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Gerald Gaus

The Review of Austrian Economics

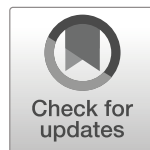
ISSN 0889-3047

Rev Austrian Econ

DOI 10.1007/s11138-019-00463-y



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Democratic citizenship as problem solving: Aligica's public entrepreneurship, citizenship and self-governance

Gerald Gaus¹ 

Published online: 15 June 2019

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We live in an age of ideological and moral conflict, not only in politics but in social and political theory. Political philosophy from the 1970s to the 2000s was an overwhelmingly left-of-center project: most political philosophers understood it to be their task to construct ideals of redistributive, egalitarian liberalism, to guide an enlightened democratic state towards the promise-land of a fully just egalitarian society — indeed a world order — where basic moral disputes have been overcome. This would be a homogeneous “well-ordered society,” (Rawls 1999: §69) where all agree on egalitarian justice and all know they all agree on it. But in the last decade the intelligentsia's conviction that their constructions express the *vox populi* has been pretty well shattered: recent voting trends suggest that something between a third and a half of the citizens of western democracies reject the democratic egalitarian project — and indeed, may reject the entire liberal project. Shocked by the populous not following their philosophical discoveries, within the academy some have gained notoriety in loudly rejecting democracy itself. We now confront a dizzying array of non-democratic and anti-democratic proposals: revived arguments for elitism, nationalism, and socialism, Marxism — and even Maoism. In response to all of this the liberal egalitarian repeats her mantra, radicalizing it in the process, seeking to make peace with Marx, becoming ever-more skeptical of capitalism.¹ The one constant seems to be the supposition that those who think differently from me must be wrong and are my ideological enemies.

¹It is, indeed, remarkable that G.A. Cohen (2008: 186), a Marxist, is now typically considered an egalitarian liberal. To be sure, he does admit that his “inclinations are more liberal” than “old-style” Stalinism.

✉ Gerald Gaus
jerrygaus@gmail.com

¹ Department of Political Economy & Moral Science, Department of Philosophy, University of Arizona, Social Science Building Room 213, Tucson, AZ 85716, USA

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Unlike most of his disciples, Rawls came to recognize the fundamental challenge presented by moral disagreement, and so sought to rethink the nature of political theorizing in light of it. If reasonable people disagree about justice itself, Rawls reasoned, the nature of the just state is importantly indeterminate. Whatever might be my convictions about the ultimate truth of the matter, it is not one on which all reasonable citizens will converge: as far as political reasoning goes, there are a number of reasonable ways of ordering social and political institutions. Each is convinced that his political views represent the truth, but to your neighbor they are errors: to insist that the political order conforms to your convictions about the truth fails to treat others as reasonable, good-willed, co-citizens. To be sure, Rawls progressed only a few steps along this path — whatever the scope of reasonable indeterminacy, to him it remained within the family of liberal egalitarian theories (Rawls, 2005: xlvi–xlviii). Yet even these small steps toward accommodating moral diversity were enough to alienate most of his disciples. They either insisted that Rawls made an error in trying to banish appeal to the moral truth from his political philosophy, or they simply denied that Rawls ever started along this path.

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Paul Dragos Aligica's wonderful and important *Public Entrepreneurship, Citizenship and Self-Governance* (2019) is one of the most comprehensive efforts to articulate a democratic theory premised on deep and abiding diversity, not just about interests but about values and moral commitments. Diversity, Aligica argues, is simultaneously a challenge to democratic self-governance and a resource for it. In this respect his book is the one of the most thorough articulations of what I have elsewhere (Gaus 2018) called the "New Diversity Theory," which aims to identify institutions that not only cope with deep diversity, but that harness it to improve the problem-solving abilities of the citizenry.

Aligica's book is magnificently rich: its unique analysis of a diverse social order weaves together literatures about self-organization, self-governance, collective problem solving, classical liberalism and, of course, public entrepreneurship. These elements form an *interpretative circle*: entering at any one idea leads you to the rest. In these comments my entry point is democratic citizenship. One way of reading Aligica's book is that it seeks to reconcile Vincent Ostrom's advocacy of Tocquevillian-inspired democratic citizenship with pervasive moral and value diversity. As Aligica (2019: 5) says, "When it comes to the contemporary debate, the argument of . . . this book could be read first and foremost as a contribution to the defense of a certain form of liberal democracy."

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How can a society of deep and wide valuational disagreement maintain a firm commitment to democratic citizenship, respect and toleration? Let me first

briefly consider Rawls's answer, for there is no other question that so vexed him. Rawls recognized the centrifugal tendencies of moral and religious disagreement drive us apart, leading us to advocate conflicting social and political institutions. This, as he notes (2005: xxiii-xxv), was the hard lesson of the wars of religion. If people are free to draw on their controversial comprehensive perspectives, Rawls worried, they might not converge on liberal democratic structures. Rawls's response to this problem was powerful and dynamic, consisting of three claims.

