

# THE PUBLIC ETHICS OF SOVEREIGNTY OF EVIL AND POLITICAL LIBERALISM

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**Summary** The paper debates the issue of the preventive procedural concept of politics versus the aspirational liberal concept of politics as discussed in Derek Edyvane's book *Civic Virtue and the Sovereignty of Evil: Political Ethics in Uncertain Times*. The author indicates the necessity to conceptually differentiate sovereign evils from universal evils, and offers a defense of the liberal concept of justice.\*

**Keywords** Edyvane, liberalism, proceduralism, Rawls

## **Introduction: The Asymmetry of Pursuing Good and Preventing Evil**

The central distinction in Derek Edyvane's book *Civic Virtue and the Sovereignty of Evil: Political Ethics in Uncertain Times* is that between aspirational politics and preventive politics. I am going to dedicate the first section of

the paper to the analysis of this distinction.

There are authors who say that the two politics are symmetrical. In their opinion, preventing evil is preventing the loss of good, and therefore, the two politics, in their view, can be reduced to the same one. Edyvane, on the other hand,

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defends the thesis of the asymmetry between the two politics. Among other things, he appeals to the counterexample represented by the British Left that dishonored the pacifist ideal in order to prevent the evil of Nazism. This appears as a case that highlights the asymmetry. The former renounced pursuit of a good in order to avoid an evil, the great evil (as we will later see, a sovereign evil) of Nazism. In the case that he indicates, it appears that the British Left redirected its action from activities meant to improve the social condition and justice (pursuing a good), to mere prevention of evil. The example, by itself, is not sufficient to clarify the distinction, because it is not clear at first glance that pursuing the good of pacifism is not symmetrical to the prevention of an evil. Pursuing the good of pacifism may be interpreted as preventing the evils of violence, killing, doing all the evils that one may do in a war. The first thing that we can note is that the distinction may not be merely a conceptual distinction between affirming and avoiding. It appears that, at least in the example, the affirmation of something is conceptually linked to the avoidance of something.

The second important thing is that the redirection from the pursuing of a good to the avoidance of an evil must not be merely tactical, as it perhaps was in the case of the New Left. The politics of the New Left may be interpreted as a politics of prevention of evils, like the loss of goods such as freedom, democracy, equality (maybe even the possibility to live in a moral order), which were in immediate danger, and renunciation of preventing the evil of using violence and killing was only temporarily postponed.

Such tactical postponing is allowed by philosophers of politics that Edy-

vane would qualify as representatives of the aspirationalist politics. As an example of the tactical renunciation of some goods, we may take Brian Barry, who, in his discussion of multiculturalism, affirms firmly the principle of equal treatment against the policy of exemption for minority groups. He takes his proposal as a firm aspect of liberal egalitarian justice. But, on the other hand, he admits as legitimate temporary compromises that take in consideration the actual social reality and the need to avoid a social catastrophe in a specific condition. For this reason, for example, although he thinks that the politics of exemption on the basis of cultural specificities represents an infringement of the principle of equality endorsed by the conception of justice that he embraces, i.e. egalitarian liberalism, he admits as legitimate to concede a temporary exemption to Sikhs from the law that obligates to wear helmets in the exercise of some jobs in order to avoid a situation of widely diffused unemployment of members of this group. It is clear that the partial renunciation of the pursuit of equality (or, in other words, of avoiding the evil of inequality) is only tactical and temporarily limited (Barry, 2000: 19-54).

Edyvane's distinction is to be interpreted as one between avoidance and prevention of the loss of core goods, i.e. avoidance and prevention of core evils, in contrast to avoidance and prevention of a more extended list of evils, i.e. avoidance and prevention of the loss of a more extended list of goods. This is what Edyvane indicates as the distinction between contingent and sovereign, which, as he says, can ground two different concepts of public morality. "First, we may interpret public morality in terms of the prevention or mitigation of contin-

gent evils, or, in other words, in terms of the promotion of those aspirations upon which contingent evil is contingent. Secondly, we may interpret public morality in terms of the prevention or mitigation of sovereign evils and the promotion of that for the elimination of which sovereign evil stands: the basic fabric of morality and of ordinary decency in public affairs” (Edyvane, 2012: IV, 14). Opting for the prevention of sovereign evils entails a reorientation of the political focus and civic virtues: “one may come to understand better, and to identify more distinctly, the ordinary and indispensable decencies of public life which may be overlooked in the projection of liberal ideas of social improvement” (Hampshire, in: *ibid.*).

