of elaboration is better than adaptation, it seems to me, because it suggests a process less circumstantial and constrained, more freely creative: governed as much by ideal as by practical considerations. It accounts better for the actual differences that anthropology and comparative history reveal. But both these descriptions suggest mistakenly that the starting point for the development of morality is the same in every case. 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. They start thin, as it were, and thicken with age, as if in accordance with our deepest intuition about what it means to develop or mature. But our intuition is wrong here. 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 specific purposes.

Consider, further, the idea of justice. It appears, so far as I can tell, in every human society -- the idea itself, some word or set of words that give it a name, institutions and practices that are supposed to make it real, to exemplify

²In fact, the argument for separation is a minimalist and universal one, invoking the principle of self-determination (see Chapter Three). But whatever cooperative arrangements are worked out for the new states will obviously depend upon more particular understandings.

³Michael Walzer, *Interpretation and Social Criticism* (Cambridge, Mass.: Harvard University Press, 1987), pp. 23-25.

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justice or to enact and enforce it. And so when we read in the book of Deuteronomy, say, "Justice, justice, shalt thou pursue," we have no difficulty agreeing; we fill in our own developed understanding of justice (this is the subject of my second chapter), which indeed guides or which we acknowledge ought to guide our political and legal pursuits. ⁴ But if someone were to produce for us a thick description of what the Deuteronomist actually meant -- a close reading of the text, a reconstruction of the historical context -- we would not find it so easy to agree. We might well prefer a response more complex, differentiated, or ambiguous than simple agreement. Or the description might seem so distant and alien as to leave us entirely unresponsive (but we will still recognize it as a description of "justice"). Again, when the prophet Isaiah condemns as unjust the practices he calls "grinding the face of the poor," he escapes, at least for the moment, all complexity: *that* is unjust simply. ⁵ We know it to be so even if we don't know with the same certainty and unanimity what would count as treating the poor justly. A maximalist account of practices and institutions, which Isaiah's criticism probably presupposes, would leave many of us wondering if justice could really require anything quite like that.

Whatever the origins of the idea of justice, whatever the starting point of the argument in this or that society, people thinking and talking about justice will range over a mostly familiar terrain and will come upon similar issues -- like political tyranny or the oppression of the poor. What they say about these issues will be part and parcel of what they say about everything else, but some aspect of it -- its negativity perhaps, its rejection of brutality ("grinding the face") -- will be immediately accessible

⁴Deuteronomy 16:20.

⁵Isaiah 3:15.

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to people who don't know anything about the other parts and parcels. Pretty much anybody looking on will see something here that they recognize. The sum of these recognitions is what I mean by minimal morality.

I want to stress (though it should already be obvious) that "minimalism" does not describe a morality that is substantively minor or emotionally shallow. The opposite is more likely true: this is morality close to the bone. There isn't much that is more important than "truth" and "justice," minimally understood. The minimal demands that we make on one another are, when denied, repeated with passionate insistence. In moral discourse, thinness and intensity go together, whereas with thickness comes qualification, compromise, complexity, and disagreement.

III

For many philosophers (in both the Anglo-American and continental traditions) minimal morality is little more than an invitation to further work. Moral philosophy is usually understood as a twofold enterprise that aims, first, at providing a foundation for minimalism and, second, at building on that foundation a more expansive structure. I suppose that the goal is a singular and more or less complete account of what we ought to do and how we ought to live, an account that can then be used as a critical standard for all the more circumstantial constructions of particular societies and cultures. The search for singularity is probably overdetermined in Western philosophy, but it is more specifically inspired here by the apparent singularity of the moral minimum or, at least, by the fact of general agreement on such minimalist values as "truth" and "justice." If we agree this far and, it appears, so easily, why not seek a larger even if more difficult agreement?

Some thirty years ago, a group of American painters, who were also theorists of painting, aspired to something

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they called Minimal Art. ⁶The capital letters derive from some manifesto calling for a form of art that was "objective and unexpressive." I am not sure what those words mean when applied to a painting, but they nicely capture one view of minimalism in morality. Applied to a moral rule, they mean that the rule serves no particular interest, expresses no particular culture, regulates everyone's behavior in a universally advantageous or clearly correct way. The rule carries no personal or social signature. (I don't know if Minimal Art was signed.) Though it may have been taught with special force by this or that individual, it was never his or hers. Though it was first worked out in a specific time and place, it bears no mark of its origin. This is the standard philosophical view of moral minimalism: it is everyone's morality because it is no one's in particular; subjective interest and cultural expression have been avoided or cut away. And if we succeed in understanding this morality, we should be able to construct a complete objective and unexpressive code -- a kind of moral Esperanto.

