

Is There a Distinctively Political Normativity?

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Most contemporary theorists of normativity allow that not all normativity is moral normativity. Other candidate kinds of normativity include epistemic normativity, prudential normativity, “aim-given” normativity, and aesthetic normativity. These are *candidate* kinds of normativity because for each kind, it is disputable whether its claims are genuinely normative, and if so whether they are essentially distinctive or a subset of some other kind of normativity. Indeed, one can ask these questions about moral normativity itself.

There is, however, one candidate kind that is surprisingly underexplored by theorists of normativity: *political* normativity. Yet political normativity has become increasingly salient in methodological debates in political philosophy, with a slew of recent political theorists contending that political normativity is its own distinctive kind of normativity, independent of moral normativity. A key source for this view is found in the political writings of Bernard Williams,¹ subsequently developed by a number of others.² Many of these theorists call themselves, following Williams’ terminology, “political realists”, and characterize themselves as challenging a contrasting “political moralist” paradigm currently dominant in political theory.

The term “political realism” encompasses a broad range of positive views and negative critiques.³ Some realists come close to rejecting a conception of political theory as normative inquiry entirely – as least on a robust construal of ‘normative’ where it means not just ‘concerned with the norms and values that people hold’ but ‘concerned with what actually ought to be done’.⁴ Most realists, however, accept a conception of political theory as a partially normative enterprise, but hold that the

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¹ Williams 2005. On some readings, Rawls – particularly the later Rawls (Rawls 1985; Rawls 1993) – constitutes another source of this view. But this is debatable; see Williams 2005, 2; Sangiovanni 2008, 150-2; Rossi 2014; Jubb 2015; Hall 2015b, 8-10 and fn. 13 & 24; Jubb and Rossi 2015a, fn.1 for further discussion.

² See e.g. Sangiovanni 2008; Newey 2010; Philp 2010; Sleat 2010; Rossi and Sleat 2014; Jubb and Rossi 2015a; Jubb and Rossi 2015b; Hall 2015a; Hall 2015b; Jubb 2017. See also: Newey 2001; Geuss 2005; Geuss 2008; Geuss 2010; Bourke 2009; Galston 2010; Horton 2010.

³ Here is a (non-exhaustive) list of other complaints that some realists make against “dominant” or “mainstream” political philosophy: it is too abstract, lacking concrete implications for guiding actual political practice (Horton 2010, 436; Miller 2013, 2-4); it is a mere *apologia* for the political status quo (Geuss 2005, 32-38; Finlayson 2015); it is unrealistic in its ambitions to radically change the status quo (Horton 2010, 435-7; Hall 2015b, 11, 14; Miller 2013, 1-2, 14-15, ch.10); it marginalizes empirical knowledge as an important constituent of political judgment (Geuss 2005, 33; Geuss 2008, 7, 9-10; Geuss 2010, 32; Bourke 2009, 100, 105; Newey 2009, 17); it offers no *explanatory* insight into the nature of politics (Newey 2001, 2; Geuss 2008, 90; Horton 2010, 433; Sagar [forthcoming], 27-8); it is too universalistic, assuming that a single set of principles apply over too wide a range of space and time (Sangiovanni 2008; Miller 2013, chs. 1-2; Newey 2009; Philp 2010, 468); it does not recognize the practice-dependence or fact-dependence of principles (Sangiovanni 2008; Jubb 2009; Miller 2013, ch.1; Hall 2013; Jubb 2016); it makes overly optimistic assumptions about human nature or the willingness of political actors to follow high-minded principles (Philp 2010, 469; Horton 2010, 434; Geuss 2008, 15, 28-9; Geuss 2010, 55; Newey 2010, 460); its methodology of starting with principles and only *afterwards* applying them to concrete political problems is mistaken (Sangiovanni 2008, 157-8; Williams 2005, 1-3; Geuss 2008, 1 & 6-13; Philp 2010, 467-74; Miller 2013, 17-18). Though we think that several of these criticisms miss their mark, the range of concerns here is too broad to be productively addressed in a single article.

⁴ See, e.g., Horton 2010, 443. For others who seem tempted in this direction, see Geuss 2008, 9; Newey 2010, 460-4; Miller 2013, 37.

kind of normativity involved in this enterprise is not moral but distinctively political. We find this claim interesting and under-investigated, but ultimately unconvincing. In this paper, we hope to make progress in assessing it by isolating it from other realist claims as far as possible. Henceforth, we will use the term ‘realism’ to refer solely to the view that there is a distinctively political normativity, and ‘moralism’ to refer to the converse view that political normativity is a kind of moral normativity. While we will not try to offer a knock-down argument for moralism, we aim to refute some prominent arguments against it.

The first part of the article tries to get a sharper fix on what it means to distinguish or assimilate different kinds of normativity, and separates our central claim from other claims that we are not defending. The remaining parts reconstruct five major potential realist arguments for the claim that political normativity is distinctive and autonomous from moral normativity, and contend that these arguments are unsound. In the process, we take some first steps toward a more positive case for the claim that political normativity *is* a kind of moral normativity.

We emphasize that the five arguments we survey are *potential* arguments. They are our best attempts at rendering explicit the variety of considerations that realists offer in favor of a distinctively political normativity. We do not claim that each argument is unequivocally endorsed by all realists. Moreover, some of the claims that we consider may be rejected by many realists, once made explicit; nevertheless, if it’s possible that they are being implicitly relied on, they are worth bringing to light. We also do not deny that other arguments for a distinctive political normativity may be possible. If our consideration of these five candidates pushes realists to articulate a different defense of a distinctively political normativity that we have not considered, we would take this to advance the debate. Finally, we reiterate that our analysis is not a critique of the entire realist agenda, elements of which we agree with. But we think the attempt to place a distinctively political, non-moral normativity at the core of that agenda – at least on the basis of the arguments thus far offered – is a mistake.

Framing the debate

We contend that political normativity is essentially a kind of moral normativity, whereas realists contend that political normativity is essentially distinct from moral normativity. The substance of this disagreement is, however, not transparent. For a start, while realists regularly state their frustration at the moralist assumption that “political theory is something like applied morality”,⁵ we have struggled to find any clear specification of how ‘morality’ is conceptualized by realists or their critics.⁶ Neutral bystanders might suspect that each side is right on their own terms – in one sense of ‘moral’ (relied on by moralists), political normativity is moral, but in another sense of ‘moral’ (relied on by realists), political normativity is non-moral. Indeed, what it means more generally for two kinds of normativity to be distinct (or not) is also not obvious. This makes it possible, similarly, that political normativity is a kind of moral normativity on one way of individuating kinds of normativity, but is also distinct from moral normativity on another way of doing so. If both senses of ‘moral’, or of ‘kind of normativity’, are legitimate, then the debate between realists and moralists might turn out to be merely verbal. This would, it seems to us, be a disappointment for realism, but rather less so for moralism.

⁵ Williams 2005, 2. See also: Geuss 2008, 1.

⁶ The same might be true, perhaps to a lesser extent, of ‘political’; see Frazer 2008.

For it is realism that has been framed by its proponents as a substantive alternative to the “dominant” or “mainstream” moralist view. “Moralists”, by contrast, rarely self-identify in those terms, the label ‘moralism’ being largely devised by realists, and typically do not have anything invested in the distinctiveness of their view from realism.

Like realists, however, we think that the disagreement between realists and moralists can be rendered substantive, and avoid collapse into a merely verbal debate. In this section, we will try to clarify how this might be achieved, and in the process elaborate our positive contention that political normativity should be seen as a kind of moral normativity.

If ‘morality’ is construed extremely broadly, moralism becomes trivial. An example of this would be assimilating *every* potential kind of normativity into one huge category of ‘considerations about what to do’, and labelling that domain the ‘moral’. This would not show that moralism is true in any interesting sense.⁷ On the other hand, if ‘morality’ is construed extremely narrowly, realism becomes uncontroversial. An example of this would be stipulating that the moral domain by definition denotes only the principles that govern *private* interactions between private citizens. Realists sometimes seem to implicitly characterize the moral domain in this way.⁸ But we believe that they cannot intend to rest their argument on such a characterization, since hardly any moralists contend that political normativity is truly nothing more than *private* morality writ large.⁹ After all, the assumptions that state actors have special obligations in their roles as state actors that they lack *qua* private citizens, and that political theorizing engages concepts and considerations that are not present in private relations, are ubiquitous in the “mainstream” political theory that realists take as their target.