At the end of this section, I indicate that there is a point in this discussion where it seems to me that Edyvane affirms a thesis that is very difficult to defend. When he speaks about preventive politics, Edyvane indicates really extreme cases: “The cases I have in mind are those in which the program of preventing catastrophe entails the betrayal not of this or that ideal, but of every ideal to which the actor aspires. In such cases, there is profound sociological asymmetry between the politics of hope and the politics of fear” (Edyvane, 2012: II, 9). But I worry whether it is possible to offer examples of those cases. The possibilities are not so easily imagined, and it seems to me that betraying every ideal to which the actor aspires appears to her as a catastrophe by itself.

### **Is Rawlsian Liberalism Aspirationalist?**

In his exemplifications of aspirational politics, Edyvane mentions, among others, John Rawls. I will try to see wheth-

er Rawls can be properly interpreted as an aspirationalist in Edyvane’s terms, and if he can, why. Firstly, Rawls himself characterizes his position as a utopia, although a realistic utopia (Rawls, 1999: 11-23). Nevertheless, his utopia appears only as a more coherent realization of what is already included in our political culture, as well as in our political society (western liberal democracies), judged by him as nearly just (James, 2005). In some cases, for example in his discussion of civil disobedience and segregation, the goal appears as an extension to all of the rights recognized to the most (Rawls, 1971/1999: 319-343).

Secondly, and this is a point strongly remarked by Edyvane, there is the concept of overlapping consensus (Rawls, 1993/1996: 133-172). Overlapping consensus represents a sincere endorsement of basic principles of justice and it is a concept opposed to *modus vivendi*, a mere strategic endorsement of principles of justice. Overlapping consensus may appear as an aspirational concept, because it is related to an improvement of the moral condition of society, precisely the improvement that we have when we morally endorse a concept of justice.

However, overlapping consensus has preventive and austere elements, as well. Firstly, one of the justifications of its superiority to *modus vivendi* is that it is more suitable to ensure stability and, therefore, to protect what we already have. Because of the fact that *modus vivendi* is only strategic, its adoption changes as soon as the conditions in which communities live change, and, therefore, the achievements of society are compromised. Secondly, overlapping consensus is focused on the principles of justice related to the constitutional essentials. These principles are associat-

ed with what Rawls thinks are primary goods, i.e. goods needed to protect and pursue any conception of good, and, because of this, overlapping consensus appears as instances of a preventive politics, and not of aspirationalist politics, according to the distinction that I have indicated in the first section.

So, if Rawls is an aspirationalist, this is not because of his endorsement of overlapping consensus, but because of the theory of justice that he defends. Endorsing a liberal theory of justice may appear more than what is necessary to prevent what preventivists judge as evils on which they focus. Furthermore, Edyvane adds, it may even be disturbing, because of its impossibility to accommodate some worldviews and conciliate them.

It may appear that Rawls himself agrees with this when he speaks of international justice, where he renounces some aspects of freedom and the value of equality (Rawls, 1999: 1-88). When he speaks of international justice, for the sake of consensus and, therefore, stable cooperation with societies that are ready to be peaceful and cooperative provided their theocratic and hierarchic conception of justice is not threatened, Rawls accepts as legitimate the standards of justice of these societies in their domestic justice that are below the liberal standards in matters of freedom and equality, and this might indicate that he does not think that these standards are the minimum acceptable for human beings.

This discussion helps to locate where the aspirationalist elements of Rawls's proposal lie. They are not primarily related to overlapping consensus as such that is directed toward stability and, in my opinion, this is why the overlapping consensus appears more preven-

tively than aspirationally directed. It is certainly true that overlapping consensus is a kind of moral improvement, a more sincere and committed adherence to justice than *modus vivendi*, but its central aspect is that of supporting stability. When speaking about the politics of prevention, Edyvane focuses on the protection of the sphere of ordinary life: "it is precisely the sphere of ordinary life, and the things we have taken for granted, that are most immediately threatened and disrupted by the sort of catastrophe that the politics of prevention guards against" (Edyvane, 2012: II, 16). Without overlapping consensus and basing social cooperation on *modus vivendi*, the protection of the sphere of ordinary life and the things we have taken for granted are threatened, although not immediately, and this is the reason why it appears to me as a preventive and not an aspirational element in Rawls's political thought.

