Taking Politics Seriously

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Abstract
John Rawls' gamification of justice leads him – along with many other monist political philosophers, not least Ronald Dworkin – to fail to take politics seriously enough. I begin with why we consider games frivolous and then show how Rawls' theory of justice is not merely analogous to a game, as he himself seems to claim, but is in fact a kind of game. As such, it is harmful to political practice in two ways: one as regards the citizens who participate directly in it, and the other as regards those who do no more than follow it.

> It makes one ashamed – that men of our advanced years should turn a thing as serious as this into a game. – Seneca[1]

1.

To Isaiah Berlin, the idea 'that all good things must be compatible… and perhaps even entail one another in a systematic fashion [is] perhaps one of the least plausible beliefs ever entertained by profound and influential thinkers.'[2] So says pluralism of monism. The claim is meant to apply as much to personal as to political life, and it has led pluralists to argue that monists overlook the inescapably tragic dimension of both. If, when values conflict, we cannot turn to a systematic theory for guidance, then it seems we have no choice but to compromise and, by compromising, diminish what we believe to be good. That, at least, is what comes from negotiation, which is what pluralists recommend as the chief alternative to the application of monist theories of morality or justice. And they do so even though – or rather because – it means embracing a world that is inherently unsystematic, sometimes tragically so.[3]

[1] *Letters from a Stoic: Epistulae Morales Ad Lucilium*, trans. Robin Campbell (Harmondsworth: Penguin, 1969), 97.

[2] Berlin, 'From Hope and Fear Set Free', in *Liberty: Incorporating* Four Essays on Liberty (ed.) Henry Hardy (Oxford: Oxford University Press, 2002), 278–79.

[3] See, for example, Berlin, 'Political Ideas in the Twentieth Century', in op. cit. note 2, esp. 64; Bernard Williams, 'Politics and Moral Character', in Stuart Hampshire (ed.) *Public and Private Morality* (Cambridge:

doi:10.1017/S0031819118000451 © The Royal Institute of Philosophy, 2018
First published online 3 December 2018

https://doi.org/10.1017/S0031819118000451 Published online by Cambridge University Press

One might push this point even further. Monists do not merely fail to give the tragedy of morals or politics its due; some can even be accused of treating them frivolously, as if they were like games. Consider John Rawls' vision of the 'well-ordered society'. To Rawls: 'In much the same way that players have the shared end to execute a good and fair play of the game, so the members of a well-ordered society have the common aim of cooperating together to realize their own and another's nature in ways allowed by the principles of justice.'[4] The principles in question are those of Rawls' theory of justice and, just like the rules of a formal game, they are supposed to be systematically unified. This comes from meeting three requirements. First, the principles have a lexical priority, which means that they are not to be weighed against each other.[5] Second, when the various liberties asserted by the first principle *are* to be balanced, we may only do so by assessing them as a whole, 'as one system'. This means that, much as with utility in utilitarianism, there is no sense in which liberty should be sacrificed to the needs of another value; on the contrary, it may be compromised 'only for the sake of liberty itself'.[6] Finally, the second principle is said to be the product of a lexically ordered and therefore systematic combination of two others: fair equality of opportunity, and a 'difference principle' by which inequalities are permitted only when they benefit the people in society who are the worst off.[7] All this means that, just like a sports referee or umpire, no one charged with applying

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Cambridge University Press, 1978); and Stuart Hampshire, *Innocence and Experience* (London: Penguin, 1989), esp. 170–77.

[4] Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1999, rev. ed.), 462; see also *Political Liberalism* (New York: Columbia University Press, 2005, exp. ed.), 204. Others refer to chess, camping trips, or swimming races: Nicolas Denyer, 'Chess and Life: The Structure of a Moral Code', *Proceedings of the Aristotelian Society* **82** (1) (June 1982), 59–68; G.A. Cohen, *Why Not Socialism?* (Princeton: Princeton University Press, 2009), chs 1–2; and Ronald Dworkin, *Justice for Hedgehogs* (Cambridge, MA: Harvard University Press, 2011), 287–89, 309, 371. Cohen, it should be said, identifies himself as a pluralist in his *Rescuing Justice and Equality* (Cambridge, MA: Harvard University Press, 2008), 4–6; on page 37 of the later book, however, his position is agnostic between pluralism and the monism that would be realised if, as he hopes, the principles underlying camping trips were fully compatible with each other.

[5] See Rawls, *A Theory of Justice*, 37–39.

[6] Rawls, *A Theory of Justice*, 178–79; see also 214.

[7] See Rawls, *A Theory of Justice*, § 13-14.

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Rawls' theory should ever be troubled by having to make tragic compromises. For the systematic ordering of its principles will, ostensibly, allow them to keep their hands clean.[8]

Yet are we right to define Rawls' approach as monistic? After all, as he himself came to see, it is relevant to politics alone, and then only in a very specific, 'reasonable' sense. Part of what Rawls means by this derives from his famous distinction between 'comprehensive' and strictly 'political' conceptions. The former is a view of life that, whether monist, pluralist, or something else, tends to be believed as metaphysically true, while the latter is a view of justice that 'neither asserts nor denies' the truth of its principles and judgments. Given this agnosticism, political conceptions are understood to be compatible with many different comprehensive views. To which it is often added that since, after all this time, we have yet to achieve any sort of consensus on a comprehensive view, such metaphysical disagreements may very well be insoluble. But while we are unable to reconcile over comprehensive truth, we can still be reasonable and thereby share and uphold a political conception.[9]

That said, Rawls recognizes that not all comprehensive views will be compatible with a given political conception.[10] Political homes can nevertheless be made for the reasonable ones, which is why he sees his approach as embracing a 'reasonable pluralism – as opposed to [the metaphysical doctrine of] pluralism as such'.[11] And yet, as we have seen, those holding comprehensive views are not supposed to inhabit the political as a mere collection of disparate people – on the contrary, they are to be governed by a single, unified system. They may still disagree over how to articulate and apply its principles (Rawls admits that not everyone may accept his own way of doing so, which he calls 'justice as fairness'), but the point is that such disagreements will be far less divisive than those over, say, morality and, for this reason, they will not threaten well-orderedness.[12]

[8] See my 'Dirty Hands: The One and the Many', *The Monist* **101** (2) (Apr. 2018), 1–20, 11, 13.

[9] Rawls, *Political Liberalism*, 127, 129. Unsurprisingly, Rawls has gone no further than expressing an agnostic position as regards comprehensive views' claims to moral truth, such as when he describes Thomas Nagel's discussion of the 'fragmentation of value' as 'not implausible'. Rawls, *Political Liberalism*, 57 n.10.