But this hope is misbegotten, for minimalism is neither objective nor unexpressive. It is reiteratively particularist and locally significant, intimately bound up with the maximal moralities created here and here and here, in specific times and places. Hence when we see the Prague marchers, we don't in the first instance (or perhaps ever) endorse "truth" and "justice" as abstract propositions. Rather, we recognize the occasion; we imaginatively join the march; our endorsement is more vicarious than detached and speculative. We too don't want to be told lies; we too remember, or we have listened to stories about, tyranny and

⁶On Minimal Art, see *The Oxford Companion to Twentieth-Century Art*, ed. Harold Osborne (Oxford: Oxford University Press, 1981), pp. 375-377.

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oppression. We see the point of the Czech signs. At the same time, however, we give to "truth" and "justice" our own additional meanings; we allow them their full expressive range within our own culture. So while we march in spirit with the men and women of Prague, we have in fact our own parade. (This may seem less than obvious in the case at hand, since Prague is culturally a nearby place. Imagine, then, a march for "truth" and "justice" in Rangoon or Beijing.)

We march vicariously with people in trouble whoever they are; and we have our own parade. This dualist metaphor captures our moral reality. We should not try to escape the dualism, for it fits what I am inclined to call the necessary character of any human society: universal because it is human, particular because it is a society. Philosophers commonly try, as I have already suggested, to make the adjective dominant over the noun, but the effort cannot be sustained in any particular society except at a cost (in coercion and uniformity) that human beings everywhere will recognize as too high to pay. That recognition vindicates at once minimalism and maximalism, the thin and the thick, universal and relativist morality. It suggests a general understanding of the value of living in a particular place, namely, one's own place, one's home or homeland. Societies are necessarily particular because they have members and memories, members *with* memories not only of their own but also of their common life. Humanity, by contrast, has members but no memory, and so it has no history and no culture, no customary practices, no familiar life-ways, no festivals, no shared understanding of social goods. It is human to have such things, but there is no singular human way of having them. At the same time, the members of all the different societies, because they are human, can acknowledge each other's different ways, respond to each other's cries for help, learn from each other, and march (sometimes) in each other's parades.

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Why isn't this enough? Think of the exodus of Israel from Egypt, the *Anabasis*, Muhammad's *hegira*, the Pilgrims' crossing of the Atlantic, the Boer trek, the long march of the Chinese communists, the Prague demonstrations: must all these merge into one

grand parade? There is nothing to gain from the merger, for the chief value of all this marching lies in the particular experience of the marchers. They can join each other only for a time; there is no reason to think that they are all heading in the same direction. The claim that they must be heading in the same direction, since there is only one direction in which good-hearted (or ideologically correct) men and women can possibly march, is an example -- so writes the Czech novelist Milan Kundera in *The Unbearable Lightness of Being* -- of leftist *kitsch*.⁷ It is also an example of philosophical highmindedness. But it does not fit our moral experience.

IV

It is possible, nonetheless, to give some substantial account of the moral minimum. I see nothing wrong with the effort to do that so long as we understand that it is necessarily expressive of our own thick morality. A moral equivalent of Esperanto is probably impossible -- or, rather, just as Esperanto is much closer to European languages than to any others, so minimalism when it is expressed as Minimal Morality will be forced into the idiom and orientation of one of the maximal moralities. There is no neutral (unexpressive) moral language. Still, we can pick out from among our values and commitments those that make it possible for us to march vicariously with the

⁷Milan Kundera, *The Unbearable Lightness of Being* (New York: Harper and Row, 1984), Part VI: "The Grand March."

people in Prague. We can make a list of similar occasions (at home, too) and catalogue our responses and try to figure out what the occasions and the responses have in common. Perhaps the end product of this effort will be a set of standards to which all societies can be held -negative injunctions, most likely, rules against murder, deceit, torture, oppression, and tyranny. Among ourselves, late twentieth-century Americans or Europeans, these standards will probably be expressed in the language of rights, which is the language of our own moral maximalism. But that is not a bad way of talking about injuries and wrongs that no one should have to endure, and I assume that it is translatable.