Though most political theorists endorse principles that are specific to politics, many of these theorists hold that these principles still qualify as moral principles.¹⁰ This way of thinking and speaking is not unique to political theory: there are many other examples of domain-specific principles that are standardly conceptualized as belonging to morality more broadly. For example, in the medical domain, there are certain things that a doctor may legitimately do, but a private citizen may not, and vice versa. We could say the same of other domains: sexual relations, academic research, parenting, or journalism. Each of these contain particular considerations, values, concepts and actors that are distinctive of that domain of activity. In a certain, limited sense, one could see each of these domains as having its “own kind” of normativity: medical normativity, sexual normativity, research normativity and so forth.¹¹ But it’s only on an idiosyncratic construal of ‘morality’ or ‘ethics’ that these domains would thereby count as being outside of morality or ethics: typically, theorists who hold that (for example) there are distinctive principles applying to the medical domain do not thereby hold that ‘medical ethics’ is a misnomer.¹² If it’s only on these sorts of grounds, and in this kind of sense, that realists hold that political normativity is distinct from moral normativity, the debate over a distinctive political

⁷ As pointed out by Jubb and Rossi 2015b, 465-6.

⁸ For examples, see: Newey 2010, 449-50, 456; Philp 2010, 474-5; Jubb and Rossi 2015a, 457. See also: Morgenthau 1948/1993, 6-7.

⁹ Act-utilitarians are one possible exception.

¹⁰ Rawls 1985; Rawls 1993; Larmore 2013; Nussbaum 2014.

¹¹ Thanks to Elizabeth Frazer for this point.

¹² *Pace* Philp 2010, 475, who floats, in passing, the idea that medicine might be another domain the normativity of which is not reducible to morality.

normativity is no longer substantive. Most moralists would readily agree with realist claims that politics involves “distinctively political concepts, such as power, and its normative relative, legitimation.”¹³

As the examples of medical and research ethics show, to distinguish (in any deep sense) two different kinds of normativity, it is not enough to merely appeal to differences in *content*; that is, to differences in what they enjoin agents to do, which agents and situations they apply to, and which considerations they treat as relevant. So we need a different way of distinguishing different kinds of normativity. Moreover, if a collapse into merely verbal debate is to be avoided, this way of distinguishing different kinds of normativity will need to be able to distinguish the moralist view that political principles are *a part of morality, albeit perhaps a special and distinctive part*, from the realist view that political principles are *of a different, non-moral normative kind altogether*. Once it is clarified that the moralist can acknowledge that political principles are a *distinctive part* of morality, it is reasonable to wonder what this difference amounts to. This problem presses on moralists and realists equally, if the two views are to be distinguished.

Here is one approach to distinguishing different kinds of normativity that we are sympathetic to, and that (if correct) solves these problems. Instead of individuating different kinds of normativity by the *content* of their principles, we individuate them by what is psychologically involved in making a normative judgment, or prescribing a normative ‘ought’, of the relevant kind. There are different ways of developing this broad approach; we will mention one, not to unequivocally endorse it, but as an illustration of the possibility of a view that avoids the problems of the content-based approach. On this particular view, each kind of normative judgment is constitutively associated with particular, distinctive attitudes or emotions.¹⁴ Stephen Darwall, for example, argues that it is conceptually distinctive of moral judgment specifically, as contrasted with other normative spheres, that it is associated with a particular kind of blame, resentment, and holding accountable.¹⁵

This account is intended to distinguish moral normativity from several other kinds of normativity. According to Darwall, when I judge that someone has acted imprudently, failed to believe what they ought to believe, or done something aesthetically distasteful, I may respond to this with contempt, or disesteem. But I will not typically be inclined to *blame* or *resent* them in the way that I would if I judged them to have committed a moral infraction. Though it may not be *impossible* to blame or resent them in such a case, to the extent that I do so, I am at least implicitly *moralizing* the normative inappropriateness of what they are doing: treating it *as if* it were a moral infraction, even if I don’t explicitly regard it as such. Where this kind of blame and resentment is inappropriate, the normativity in question is still not *in fact* moral in nature. Thus, Darwall’s account does not yield the result that all normativity is moral in nature, and thus avoids the above-mentioned danger of making moralism trivial. Equally, however, Darwall’s account does not find a difference between two kinds of normativity any time that there are different normative principles or considerations in two different domains. Thus, it also avoids rendering realism trivial. By the same token, it can make sense of a substantive difference between the claim that the *content* of the principles governing the private and

¹³ Williams 2005, 77.

¹⁴ This kind of approach is often associated with the work of P.F. Strawson; see Strawson 1962. Something like this approach also seems to be at work in the writings of Alain Locke; see especially Locke 1935/1989.

¹⁵ See Darwall 2006; Darwall 2013. Interestingly, Williams himself conceptually identifies morality as distinctively connected with blame in Williams 1985, ch. 10.

political domains differ (but that, as the moralist contends, both are forms of morality), and the claim that the two are different kinds of normativity altogether (as the realist contends).

Of course, Darwall's particular proposal about which kinds of normative judgment are constitutively connected with which attitudes, and exactly how the nature of the constitutive connection is to be understood, is open to debate. More broadly, one might reject the whole general approach behind Darwall's proposal. Nevertheless, its existence serves as an example of a way of individuating different kinds of normativity – and the moral domain in particular – that doesn't make either moralism or realism trivial. If realists and moralists could agree on such an account, a substantive debate could then proceed about whether political normativity has the constitutive features that are, according to the account, associated with morality.

That said, it's possible that realists and moralists will not be able reach a consensus on exactly how to characterize the moral domain. That on its own would not make the realism/moralism debate merely verbal, since the debate on how to characterize the moral domain could itself become a substantive part of the realism-moralism debate, with realists and moralists explicitly articulating different views on this question – all of which should obey the constraint of avoiding rendering either view trivial – and offering positive reasons to accept those views. But it must be stressed that this debate is not advanced by realists simply noting that moralists are working with a non-realist conception of the moral domain, and accusing moralists of therefore “begging the question”. Two can (and do) play at that game; moralists have just as strong grounds for making exactly the same accusation, *mutatis mutandis*, about realists. Such exchanges merely amount to games of burden-shifting tennis.¹⁶

We will not rely in this paper on the particular characterization of the boundaries of the moral that we have expressed sympathy with above. We want to leave it open to our opponents to argue for the distinctiveness of political normativity from moral normativity on a variety of different potential grounds. Our strategy will be to argue that for each potential argument for a distinctive political normativity we survey, the argument *either* fails to identify a sense in which political normativity is genuinely separate from morality, *or* identifies the distinctiveness of political normativity only in a sense that would be readily admitted by participants on both sides of the debate.

Two more clarifications about our argument are necessary. First, in claiming that political normativity is a kind of moral normativity, we are not arguing that all it takes to make good political decisions is to have sound moral instincts, or that political theory consists only of moral theorizing. Most obviously, a failure to know or grasp relevant empirical information or understand how one's decisions will play out in practice will likely lead to bad political decision-making. But that is true of moral decision-making more generally: someone with good moral instincts can make bad *moral* decisions for such reasons. For example, in moral decisions concerning meat-eating, they may lack accurate information about the conditions under which different kinds of animals being raised for food are typically kept. While this empirical information does not itself consist of moral claims, the final normative ‘ought’ it is relevant to – e.g., ‘you ought not to eat factory-farmed meat’ – remains moral in character. In the political domain, the relevant, non-moral empirical information is vast and complex, and we wholly agree with realist claims that political theory therefore requires much more

¹⁶ This problem is visible in the debate between Jubb and Rossi (2015a, 2015b) and Erman and Möller (2015a, 2015b).

than the identification of moral ideals and principles.¹⁷ But that thought is entirely compatible with the claim that what gives political theory its *normativity* is still morality.