[10] 'Any system of social institutions is limited in the values it can admit so that some selection must be made from the full range of moral and political values that might be realized.' Rawls, *Political Liberalism*, 57.

[11] Rawls, *Political Liberalism*, 129.

[12] See Rawls, *Political Liberalism*, 240ff.

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So it is this, the fact that the principles are supposed to fit together in a fully coherent way, constituting a oneness, that makes me feel justified in describing Rawls' approach as monistic. True, it's only a partial monism, since it is limited to the political, but it's not as if there is no precedent for this sort of thing. Think of Hume, who was downright sceptical about the prospects of formulating a unified moral theory while simultaneously being quite ambitious in his political theory. Or, stepping back, we can note that while Berlin is a pluralist about the practical he is very probably, like Bernard Williams, a monist as regards the natural, for he seems willing to accept that it makes sense for scientists to strive for a unified 'absolute conception' of nature.[13]

The question of philosophical labels aside, it is clear that Rawls believes that a people can be united politically while remaining fundamentally divided otherwise, much as the players of a game can be said to unite when they agree to conform to the systematically interlocked rules of its rulebook. Now while I also happen to oppose pluralism (to me, the right way lies in between it and monism), I find it astounding that Rawls would compare just politics to the playing of a game. Even more astounding is that, though Rawls appears to be using 'game'

[13] On Hume, see Annette Baier, 'Doing without Moral Theory?' in *Postures of the Mind: Essays on Mind and Morals* (Minneapolis: University of Minnesota Press, 1985). And see Berlin, 'The Divorce between the Sciences and the Humanities', in *Against the Current: Essays in the History of Ideas* (ed.) Henry Hardy (Princeton: Princeton University Press, 2013, 2nd ed.); Williams, 'Consistency and Realism', in *Problems of the Self: Philosophical Papers 1956–1972* (Cambridge: Cambridge University Press, 1973), where he contrasts conflicts of obligations with conflicts of belief; and Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), 111–12, 138–40. It is in his *Descartes: The Project of Pure Enquiry* (Penguin: Harmondsworth, 1978) that Williams coins the expression 'absolute conception' and, on page 248 of that book, he makes clear that he is willing to accept its viability only as regards natural science. Descartes himself went all the way, which is why when Roland Hall describes his ontology as a 'partial monism', given Descartes' conception of matter but not mind as a unitary substance, it is evident that Hall is using the term 'monism' in a strictly numerical sense: 'Monism and Pluralism', in Paul Edwards (ed.) *The Encyclopedia of Philosophy*, vol. 5 (New York: Macmillan, 1967), 363. Descartes' belief that all matter and mind can be joined into one, thanks to God, means that, in the sense in which I am using the term, his monism is anything but partial: *The Principles of Philosophy*, part I, art. 60, in *Meditations and Other Metaphysical Writings*, trans. Desmond M. Clarke (London: Penguin Books, 2003), 135.

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merely for analogy, the reality, as I will argue, is that justice as he conceives of it *is* a game.

2.

Why do we consider games frivolous? The simple reason is that, except for those who, say, play professionally, games normally stand apart from our serious, practical concerns. Practical life is (mostly) serious because its values, which form a whole, just matter to us in that way.[14] And one reason they do so is that the whole cannot be considered unified, since fulfilling practical values often requires contending with disorder. Partly this is because, as Samuel Todes once put it, 'our experience is porous to the blind, dark, and worldless forces that we try to domesticate by bringing them into our world so as to make this world habitable and endurable.'[15] And partly it is because, as pluralists claim, any ordering of that world will always be limited by our inability to systematize our values. Hence, once again, Berlin: 'The world that we encounter in ordinary experience is one in which we are faced with choices between ends equally ultimate, and claims equally absolute, the realisation of some of which must inevitably involve the sacrifice of others.'[16]

So we can see why, in order to play a game, we need to step out of – some would say 'leap from' – the practical.[17] Games stand apart, that is, because they are independent from practical life as a whole, and because, at least when it comes to formal games, they are fundamentally ordered in a way that the practical is not. Of course the degree of this apartness varies; games in antiquity, for example, were viewed as much less autonomous activities. The ancient Greeks never affirmed anything like the division between competitive sport and practical life

[14] This holism, it is worth mentioning, is also behind why we consider the things we encounter in our practical lives as real – including, of course, those things that we do not experience directly (for we sense that our visual field, say, *continues* on behind our backs). See Maurice Merleau-Ponty, 'The Film and the New Psychology', in *Sense and Non-Sense*, trans. Hubert L. Dreyfus and Patricia Allen Dreyfus (Evanston, IL: Northwestern University Press, 1964), 51.

[15] Todes, *Body and World* (Cambridge, MA: MIT Press, 2001), 58.

[16] Berlin, 'Two Concepts of Liberty', in op. cit. note 2, 213–14.

[17] See Erik H. Erikson, *Toys and Reasons: Stages in the Ritualization of Experience* (New York: Norton, 1977), 17.

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that we, or at least most of us, do today.[18] In fact some of them virtually collapsed the two altogether. It is because Homer saw war as much like athletics that he used the term 'grievous' to refer to both battles and sports.[19] And while Plato obviously preferred philosophical over military struggles, he also seems to have thought of at least the former as a kind of game.[20] Not that everyone can play it; still, everyone should spend their lives playing 'the noblest possible games' since, as Plato has his Athenian Stranger declare,

> I assert that what is serious should be treated seriously, and what is not serious should not, and that by nature god is worthy of a complete, blessed seriousness, but that what is human, as we said earlier, has been devised as a certain plaything of god, and that this is really the best thing about it.[21]

Most ancient Greeks surely did not go this far, however, which is why we may assume that they were aware of how game playing is an activity that must be to some degree circumscribed, forming an 'island' of fun amidst the seriousness of the practical. Indeed, there seems to be something virtually primordial about the idea; playgrounds, after all, are almost invariably marked off.[22]

[18] On their attitudes, see Michael B. Poliakoff, *Combat Sports in the Ancient World: Competition, Violence, and Culture* (New Haven, CN: Yale University Press, 1987), ch. 6.