A morality that did not allow for such talk, whose practitioners could not respond to other people's pain and oppression or march (sometimes) in other people's parades, would be a deficient morality. A society or political regime (like that of the Czech communists) that violated the minimal standards would be a deficient society. In this sense, minimalism provides a critical perspective. But I want to stress again that the moral minimum is not a freestanding morality. It simply designates some reiterated features of particular thick or maximal moralities. Hence I am inclined to doubt that when we criticize other societies we are best described as applying minimal standards; at least, that can't be all that we are doing. It is, of course, the minimalism of "truth" and "justice" that makes it possible for us to join the Prague marchers. But when we criticize Czech communism in ways that suggest an alternative, we move quickly beyond the minimum, knowing that some of

what we say will echo positively in Prague (or in this or that part of Prague) and some, perhaps, won't. Criticizing tyranny, for example, I am likely to defend the values of social democracy, though these are not by any means the universal values of anti-tyrannical politics. Other criticisms of tyranny will repeat one part of my argument and ignore or reject other parts. But I have no

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philosophical reason to separate out the parts (I may have political or prudential reasons).

The critical enterprise is necessarily carried on in terms of one or another thick morality. The hope that minimalism, grounded and expanded, might serve the cause of a universal critique is a false hope. Minimalism makes for a certain limited, though important and heartening, solidarity. It doesn't make for a full-blooded universal doctrine. So we march for a while together, and then we return to our own parades. The idea of a moral minimum plays a part in each of these moments, not only in the first. It explains how it is that we come together; it warrants our separation. By its very thinness, it justifies us in returning to the thickness that is our own. The morality in which the moral minimum is embedded, and from which it can only temporarily be abstracted, is the only full-blooded morality we can ever have. In some sense, the minimum has to be there, but once it is there, the rest is free. We ought to join the marchers in Prague, but once we have done that, we are free to argue for whatever suits our larger moral understandings. There is one march, and there are many (or, there are many marches, and then sometimes there is one).

V

I need to discuss a contemporary version of moral minimalism that claims to respect the one and the many but in fact does not. It is popular these days to think of the minimum in procedural terms -- a thin morality of discourse or decision that governs every particular creation of a substantive and thick morality. Minimalism, on this view, supplies the generative rules of the different moral maximums. A small number of ideas that we share or should share with everyone in the world guides us in producing the complex cultures that we don't and needn't

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share -- and so they explain and justify the production. Commonly, as in Jürgen Habermas's critical theory, these shared ideas require a democratic procedure -- indeed, they require a radical democracy of articulate agents, men and women who argue endlessly about, say, substantive questions of justice. ⁸Minimal morality consists in the rules of engagement that bind all the speakers; maximalism is the never-finished outcome of their arguments.

This ingenious doctrine faces two serious difficulties. First of all, the procedural minimum turns out to be rather more than minimal. For the rules of engagement are designed to ensure that the speakers are free and equal, to liberate them from domination,

subordination, servility, fear, and deference. Otherwise, it is said, we could not respect their arguments and decisions. But once rules of this sort have been laid out, the speakers are left with few substantive issues to argue and decide about. Social structure, political arrangements, distributive standards are pretty much given; there is room only for local adjustments. The thin morality is already very thick -- with an entirely decent liberal or social democratic thickness. The rules of engagement constitute in fact a way of life. How could they not? Men and women who acknowledge each other's equality, claim the rights of free speech, and practice the virtues of tolerance and mutual respect, don't leap from the philosopher's mind like Athena from the head of Zeus. They are creatures of history; they have been worked on, so to speak, for many generations; and they inhabit a society that "fits" their qualities and so supports, reinforces,

⁸Jürgen Habermas, *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge, Mass.: MIT Press, 1990); Seyla Benhabib, *Critique, Norm, and Utopia: A Study of the Foundations of Critical Theory* (New York: Columbia University Press, 1986), chapter 8.

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and reproduces people very much like themselves. They are maximalists even before they begin their rule-governed discussions.

The second difficulty perhaps only restates the first. Rules of engagement assume, obviously, that in the beginning there are rules and then there are engagements. Minimalism precedes maximalism; once we were thin but have grown thick. I have already disputed this view; now with the example of discourse and decision theory before us we can more easily understand its problems. For the minimal morality prescribed by these theories is simply abstracted from, and not very far from, contemporary democratic culture. If no such culture existed, this particular version of minimal morality would not even be plausible to us. Maximalism in fact precedes minimalism. But no particular maximum is the sole source of the moral minimum, let alone of all the other maximums. When full-grown democrats imagine that the rules of discursive engagement are the generative rules of morality in all its kinds, they are very much like an oak tree that, endowed with speech and encouraged to speak freely, solemnly declares the acorn to be the seed and source of the entire forest.

But this at least suggests a certain generosity. What is perhaps a better analogue would be provided by an oak tree that acknowledged the full range of arboreal difference and then argued for the cutting down of all those trees, now called illegitimate, that did not begin as acorns. So (some) proceduralist philosophers argue for the rejection of any morality that is not or could not be produced by their procedure.⁹ Moral minimalism has indeed a critical function. If, however, every maximum but one (our own) is ruled out,

⁹I think that this is the argument of Bruce Ackerman's *Social Justice in the Liberal*

State (New Haven, Conn.: Yale University Press, 1980).