Secondly, there is one reading of the term ‘political normativity’ that we find comprehensible and that would render it clearly distinct from moral normativity: namely, where ‘political normativity’ means something akin to ‘doing what you should do to further your self-interest (or personal ends) as a political actor’. But this does not seem to be what realists typically mean by ‘political normativity’. This is unsurprising, for while this definition does count political normativity as separate from moral normativity, it does so by making it simply a kind of prudential (or instrumental) normativity, and thus also fails to carve out a role for a distinctively political normativity.

Argument 1: The illegitimacy of enforcing (some) moral claims

We begin by briefly dealing with an argument that is probably not the core realist rationale for a distinctively political normativity, but which occasionally seems to be implicit in realist writings. This argument starts from the idea that just because a moral principle is reasonable or true, it does not follow that it is legitimate to enforce it politically. Such an argument might be inspired by Williams’ claim that the “basic legitimation demand” requires that states be able to give a “justifying explanation” of their power and claims to authority, and the uses to which they put it.¹⁸ For Williams, it is not enough that this justifying explanation accords with any particular moral standard. Rather, for the exercise of political power to be legitimate, the justifying explanation must actually be acceptable, in some sense, to the concrete people whose allegiance the state demands.¹⁹ Relatedly, Andrea Sangiovanni writes:

“The crucial point is that [political disagreements] are not *merely* about moral, ideological, interpretative, or evaluative questions. They are not merely disagreements about sentiments or beliefs – X is right, good, true, best, genuine – but, more fundamentally, about how those sentiments or beliefs justify *the exercise and command of political power.*”²⁰

One might be tempted, then, to draw the following inference:

(Premise) Some moral principle may be reasonable or true, but nevertheless illegitimate to enforce through politics – for example, when the principle is not (sufficiently) accepted by those subject to this power, or where there is deep disagreement about the principle.

So,

¹⁷ We also agree that some moralist political theories may be deficient in this respect, although this may partly reflect a hope for a division of labor between more and less ideal theories.

¹⁸ Williams 2005, 4-5. See also: Hall 2015a.

¹⁹ Williams 2005, 6. We discuss Williams’ arguments pertaining to the Basic Legitimation Demand in more detail under Argument 5, below.

²⁰ Sangiovanni 2008, 157; cf. also Philp 2010, 471.

(Conclusion) Morality *underdetermines* the justifiability or legitimacy of political action. Thus, political legitimacy is a normative concept that is not (purely) moral in character.

We entirely agree with the premise of this inference. Several realists seem to think the premise is denied by political moralists. Jubb and Rossi, for example, claim that “moralists [...] demand that politics accord with their private moral views,”²¹ while Edward Hall suggests that moralism involves “treating our fellow citizens as moral interlocutors whose objections we can discount because they are intellectually mistaken.”²² But these are inaccurate caricatures.²³ There is widespread consensus that it is not always legitimate to use public power to enforce moral doctrines – even when those moral doctrines are reasonable or true – and respecting rather than overriding one’s fellow citizens’ moral doctrines is an extremely familiar concern of contemporary political theory.²⁴ Martha Nussbaum, for example, has a broad swathe of recent theorists in focus when she writes that “we see more clearly today... [by contrast with 19th Century liberals], that respect for one’s fellow citizens as equals requires not building the state on the ascendancy of any one particular comprehensive doctrine of the purpose and meaning of life, however excellent.”²⁵ So the above premise is not distinct to realism or arguments for a distinctively political normativity.

What we reject, instead, is the inference from the premise to the conclusion. The impermissibility of forcing citizens to abide by private moral doctrines can itself be moral in nature.²⁶ This is just a special case of the more general point that it can be true that actor A morally ought to do action X, while also being true that actor B morally ought not to force actor A to do action X. Since this possibility is evidently coherent, even reading both ‘ought’s as moral, there is no need to introduce a distinctive political ‘ought’ to make sense of such a structure. We need not be “reigning in” the reach of morality when we conclude that the state cannot rightly force agents to abide by particular moral doctrines; rather, it can be moral concerns that constrain the state not to do so.

Argument 2: The need for politics to resolve disputes

The first argument for a distinctive political normativity reflects, in part, a broader concern with the ubiquity and depth of moral disagreement. This concern is more persistently articulated, however,

²¹ Jubb and Rossi 2015a, 457.

²² Hall 2015b, 11, 13.

²³ More generally, as Alice Baderin nicely puts it, realists frequently caricature moralists as would-be philosopher-kings who believe that politics should simply be a matter of the mass public submitting to their blueprints or doctrines (Baderin 2014, 138-9). Paul Sagar, for example, implies that moralists hold “the vain (in both senses) hope that it is *philosophers alone* who will do the emancipating of... people by simply telling them, from the armchair, that their beliefs are malformed” (Sagar [forthcoming], 21-22), while Hall claims that moralism “contains within it the (at the very least suspect, and quite possibly indecent) desire to configure the psychology of every person on the planet so that they would act as we please” (Hall 2015b, 13).

²⁴ Cf., e.g., Rawls 1993, xv-xxviii, 8-15, 18-19, 24 fn. 27, 63, 77-81, 133-44, 154-8; Nozick 1974, 6; Cohen 1989; Cohen 1996; Gutmann and Thompson 1996; Waldron 1999; Estlund 2008; Nussbaum 2014.

²⁵ Nussbaum 2014, 21-2.

²⁶ Williams recognizes this, but suggests that a “moral doctrine” of this form would object to *anyone* coercing another agent – if the concern is more specifically with *state* coercion, then this is a “political doctrine” rather than a “moral” one (Williams 2005, 130-3). As we have pointed out, however, a moralist can have *moral* reasons to object specifically to the state acting in a certain way that do not apply to private actors. This is clear, for example, from the lengthy non-realist literature on state neutrality – for an overview, see Kymlicka 1989.

through a separate claim: that when there is deep disagreement over moral questions, morality cannot resolve what to do. Hence, Rossi and Sleat write:

“If ethics could effectively regulate behavior in political communities [...] we would not require politics. We need politics in part precisely because of the ubiquity of moral disagreements about what we collectively should do, the ends to which political power should be put, and the moral principles and values that should underpin and regulate our shared political association. As such, politics cannot be a domain that is straightforwardly regulated by morality.”²⁷

We take this to also be the thrust of Williams’ oft-cited comment that resolutions to political disagreements “cannot be established on the model of interpreting a constitution [...] we and our opponents [...] are not just trying to read one text”.²⁸ Different political factions, Williams is emphasizing, do not have a shared set of moral principles that they just need to work out how to apply in practice, but different underlying moral principles.

At first glance, the use of such claims to argue for realism seem to run into an obvious problem. However we might characterize a distinctively political normativity, it is surely undeniable that the questions or problems that fall under its ambit will also be deeply contested. In what sense, then, can political normativity provide greater traction in dealing with the challenges posed by disagreement? This problem is sharpened when it is remembered that some moral theories are *proceduralist* – that is, theories that propose second-order procedures for resolving first-order moral disagreements that might attain a greater degree of consensus than the first-order disagreements themselves might.²⁹ Why would a proceduralist but nevertheless moralist political theory have a harder time handling disagreement than a political theory grounded in a distinctive political normativity?³⁰

The realist contention, we take it, is that moralist proceduralism still requires unrealistic levels of consensus on second-order, procedural principles. Moralist proceduralism *proposes* procedural principles that (it is said) all “reasonable” people “could” agree to, but there is still little real world agreement on such procedural principles.³¹ By contrast, when realists propose that such disagreements be resolved by “politics” rather than “morality”, their proposal is that such disagreements be resolved by actually existing political processes; processes that are capable of (and actually do) resolve disagreement in a way that an abstraction such as morality cannot. As Marc Stears puts it, “politics is a process through which agreement is forged [...] rather than a process which is dependent upon agreement before it begins... agreement, in so far as it exists at all, is an artefact of the practice called politics.”³² At most, the only pre-existing agreement required is whatever limited agreement is needed

²⁷ Rossi and Sleat 2014, 691. See also Stears 2007, 541-2; Philp 2012, 634; Hall 2015b, 2; Jubb 2017, 112-13.

²⁸ Williams 2005, 77-8.

²⁹ Cf., e.g., Rawls 1980; Hill 2011. See also: Larmore 2013.