The aspirationalist elements, if anywhere, lie in the content of the theory of justice, that may appear as related to an ideal of a situation above the minimum required for a decent life that is represented by the decent hierarchical society pictured by Rawls in his *The Law of Peoples*. However, it is important not to forget that Rawls's theory of justice pictures an ideal society, but, nevertheless, he thinks of our society as nearly just. For this reason, his theory of justice appears in a sense preventive, i.e. in the sense of preventing the loss of the standards of freedom and equality, which is a loss for us, people who live in the Western political culture.

This is not sufficient to classify Rawls as a preventivist according to the classification shown earlier, where aspirationalists are oriented towards the

protection from a wider list of evils (i.e. contingent evils), while preventivists are oriented towards sovereign evils only. Because of the fact that Rawls indicates as acceptable a society below the standards of freedom and equality of liberal societies, it seems that liberal theories of justice, like Rawls's, are focused on contingent evils, and, therefore, are aspirationalist theories. I will return to this issue below. I now focus on the question: why does Edyvane think that preventivist theories are preferable to aspirationalist theories?

In the discussion that follows I debate only Edyvane's view on proceduralism and its role in the competition with liberal theories of justice. I avoid discussing, for example, proceduralist proposals that may function as complements of liberal theories of justice directed to different concerns. Such a view is, for example, that of Emanuela Ceva, who speaks of proceduralism directed to management of conflicts and not to their resolution (Ceva, 2008).

### **Preventive Politics and Proceduralism**

The reason why Edyvane rejects liberal theories of justice, like Rawls's, is that, in his opinion, they are too ambitious and, as such, unsuitable to face the major challenges of the contemporary world. The liberal theory of justice is judged as unsuitable because it cannot be the matter of shared acceptance. In order for liberal theories of justice to be the focus of overlapping consensus, it must be possible to obtain consensus on their principles of justice, contrary to what happens, in Rawls's opinion, in relations to concepts of good. But Edyvane says: "The trouble is that this account of the asymmetry between the right and

the good depends for its plausibility on a particular and controversial conception of the human faculty of reason or of moral thought. The basic idea is that moral thought is *convergent* thought: in idealised circumstances, relieved of the burdens of judgment, reasonable people could be expected to reach agreement about morality and the good. The failure to reach agreement is a sign of defect, a sign, as Rawls puts it, that something somewhere has gone 'wrong' (1993, 55). To explain this defect, Rawls invokes the burdens of judgment: because the world is a complicated place and because each of us draws on a different set of life experiences, it is impossible for reason to achieve perfect convergence on a comprehensive conception of the good life. However, the burdens of judgment are not so great as to vitiate the convergent tendency of reason altogether – it is possible for reasonable people to reach a more modest kind of moral consensus: an 'overlapping' consensus on the constitutional essentials by which they can live together" (Edyvane, 2012: III, 12-13).

Edyvane's objection says: "What reason have we to think that, relieved of the burdens of judgment, reasonable people would actually reach agreement on morality? At this point, my earlier appeal to history takes on renewed force: there is nowhere evidence that moral thought tends naturally to converge in the way Rawls suggests. [...] It is not obvious that there is any more reason to assume with Rawls that moral thought unburdened will tend to consensus than there is to believe that moral thought is fundamentally divergent and that the rare achievement of moral consensus in human affairs is always restricted to a particular constituency and is always liable to be short-lived" (*ibid.*: III, 13-14).

As a consequence of these remarks, Edyvane endorses an attitude different from that of Rawlsians toward those who do not accept political liberalism. For Rawlsians, those who do not accept political liberalism are simply to be labeled as unreasonable, but the problem for Rawlsians is that they have nothing to say about the conciliations of conflicts relevant for the present time.

It is worth looking into the sorts of conflicts to the conciliation of which liberal justice cannot contribute. As we can see in a quotation from Hampshire, it appears that what is involved is “The relation between two kinds of society: on the one hand, self-consciously traditional societies and governments, where priests of the church, or rabbis or imams or mullahs, and other experts in the will of God, maintain a single conception of the good that determines the way of life of the society as a whole; and on the other hand, the liberal democratic societies and governments that permit, or encourage, a plurality of conceptions of the good” (Hampshire, in: *ibid.*: III, 14).