[19] See E. Norman Gardiner, *Athletics of the Ancient World* (Oxford: Clarendon Press, 1955), 19–22. However, in so doing Homer, and Nietzsche following him, confuse combatants with mere contestants, competitors, those who struggle within a unity. See Nietzsche, 'Homer's Contest', in *On the Genealogy of Morality* (ed.) Keith Ansell-Pearson, (trans.) Carol Diethe (Cambridge: Cambridge University Press, 2007, 2nd ed.). The Hebrew Bible, by contrast, looks with disfavour upon those who fail to uphold the difference, as when it describes the Philistines as using the term for 'to play' or 'to make sport' (*lesakhek*, לְשַׂחֵק) to refer to a fight to the death. See Judges 16:25–27, which some interpret as portraying Samson as having to fight wild animals for the Philistines' amusement. This is one reason why we can say that, unlike the Homeric poems, the Hebrew Bible is meant to be taken seriously. For others, see Erich Auerbach, *Mimesis: The Representation of Reality in Western Literature* (trans.) Willard R. Trask (Princeton: Princeton University Press, 2003 [1946]), ch. 1.

[20] See, for example, *Republic* 487b–c.

[21] *The Laws of Plato* (trans.) Thomas L. Pangle (Chicago: University of Chicago Press, 1980), 803c.

[22] As the historian Johan Huizinga, in particular, has emphasized in *Homo Ludens: A Study of the Play Element in Culture* (Boston: Beacon

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Getting a grasp of precisely how games stand apart from the practical can be tricky, however. While it is true that games are inherently unproductive, property may still change hands between players. So we can expect gamblers, at least, to complain that Johan Huizinga goes too far when he suggests that games can serve no material interest.[23] Still, to play a game is not *per se* to create wealth of any kind, because while some people may certainly play for a living, whatever remuneration they receive is best understood as coming from *outside* of the game. I base this on a fundamental distinction: between the ends that are internal to a game, on the one hand, and those which, being situated in practical life, are external to it, on the other. This accounts for why, even though games are inherently unserious, we can still choose to take them more or less seriously. Think of ice hockey. Those who play it professionally have good reasons to be sober about it, since it serves as a source of both income and recognition. We might say something similar about its fans – at least in a country like Canada, where the game has long claimed a place as an important pastime, such that a great deal of national pride has become wrapped up in it. But while values such as earning a living, gaining recognition, and upholding national pastimes can all be associated with ice hockey, thereby making it serious by connecting it to practical life, they all nevertheless remain external to the game. Because the only ends one needs to fulfil actually to play it are those such as scoring goals, making saves, and so on. These, then, are internal, since they can be affirmed *for no other reason* than that they make playing the game possible. And

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Press, 1950), esp. 4, 8–9; see also Georg Simmel, *Fundamental Problems of Society (Individual and Society)*, in *The Sociology of Georg Simmel* (ed. and trans.) Kurt H. Wolff (Glencoe, IL: The Free Press, 1950), 42–43. Erving Goffman, however, refuses to accept that games stand apart from our practical social encounters, since he believes that both aim for the same thing, namely 'euphoria'. See Goffman, 'Fun in Games', in *Encounters: Two Studies in the Sociology of Interaction* (Indianapolis: Bobbs-Merrill, 1961). But this is to ignore Aristotle's warning against confusing happiness or well-being with the enjoyment that can come from playing games: *Nichomachean Ethics* 1176b–1177a.

[23] See Huizinga, *Homo Ludens*, 9. Roger Caillois, in particular, has complained of how Huizinga's definition of games would force us to exclude bets and games of chance: *Man, Play, and Games* (trans.) Meyer Barash (New York: The Free Press of Glencoe, 1961), 5.

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that is precisely why our attitude towards them can be playful rather than serious.[24]

Kurt Riezler evidently sees what is going on here. As he writes, when it comes to playing (for fun),

> we are partly concerned but without linking this partial concern to other parts or to the whole of our concern. It does not count. In severing the link that connects this part with other parts we treat a 'partial' concern as if it were no part of anything. Thus the part, not being conceived of as part, is not a part. In the seriousness of ordinary life all partial concern remains partial because it is connected with some of or all our other concerns. The 'merely' in our playing seems to point not to a partial concern, but to a distinction in which our concern in playing is separated from our other concerns.[25]

Such playing, in other words, is different from the serious activities of practical life. The latter reflect concerns that are parts of practical life as a whole, whereas to play is to stand, to a degree, apart from that whole. This division is reinforced by the fact that unlike with, say, the need to work, players are supposed to be wholly free to enter the game – to take the leap – or not. Indeed the freedom of players to choose to play is essential to one sense (the contractualist) of the idea of fair play: if people agree to play a game, then they can be said to have chosen to impose its rules on themselves and so they should respect those rules.[26] All of which is to say that the more players play not simply because of a 'love of the game' ('amateur',

[24] My way of distinguishing between internal and external ends thus differs from Alasdair MacIntyre's in his *After Virtue: A Study in Moral Theory* (Notre Dame, IN: Notre Dame University Press, 2007, 3rd ed.), 187–91. To me, values that are strictly internal to given practices are 'aesthetic' because, just like those internal to games, they are independent of the goods of practical life as a whole.

[25] Riezler, 'Play and Seriousness', *Journal of Philosophy* **38** (19) (Sept. 1941), 505–17, 511.

[26] See Heather Sheridan, 'Conceptualising "Fair Play": A Review of the Literature', *European Physical Education Review* **9** (2) (2003), 163–84, 170–72. It's worth pointing out that the idea of fair play is of relatively recent vintage, it having originated with the crystallisation of certain crude and dangerous sports into ball games with defined rules that took place within the public schools of Victorian Britain. See Charles Tennyson, 'They Taught the World to Play', *Victorian Studies* **2** (3) (March 1959), 211–22, 212. Of course, this was part of a much deeper and more widespread development. See Charles Taylor's discussion of 'the

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it's worth noting, comes from the Latin *amare,* 'to love'), but because they are driven by values external to it, those which are situated in practical life – indeed the more those values are seen to influence the game in any way – then the more people will worry that the spirit of the game has been undermined. And the less fun will it be to play it.

The distinction between games and practical life also depends, I have claimed, upon the degree of formality: the more formal the game, the sharper the distinction. Think of a man who is willing to do no more than informally 'play around' with a woman. We say that he does not have serious intentions towards her since he is excited by 'the chase' and hopes only 'to score', not to form a genuine relationship. He wants 'to attract her without caring to possess her in the stricter sense', as the author of 'The Seducer's Diary' puts it.[27] True, he sees her body as an object which could satisfy his sexual urges and so he is to this limited extent serious about her, but he nevertheless remains distant from her as a person. Once his desires have been satisfied he wishes to go no further; she is to have no connection with the rest of his life.

