Rawlsian Compromises in Peacebuilding:
A Rejoinder to Begby

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Abstract. Begby's response neither offers a clarification of what he meant by the sort of political institutions that he claimed are provided by the idea of human security, nor ventures a word of defense for his unsatisfactory account of political representation. In this rejoinder, I provide textual evidence that shows what Begby is missing when he asserts either that political liberalism applies only to well-ordered societies, or that an overlapping consensus cannot be applied to relatively stable forms of political cooperation. In addition, I advance further considerations in order to dispel any doubts about what is at stake in this debate; to my mind, Begby risks standing for "comprehensive liberalism," while I emphatically stand for "political liberalism."

Key words: human security, comprehensive liberalism, political liberalism, liberal peace, John Rawls.

My reply to Begby and Burgess (2009) was built upon an account of political representation as part of the remedy for conflict-torn societies. The account provided by Begby and Burgess (2009) is unsatisfactory, as it appears back-to-front, with political representation as a secondary goal preceded by another kind of political institutions that they do not clearly define. In my view, this lack of definition stems from their inductive approach to peacebuilding, neglecting the big picture that the deductive approach of Kantian constructivism offers (cf. Agafonow 2010, 79). Begby's response, unfortunately, neither offers a clarification of the sort of political institutions which they claim are provided by the idea of human security, nor ventures a word of defense for their unsatisfactory account of political representation. In his response, Begby (2010, 52) confines himself to affirming that "one of the defining aims of liberal peacebuilding is to assist in the creation of a political institutional framework capable of dealing equitably and peacefully with ethnic or religious tensions as well as other sources of conflict," a statement too general to satisfactorily deal with my point.

It is important to clarify that ours is not a debate between a liberal, Begby, and a communitarian, myself. Instead, this is a debate between someone who risks standing for "comprehensive liberalism," Begby, and someone who stands for "political liberalism," myself.[1] Therefore, I do not doubt that liberal peace and its rights-centered agenda can

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1] Following John Rawls, in Agafonow (2010) I used metaphysical or epistemological liberalism as opposed to political liberalism. Here, I have decided to follow Waldron (2004) in referring instead to comprehensive liberalism as opposed to political liberalism, which I think conveys a more straightforward meaning. Waldron (2004, 91) defined them as follows: "The political liberal insists that the articulation and defense of a given set of liberal commitments for a society should not depend on any particular theory of what gives value or meaning to a human life. A comprehensive liberal denies this. He maintains that it is impossible adequately to defend or elaborate liberal commitments except by invoking the deeper values

altogether successfully integrate "the sorts of compromises of moral and political principle which might be required in order to construct stable political institutions in societies emerging from conflict" (Begby 2010, 52). What I do doubt is that the idea of human security, at least as it is set forth in Begby and Burgess (2009), might be able to deal with the potential conflict between individual and community claims (cf. Agafonow 2010, 78).

In order to provide a meaningful settlement of this conflict, the idea of human security needs a qualification provided by political liberalism. This qualification concerns "political cooperation," which can be conceived on a continuum between a full overlapping consensus or perfect political agreement at one extreme, and no consensus whatsoever or complete political disagreement at the other. Indeed, Rawls not only provided a full description of how a well-ordered society would look if it complied with the ideal conditions of Kantian constructivism, but he also touched on the intermediate stages that a society would go through before fully embracing political liberalism. As shown below, Rawls considered "relatively stable forms of political cooperation" to be initially characterized by contending parties that temporarily and reluctantly agree on a political constitution, i.e. a modus vivendi, pending a final settlement that will eventually move the society from "simple pluralism" toward a "reasonable pluralism":

> [A]t the first stage of constitutional consensus the liberal principles of justice, initially accepted reluctantly as a modus vivendi and adopted into a constitution, tend to shift citizens' comprehensive doctrines so that they at least accept the principles of a liberal constitution. These principles guarantee certain basic political rights and liberties and establish democratic procedures for moderating the political rivalry, and for determining issues of social policy. To this extent citizens' comprehensive views are reasonable if they were not so before: simple pluralism moves toward reasonable pluralism and constitutional consensus is achieved. (Rawls 1996, 163-64)

Furthermore, Rawls referred to the opposite extreme, i.e. no consensus or complete political disagreement, in the case of belligerent and unreasonable comprehensive doctrines that prevent a political constitution with a full overlapping consensus. For such actors with deeply conflicting interests, it is impossible to meet the requisites of a mature liberal democracy:

> [I]f the liberal conceptions correctly framed from fundamental ideas of a democratic public culture are supported by and encourage deeply conflicting political and economic interests, and if there be no way of designing a constitutional regime so as to overcome that, a full overlapping consensus cannot, it seems, be achieved. (Rawls 1996, 168)

These passages illuminate what Begby (2010, 54) is missing when he asserts either that political liberalism applies only to well-ordered societies, or that an overlapping consensus cannot be applied to relatively stable forms of political cooperation—provided, of course, that we take care to use an appropriate qualifier with "overlapping consensus." In this respect, Begby overlooks the fact that I used "incomplete" as a qualifier here. Begby's

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and commitments associated with some overall or 'comprehensive' philosophy."