The problem that appears here, and that, in Edyvane’s view, makes Rawls’s proposal implausible, is that his liberal proposal, and liberalism in general, appears as a partisan theory that cannot be the focus of conciliation of different worldviews. Partisanship can be overcome and conciliation pursued if we focus not on the ambitious concerns of liberals but on sovereign evils that are to be prevented. Sovereign evils are evils independently of “the norms of any particular way of life or any set of moral ideas” (Edyvane, 2012: IV, 9). Contingent evils are evils in relation to particular ways of life and sets of moral ideas and to the loss of something intended as good in these contexts. Such is, for example, inequality,

an evil only from the standpoint of egalitarian conceptions of justice.

Edyvane connects his focus on sovereign evils with a proceduralist thesis, i.e. he proposes to renounce substantive theories of justice and to focus on procedures that help finding conciliation. Preventive politics does not focus on specific contents of justice, like Rawls’s proposal. Instead, it may “be realised and institutionalised in an indefinite variety of ways in different places and times and its precise manifestation is liable to be shaped by the prevailing customs and conventions in any given social context. [...] Moreover, not all instantiations [...] will be congenial to the liberal democratic temperament. [...] Nevertheless, in each instantiation [...] there will be a common element: the abstract prohibition on the collapse of civilized life” (*ibid.*: V, 14). Preventive politics renounces to the protection of liberal principles of justice, and it “is concerned with fairness in the procedures for the negotiation of conflict” (*ibid.*: VI, 2). The reason is that it is directed to the prevention of “anarchy in which conflicts are settled not institutionally, through argument, but instead by intimidation and violence. Reflection on these evils yields an understanding of justice as related to procedures, to the processes of argument, rather than outcomes” (*ibid.*: VI, 1).

So, proceduralism is congenial to the prevention of sovereign evils, such as anarchy, intimidation and violence: “The universality of procedural justice derives simply from the fact that it responds to a perennial predicament in human life: the need to prevent inevitable conflicts of aspiration from boiling over into a state of war” (*ibid.*: VI, 2). Or, again: “always and everywhere societies have been riven by conflict and people have

been attracted to procedural justice as a mode of conflict negotiation, as a way of preventing the otherwise inevitable descent into the great evils of anarchy and war” (*ibid.*: VI, 8). Procedural justice has two distinctive parts. One is the principle that each side has an equal right to be listened to and understood. The second is the institutionalization, which can be local in its forms.

### **Are Edyvane’s Sovereign Evils Universal?**

It seems to me that we must understand sovereign evils as more related to people’s worldviews, and therefore as more contextual than Edyvane thinks. He interprets sovereign evils as objective, independent of what people think of them. As he says, it is not their being universally felt as sovereign evils that makes them such. “The claim is not that evil is simply what people feel to be evil, and it need not even be that evil is what *most* people feel to be evil. It may be (and it has happened) that most people at a given time and in a given society have been distracted from natural feeling by theories that operate to explain away the viscerally felt evils of human life” (*ibid.*: IV, 18).

But – this is my opinion – for conflict negotiation and avoidance of anarchy and war we must focus on what people feel or think as being of primary importance, and not on what, perhaps, is of primary importance. This is because the reasons that orient people’s actions, inclusive the acceptance of a political and legal order, depend on what they feel or think is true, and not on what is true.

As a consequence, Edyvane cannot avoid the same defect that he attributes to the liberal project, i.e. that of not having the possibility to find conciliation

with people opposed to liberalism, like “priests of the church, or rabbis or imams or mullahs, and other experts in the will of God, [who] maintain a single conception of the good that determines the way of life of the society as a whole” (Hampshire, in: *ibid.*: III, 15). These people coincide widely with the people that Edyvane indicates as not receptive of sovereign evils because of having been distracted from natural feeling. Because of this distraction, they are not concerned with the avoidance of what Edyvane characterizes as sovereign evils, while they perceive as sovereign evils other things, like living in sin. For such people it may be deserving to kill or die instead of focusing on “procedural justice as a mode of conflict negotiation, as a way of preventing the otherwise inevitable descent into the great evils of anarchy and war” (Edyvane, 2012: VI, 18). Consequently, it seems that Edyvane’s proposal does not have any comparative advantage in relation to the thesis that he opposes for finding conciliation with these people.