The playing of a formal game (ice hockey, chess, and so on) stands even more starkly apart from the practical and consists of behaviour that can be considered even less serious. Often, this playing is said to take place within a wholly independent order, 'a little cosmos of its own'.[28] Whereas the practical dimension as a whole is, as pluralists claim, unsystematizable, formal games are governed by what John Searle has called 'constitutive rules' and such rules, Searle tells us, 'come in systems'.[29] Among other things this means that, as we have noted, they do not contradict each other; if they did then it would become exceedingly difficult to play the game. And yet there are many systematically unified practices in our practical lives that we do not consider games: think of a recipe for making dinner, or of the procedures that you must follow when applying for a professional post. However, these things are not done to fulfil some strictly

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rise of the disciplinary society' in his *A Secular Age* (Cambridge, MA: Harvard University Press, 2007), ch. 2, parts 2–5.

[27] Kierkegaard, 'The Seducer's Diary', in *Either/Or: Part I* (eds. and trans.) Howard V. and Edna H. Hong (Princeton, NJ: Princeton University Press, 1987 [1903]), 307.

[28] Op. cit. note 25, 505.

[29] Searle, *Speech Acts: An Essay in the Philosophy of Language* (Cambridge: Cambridge University Press, 1969), 36.

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internal end – on the contrary, their basic point is the achievement of something (a meal, a job) that is useful to us in our practical lives. And so we take them seriously, since they are directly connected to those lives, serving as extensions of them. Not so the ends that are internal to a game, and this is precisely why we can choose to 'take a break' and play it.

3.

Thus, games are independent, to a degree, from practical life, since they (i) embody strictly internal ends, those which are affirmed for nothing other than the sake of the game. Furthermore, (ii) formal games, being governed by systematic rules, are ordered, whereas practical life, as a whole, is not. Not that I mean for these two to serve as a set of necessary and sufficient conditions for some analytic definition of 'game'. I agree with Wittgenstein that the concept is simply not definable in this way.[30] Still, enough has been said about it that we should be ready for the comparison with Rawls' conception of justice. Taking the conditions in reverse order, I begin by noting how, in the first footnote to a very early paper, Rawls tells us that he conceives of social practices as systematic: 'I use the word "practice" throughout as a sort of technical term meaning any form of activity specified by a system of rules which defines offices, roles, moves, penalties, defences, and so on, and which gives the activity its structure. As examples one may think of games and rituals, trials and parliaments.'[31] Rawls even goes on to illustrate his understanding of the nature of social practices by drawing parallels with the behaviour of those who play baseball.[32] Evidently, he believes that such practices are governed by constitutive rules, something that he states explicitly in *A Theory of Justice* when he

[30] See Wittgenstein, *Philosophical Investigations* (eds.) G.E.M. Anscombe, R. Rhees, and G.H. von Wright, (trans.) Anscombe (Oxford: Basil Blackwell, 1968, 3rd ed.), §66, 68–69, 75–76. For an interesting, if failed, attempt at providing an analytic definition, see Bernard Suits, *The Grasshopper: Games, Life and Utopia* (Peterborough, ON: Broadview Press, 2014, 3rd ed.). On why it fails, see Norman Geras, 'Games and Meanings', in Stephen de Wijze, Matthew H. Kramer, and Ian Carter (eds.) *Hillel Steiner and the Anatomy of Justice: Themes and Challenges* (New York: Routledge, 2009).

[31] Rawls, 'Two Concepts of Rules', in *Collected Papers* (ed.) Samuel Freeman (Cambridge, MA: Harvard University Press, 1999), 20 n.1.

[32] Op. cit. note 31, 37–38.

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describes institutions as 'a set of constitutive conventions. Just as the rules of games do, they specify certain activities and define certain actions.'[33] Rawls is thus clearly an exponent of what Hubert L. Dreyfus has called 'theoretical holism', in which human practices can be spelled out in a theory, 'the systematic interrelation of distinguishable elements', precisely because they express unified belief systems.[34]

Whence Rawls' faith in the project of constructing a theory of justice. Imagine coming upon a group of people in a park who are playing a game you have not seen before. You ask about its rules but they say that they have never really formulated them. So you offer to do so yourself, and the result leads you to propose reforms, reforms which, after having been tested by the players, you then reformulate – moving back and forth between practice and theory in this way until you settle upon a complete and systematic rulebook. Now this is precisely how political theorists are supposed to carry out the task that Rawls calls 'political constructivism': they are to interpret 'the great game of politics' in a way that achieves 'reflective equilibrium' around a systematic set of principles of justice.[35]

Rawls also conceives of the ordering of these principles as stable in much the same way that the rules of formal games are stable. When he describes his ideal society as *well-ordered*, he means three things: that everyone accepts its principles; that its basic structure satisfies these principles; and that people generally comply with them in practice.[36] All three, of course, also apply to games and their players. There must be a consensus about the rules; the set-up of the game must satisfy those rules; and the players must actually comply with them as they play (i.e. they should be neither cheats nor spoil-sports). Moreover, just as a 'publicly recognized conception of justice establishes a

[33] Rawls, *A Theory of Justice*, 303.

[34] Dreyfus, 'Holism and Hermeneutics', in *Skillful Coping: Essays on the Phenomenology of Everyday Perception and Action* (ed.) Mark Wrathall (Oxford: Oxford University Press, 2014), 129.

[35] See Rawls, *A Theory of Justice*, 18–19, 42–45; and *Political Liberalism*, 89–129. The expression 'the great game of politics' is from Rawls, 'The Idea of Public Reason Revisited', in *The Law of Peoples: with 'The Idea of Public Reason Revisited'* (Cambridge, MA: Harvard University Press, 1999), 140; and *Lectures on the History of Political Philosophy* (ed.) Samuel Freeman (Cambridge, MA: Harvard University Press, 2007), 4. Note that, in the former, it appears in scare quotes and, in the latter, it is accompanied by a footnote indicating that the expression was the name of a column in the *Baltimore Sun* in the 1920s and '30s.

[36] See Rawls, *A Theory of Justice*, §69; and *Political Liberalism*, 35–40.