- (1) Citizens must bifurcate their value structures into public and private sets. The public set, Rawls argued, is defined by the shared values of late twentieth century democratic culture. In democratic discourse we must restrict ourselves to considerations based on values within the shared public culture.
- (2) These public values must be weighty enough to normally override the temptation to pursue moral conflict and discord, with groups trying to capture public institutions for private ends, or to shape the public in the image of one's controversial ideal.
- (3) Ultimately, over time in a successful democracy a congruence between public institutions based on shared values, and the diverse, conflicting, comprehensive doctrines may be secured, reconciling democratic citizenship with deep diversity (Rawls, 2005: 158ff, 385ff.)

I said this proposal was powerful, not ultimately successful. It clearly appreciated the problem and advanced a set of proposals that would serve to address it. Alas, all three claims can be questioned — in my own work, I have especially queried the first. Although citizens sometimes set aside their religious doctrines in public debates, typically they draw on their controversial moral commitments. But our moral commitments are often not only diverse but often divisive. As DeScioli and Kurzban (2012) have argued, morality is not only about securing cooperative structures but about choosing sides in conflicts. And whatever public values we do share are often overridden by our controversial moral commitments. Finally, the last decade has made quite manifest that many comprehensive moral and religious doctrines have not aligned with democratic, open, culture.

Despite all of this, I remain convinced that Rawls is fundamentally correct on one point: a functional liberal order requires some way to reconcile our deep differences so that we can freely share a basic structure of social living (Gaus 2018). But as the manifest failure of liberal egalitarianism has demonstrated, this reconciliation project cannot include a robust, thick, understanding of a just political order. The idea that all can be reconciled on an ideal theory of justice — either egalitarian or libertarian — is surely an intellectual fantasy (Gaus 2016). Any attempt to implement such a contentious theory of justice must lead to the oppressive use of political power. Rawls's (2005: xxv) question remains pressing: "How is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable religious, philosophical and moral doctrines?" What has been called the "public reason project" seeks to uncover a basis for the reconciliation of our differences.

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Aligica takes what appears to be a very different approach: reconciliation does not play an important role in his analysis of diversity. As I see it — and I'm sure I have missed a great deal — the core of Aligica's resolution of citizenship and diversity is located in a *problem solving* conception of the political.² One of the great lessons we learned from the Ostroms was that free joint action is most apt to arise when a group of people face a common problem. We face the degradation of a common pool resource and seek to do something about it. In problem-solving contexts, people are willing to bracket their comprehensive disputes, not out of a strong sense of democratic duty, but because they need to work together to solve a pressing problem. Unlike a state-centered view, we are not seeking to justify a freely roving authority that may, within some bounds, do pretty much as it wishes. If we are employing the roving state, I certainly am apt to bring my deepest, and most controversial, values to bear on what I wish it to do. What else would I do if I see the state as a generalized institution for value promotion? I am, after all, committed to *my* values. But if crime is rising in my neighborhood, my focus is on solving *that* problem; to a significant extent, the bracketing of controversial commitments that Rawls thought essential to democratic citizenship endogenously arises from the nature of the political problem.

Once we grasp the centrality of the political as problem solving through self-organized publics, other features of Aligica's account of democratic citizenship come to the fore. For one, the importance of public entrepreneurship to democratic citizenship becomes manifest. Three critical tasks of the public entrepreneur are immediately apparent. (i) The public entrepreneur must help identify potential collective problem-solving contexts. That we confront a collective action problem does not mean that the problem is obvious. (ii) The public entrepreneur must take a leading role in mobilizing recognition of the problem and ways to solve it, which would include providing the contexts for discussion and exchange of information. And, (iii), a task of the entrepreneur is to take the lead in organizing contributions to secure the joint good. Aligica's discussion in Chapter 2 of *Public Entrepreneurship, Citizenship and Self-Governance* — of the way that the entrepreneur can build on different preferences for public goods — is especially nice, again helping to show how diversity of preferences can cause convergence on outcomes, not simply divergence.

It is because citizenship develops in a problem-solving context that Aligica conceives of *democratic civic competence* largely in terms of the development of problem-solving capabilities. He (2019: 104) notes that “the system of institutionalized countervailing powers,” which Vincent Ostrom advocated as being essential to the constitutional order, “can only work with the development of a culture of inquiry in which conflict ‘can be addressed in a problem-solving mode of inquiry rather than in a way that provokes fight-sets where threats and counter-threats easily escalate into violent confrontations’.” The divisiveness that diversity can engender is thwarted in problem-solving contexts into a more cooperative inquiry looking for better solutions. This is a fundamental and important insight. It is not that, as good liberal democrats, we commit ourselves to bracketing our divisions through the use of shared reasons, but that

² I have built on his problem-solving understanding of democracy in Gaus [forthcoming](#).

when we are focused on problem-solving contexts divisive conflict is replaced by something more like cooperative inquiry.