Edyvane might reply by saying that although these people feel, or think, as dominant some values particular for them (like avoidance of living in sin), they also feel, or think, as all other people, that the evils indicated by him as sovereign evils are indeed evils. Although, contrary to many others, a rival to liberalism from the list above may feel that the greatest evil is living in sin, she, like all other people, feels that death or the death of a loved one is an evil. This is why the latter are sovereign evils and they can represent the ground of conciliation.

Although it may be true that there are some evils so universally felt about or thought of, there is still a problem with

regard to Edyvane's proposal. Every person – in particular if she is so strongly attached to her values, like people with worldviews rival to liberalism indicated in the list above – wants to protect all her values, in the order of importance that she attributes to them, and not only the values that she shares with other people. If a person thinks that living in sin is the overriding sovereign evil, she is ready to sacrifice the sovereign evils that Edyvane mentions. The fact (if it is a fact, like Edyvane says) that some evils are universal, while others are particular to a person or a group, does not change that it is the latter that are felt about, or thought of, as overriding sovereign evils, and that the person or the group conforms to them the reasons for action, and, as it is relevant for the present debate, the acceptance of a political or legal order. Consequently, Edyvane does not indicate a common ground for finding conciliation, i.e. the base for preventing the catastrophes that he indicates, i.e. anarchy and war, which he remarked as the problem of the targets of his critique.

Edyvane's proposal is based on the conflation between two possible classifications of evils that must be distinguished. We must distinguish between sovereign evils and contingent evils on the one hand, and between universal evils and contingent evils on the other. Sovereign evils are the evils that human beings dominantly want to avoid, and they vary depending on cultural and other reasons, while, in this distinction, contingent evils are evils that they want to avoid provided that sovereign evils are avoided (evils that they want to avoid, let's say, in good times). Universal evils are evils that are such for all human beings, while, in this distinction, contingent evils are such only for some

people. Edyvane grounds his politics for avoiding anarchy and war on universal evils which he erroneously takes as sovereign evils, and, therefore, as overriding reasons for action for everybody. But they are not so, because sovereign evils are different for different persons, and, therefore, the reasons for action for people vary, as well as their criteria of acceptance of political and legal orders.

Because sovereign evils are contextual, what is aspirational and what is preventive politics – varies. So, the loss of values that are such in a liberal view of justice (freedom and some form of equality), like Rawls's, represents a sovereign evil in a liberal society, perhaps even a catastrophe, and, therefore, a conception that protects from them must be classified according to the typology indicated in the first section of the paper as preventive politics, although maybe only in our society. In other societies, such values might be related to aspirationalist politics, e.g. in the case of decent peoples that Rawls describes in his *Law of Peoples*.

Ultimately, such a contextualized distinction between preventive and aspirational politics appears only as a methodological tool, i.e. as a way of approaching the political agenda among people who share a worldview, by giving a privileged consideration to what is most important to this group.

Edyvane bases his recommendation of proceduralism over liberal theories of justice on the distinction between preventive and aspirational politics, indicating that proceduralism fits well with preventive politics, and aspirationalism with liberal theories of justice. Because of the fact that the distinction between preventive and aspirational politics is at best only a methodological tool, as

shown above, the preference of preventive over aspirational politics is unfounded. This is the primary concern of this paper. But my complete view is that there is more to say in favor of liberal theories of justice. I will dedicate the final part of the paper to some remarks with this intention.