³⁰ Rawls’ early view (Rawls 1971) is plausibly a form of proceduralist moralism, as is Estlund 2008. Cf. also Williams’ discussion of “structural” moralist theories (Williams 2005, 1-2).

³¹ Jubb 2017, 124.

³² Stears 2007, 542.

to make the very practice of politics possible.³³ Such limited foundations cannot be disputed by anyone who accepts the need for a practice of politics.³⁴

Though this line of thought is tempting, it rests upon a comparison between morality and politics that ultimately amounts to a category mistake. Morality and politics are not competing candidates to resolve disagreements in the same sense of ‘resolve’. Political processes are mechanisms for resolving disagreements in a *de facto* sense of the term ‘resolve’; that is, for reaching actual, real-world negotiated resolutions that the parties to the disagreement accept. Moral principles, by contrast, give us normative tools for evaluating such processes and their outcomes in terms of their justice, rightness, and so on. A moral principle might “resolve” a disagreement in the sense of yielding an answer as to which party or parties to the disagreement (if any) are *right* – call that the *normative* sense of the term ‘resolve’. But moralists do not claim that this means that the principle is capable of resolving disagreements in the *de facto* sense – generating actual agreement that this answer is correct – or that they can “replace” actual political processes in the latter role.^{35, 36}

Indeed, it is not totally clear what it would even mean to attribute such a power to abstract entities like “morality” or “moral principles”. Perhaps the idea would have to be that morality has a kind of truth-will-out force where, given enough debate, the moral truth always wins acceptance. We certainly agree that this Whiggish claim is very empirically dubious, and if there are some moralist political theorists that make such a claim, we disagree with them. However, to claim simply that moral principles can *normatively* resolve disagreements does not commit one to this Whiggish claim.

This kind of equivocation between the normative and *de facto* senses of ‘resolves’ (and other related terms, such as ‘govern’) recurs persistently throughout realist writing. For example, Williams writes:

“A very important reason for thinking in terms of the political is that a political decision – the conclusion of a political deliberation which brings all sorts of considerations, considerations of principle along with others, to one focus of decision – is that such a decision does not in itself announce that the other party was morally wrong, or, indeed, wrong at all. What it immediately announces is that *they have lost*.”³⁷

Here Williams implies that his opponent, the “moralist”, thinks otherwise. But again, a moralist makes no commitment to saying that the *de facto* resolutions of real world conflicts always reflect the moral

³³ See: Williams 2005, 2; Horton 2010; Honig and Stears 2011.

³⁴ Williams 2005, 85; Hall 2015b, 5-6.

³⁵ Contra Rossi and Sleat’s claim that the idea that moral disputes might need to be regulated by political processes is “presently unfashionable” (Rossi and Sleat 2014, 691).

³⁶ Admittedly, things are slightly more complicated on a proceduralist form of moralism. The second-order, procedural principles that such theories offer might be called ‘principles for resolving disagreements’, where ‘resolving’ appears to be used in the *de facto* sense. But the idea is still not that the principle itself (*de facto*) resolves the disagreement, in the (absurd) sense that the principle’s truth, or the announcement of its truth, makes the disagreement simply evaporate away. Rather, proceduralist principles makes a *proposal* as to how the disagreement normatively *ought to be* (*de facto*) resolved: that is, as to what concrete political processes should be followed in attempting to *de facto* resolve the disagreement, or at least what constraints such processes should have to meet.

³⁷ Williams 2005, 13. See also: Geuss 2005, 15, 28-9; Geuss 2008, 9-10 & 15; Geuss 2010, 55; Bourke 2009, 78 & 97-100; Newey 2009; Newey 2010, 460; Philp 2010, 469; Hall 2015b, 10-11 & 14; Sagar [forthcoming], 21-5

truth, and so no commitment to saying that the losing party in such disputes was morally wrong (or wrong at all). What the moralist holds is only that the question of how such conflicts *ought* to be resolved is a moral question.

Similar points apply to the opt-repeated realist claim that moralists need an “error theory” to explain why past peoples have not all believed in the particular moral theories that moralists subscribe to.³⁸ This claim assumes that, if a moral doctrine provides *normatively* correct prescriptions for political processes, then we should *predictively* expect that people will actually believe in these prescriptions – or, at least, that it should be our default assumption that they will do so, such that their not doing so would call out for special explanation. This returns us to the Whiggish assumption that the moral truth “will out”, which, again, is no commitment of the moralist view. Indeed, it is no necessary premise of arguments in any field of human knowledge that conclusions, even if “universally” correct, are universally obvious. Many basic empirical truths, after all, have not been accepted in other times and places – but few think that, without further argument, this undermines their status as truths.³⁹

Perhaps what really explains these misconstruals of the moralist view is a basic skepticism on the part of some realists as to whether the purely normative, non-*de facto* reading of terms like ‘resolve’ and ‘govern’ is coherent. Above, we said that a principle normatively resolves a disagreement by identifying who (is anyone) in the disagreement is *right*. This assumes that, at least in some normative political disagreements, some interlocutors are right, and others wrong. Moreover, a principle’s normatively resolving a disagreement is a matter of it supplying the *correct* resolution to that disagreement. Thus, the purely normative usage of ‘resolve’ presupposes something like correctness and incorrectness, being right or wrong, in the normative domain, beyond *de facto* states of affairs like who is *perceived* as right or wrong or who wins or loses political contests. Those who are skeptical that these notions find application in the normative domain might therefore doubt the coherence, or at least the intellectual respectability, of the purely normative reading of terms like ‘resolve’. They might find the *de facto* reading of such terms to be the only one they can make sense of, and this may lead to them reading moralist usages of such terms in the *de facto* sense.⁴⁰

Clearly, these questions cannot be resolved without getting deep into the main problems of metaethics. In this context, it suffices to note three things. First, very simply, it is not warranted for the realist to just assume the impossibility of correctness in the normative domain, or to take the converse view to be an obvious mistake. Only detailed metaethical argument could establish this.⁴¹ Secondly, if the disagreement between the realist and the moralist boils down to a disagreement about

³⁸ See: Williams 2005, 8-9; Sleat 2010, 492; Jubb 2015, 923; Hall 2015a, 469; Jubb 2017, 115.

³⁹ See also: Larmore 2013, 292.

⁴⁰ Something similar might be behind some of the passages that suggest Argument 1, which we considered above – it would explain why realists think that moralist arguments are “insisting on the absolute authority of our private moral views” (Jubb and Rossi 2015b, 467). If there are no correct moral principles, but only the principles that private individuals happen to hold, then any claim that a political process should be regulated by a moral principle looks like the “enforcement” of someone’s private point of view. Of course, in a sense, simply holding a view about what should be done involves thinking that one’s view is authoritative – but that applies to holding any view that one holds to be correct, including over what is required by *political* normativity.

⁴¹ Note that the bare claim that there is such a thing as correctness in the normative domain is not yet to subscribe to a robust kind of moral realism (see our discussion in the next section, below). Many opponents of moral realism try to make possible a notion of normative correctness, and thus to avoid normative nihilism: see, among many others, Korsgaard 1996; Blackburn 1988. Of course, whether these attempts succeed is another matter.

the possibility of normative truth or correctness, then we have moved away from the original realist argument presented in this section. This objection was that moralists ignore the need for politics to (*de facto*) resolve disputes. But the moralist, as we have stressed, does not deny that politics is needed to *de facto* resolve disputes. This remains the case notwithstanding the separate question of whether a contrasting notion of normative resolution is intelligible. Of course, the moralist *is* in trouble if the notion of normative resolution is unintelligible – but this problem for moralism is not a distinctively new, realist one, but a very general and longstanding one for all normative theories that countenance the possibility of normative correctness.

This leads on to the third point, which is that the realist is flirting with danger in resting her view on outright skepticism about the possibility of correctness in the normative domain. For the realist – or, at least, the kind of realist we are focused on in this paper – still contends that there is such a thing as genuine political *normativity*. This seems to require the realist to think that her (distinctively) political principles offer genuine normative resolutions to political problems and conflicts. So if there is no such thing as correctness in the normative domain generally, this threatens to be a problem for not only the moralist but the realist too.