And this point brings us back to the relation of citizenship to *diversity* (we are moving through Aligica's interpretive circle) As noted in the quote from Vincent Ostrom, in problem solving contexts diversity can work to the benefit of all. Once politics is conceived in terms of inquiry or discovery we can draw on results such as Scott Page's (2007, 2017) and H el ene Landemore's (2013), which show how diverse groups possess enhanced problem-solving capabilities. It is important that Page's diversity theorems are about problem solving contexts: when we have identified a common problem and have agreed on what would be good solutions, then the Hong and Page (2001) dynamics can get going. Because democratic citizenship is about collective problem solving, and because the public entrepreneur has identified the shared problem and what would count as a solution, the stage is set for diversity to assist in social searches for better solutions.

Notice how nicely this set of claims responds to the problem of democratic citizenship under diversity. Because the site of democratic citizenship is bottom-up problem-solving contexts, each is incentivized to put aside her divisive comprehensive commitments to focus on the matter at hand. Public entrepreneurs seek to identify such contexts and mobilize citizens to solve them, and as they do so, citizens' democratic competencies are enhanced. And, lastly, in such contexts their diverse perspectives on the problem at hand lead citizens to better collective solutions. Together, this is a compelling set of reinforcing claims, showing the possibility of democratic capabilities in a diverse society.

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The lynchpin of this elegant solution to the problem of democratic citizenship under diversity is politics as shared problem solving. The solution is contingent on the ability of public entrepreneurs to create shared problem-solving contexts. Without denying the persuasiveness and power of this proposal, like Rawls's solution it depends on limiting diversity at some point. (I mean this as an observation, not a criticism.) One feature of perspectival diversity is that individuals categorize situations and problems in different ways (Gaus 2018). Lord Devlin (1968) thought homosexuality was a public bad. Many in this country think American dominance over other countries is a public good; about half the English think that EU membership is a collective problem; some think that the nuclear family is a public bad, engendering sexism and injustice; some think economic growth a collective good, others a collective bad. The list goes on and on. In these circumstances not only do we not agree on the problem to be solved, but the public entrepreneurs — or perhaps those whom Aligica would call ideological entrepreneurs — work to divide us, some to get us to see a problem, others to deny there is one.

What constitutes a collective bad or a public good is, of course, not a given in the nature of the world. As I think Aligica would be the first to accept, recognition of something as a problem arises from within perspectives living under a set of institutions. If so, diversity once again threatens us with divisiveness. Rather than Millian-Popperian-Deweyan politics-as-inquiry, we again confront the reality of politics as choosing sides and enduring conflict.

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Another element of Aligica's circle of concepts — polycentricity — is of great help here. A critical method to cope with disagreement is *separation*: those who see things very differently can live under different institutional structures, recognizing different collective problems. However, we must sharply distinguish polycentricity properly understood from Nozick's (1974: Part III) famous utopia of internally homogenous communities, each going their own way. Such "polycentricity" is bound to fail, and this for two reasons. *First*, the requisite degree of homogeneity can never be attained or sustained. As Rawls (2005: xvi) rightly pointed out, disagreement is the inevitable result of the exercise of human reason under free institutions. No matter how small the group, new perspectives arise (and if they didn't, the group would stagnate). And *secondly*, as the Ostroms noted, when group cleavages are mutually reinforcing, intergroup conflict arises (Ostrom, and Ostrom, 1977: 96). The other group becomes "them," who are very different from "us." At best, this sort of "polycentricism" purchases intragroup agreement by exacerbating intergroup conflict.

A genuine and plausible polycentric solution thus requires crisscrossing and overlapping jurisdictions, in which shifting publics come together to solve different problems at different levels. As Aligica (2014: 58ff) has stressed, this requires a framework of rules regulating their complex interactions. Democratic self-governing problem-solving groups arise within an overall framework of rules specifying the rights of citizens and prohibiting various forms of harmful externalities. *Pace* Rousseau (1762: Bk I), democratic self-governance is not a sovereign, supreme, locus of social regulation; it must occur within an overall systems of norms, moral rules, and laws that both empower and delimit the jurisdictions of self-governing democratic publics and so regulates their myriad interactions.³ We must always keep polycentricity distinct from the illusory ideal of an archipelago of self-governing sovereign communities.

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In the end, Aligica's great insight — that self-governance occurs in problem-solving contexts — is ultimately consistent with public reason's stress on reconciliation. Once we avoid the Rousseauian error of seeing these self-governing units as sovereign, we come to appreciate that democratic self-government is a shifting and crosscutting system of democratic publics operating within a shared normative framework. The public reason project focuses on the justification of this shared normative framework in a diverse social order. Constructing a social framework that all can endorse as at least minimally acceptable is, in some sense, prior to (or at least more basic than) politics as problem solving. But it is only in the self-organizing problem-solving publics that effective democratic self-government can be realized. We do not share nearly enough for our entire society to form a coherent unit of collective self-governance (Gaus [forthcoming](#)).

³ Even Nozick thought that there must be a framework of rules within which the self-governing communities interact.

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