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shared point of view from which citizens' claims on society can be adjudicated',[37] so may players appeal to a common rulebook – through the neutral referee applying it – in order to determine how to play. Only when it comes to justice, that referee will tend to be found sitting on the bench of a country's Supreme Court.[38]

The well-ordered society, moreover, is 'a system that is in equilibrium', by which Rawls means that it can be considered stable 'whenever departures from it, caused say by external disturbances, call into play forces within the system that tend to bring it back to this equilibrium state.'[39] This, too, is just like a game. One of the reasons Rawls loved baseball so much is that he believed its rules are in equilibrium:

> from the start, the diamond was made just the right size, the pitcher's mound just the right distance from home plate, etc., and this makes possible the marvellous plays, such as the double play. The physical layout of the game is perfectly adjusted to the human skills it is meant to display and to call into graceful exercise. Whereas, basketball, e.g., is constantly (or was then) adjusting its rules to get them in balance.[40]

So when something happens to upset the balance, there needs to be compensation. Imagine some youths are playing street hockey while wearing in-line skates. It begins to rain, making skating dangerous, so they remove their skates and continue the game while wearing sneakers. In this way, they uphold the basic principles of the game while maintaining its equilibrium. The well-ordered society is supposed to react to disturbances in a similar fashion. Say there is a terrorist bombing and more attacks are likely. In response, the State strives to increase security while respecting civil liberties as much as possible. In this way, the society's stability depends upon its capacity to return to equilibrium. And notice the assumption here: that the challenges to that equilibrium are in no sense considered opportunities for progress, for bringing the society to a new and better state overall by virtue of transformations arising from the disturbances.

[37] Rawls, *Political Liberalism*, 35.

[38] See Rawls, *Political Liberalism*, 231–40. Thus whereas current U.S. chief justice John Roberts would probably not agree with the substance of Rawls' principles, he would concur with the latter's conception of his role. As Roberts declared during his confirmation hearings, 'Judges are like umpires.' Quoted in Bruce Weber, 'Umpires v. Judges', *New York Times*, 12th July 2009.

[39] Rawls, *A Theory of Justice*, 400.

[40] Rawls, 'The Best of All Games', *Boston Review*, 1st March 2008.

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There appears to be nothing fundamental to be learned about justice from dealing with them; we are, rather, to be guided by 'non-ideal theory', which is itself able to present a 'reasonably clear picture of what is just' because it relies upon the already-developed ideal theory for direction.[41] Rawls' approach, then, is that of a 'conservative' system rather than a 'dissipative' or genuinely complex one; the latter dissipates into the environment around it and so may end up transforming its structures instead of maintaining them and simply returning to the old equilibrium.[42] We see the very same process with games. While there are times when players may have to do such things as alter their equipment in order to keep playing, such changes are minimal in that they respect the game's system of rules, which remains fixed (at least during play).

Evidently, fundamental conflict, the kind that could undermine and transform a system's order, is, just as with a game, excluded from Rawls' ideal society, his 'realistic utopia'.[43] But this makes me think of the dystopia in Aldous Huxley's *Brave New World*, where to live is, as one character describes, 'to play the game', a game that, its Controller boasts, constitutes 'the stablest equilibrium in history'.[44] In fact, much as Huxley's world is said to have a 'Centre' that stands apart from the 'Savage Reservations' around it,[45] Rawls' 'political' society stands apart from the various cultures of everyday practical life, those which express comprehensive doctrines. True, in *A Theory of Justice* Rawls says only that the principles governing the former *may* not be relevant to the latter, since they are concerned with 'the basic structure of society',

> the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation [….meaning that they] may not work for the rules and practices of private associations or for those of less comprehensive social groups. They may be irrelevant for the various informal conventions and customs of everyday life; they may not elucidate the justice, or perhaps better, the fairness of voluntary cooperative arrangements or procedures for making contractual agreements.[46]

[41] Rawls, *A Theory of Justice*, 216.

[42] See Grégoire Nicolis and Ilya Prigogine, *Exploring Complexity: An Introduction* (New York: W.H. Freeman and Company, 1989), ch. 2, §1–2.

[43] Rawls, *The Law of Peoples*, 12.

[44] Huxley, *Brave New World* (London: HarperCollins, 1932), 38, 207.

[45] Op. cit. note 44, 78.

[46] Rawls, *A Theory of Justice*, 6, 7.

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By the time of *Political Liberalism*, however, Rawls is clear that his principles are strictly 'political' and so are to be contrasted with those of comprehensive doctrines. For they are

> expressed in terms of certain fundamental ideas seen as implicit in the public political culture of a democratic society. This public culture comprises the political institutions of a constitutional regime and the public traditions of their interpretation (including those of the judiciary), as well as historic texts and documents that are common knowledge. Comprehensive doctrines of all kinds – religious, philosophical, and moral – belong to what we may call the 'background culture' of civil society. This is the culture of the social, not of the political. It is the culture of daily life, of its many associations: churches and universities, learned and scientific societies, and clubs and teams, to mention a few.[47]

One might object that this says only that the principles of justice are *conceptually* distinct from those of everyday practical life. To be independent in the way that the rules of a game are, these principles must uphold ends which, to recall our first condition, are strictly internal: one must be able to endorse them *for no other reason* than what we might describe as a 'love of justice'. However, Rawls himself tells us that the hazards arising from 'our sentiment of justice' are 'on a par with the hazards of love',[48] a claim which, following his 'political, not metaphysical' turn, we should interpret as invoking none other than the amateur player's love of the game.

So justice, as Rawls has come to conceive of it, is capable of standing alone, hence of being neither intrinsically nor instrumentally linked to practical life. He makes clear that there is no intrinsic link when he specifies that a political conception is a 'freestanding view' which is independent of practical life's comprehensive doctrines and so is something that can be 'expounded apart from, or without reference to, any such wider background'.[49] It works 'entirely within [its] domain and does not rely on anything outside it'.[50] As for an instrumental link, Rawls rules this out when he asserts that a political conception is more than just a *modus vivendi*, more than

[47] Rawls, *Political Liberalism*, 13–14.

[48] Rawls, *A Theory of Justice*, 502; see also Susan Mendus, 'The Importance of Love in Rawls's Theory of Justice', *British Journal of Political Science* **29** (1) (Jan. 1999), 57–75.

[49] Rawls, *Political Liberalism*, 12.

[50] Rawls, *Political Liberalism*, 374.

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some 'social consensus founded on self- or group interests, or on the outcome of political bargaining'.[51] Because justice must be affirmed 'for its own sake'[52] and, for this reason, it is just like the internal ends of a game.

As for involvement by citizens in the politics which respects justice as so conceived, Rawls distinguishes between how they may come to do so, which he says must be entirely voluntary, and how they and all other citizens enter and leave the society as a whole, which for theoretical purposes he limits to the wholly non-voluntary paths of birth and death.[53] To Rawls, 'there is no political obligation, strictly speaking, for citizens generally'.[54] Or, as we might wish to put it here: they don't have to play if they don't want to.