oversight might have to do with his own conception of value and the good, perhaps one that stems from a specific political culture. This might explain why he finds counterintuitive the analytical outcomes of the method devised by Rawls and others (i.e. the simulation of negotiations in an original position, behind a veil of ignorance, to agree on a society's basic structure), which allows the inputs of other idiosyncrasies. There is no reason, for instance, to exclude a priori a feminist insight. I myself find Rawls too constrained by a specific political mindset, which prevented him from broadening the idea of overlapping consensus in a way I claim is coherent with the principles of Kantian constructivism. In this respect, his *Law of Peoples* is the work I find most problematic, as it sets forth a series of new propositions that do not clearly comply with the constraints derived from an original position and a veil of ignorance. Scholars like Abdel-Nour (1999) and Pogge (1994) have pointed out several related problems.

Furthermore, although Rawls' work contains the seed of a more applied perspective of Kantian constructivism, which nonetheless remains to be developed, it is doubtful that there is any actual well-ordered society deserving the status of full overlapping consensus. I gave several examples in my reply, stressing that not even some of the most enduring polyarchies neatly match this ideal (cf. Agafonow 2010, 80-1). If we have to avoid applying it to relatively stable forms of political cooperation, what entitles us to proclaim, for instance, Norway as a full overlapping consensus? As Begby (2010, 57) suggests, one would expect oppressive practices against women to be prevented in a full-fledged overlapping consensus. As it happens, Norway has one of the OECD's highest rates of physical violence against women allegedly committed by their own current or former partners.[2] Among the 28 countries included in the data, Norway has the seventh highest rate, exceeded only by Iceland, the UK and Switzerland among European countries.[3] However, this does not change the fact that in other instances, Norway largely resembles what we normally think of as a full overlapping consensus. A resemblance, however, is not a perfect match.

The picture that emerges from applying the method of Kantian constructivism is static; we need a theory that can also handle the dynamics behind political consensus building. In fact, this theory already partly exists in the literature dealing with democratization, particularly the institutionalist view of democracy, which shows how the causal order that explains democracy as a consequence of cultural factors appears to be mistakenly back-to-front. In other words, the emergence and consolidation of democracy can be better explained if political culture is understood as a consequence of certain constraints

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2] As a general rule, reported domestic violence accounts for less than 2% of the population, with 1.16% in Norway. However, it is widely known that the extent of domestic violence is underestimated due to a greater reluctance to report it. In 2005, a nationwide mail survey carried out by the Norwegian Institute for Urban and Regional Research, with a response rate of 59.4%, showed that 27.1% of women in Norway experienced violence or the threat of violence in current or former relationships (see Office of the United Nations High Commissioner for Human Rights).

3] See the OECD Family Database, under the "Structure of the Family" heading, indicator SF3.4, "Family violence."

provided by institutional arrangements. If these arrangements are provided for—and here political representation is very important—we can expect internal liberalization to become self-propelled.[4] I find it surprising, therefore, when Begby (2010, 56) affirms that "[there] is no empirical support for the thesis that liberalization will, as a matter of fact, occur as the result of such compromises, nor that such compromises constitute the best or most reliable method of encouraging liberalization." If we cannot expect liberalization to emerge from compromises internal to the communities themselves, the Western imposition of foreign-led post-war reconstruction in the not-too-distant past begins to take on a certain inevitability.

Finally, we have to bear in mind that Begby's response addresses a reply of mine which, by definition, has a limited scope. Although some of his counter-arguments go beyond the intended scope of my reply, that which concerns the lack of a predictable time frame for the emergence of liberalization from within the local political culture itself particularly deserves comment. Begby (2010, 57) demands a "sharply defined time frame," at the end of which the institutional system is expected to have triggered initiatives of self-determination to tackle oppressive practices left to the internal jurisdiction of groups. But to expect that appropriate political representation shows results according to a sort of deadline is to overestimate, in a positivist fashion, the possibilities of social sciences.[5] It also confronts us with the moral problems of intervening in a sovereign country that has a stable but incomplete overlapping consensus.[6] And, one might think, recognizing sovereign non-liberal states is a far less pressing concern than preventing non-reasonable comprehensive doctrines from oppressing the individual.

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4] Some representative scholars of this view are Juan J. Linz, Arend Lijphart, Fred W. Riggs, Alfred Stepan, and Arturo Valenzuela.

5] This, coupled with Begby's dismissal of what he terms "speculative psychological claims," ignores the sound reputation and extensive use of counterfactual theories in philosophy, not to mention political science or economics. Begby's response seems to rely on positivism's discredited sole reliance on external sensory observations.

6] By a stable but incomplete overlapping consensus, I don't mean a dictatorship, no matter how benevolent the ruler might be. Instead, I mean a country with a competitive political system, where politicians cannot push through a political agenda which they otherwise could in the absence of other politicians trying to match their own agendas with citizens' preferences, within the limits of the specified public matters that all contending groups are concerned with as a whole. Here, the qualifier "incomplete" means that some controversial issues would be left to the sole internal jurisdiction of specific contending groups, pending a final settlement in an open-ended future. For a similar point see Agafonow (2011).

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