The realist might reply here by taking a more moderate stance. Rather than casting doubt on the very intelligibility of normative correctness, she might instead claim that such correctness is not fully *independent* of actual processes of *de facto* political negotiation, so that the sharp separation between the normative and *de facto* senses of ‘resolve’ that we have been presupposing cannot be effected. But as long as this strategy does not entirely collapse the normative and the *de facto* senses of ‘resolve’ – as long as there can be some resolutions of conflicts that would be morally acceptable, but are not effected, and some resolutions that are effected, but not morally acceptable – it is not clear why this creates a problem for moralism.

To illustrate this, consider again a proceduralist form of moralism. On this view, morality specifies a set of rules that constrain the institutional or social procedures that may be used to resolve disagreement, rather than specifying fully determinate solutions to all a society’s problems. That failure to specify moral answers to every question is not a concession to realism, if we hold that that there is a conditional moral truth of the form that *if* some resolution to a disagreement is reached from a (morally) legitimate political procedure, then the participants in this procedure (morally) ought to accede to this resolution. This allows us to acknowledge the possibility of different legitimate outcomes of the procedure, and latitude for political actors to make decisions through actual political processes that affect what ought to be done, while holding that the final ‘ought’ that results from this process remains a moral one. It also illustrates how one can claim that moral principles ground the rightness of political arrangements, without holding that such principles need specify the details of institutional design for each possible political context. Thus, moralists can, as we claimed in our preliminary remarks, affirm that political theory is not exhausted by moral theory, even while holding that all political normativity is moral normativity.

Argument 3: A metanormative difference?

As just suggested, realists often hold that correct answers to questions about what politically ought to be done are “practice-dependent”: they depend upon our culture and institutions, our patterns of

endorsement, and our volitional political activity.⁴² On one interpretation, this is a view about the *metanormative* status of normative political claims (where the term ‘metanormative’ is a generalization of ‘metaethics’ beyond the moral or ethical domain). Such a view, which might be called *constructivism* about political normativity, contends that while normative political claims can be true or false, they cannot ever be true (or false) in a way that is entirely independent of our minds (including our attitudes, beliefs, endorsements and volitions) and actions. It is always, at least in part, our own minds and actions that *make* normative political claims true (or false). Through our attitudes, volitions, and actions, we “construct” normative reality within the domain of the political.⁴³

The political realist might try to leverage this constructivism about political normativity to provide another argument for realism. If political normativity is to be understood in a *constructivist* manner, whereas moral normativity is *not* to be understood in a constructivist manner, then political normativity cannot be a kind of moral normativity. So, the argument goes, political normativity must be distinct from moral normativity, because the two have a different metanormative status.⁴⁴

A major challenge for a realist pursuing this line of argument is to explain why, if political normativity is constructed, moral normativity is not. After all, constructivism is a prominent view within the metaethical literature.⁴⁵ For the avoidance of doubt, we are not suggesting that being a political realist precludes one from being a constructivist about *both* political normativity *and* moral normativity. But in that case, the constructed nature of political normativity cannot be what *distinguishes* it from moral normativity. So a realist *who wants to distinguish the two in this way* must explain why moral normativity is not also constructed.

The most obvious alternative to constructivism about morality is the view that moral truths (or, at least, the most fundamental moral truths) are objective and independent of human beings, their minds, and their practices: that is, moral realism (a view completely different, lest there be any confusion, from political realism). But we doubt that political realists would endorse such a stance. Many political realists object to what they perceive as morality’s hold over political philosophy in part precisely because they doubt its claims to universality and objectivity.⁴⁶ So it is not obvious how the realist attracted to constructivism about political normativity can resist constructivism about moral normativity. Moreover, such a realist will also have to explain why whatever grounds she has for rejecting constructivism about moral normativity don’t provide reasons to reject constructivism about political normativity.

The grounds that political realists do offer for constructivism about political normativity are also questionable. It is an obvious truth, denied by no-one, that the formulation of real-world political solutions in situations of moral conflict – what we called in the previous section the “*de facto*” resolution

⁴² See especially Sangiovanni 2008. See also Miller’s defense (Miller 2013, esp. ch. 2) of what he calls “contextualism”, and his endorsement of the claim that justice is “a human invention” (ibid. 3.). Philp 2010 defends a similar view. For a practice-dependent reading of Williams, see Jubb 2016. Sangiovanni suggests a practice-dependent reading of Rawls, which fits much of what he has to say in Rawls 1980; Rawls 1985; Rawls 1993.

⁴³ As we say, this is only one interpretation of the claim of practice-dependence: we’ll argue below that one can accept a certain kind of “practice-dependence” without accepting constructivism about political normativity.

⁴⁴ Thanks to Harjit Bhogal for this suggestion, and for subsequent discussion.

⁴⁵ See, especially, Korsgaard 1996; Korsgaard 2008, ch. 10; Street 2008; Street 2012.

⁴⁶ Cf., e.g., Williams 2005, 10; Geuss 2008, 10; Geuss 2010, 44-5; Newey 2010, 463-4; Jubb 2017, 115. Note also Williams’ long and complicated history with moral objectivity: see e.g. Williams 1985, chs. 8-9.

of disagreement – is a constructive process, and that the actual solutions pursued will depend on the human actors involved and their practices. What is distinctive of constructivism is the much more controversial philosophical claim that there are no *normative truths* about how such conflicts ought to be resolved, independently of this real-world constructive process, or independently of us and our practices.⁴⁷ The second, controversial claim cannot be supported merely with reference to the first, obvious one. Granted, a shift from the first claim to the second may seem justifiable to someone who *already accepts* constructivism. But as an *argument for* constructivism it straightforwardly begs the question. For the transition from the first claim – a claim about actual human practices – to the second claim – a claim about normative truth – is only licensed on the prior assumption that normative truths cannot be independent of actual human practices: that is, on the assumption of constructivism.

Finally, an important kind of “practice-dependence” can be accounted for without endorsing metanormative constructivism. It is highly plausible that what is legitimate, morally speaking, often depends upon the self-understandings and values of those involved. One can acknowledge this without admitting constructivism if one sees particular instances of practice-dependence as being derived from or explained by principles that are not themselves practice-dependent. For example, one might think that there is a practice-independent principle that puts prohibitions on imposing certain kinds of restrictions on individuals without their consent. Since *what individuals consent to* will be in part influenced by their self-understandings, this more general, practice-independent principle will yield different particular restrictions on conduct depending on the nature of such individuals’ self-understandings. There is nothing here that commits one to constructivism, at least in any sense of that term that conflicts with moral realism. The vast majority of normative views make what it is right to do sensitive to circumstances in various ways.⁴⁸ This is a truism of normative ethics, not a distinctive metanormative view.

Indeed, some opponents of constructivism go on the offensive and argue that the *only* way to make sense of practice-dependence is by explaining it in terms of practice-independent principles in the background.⁴⁹ It would take us too far off course to try to resolve this debate here.⁵⁰ Suffice it to say that non-constructivists have a *candidate* account of why the answers to particular normative questions are practice-dependent, and why people’s self-understandings can shape what ought to be done. The controversy here relates closely to a more general worry about constructivism, namely that if constructivists are to put any restrictions on what a constructive procedure must look like to yield binding normative principles (e.g. that the actors must be placed behind a veil of ignorance, or that they must endorse the principles they pick as binding all citizens equally), this raises the question of what further principles ground such restrictions.⁵¹ If these further principles are true independently of any constructive procedure, then the constructivism of the account appears compromised, or amounts to a first-order, normative position that is nevertheless compatible with (and arguably even requires)

⁴⁷ This second claim is in turn not to be confused with the still bolder claim that there are no normative truths *simpliciter*, nor the (related) claim, considered in the previous section, that the *de facto* sense of ‘resolves’ is the only intelligible one.

⁴⁸ Consequentialist views provide the most obvious example, but plausibly Kantian views in normative ethics make circumstances (and consequences) relevant in certain ways. See e.g. Wood 2008, ch. 15.

⁴⁹ Cf. esp. Cohen 2008, ch.6.

⁵⁰ For discussion see Miller 2013, ch. 1; Jubb 2009; Hall 2013; Forcehimes and Talisse 2013.