So it is no surprise that Rawls appeals to the principles of fair play to explain why those who participate in politics must respect his conception of justice as well as comply with the other requirements of any special role they play in the polity. In the past, Rawls went much further, invoking fair play as the reason why everyone should obey the law, but he has since come to anchor this obligation in the 'natural duty of justice' instead.[55] He has concluded that our political duties must be limited to cases of wholly voluntary consent, noting that 'we acquire obligations by promising and by tacit understandings, and even when we join a game, namely, the obligations to play by the rules and to be a good sport'.[56] This is why he asserts that, when it comes to respecting justice as fairness, as long as the institutions are just and practitioners have voluntarily chosen to participate in them, then they should do their fair share as defined by the conception of justice.[57] So while he does say that a legal system based upon the conception will be distinct from other associations such as games because of 'its comprehensive scope and its regulative powers',[58] the difference is ultimately one of degree rather than kind. Think of it this way: even if we vastly increased the number and types

[51] Rawls, *Political Liberalism*, 147; see also *A Theory of Justice*, 416.
[52] Rawls, *A Theory of Justice*, 8; *Political Liberalism*, 50, 54, 92, 148–49.
[53] See Rawls, *A Theory of Justice*, 302; and *Political Liberalism*, 12.
[54] Rawls, *A Theory of Justice*, 98.
[55] See Rawls, 'Legal Obligation and the Duty of Fair Play', in op. cit. note 31; and *A Theory of Justice*, 302.
[56] Rawls, *A Theory of Justice*, 97.
[57] See Rawls, *A Theory of Justice,* 96–97. Ronald Dworkin has also called for governments to operate on the basis of principles of fair play. See his 'Principle, Policy, Procedure', in *A Matter of Principle* (Cambridge, MA: Harvard University Press, 1985), 84–85.
[58] Rawls, *A Theory of Justice*, 207.

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of possible penalties in ice hockey, as well as replaced the penalty box with jail, this would certainly raise the stakes but, at the end of the day, it would remain a game.

Perhaps, then, Rawls and his followers will concede that his well-ordered 'political' society is a kind of game. They take it very seriously, of course, but then that is because they are not playing; rather, they are formulating or defending its rules – which, incidentally, is why they may consider its impact upon the world outside it. As Rawls writes:

> We cannot, in general, assess a conception of justice by its distributive role alone, however useful this role may be in identifying the concept of justice. We must take into account its wider connections; for even though justice has a certain priority, being the most important virtue of institutions, it is still true that, other things being equal, one conception of justice is preferable to another when its broader consequences are more desirable.[59]

That is how Rawlsians reckon with the consequences of their game of justice for ends which are external to it. And yet it cannot even be considered on par with what are sometimes called 'serious games', those war games, video games, and simulations that are played *primarily* for purposes, not least educational, that lie outside them.[60] Since the ends of Rawlsian justice are internal, ordinary citizens, as we have seen, are supposed instead to affirm them for their own sakes.

Moreover, they are (somehow) supposed to do so even when play has had to stop because an issue has arisen over the application of the rules. At such times, Rawls would have citizens engage in 'public reason', which is a form of deliberation said to be exemplified

[59] Rawls, *A Theory of Justice*, 6.

[60] See Clark C. Abt, *Serious Games* (New York: Viking Press, 1970). Rawls is well aware of the educational advantages of serious games. During a course lecture about the 'reasoning game' (which is how he used to refer to 'the original position') he admits that some will object that this is 'a kind of frivolous way to think about it: it's a game yet this is supposed to be a very important subject of political philosophy, one where we're determining how society is to be run. Now certainly that's important – people fight about it all the time and even kill each other on occasion – so why talk about it as a game? Only so you won't get intellectually confused and start asking questions that are really irrelevant as it will turn out. It helps to think of very important vital things in terms that reduce the emotional involvement.' From 'Modern Political Philosophy – Lecture 2', https://www.youtube.com/watch?v=tYvdmizdohE, starting at 28:36.

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by none other than the Supreme Court justice.[61] In a sense, then, they are to become their own referees. And if they ask why, Rawls' answer would surely be, 'For the sake of justice,' which also happens to be the answer that we should expect to receive if we asked why he formulated and defended his theory in the first place. And if we followed this with 'Why justice?' then the answer would yet again surely be, 'For its own sake.'

All of which leads me to conclude that we should conceive of Rawlsian justice as a form of what Susan Sontag has called pure or naïve camp, for it simply does not know itself to be unserious.[62] It does not recognize how, whereas a game is a game, politics is a fundamentally serious, because practical, activity, one that cannot be well-ordered because it takes place in the inherently disunified world of human affairs, one from which the threat of tragic moral loss simply cannot be eliminated.

4.

But so what? How would adopting Rawls' theory, or one like it, be harmful to political practice? Surely this is the important question. My answer is that it can be said to have this effect in two ways: one with respect to those who participate directly in politics, and the other as it relates to those who do no more than follow it.

Regarding the practitioners, treating politics as if it were a game encourages them to engage in competitive, and so adversarial, behaviour. True, not all games are competitive, but most are, competition being virtually their *raison d'être*, not to mention a large source of the fun. And if those involved in politics are faced with a conflict *and* they see themselves as players in a game, then they certainly will compete. This means that they will view each other as not merely 'opponents' but also 'adversaries': when the basic objective is to defeat a competitor, then one can only win if the other loses. The main problem here, as I see it, is that this makes it virtually impossible for those involved to respond to their conflict by engaging in conversation, which is an extremely fragile mode of dialogue that aims to realize and develop the common good. Those who would converse over conflicting values do so because they hope to transform them in a reconciliatory way, to

[61] See Rawls, *Political Liberalism*, lecture VI, § 6.

[62] See Sontag, 'Notes on "Camp"', in *Against Interpretation and Other Essays* (New York: Farrar, Straus & Giroux, 1966), nos. 18–19, 22–23.

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devise a solution to the conflict that genuinely benefits all parties. If there is the slightest rigidity in thought, however – if we take the 'hard line' because we are on the defensive, and we are defensive because we sense that we are facing an adversary – then it becomes exceedingly difficult for us to undergo the sometimes radical changes that make reconciliation possible.[63]

Rigidity also derives from a commitment to a previously formulated system of rules, since this significantly limits what may be transformed. That limitation is another reason why the citizens who would respect Rawls' theory are almost certain to become adversaries when they conflict. Hence the irony in how Ronald Dworkin, another systematic theorist, chose to begin one of his books: he calls for shared common ground in a set of political principles that will counter what he, along with many others, has come to see as the alarmingly belligerent nature of contemporary U.S. politics. To Dworkin, Americans are 'no longer partners in self-government; our politics are rather a form of war'.[64]

Dworkin is not, like Rawls, a monist only with regards to politics. While he agrees that 'political values are finally unitary, not plural', his monism also encompasses morality, indeed all of the practical.[65] Nevertheless he, too, advocates a political vision that is based on two systematically interlocked principles. And just as with Rawls' public reason, Dworkin shares in the belief that we require a framework of principles for real argument to be possible. But notice what is meant by this: 'I mean "argument",' Dworkin writes, 'in the old-fashioned sense in which people who share some common ground in very basic political principles debate about which concrete politics better reflect these shared principles.'[66] Now while this

[63] For more on the distinction between opponents and adversaries, and on its relevance to dialogue, see my 'Opponents vs. Adversaries in Plato's *Phaedo*', in *Patriotic Elaborations: Essays in Practical Philosophy* (Montreal and Kingston: McGill-Queen's University Press, 2009).