### **Liberalism and a Particularly Important Sovereign Evil**

Although I have tried to contextualize sovereign evils, at the end of this part of the discussion I would like to point to an evil that might be particularly important, which is neglected by Edyvane. This is the evil of the impossibility to live in accordance with the demands of conscience. The issue is developed by Chandran Kukathas. His political theory is based on the anthropology that he embraces. Although he remarks that “the human world is marked by diversities – of language, custom, religion or, more generally, of culture” (Kukathas, 2003: 41), and such “diversity may be an inescapable and permanent feature of human societies, there is also a core human nature” (*ibid.*). Common human motives are particularly important for the construction of Kukathas’s theory. Relying on Hume, he indicates three kinds of human motivations: interest (in the sense of self-interest), affection (attachments individuals have to others), and conscience (or principle, as Hume says; I use the two words as interchangeable here). As Kukathas indicates, “people are motivated by principle [...] because they desire to do what is right. Humans have not only a capacity for disinterested conduct, but also a strong desire to act as ‘propriety’ demands” (*ibid.*: 47). In Kukathas’s opinion, conscience is the most important human motivation: “con-

science is what not only guides us (for the most part) but what we think *should* guide us. [...] This motivation structures – and so, governs – human life more profoundly than any other. While we pursue our own interests and the interests of others we hold in affection, we do so within the bounds of propriety” (*ibid.*: 48-49). Accordingly, conscience has a prominent place in the construction of Kukathas’s theory. But if what he says is true, it must have a prominent place in the construction of any kind of stable and peaceful society, because refusal of respect for the demands of conscience is the overriding and universal sovereign evil felt by all the parts. A society can be peaceful, stable and cooperative only if it protects fairly well the conscience of all.

Liberal theories offer strong protection of the demands of conscience in various forms. One possibility, for example, is that put forward by Kukathas,<sup>1</sup> who thinks of the free society as a society of mutual toleration of different associations that need not ensure freedom in their internal relations, but only offer to their members the right to exit. The only role of the state in such an order is to care about the peaceful coexistence of these groups and about the right to exit (*ibid.*: 97-98). Another possibility is that the state cares about guaranteeing the respect of liberal rights of all individuals, but it permits the voluntary constitution of associations that do not internally respect liberal rights, although they must respect the right to exit of their members. There are other possibilities. The important thing is that if it is true that liberal societies can offer respect of con-

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<sup>1</sup> Contrary to many other liberals, Kukathas would not describe his position as a theory of justice, but as a view of good society.

science better than their alternatives, the acceptance of a liberal society finds an important piece of evidence in its support. Edyvane himself would have a strong reason for preferring a liberal conception of justice. As I said above, the reason is that, if Kukathas is right, living in a way disrespectful of the demands of conscience is the overriding and universal sovereign evil.

It might be objected to this that conscience is for many people not as important as Kukathas says. There appear to be numerous examples among politicians (but I am afraid that the academic environment would be a suitable source of counterexamples as well). Let's think about the former Italian Prime Minister, Silvio Berlusconi, at least as he is described by many of his critics. Many say that there is sufficient evidence that he does not care about the demands of conscience neither in intimate relations (as shown by his cheating on his wife) nor in relation to the state (as it is visible in his consciously committing financial criminal acts), in particular in relation to the duties of his public office (by adjusting laws to his need of avoiding criminal prosecution).

Nevertheless, I don't think that people like the Berlusconi described above threaten the view that highlights conscience as important for justifying a view about good society. Such a view must be justified to people who have reasons to oppose it. Such possible opponents are among people who take seriously the demands of conscience. On the other hand, people like the Berlusconi described above have no reasons to oppose the constitution and the persistence of a good society. They only need to free ride in it by disrespecting its laws, or by adjusting its laws only to a small ex-

tent and only temporarily to their sinister interests.

The real problem for liberalism and its resources for the protection of conscience is represented by some among the above-mentioned experts in God's will, more precisely, the fundamentalists among them. Liberalism does not have much to say to such people. The major resource that liberalism has is to exhibit the advantages of living in a stable peaceful cooperation. These advantages include the ability of different worldviews and ways of living to survive in a liberal society, and many of them can even flourish, not only those that privilege individual choice-making, i.e. autonomy as a comprehensive view about good life as distinct from political autonomy, i.e. the freedom to not be limited in the choice of worldviews and ways of life, if one wants to make such choices. Liberalism's appeal will not be strong for most fundamentalists, but has proved to be efficient for many others among experts in God's will and, in general, opponents of individual autonomy in the sense of a comprehensive view of good life. As Barry says: "If the parties want peace enough to make the concessions that are needed to reduce their demands so that they become compatible, liberalism proposes a formula for doing so. More than that, liberal principles can make a moral appeal as a fair way of solving conflict, because they offer the parties equal treatment. There is, however, no guarantee that either peace or equity will be regarded by everybody as more important than winning – that is to say undertaking courses of action destructive of civility that are derived from religious beliefs" (Barry, 2000: 25).