⁵¹ Williams’ “critical theory principle”, discussed under Argument 5 below, is a similar restriction, and thus also raises this question. See: Williams 2005, 6; Bavister-Gould 2011; Hall 2015a; Sagar [forthcoming].

moral realism at the metanormative level. If they are not, then there are worries about an infinite regress, since the same questions can be raised with respect to the constructive procedure that yields *these* principles, and so on. Again, we don't present this argument as decisive, but it is telling that this objection is prominent in the literature on constructivism about *moral* normativity as well as that about *political* normativity.⁵² So it reinforces the suspicion that the two stand or fall together – which darkens the prospects for the political realist to *distinguish* moral and political normativity by their metanormative status.

Argument 4: A normative difference?

Perhaps, though, the difference between moral normativity and political normativity is more *normative* than *metanormative*: that is, perhaps it is found in the substantive normative principles that characterize the two domains. Mark Philp, for example, contends that politics is “a domain that is systematically more consequentialist in orientation than is the domain of private morality,” and argues that political virtue is distinct from moral virtue. For example, political virtue may require lying and deceiving, whereas moral virtues such as modesty and generosity are not political virtues.⁵³

As we argued in our preliminary remarks, differences in the content of the principles that regulate the private and political domains do not automatically show that the latter principles are not moral in character. However, Philp might argue that the differences in content of private morality and political normativity are *so* different that the two cannot plausibly be regarded as belonging to the same genus or overarching category. Given that private morality is unquestionably a part of morality, then, political normativity cannot be a part of morality.

One way to resist this argument is to argue that differences between the normative constraints on political actors and those on private actors can at least to some degree be explained by overarching principles that apply to both domains, plus important empirical differences between the two. For example, lying is plausibly more often justified in politics than in private interactions because politicians are frequently in situations where telling the truth would have disastrous consequences, whereas this is rarer for private individuals. If this is so, a single overarching moral principle (“do not lie unless it is required to avoid disastrous consequences”) could explain the difference in final verdict between the two domains.

Moreover, we suspect that Philp overstates the extent of the normative differences between the private and public domains. It's hard to settle this issue here, since it requires a lot of substantive moral and political theory. But Philp's claim that political normativity is more consequentialist than private morality is questionable on both sides: it is highly unobvious both that private morality is nonconsequentialist at root, and that political normativity is consequentialist at root. To the extent that one finds it plausible that there are side constraints on what private actors may permissibly do, regardless of consequences, such a general claim seems to us equally plausible in the political arena.

⁵² See e.g. Hussain and Shah 2006, 290-3; Crisp 2006, 53-5; Stern 2007, 252; Irwin 2009, 960-1. For an application of something like this argument to the political realist view see Erman and Möller 2015a, 220-1.

⁵³ Philp 2010, 474-5. Cf. also Bellamy 2010.

There is something of a tendency – in public discourse more than in actual realist writings, though still occasionally in the latter⁵⁴ – to associate ‘morality’ as *conceptually* tied up with a rather narrow range of extreme inflexible deontological prohibitions. On this way of thinking, consequentialism doesn’t seem like a *moral* view – its concern with consequences leaves the domain of the moral and enters the domain of being “pragmatic”. Though Philp does not endorse this crude view, echoes of it can nevertheless be found in his treatment of lying. Philp portrays a situation where a politician is required to lie – not just to save his own skin, but for the greater public good – as one where the politician has to *set aside* morality for the sake of a *political* demand. But one might just as easily cast the enjoinder to pursue the public good, even where it requires lying, as itself moral in nature.⁵⁵ Again, an account that differentiates different kinds of normativity in terms of the attitudes associated with the judgments of the relevant kind may be of help in adjudicating between these views. For example, on the view of Darwall’s that we sketched earlier, if we blame and resent the politician (in, perhaps, a distinctively moral way) for *not* lying, then we are effectively treating the politician as *morally* obligated to lie. And similarly, if we would *not* blame and resent the politician for lying, then we are not really treating the politician as morally obligated not to lie. We submit that in any case where we really see the politician’s lie as normatively justified, we would not be inclined to blame or resent them for doing so. So, at least on Darwall’s account, the correct description of the case will be the one that casts the enjoinder to lie as moral, rather than one that casts it as a political obligation to set moral considerations aside.

Philp is still right in one sense that there are “political virtues” that are not moral virtues – if we construe “political virtues” as including the broad *skills* that make someone an instrumentally effective political actor: someone who can effectively get things done, persuade others, broker compromises, and generally advance their political agenda. These kinds of skills are, we agree, not moral virtues as such. But as we said in our preliminary remarks, our claim is not that being morally virtuous suffices for being a good political actor (in the broadest sense), but rather that the nature of the normative demands on political actors is moral.

To explain this view further, it is important to distinguish the *evaluative* from the *normative*. One can identify features which make individuals good at a certain activity, but this does not (without supplementary normative claims) establish that they *ought* to engage in the activity. For example, it is possible to evaluate someone as a good craftsperson while completely bracketing whether they are using their time well – whether they are doing what they ought to be doing. While the evaluation of someone’s skill as a craftsperson is a distinctive kind of (non-moral) evaluation, there is no need to introduce a distinctive kind of *normativity*, “craftmaking-normativity”, into our taxonomy of kinds of normativity.

We think that the same is true of non-moral political skills. Someone’s actions may manifest a great deal of political skill, and this can be evaluated positively. But whether these actions are what the person *ought* to be doing depends on what agenda they are put to the service of – and these kinds of

⁵⁴ Cf. Bourke 2009; Philp 2010. It is more common in the distinct but intellectually related realist tradition in international relations scholarship – for examples and critical commentary, see: Donnelly 2000, ch.6. Ambiguities on this point can also be found in Weber’s political writings – for discussion, see: Frazer 2006, 26-9.

⁵⁵ For some other possible ways of resolving these sorts of dilemmas – conceptualized explicitly as *moral* dilemmas – see: Tannsjo 1985, 113-14.

political skills can be deployed in the service of any agenda whatsoever. This kind of view can be traced back to Aristotle,⁵⁶ and continues through many recent accounts of instrumental normativity, which hold that our having reasons to perform instrumentally efficacious actions is parasitic on our having reasons to achieve the ends that these actions serve; instrumental normativity is primarily a matter of the *transmission* of reasons, so to speak, from ends to means rather than of the creation of reasons *ex nihilo*.⁵⁷ If this is so, then the reason to take the means inherits the character of the reason to achieve the end: specifically, if the reason to achieve the end is moral, then so is the reason to take the means.

Thus, the moralist should say the following. There are various normative, moral demands on political actors to achieve particular ends – upholding order, promoting individual rights, advancing social prosperity, and so forth. In achieving those ends effectively, the actor will need to employ various non-moral political skills.⁵⁸ But the *enjoinment to employ* those non-moral skills is still a moral one, derivative on the moral demand to achieve the end. Without any such moral demand to achieve the end, there is no normative demand of any kind (save those of individual self-interest) to employ the non-moral skills. Thus, though we have allowed for non-moral political virtues (in the sense of skills), we have not allowed for any non-moral normative demands in the political sphere.⁵⁹

One might wonder, at this point, whether political normativity can be construed as a special kind of *collective* instrumental normativity.⁶⁰ On such a view, there are certain ends that we have collectively as a political community, and political normativity concerns the realization of these ends. It is surely right that we can hypothetically talk about what would be rational from the point of view of advancing ends that a collective shares. However, in order for these collective ends to have any authority over the actions of political actors, such that they really *ought* to do what advances those collective ends, there must be a claim that such actors are *obligated* to take into account the ends of the community as a whole, and not simply to pursue their own private ends. And *that* claim takes us beyond the domain of instrumental normativity. Moreover, there are surely repugnant collective ends, such as mass violence, exploitation or repression which we would not accept as supplying genuine normative ‘ought’s just because they are collectively desired. So, like individual instrumental normativity, it seems that collective instrumental normativity inherits its normativity from some other, external normative demand.

Of course, when moral ends are relatively uncontroversial, they may effectively be “in the background” of much decision-making. For example, it may be a widely shared assumption that goals like reducing unemployment, countering crime, or maintaining a minimally stable political system are

⁵⁶ See Aristotle 350 BC/2000, 1144a.