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we can immediately adopt that one as our critical standard: why bother with minimalism at all? Unless we can identify a neutral starting point from which many different and possibly legitimate moral cultures might develop, we can't construct a proceduralist minimum. But there is no such starting point. Moralities don't have a common beginning; the men and women who work them out are not like runners in a race -- who also have a common set of rules and a common goal, neither of which play a part in the less organized work of cultural elaboration.

A far more modest proceduralism has recently been urged by Stuart Hampshire (in his book *Innocence and Experience*), who defends what he calls "a thin notion of minimum procedural justice...the conditions of mere decency."¹⁰ Hampshire is inclined to identify these conditions with the common (he says "species-wide") experience of political deliberation. He aims to derive from this experience a set of practical rules or understandings that might protect men and women from cruelty and oppression. His is clearly an argument for "truth" and "justice" -- always in a minimalist style: just enough of the two so that the larger argument about truth and justice can go on and on. The larger argument has no necessary form; many different forms (not only democratic ones) meet the requirements of mere decency. Hampshire is not in the business of inventing or deducing ideal procedures to govern the argument and give shape and legitimacy to its outcomes. Outcomes can be right or wrong, good or bad, in a more local and particularist sense. What is important is that they be reached without tyrannical coercion or civil war. I take this to be a useful way of getting at the substance of moral minimalism; it is also, and this may be more important, a way closely attuned to twentieth-

¹⁰Stuart Hampshire, *Innocence and Experience* (Cambridge, Mass.: Harvard University Press, 1989), esp. pp. 72-78.

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century political experience. I would insist, however, that it isn't the only way.

Proceduralism is appealing because it ostensibly (in Hampshire's case, actually) allows for divergent outcomes; it locates commonality on the way to difference. We might also, however, reverse the argument, acknowledge the great diversity of historical processes, and look for similar or overlapping outcomes: locate commonality at the endpoint of difference. Often, certainly, we put together the moral minimum by abstracting from social practices reiterated in many countries and cultures (rather than from the process of reiteration). The practice of government, for example, brings with it ideas about the responsibility of governors toward the governed. The practice of war brings with it ideas about combat between combatants, the exclusion of non-combatants, civilian immunity. The practice of commerce brings with it ideas about honesty, fairdealing, and fraud. All

these ideas are ineffective much of the time, no doubt, or they work only within highly elaborated cultural systems that give to each constituent practice a radically distinct form. Nonetheless, the ideas are available for minimalist use when occasions arise to use them.

VI

Now let's consider one possible occasion very much in today's news: when the solidarity we feel with people in trouble, confronting murder and oppression, seems to require not only marching but also fighting -- military intervention on their behalf. No doubt, we should never be in a hurry to fight; I have argued elsewhere for a strong presumption against intervening in other people's countries. ¹¹ Nor can every moral rule that we are able to describe in

¹¹*Just and Unjust Wars* (New York: Basic Books, 1977), chapter 6.

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minimalist terms serve to justify the use of force. We are more likely called upon to speak up for "truth" than to fight for it. "Justice," too, is better defended with the moral support of outsiders than with their coercive intervention. We might even say that this preference is a feature of the moral minimum. Nonetheless, there are times when it is morally justified to send armed men and women across a border -and minimalism alone (ultra-minimalism?) defines the time and fixes its limits.

So we intervene, if not on behalf of "truth" and "justice," then on behalf of "life" and "liberty" (against massacre or enslavement, say). We assume that the people we are trying to help really want to be helped. There may still be reasons for holding back, but the belief that these people prefer to be massacred or enslaved won't be among them. Yes, some things that we consider oppressive are not so regarded everywhere. The consideration is a feature of our own maximal morality, and it cannot provide us with an occasion for military intervention. We cannot conscript people to march in our parade. But minimalism makes for (some) presumptive occasions, in politics just as it does in private life. We will use force, for example, to stop a person from committing suicide, without knowing in advance who he is or where he comes from. Perhaps he has reasons for suicide confirmed by his maximal morality, endorsed by his moral community. Even so, "life" is a reiterated value and defending it is an act of solidarity. And if we give up the forcible defense out of respect for his reasons, we might still criticize the moral culture that provides those reasons: it is insufficiently attentive, we might say, to the value of life.