[64] Dworkin, *Is Democracy Possible Here? Principles for a New Political Debate* (Princeton: Princeton University Press, 2006), 1. Or as Rawls laments, 'much political debate betrays the marks of warfare.' *Justice as Fairness: A Restatement* (ed.) Erin Kelly (Cambridge, MA: Harvard University Press, 2001), 118. See also James Davison Hunter, *Culture Wars: The Struggle to Define America* (New York: Basic Books, 1991); and Hunter, *Before the Shooting Begins: Searching for Democracy in America's Culture War* (New York: Macmillan, 1994).

[65] Dworkin, *Is Democracy Possible Here?*, 155; and see Dworkin, *Justice for Hedgehogs*.

[66] Dworkin, *Is Democracy Possible Here?*, 5.

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certainly is one of the old-fashioned senses of the term (parties advance their reasons, 'score points' on each other, and hope to win the debate), there is also another sense: argument as what is exchanged between the interlocutors of a conversation. It also requires that there be things held in common; but they are best understood as transformable, value-expressing practices rather than as grounding principles.[67] And surely it is more of *this* kind of argument that we need if we're concerned about an overly adversarial politics. Dworkin, however, seems to have room only for competitive debate, which is why, when faced with a combative citizenry, he can do no more than insist that 'we need to find ways not merely to struggle against one another about these issues, as if politics were contact sports.'[68] As if politics as non-contact sports were acceptable.

So we may assume that, just as with Rawls' justice as fairness, Dworkin's 'partnership democracy' is going to be a highly adversarial affair.[69] Both theorists' ideal citizens are indeed partners, but only in the sense of those who compete within the same game. Their competition, moreover, takes two main forms. The first is associated with those who practice politics as members of competing parties or interest groups. And the second arises when such competitions have broken down and there are disagreements over what Rawls calls the basic structure of society. It seems to me that, at such times, it is Dworkin who has the more realistic sense of what may take place. Just as when a game must be suspended because questions have arisen over the application of its rules, Dworkin would have the more articulate citizens take on a role comparable to that of a team captain and plead their case before the justices of the Supreme Court, the referees. One thinks of Dworkin's many interventions in the *New York Review of Books* as an example. By contrast, Rawls would have citizens somehow switch altogether from competition to cooperation and engage in public reason; otherwise put, they are to stop playing and start refereeing.[70] That there is something

[67] See my *From Pluralist to Patriotic Politics: Putting Practice First* (Oxford: Oxford University Press, 2000), esp. ch. 3; and 'Patriotic, Not Deliberative, Democracy' and 'From Moderate to Extreme Holism,' both in op. cit. note 63.

[68] Dworkin, *Is Democracy Possible Here?*, xi.

[69] See op. cit. note 68, 143–47.

[70] To Dworkin, when it comes to deciding hard cases judges must ask about legislative purposes and underlying legal principles, just as referees must ask about the point and character of the game that players have consented to play. Notice how those who apply and those who dispute the application of the rules remain separate, in contrast to Rawls' vision. See

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schizophrenic about this 'dualism'[71] should be obvious. What's less clear is why Rawls considers it plausible. But if we follow Dworkin there are at least two reasons why we should expect that the pleading he recommends will go on in the adversarial spirit of before. First, the tendency of lawyers to advocate positions in the language of rights encourages their conflict to be the viewed as a 'clash of rights' and this is simply too abstract and adversarial to allow for real conversation.[72] And second, because that is simply how it is done: no self-respecting lawyer today ever knowingly pleads in a way that might serve the interests of the opposing side.

Furthermore, we can also assume that, at least on occasion, what is done will be – and I say this without exaggeration – immoral. For there is something about systematically rule-based contexts that encourages those within them to act in morally questionable ways – as long, that is, as they comply with the rules. Arthur Isak Applbaum has put the point as follows:

> Deception and violence are presumptive moral wrongs, but the rules of the game of poker permit deception, and the rules of boxing, football, and hockey permit violence. It is widely believed that lying in poker and tackling in football are morally permissible, and this is so because the rules of the games of poker and football permit such actions. Similarly, it is widely believed that the permissive rules of professional games such as lawyering, business management, and elective politics generate moral permissions to engage in deceptive and coercive tactics that, if not for their game permissibility, would be morally wrong.[73]

Dworkin, 'Hard Cases', in *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1978), 101–10; and Rawls, *Political Liberalism*, ch. 6.

[71] Rawls, *Political Liberalism*, xxi.

[72] As I argue in *From Pluralist to Patriotic Politics*, ch. 7. On why rights talk of the kind favoured by neutralist liberals is inappropriate even for negotiation, see Mary Ann Glendon, *Rights Talk: The Impoverishment of Political Discourse* (New York: Macmillan, 1991).

[73] Applbaum, *Ethics for Adversaries: The Morality of Roles in Public and Professional Life* (Princeton: Princeton University Press, 1999), 114. See also David Light Shields and Brenda Light Bredemeier, 'Moral Development and Behavior in Sport', in Robert N. Singer, Heather A. Hausenblas, and Christopher M. Janelle (eds.) *Handbook of Sport Psychology* (New York: John Wiley & Sons, 2001, 2nd ed.), esp. 592–93.

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Applbaum, however, fails to see that this points to a problem with the very idea of conceiving of these professions as games; indeed, he even goes on to construct an (albeit highly restrictive) argument based on fair play that justifies certain immoral but rule-respecting behaviours in public and professional life.[74]

I want to turn now to how treating politics as a game can have a detrimental effect on those who follow it. To begin, we need to distinguish between spectators, on the one hand, and the members of an audience, on the other. Spectators are individuals who are independent of, fundamentally untouched by, whatever they are watching, since they treat it as no more than a source of entertainment, as a spectacle. An audience, by contrast, is a communal entity, since its members are concerned with how what's transpiring may affect their common good. Instead of allowing themselves to get 'carried away' and appreciate events purely aesthetically, then, audience members engage critically, practically, as listening interpreters. And this means that, just as with the interlocutors in a conversation, they may have an edifying, transforming experience.[75]

[74] See Applbaum, 121–35.