⁵⁷ See Kolodny [forthcoming] for a very helpful overview of the relevant literature; cf. also esp. Darwall 1983, ch. 4; Raz 2005; Korsgaard 2008, ch.1.

⁵⁸ Indeed, as we suggested in our preliminary remarks, non-moral skills are also needed to achieve moral ends in the private sphere.

⁵⁹ One might wonder whether a non-moral but political normative demand might arise in a different way from the non-moral political virtues or skills. Perhaps the demand is not on the politician but rather, for example, on those who might vote for the politician; her having (non-moral) political skills is a (non-moral) political reason to vote for her. (Thanks to an anonymous referee for this suggestion.) However, we think it is more plausible to say that the politician’s having (non-moral) political skills is a *moral* reason to vote for her (when her general agenda is morally good), since her having these non-moral skills will enable her to achieve morally good outcomes more effectively.

⁶⁰ Thanks to Dan Singer for this suggestion. Cf. also Newey 2010, 454ff.

ones that communities should pursue. With such assumptions in the background, working out what ought to be done may mainly be a matter of figuring out how to achieve these goals, such that relatively little political reasoning is recognizable as moral reasoning as such. Nevertheless, the normativity of the conclusions of such reasoning is still ultimately inherited from the underlying moral assumptions, however uncontroversial they may seem. Moreover, it is important not to lose sight of backgrounded assumptions altogether, since even apparently uncontroversial moral assumptions are often contestable. Upholding order or reducing unemployment may uncontroversially be morally good, but when they come into conflict with other goals, the question of *how* morally important they are compared with these other goals makes a real difference to what ought to be done. Losing sight of our moral assumptions does not get rid of them but simply allows them to govern our actions implicitly, uncritically and without challenge.

Argument 5: The relative “priority” of politics and morality

We will consider one final line of thought in favor of a distinctively political normativity. This takes its cue from Williams’ contention that political theory should be more concerned with the way states answer the “first political question”, i.e. how they secure “order, protection, safety, trust, and the conditions of cooperation”, without which one cannot even begin to answer any other political questions.⁶¹ To be *legitimate* political orders, states must not only provide a solution to the first political question, but meet the basic legitimation demand (BLD), which Williams explicates as follows:

“Those who claim political authority over a group must have *something to say* about the basis of that authority, and about the question of why the authority is being used to constrain in some ways and not others. Moreover, there is a sense in which, at least ideally, they must have something to say *to each person* whom they constrain. If not, there will be people whom they are treating merely as enemies in the midst of their citizens.”⁶²

This is not merely a descriptive claim – which would not conflict with political moralism – but, for Williams and his followers, a foundation for a realist form of normative inquiry about legitimacy. As Williams explains:

“It may be asked whether the BLD is itself a moral principle. If it is, it does not represent a morality which is prior to politics. It is a claim that is inherent in there being such a thing as politics: in particular, because it is inherent in there being first a political question. The situation of one lot of people terrorizing another lot of people is not per se a political situation: it is, rather, the situation which the existence of the political is supposed to alleviate (replace).”⁶³

⁶¹ Williams 2005, 3.

⁶² Ibid. 135.

⁶³ Ibid. 5.; see also Hall 2015a, 468-9; Jubb and Rossi 2015a, 456-7. Sangiovanni 2008 also uses the language of the “priority” of politics and morality in the title of his influential paper, but in his case the claim that politics is “prior” to morality seems to amount to an assertion of the practice-dependence of political normativity. We have already addressed this metanormative case for a distinctively political normativity under Argument 3 above.

In this passage, it seems that Williams' view that the BLD is "a claim that is inherent in there being such a thing as politics" amounts to, or at least entails, the claim that the BLD must be *satisfied* in order for a situation to count as political. Hence, situations that do not satisfy the BLD – e.g. "one lot of people terrorizing another" – are not truly political situations. Williams intends this requirement to be relatively minimal. For Williams, legitimacy is scalar, and satisfying the BLD (to the extent required simply for a situation to count as political) does not require that *everyone* be satisfied by the state's justifications, nor that those who are satisfied be *fully* satisfied.⁶⁴ Williams does, however, attach one further rider to the BLD in the form of the critical theory principle: "the acceptance of a justification does not count if the acceptance itself is produced by the coercive power which is supposedly being justified."⁶⁵

From the premise that minimal satisfaction of the BLD is inherent in the very definition of politics and political relationships, Williams concludes that the BLD is a demand from within politics itself, and thus represents a distinctively political normativity, rather than a moral requirement that can be conceived of as "external" or "prior" to politics.⁶⁶ This argument, we contend, does not succeed. We'll begin by putting some pressure on its premise, and then turn to the inference from the premise to the conclusion.

Williams' premise is far from uncontroversial. If it is *constitutive of politics* that it involves claims of authority, legitimating justifications, and an absence of brute coercion, then it would seem that political terror, and many though not all forms of political violence, are misnomers, that war is rarely if ever political, and that swathes of international politics – occurring between states which are sovereign equals and without formal claims of authority over each other – are not correctly described as politics at all.⁶⁷ Williams' explicit declaration that anarchism is not a political viewpoint is esoteric,⁶⁸ as is Hall's implication that those who do not accept their state's legitimation story do not see their relationship with the state as being political.⁶⁹

Such a conception of politics may nevertheless be defensible, but it is clearly and crucially a normatively "thick" conception of politics, as opposed to a thinner, more inclusive one.⁷⁰ This raises the question of what grounds its normative content and, turning to the inference from Williams' premise to his conclusion, whether such grounding does not require moral foundations.⁷¹ According to Williams, *even if the BLD is a moral principle*, it is not a moral principle that is "prior to politics". But

⁶⁴ Williams 2005, 136; see also Hall 2015a, 472-5.

⁶⁵ Williams 2005, 6.

⁶⁶ See Sleat 2010, 487; Hall 2015a for similar interpretations of Williams' argument.

⁶⁷ See also Baderin 2014, 140.

⁶⁸ Williams 2005, 85.

⁶⁹ Hall 2015a, 473. Jubb and Rossi suggest that if we do not build satisfaction of the BLD into our definition of politics, then a moralist view "would have to think of itself as the justification of brute force through that force's realization of certain moral ends" (Jubb and Rossi 2015a, 457). This does not follow. We can resist building the satisfaction of the BLD into our *definition* of politics while still acknowledging its force as a principle that ought to *regulate* politics. In this way, we can avoid any need to justify brute force that fails to satisfy the BLD. Similarly, Jubb and Rossi suggest that their distinction "between politics and sheer domination" is necessary, because otherwise one is forced to concede that "all orders are unmitigated domination", with moralists forced to see their theories as justifying such orders. This straightforwardly commits the fallacy of composition. To say that politics *includes* sheer domination does not mean that *all politics* is sheer domination.

⁷⁰ See Williams' own discussion of thick and thin concepts in Williams 1985.

⁷¹ See also: Bavister-Gould 2011.

a moral principle that must *first* be satisfied in order for a situation to count as political – in order for politics, properly speaking, to begin – seems in one very natural sense *prior* to politics.⁷² Moreover, regardless of this language of ‘priority’, a moral principle that must inherently be satisfied (at least minimally) for a situation to count as political is still, it would seem, a moral principle, and we see no obvious reason to hold that it is moral in some less deep or genuine sense.⁷³ Indeed, for many clearly moral principles, one could imagine defining some practice or activity partially in terms of the satisfaction of that principle. For example, one can define the practice of employment (as contrasted with forced labor) partly in terms of the satisfaction of the principle that people should not be compelled into employer/employee relations against their will. Similarly, one can define the practice of an intimate relationship partially in terms of the satisfaction of a principle that requires consent, by contrast with sexual exploitation. There is no obvious sense in which such definitions make these principles less deeply moral in character.

Perhaps what Williams is thinking is better understood as follows. If the BLD is built into the definition of politics, then the *normativity*, or normative authority, of the BLD is supplied by politics itself. It thus does not stand in need of justification by a moral rationale that is “external” to politics. It is in this sense that it does not represent a morality that is “prior” to politics, and that it *does* represent a distinctively political normativity.