VII

Minimal morality is very important, both for the sake of criticism and for the sake of solidarity. But it can't sub-

stitute for or replace the defense of thickly conceived values. Social democracy, market freedom, moral laissezfaire, republican virtue, this or that idea of public decency or the good life -- all these have to be defended in their own terms. Our arguments on their behalf are likely to be inclusive of the moral minimum, but they are not continuous with it, not derived from it or entailed by it. If we are to make these arguments properly, honestly, we have to be clear about their status: they are *ours*, not, until we have persuaded the others, everyone's. Minimalism, by contrast, is less the product of persuasion than of mutual recognition among the protagonists of different fully developed moral cultures. It consists in principles and rules that are reiterated in different times and places, and that are seen to be similar even though they are expressed in different idioms and reflect different histories and different versions of the world. I won't consider here the reasons for the reiterations or for the differences (a naturalistic account seems best for the first, a cultural account for the second). It is enough to stress the dual effect of these principles and rules. In context, everyday, they provide contrasting perspectives; seen from a distance, in moments of crisis and confrontation, they make for commonality.

I should stress that what is recognized is just this (partial) commonality, not the full moral significance of the other cultures. Most people most of the time do not see the others, in context, as carriers of value; most people are not pluralists. Cultural pluralism is a maximalist idea, the product of a thickly developed liberal politics. Minimalism depends on something less: most simply, perhaps, on the fact that we have moral expectations about the behavior not only of our fellows but of strangers too. And they have overlapping expectations about their own behavior and ours as well. Though we have different histories, we have common experiences and, sometimes, common responses, and out of these we fashion, as needed, the moral

minimum. It is a jerry-built and ramshackle affair -- as hastily put together as the signs for the Prague march.

Minimalism, then, is quite unlike Orwell's statue, liberated from the shapeless stone. We have in fact no knowledge of the stone; we begin with the finished statue; maximalist in style, ancient, carved by many hands. And then, in moments of crisis, we hastily construct an abstract version, a stick figure, a cartoon, that only alludes to the complexity of the original. We seize upon a single aspect, relevant to our immediate (often polemical) purposes and widely recognizable. What unites us at such a time is more the sense of a common enemy than the commitment to a common culture. We don't all possess or admire the same statue, but we understand the abstraction. It is the product of a historical conjuncture, not of a philosophical "in-the-beginning."

Minimalism is not foundational: it is not the case that different groups of people discover that they are all committed to the same set of ultimate values. Among the supporters of

the Prague demonstrations, to take an easy example, were Christian fundamentalists for whom secular "truth" and "justice" are not the most important things. But they too can join in celebrating the downfall of the regime of lies. Often enough, what goes deepest for one group (personal salvation or the knowledge of God, say) is likely to mean little to another -- so that the first group is hard pressed to understand how members of the second can possibly be moral men and women. We are constantly surprised by goodness in others, like the rabbis of ancient Israel by "righteous gentiles" or Jesuit missionaries by the godless Chinese or cold war Americans by communist dissidents. We share some values with these others, including important values, for which it is sometimes necessary to march (and sometimes to fight). But the minimum is not the foundation of the maximum, only a piece of it. The value of minimalism lies in the encounters it facilitates, of which it is also the product. But these

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encounters are not -- not now, at least -- sufficiently sustained to produce a thick morality. Minimalism leaves room for thickness elsewhere; indeed, it presupposes thickness elsewhere. If we did not have our own parade, we could not march vicariously in Prague. We would have no understanding at all of "truth" or "justice."

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TWO: Distributive Justice As A Maximalist Morality

I

I want to take distributive justice as an example of a thick or maximalist morality. No doubt there are minimalist versions; I will say something about them later on. But any full account of how social goods ought to be distributed will display the features of moral maximalism: it will be idiomatic in its language, particularist in its cultural reference, and circumstantial in the two senses of that word: historically dependent and factually detailed. Its principles and procedures will have been worked out over a long period of time through complex social interactions. Arguments among individuals and groups are an important part of these interactions; they don't, however, constitute the set, which also includes social conflict, political bargaining, cultural imitation, and (sometimes) religious revelation. The process as a whole is virtually impossible to reconstruct, but it is surely misrepresented when it is described, late in the day, as if it had been guided from the beginning by a single, comprehensive, and universal principle. All such principles are abstractions and simplifications that, when analyzed, reveal their idiomatic, particularist, and circumstantial character.

Consider the ancient Greek maxim according to which we ought "to give every man his due." This maxim epitomizes, first, a profoundly hierarchical (and, no doubt, sexist) understanding of both the social and moral worlds and then a fairly complacent conviction that the two worlds are cognitively accessible in detail. There was no

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