In conclusion, it can be said that liberalism is not directed only to people

who already accept the value of a peaceful and stable cooperative pluralistic order, but also to many others who can see reasons to accept such an order.

### **Is Proceduralism Sufficient to Prevent Anarchy and War?**

The last concern that I will indicate is that proceduralism of the kind endorsed by Edyvane, by itself, even if endorsed by all the parts, is not sufficient to prevent catastrophes. The recent war in former Yugoslavia is a fitting example. Before the war, there were meetings of the leaders of the republics of the former federation on how to reform it. The form of the debates corresponded even to the strongest interpretation of the procedural view endorsed by Edyvane, i.e. not only did each participant have the possibility to be listened to, but this possibility was fair and equal. Presidents of the six republics of the former federation met several times, and as far as it is possible to know, their meetings followed the rules of procedural fairness and equality. Nevertheless, this was eventually followed by the tragedy of the war. A possible interpretation is that the war was inevitable because there was no common substantial adherence to principles of justice. One of the sides appealed to the right of the biggest and most diffused nation in the federation to not be divided, with parts of it facing the fate of becoming national minorities. Other sides appealed to the right of having independent national states. The war might have been the consequence of the inability of conciliation between these views on justice. Probably at least some sides in the conflict appealed to principles of justice only in order to cover their desire for power over a territory. With regard to these cases it

can at least be said that proceduralism does not have any better resource than liberalism. But there is another important consideration. It is improbable that as wide masses of people as needed for a war could have been motivated if they did not feel that they were suffering, or were under the risk of suffering, an injustice. Again, it appears important and helpful to focus the debate on issues of substantial justice. Just as I have shown in relation to religious issues, liberalism in various forms could have had an important role to play here, with its various proposals meant to conciliate national demands.

In this section I have focused on the importance of substantial conceptions of justice in order to prevent degeneration to a conflict. But embracement of conceptions of justice is important in order to prevent degeneration from a fairly good society. This is indicated by Rawls when he speaks about the collapse of the Weimar Republic: "A cause of the fall of Weimar's constitutional regime was that none of the traditional elites of Germany supported its constitution or were willing to cooperate to make it work" (Rawls, 1993/1996: lix).

Finally, there is a point on which I agree with Edyvane. It is wrong to merely perceive as unreasonable the people who reject liberal justice. This is a wrong approach, because it may alienate and even radicalize these people. The right approach is to try to have respectful dialogue with them, but in such dialogue liberalism is not just one partisan theory among others. The first reason is that liberalism appears as the most plausible candidate for protection from a particularly important sovereign evil: that of disrespect for demands of conscience. The second reason is that liberalism has

already proved to be a successful method of overcoming the sovereign evils of war and anarchy (in the sense of civil war, which, as it seems to me, is the core meaning of the word for Edyvane) and to be able to conciliate different world-views and claims. It is important to remember its historical origin. Liberalism appeared as the way out of religious wars that were irresolvable until religions restrained their wish to control the public sphere. Liberalism's privatization of religions, although not universally accepted, proved to be the most reliable way

of establishing peaceful coexistence and stable cooperation invented by humanity, although probably it needs sufficient reasons shared by people for peace and cooperation (Barry, 2000: 24-32). This is not a small achievement, since people frequently want to avoid conflicts and find equilibrium between this goal and the other goals that they have, but do not know how to do that. The third reason is that the loss of the values of liberalism is a sovereign evil, although it might be perceived as such only by us, members of the Western civilization.

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## Javna etika suvereniteta zla i politički liberalizam

SAŽETAK U članku se raspravlja o preventivnom proceduralnom konceptu politike nasuprot aspirativnom liberalnom konceptu na način na koji su oni predstavljeni u knjizi Dereka Edyvanea *Civic Virtue and the Sovereignty of Evil: Political Ethics in Uncertain Times (Građanska vrlina i suverenitet zla: politička etika u nesigurnim vremenima)*. Autor upozorava na nužnost konceptualnog razlikovanja između suverenih i univerzalnih zala te nudi obranu liberalnog koncepta pravednosti.

KLJUČNE RIJEČI Edyvane, liberalizam, proceduralizam, Rawls