However, this argument is based on a subtle but fatal equivocation. What is built into the definition of politics, by the lights of Williams’ premise, is that the BLD must be *satisfied*: a situation will not count as political unless the BLD is (minimally) met. But there is a clear distinction between whether a putative principle has been *satisfied* and whether it has been *justified*. A putative principle is satisfied when its normative demands are met, that is, when it *is* adhered to. By contrast, it is justified when it is shown to have normative force, that is, when it is shown why it *ought* to be adhered to. Evidently, a putative principle can be satisfied without being justified. Consequently, to show that the *satisfaction* of the BLD is built into the definition of politics is not to show that politics *justifies* the BLD, or accounts for its normativity or normative force. It does not answer the question of why we should adhere to the BLD.

On the contrary, to build the satisfaction of a constraint like the BLD into our definition of politics is simply to push the normative question back from “why, in a given situation, should we practice politics in one way rather than another?” to “why, in a given situation, should we practice politics, rather than something else?” Crucially, because the concept of politics involved is now much thicker, the latter question has become much more normatively substantive. Instead of merely asking something like “why should we escape from a Hobbesian state of nature?” it now amounts to: “why should we, in a given situation or towards a given group of fellow human beings, engage in relationships of authority justified by a legitimating story that meets the critical theory principle?”⁷⁴ Political relations, in this thicker sense, are not necessary for there to be a social order. Again, the analogy with other constitutive normative principles illustrates the point here. Employment, as

⁷² For a more detailed examination of the different notions of ‘priority’ that might be at work in realist texts, see Erman and Möller 2015a, 224-6.

⁷³ Larmore’s critique of Williams is similar to our argument here; see: Larmore 2013, 290-2.

⁷⁴ We thank an anonymous referee for pushing us to clarify this point.

opposed to forced labor, may constitutively require consent – without consent, a labor relation may not count as employment. But that fact does not, in itself, show why consent is normatively important, for it is not *incoherent* to claim that we should not care about whether we are engaging people in employment rather than forced labor. We still have to give a further, external justification for why consent matters, and thus for why we should engage people in employment rather than forced labor. Similarly, once one’s concept of politics becomes relatively thick, it can no longer just be taken as given that one must engage in such politics rather than something else, independently of any pre-political reasons to do so.

It is thus a tempting but ultimately chimerical ambition to think that we can *justify* a putative normative principle simply by saying that it *must* be satisfied in order for a situation to count as political – as if that brings the possibility of further normative interrogation of such a principle to an end, or normativity can be got out of the definition of a term. To say that a particular social order would be ‘non-political’, rather than ‘wrong’, is at most to conceal the need for normative justification, not to make it disappear. Given this, the justification of the BLD cannot be generated merely from the fact that its (minimal) satisfaction is inherent to a political situation – even if this is so.⁷⁵ It needs some further justification. Admittedly, this does not in itself show that such justification *must* be moral in character.⁷⁶ But it does show that the claim that (minimal) satisfaction of the BLD is “inherent” to politics does not *entail* a distinctive (non-moral) political normativity.

Conclusion

As we said at the outset, we are not rejecting all of the claims associated with ‘realism’ in its broadest sense, or advocating a form of political theory that is utopian, ideal or empirically disengaged. Our focus has solely been on the claim that political normativity is distinct from moral normativity. We have argued that this claim does not commit the moralist to many claims that realists impute to them. It does not entail that politics is simply a mechanism for enacting comprehensive moral blueprints for social life, or that political theory involves nothing more than articulating moral principles, or that we may ride roughshod over moral disagreements, or that political prescriptions should not be sensitive to context. Much pre-existing moralist political philosophy explicitly disavows these claims. With the commitments of moralism clarified, we have argued that what remains of the case for a distinctively political normativity is unconvincing.

The five arguments that we have considered reconstruct, we believe, the most prominent and interesting rationales for a distinctively political normativity discernible in current realist writings. But we do not claim to have surveyed every potential argument. The claim that there is a distinctive political normativity is, we find, sometimes a frustratingly moving target, both in terms of what it ultimately means and in terms of the arguments offered for it. This allows for a situation whereby, whenever one pins down a concrete argument, and argues against it, it is protested that the *really* promising argument has been overlooked or misunderstood. We can only invite those who remain committed to the idea of a distinctively political normativity to construct clear arguments for it that

⁷⁵ See also Erman and Möller 2015b, 462.

⁷⁶ Cf. Jubb and Rossi 2015b, 467.

avoid the problems with the arguments that we have identified. Only then can such arguments be productively engaged.

In light of our clarifications of what the moralist view is (not) committed to, one might ask why it really *matters* whether political normativity is moral or not. We think that it still does matter. The primary danger of isolating political normativity from morality, in our view, is that political decision-making is insulated from distinctively moral criticism; it is, as it were, taken “out of the space of” moral justification. While realists sometimes affirm that they still see morality as having some relevance to politics,⁷⁷ it is not at all clear *how* they take it to be relevant if politics is governed by a political normativity entirely distinct from moral normativity. The suggestion of some realists that moralist approaches simply have no place in political theory *at all*, and should instead be exported to departments of moral philosophy, hardly assuages such concerns.⁷⁸

A concrete example of such efforts to insulate politics from moral critique can be found amongst realist theorists of international relations. Such theorists are different, in important ways, from the current crop of realists in political theory, but many share the idea that politics, or international politics, is a sphere in which moral notions are essentially subordinate to political and purportedly non-moral purposes. As George Kennan, one of the most influential figures in US foreign policy after World War II, argued:

“The interests of the national society for which government has to concern itself are basically those of its military security, the integrity of its political life and the well-being of its people. These needs have no moral quality...[for them] the government needs no moral justification, nor need it accept any moral reproach for acting on the basis of them.”⁷⁹

As the international relations theorist Jack Donnelly points out, however:

“Kennan’s ‘necessity’ is not a matter of physical compulsion or impossibility... Rather, it is a matter of political choice – and thus in principle a matter of ethical evaluation [...] Beneath Kennan’s ostensibly neutral appeal to unavoidable necessity is an implicitly ethical notion of the national interest.”⁸⁰

From a mindset where political imperatives are entirely separate from morality, it is all too easy to dismiss moral concerns as inherently unimportant or inapplicable – on the most extreme view, as constituting a kind of *category mistake* when applied to politics – and to excuse defenders of such policies from making the case that they are morally permissible. Moreover, it allows political actors and theorists to smuggle in actual moral judgments they *do* make under the guise of purportedly non-moral claims (about “reality”, “necessity”, “practicality” and so forth) that are presented as not needing moral

⁷⁷ Hall 2015b, 8; Williams 2005, 8.

⁷⁸ Rossi and Sleat 2014, 696.

⁷⁹ Kennan 1985, 206. For other examples, see Donnelly 2000, 161-5.

⁸⁰ Donnelly 2000, 164.

justification.⁸¹ This concern is only reinforced, in our eyes, by claims that normative conclusions can be derived directly from definitions of ‘politics’, purported “political necessities”, or very general political needs for “order”. Such claims mask *prior* normative (and plausibly, we claim, moral) judgments that are built into those definitions of politics, conceptions of what is politically necessary, or particular forms of order.⁸²

Recognizing this, and seeing political normativity as part of rather than alien to morality, allows for debate over competing claims on political action in the real world, rather than ruling certain claims, and vast swathes of political philosophy, inadmissible or subordinate from the start. It also avoids fragmenting normative political theory into two camps that supposedly speak entirely separate languages, instead recognizing them as, though sometimes pursuing distinct approaches and projects, ultimately part of a shared conversation regarding what ought to be done in politics. That conversation is an evolving one, and needs to deepen, in various ways, its engagement with concrete political realities. But this should not come at the cost of denying its ineliminable roots in morality.

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⁸¹ This phenomenon is sometimes known as “cryptonormativity” (or perhaps more specifically, in this case, “cryptomorality”). See Worsnip [Forthcoming].

⁸² Relatedly, witness realist enjoinments to focus on “what works”, e.g. Geuss 2008, 47. Something’s “working” is always a matter of it advancing some particular *end*, so the question of whether to care about the end is always present, even if hidden.

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