[75] 'The primacy of hearing', Hans-Georg Gadamer has written, 'is the basis of the hermeneutical phenomenon.' *Truth and Method*, trans. Joel Weinsheimer and Donald G. Marshall (New York: Crossroad, 1989, 2nd ed.), 462. Readers may have noticed the affinities between those I am calling 'spectators' and 'audience members' and those who attend what Bertolt Brecht has called 'dramatic' and 'epic' theatre, respectively. See *Brecht on Theatre: The Development of an Aesthetic* (ed. and trans.) John Willett (New York: Hill and Wang, 1992), chs. 8, 13, 18, 20, 53–54; and 'Theatre for Learning', (trans.) Edith Anderson, in Carol Martin and Henry Bial (eds.) *Brecht Sourcebook* (New York: Routledge, 2000). Gadamer, however, fails to distinguish enough between spectators and audience members because he blurs aesthetic and practical, fun and serious forms of play: see *Truth and Method*, part I, section II.1(A), esp. 109. Charles Taylor does the same when he writes about how someone experiencing his first live symphony concert can be 'enraptured not only by the quality of the sound [something aesthetic], which was as he had expected quite different from what you get on records, but also by the dialogue between orchestra and audience [something practical].' Taylor, 'Cross-Purposes: The Liberal-Communitarian Debate', in *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1995), 191. Finally, Jeffrey Edward Green overlooks the distinction altogether given his focus on political engagement with one's 'eyes' in contrast to one's 'voice': *The Eyes of the People: Democracy in an Age of Spectatorship* (Oxford: Oxford University Press, 2010).

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Justice as fairness, however, would make a spectacle of politics. For one thing, just as modern sports spectators are separate from the players they watch,[76] in Rawls' conception ordinary citizens stand apart from those who participate in politics. For another, as with all contests, the competitiveness of justice as fairness lends it great entertainment value. It is surely not just the 'members of an orchestra, or players on a team, or even both teams in a game, [who] should take pleasure…in a good performance, or in a good play of the game, one that they will want to remember.'[77] The joys of spectatorship are also encouraged by the 'distance' of citizens from the political arena, because it allows them to keep from feeling affected in a deep way. To be so affected they would have to engage as the members of an audience instead, and for this it is necessary to emphasize how, while not directly involved, they nevertheless still are so indirectly. For example, we might point to the ways in which their conversations about politics deep within civil society can influence the State's agenda. Rawls, however, would have citizens keep their 'personal deliberations and reflections about political questions' ensconced within associations, such as churches and universities, that are to make no contribution whatsoever to public discourse about 'constitutional essentials and matters of basic justice.'[78] (Unless, presumably, one happens to be a professor publishing in defence of political liberalism.)

It is worth mentioning that citizens as audience members may still find aspects of politics entertaining, not least because attempts at political conversation, whether theirs or politicians', will often break down and so will have to make way for negotiation, which is adversarial and not merely oppositional. Nor should we overlook the necessarily competitive nature of elections. That said, these citizens' critical attitudes should keep them from getting carried away into 'the aesthetic'. It will do so, however, only if they manage to avoid the 'horse race coverage' of so much contemporary political journalism, whose unrelenting focus on strategy, polls, scandals, and other

[76] 'One facet of [modern] specialization was the separation of roles that put increasingly skilful players on the field and increasingly unpracticed spectators on the sidelines.' Allen Guttmann, *Sports Spectators* (New York: Columbia University Press, 1986), 83.

[77] Rawls, *Political Liberalism*, 204.

[78] Rawls, *Political Liberalism*, 215.

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forms of infotainment has ensured that politics as spectacle virtually rules the day.[79] Regardless, the point that I wish to make here is simply that adopting justice as fairness, or any other such theory, will serve only to further entrench that rule.

Treating politics as a game can also affect citizens by sapping what Rawls would call the 'strength'[80] of their sense of justice, thus undermining a major source of his regime's stability. Justice as fairness, in other words, subverts itself. Riezler's statement above about how play stands apart from our ordinary practical concerns suggests why: when objects are disconnected from practical life then we may still care for them, of course, but no more so than we care for mere games. Sometimes, it goes without saying, game-playing can elicit real passion, but this will always be qualitatively different from the truly deep-seated sense of commitment that we feel towards whatever is important to us in our practical lives. This makes sense since, as Dreyfus has pointed out, 'in so far as games work by temporarily capturing our imaginations in limited domains, they cannot simulate serious commitments in the real world.'[81] One reason for this inability is that, as we have seen, when values are contained within a unity such as a systematic set of rules they will appear to be sheltered from risk, since there can be no fundamental conflict between them. And just as overprotective parenting undermines the child, when there is no danger that we might have to get our hands dirty by compromising our values then our sense of commitment to them gets weakened. In fact, as Kierkegaard long ago suggested, a loss of commitment is the fate of all spectators, all those whom he identifies as members of 'the public':

> that abstract aggregate ridiculously formed by the participant's becoming a third party. That sluggish crowd which understands nothing itself and is unwilling to do anything, that gallery-public [which] now seeks to be entertained and indulges in the notion

[79] See Murray Edelman, *Constructing the Political Spectacle* (Chicago: University of Chicago Press, 1988), ch. 5; James R. Compton, *The Integrated News Spectacle: A Political Economy of Cultural Performance* (New York: Peter Lang, 2004); and Frank Brettschneider, 'Horse Race Coverage', in Wolfgang Donsbach (ed.) *The International Encyclopedia of Communication*, vol. 5 (Malden, MA: Blackwell Publishing, 2008).

[80] See Rawls, *Political Liberalism*, 142; and *A Theory of Justice*, 436–38.

[81] Dreyfus, *On the Internet* (New York: Routledge, 2009, 2nd ed.), 87.

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> that everything anyone does is done so that it may have something to gossip about.[82]

Rawls should expect nothing less from the citizens who follow his 'political' politics as if they were watching a game.[83]

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[82] Kierkegaard, 'The Present Age', in *Two Ages: The Age of Revolution and the Present Age, A Literary Review* (eds. and trans.) Howard V. and Edna H. Hong (Princeton: Princeton University Press, 1978), 94.

[83] My thanks to Daniel A. Bell, Yves Couture, Andrew Lister, and Daniel Weinstock for comments on previous versions of this paper.

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