

Beatrice Magni

**BETWEEN INTEGRITY AND
PRAGMATISM: THEORETICAL
INSIGHTS AND PRACTICAL EFFECTS
OF COMPROMISE**

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COMPROMISE**

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The underlying idea is that implementing forms of “civilized” politics is desirable as well as feasible. And, as far as the Italian political system is concerned, it is also urgently needed, since the system appears to be poorly prepared to deal with the challenges emerging in many policy areas: from welfare state reform to the governance of immigration, from the selection criteria in education and in public administration to the regulation of ethically sensitive issues.

In order to achieve this end, LPF adopts both a descriptive-explanatory approach and a normative one, aiming at a fruitful and meaningful combination of the two perspectives. Wishing to foster an informed public debate, it promotes theoretical research, empirical case studies, policy analyses and policy proposals.

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KEYWORDS

Compromise, Disagreement, Integrity, Pragmatism, Reconciliation

ABSTRACT

Disagreement represents a peculiar feature of the political life of contemporary liberal and democratic societies. Citizens of liberal societies disagree not only about which policies should be implemented and how, but also about matters of principle. Given the possibility and relevance of rationally irresolvable disagreements, this article will focus on those political strategies for the regulation of political disagreements concerning the justifiability of institutions, laws, and norms, which may cause social conflicts when not applied correctly.

Compromise has been traditionally considered a viable strategy for reconciliation. Indeed, compromise is usually connected to a process of negotiation, by which each of the parties in disagreement concedes something for the sake of something else considered of more value. However, the traditional interpretation seems to neglect certain crucial aspects which render the idea of compromise something more than a mere strategic concession. In a compromise, persuasion, reciprocal respect, and favorable dispositions toward mutual concessions are crucial. In other forms of negotiations, power, threats, and intimidations are fundamental. The parties involved in a compromise are committed to consider others' arguments and to be in connection with them through various forms of discussion. They are competent and ready to give concession at least to reach the end of the decisional process.

The article aims at analyzing whether different forms of disagreement produce different forms of compromise. For example, conflicts and disagreements on non-moral - but equally legitimate - interests and principles may result in different terms of compromise. When we compare a compromise on fundamental principles with a general clash of interests (e.g. economic interests) we may wonder whether what is at stake in a moral disagreement is deeper and more important than in the case of disagreements concerning distributive and retributive issues. Compromise might also be considered a sort of renounce, conscious and temporary, to the implementation of one's system of values by individuals who hold different and incompatible reasons. Such renounce is to be intended as a way not to damage social cooperation among individuals but to make it possible to open the debate again in the future. It is necessary to evaluate if it is always possible to reach this kind of compromise and, if this is not the case, why. The research aims, first, at understanding the conditions which make a compromise possible. Moreover, it will be crucial to verify if and when it is possible to compromise on moral issues, and at what cost. Given the complexity of our moral, cognitive, and ethical framework, the main aim of this work is to prove that sometimes a compromise can preserve and honor integrity more than an individual could by him/herself. When a compromise process is able to grant understanding and respect among parties, and when it can avoid unmanageable conflicts, moral reliability of parties is not weakened but strengthened. But what happens when conflict is irreducible? Is it possible, in that case, to accept a compromise without jeopardizing one's moral integrity?

The goal of the article consists in setting a theoretical framework, which may provide tools to rethink a compromise apt to be an assertive element and not a threat of individual integrity, apt to promote inclusion.

“We should, I believe, be judged by our compromises more than by our ideals and norms. Ideals may tell us something important about what we would like to be. But compromises tell us who we are”

(A.Margalit, “Ideals and Second Bests”)

Introduction

The challenge of dealing with compromise touches on a range of deeply contested yet essential concepts in contemporary political philosophy (Gallie, 1956), such as the nature of politics and ethics¹. The ambivalent term “compromise” is increasingly used in two quite different senses (Cejudo, 2010)². We can use ‘compromise’ - in a first and more positive sense - to address a kind of agreement between different points of view, reached through a balance or mediation (e.g. a negotiation made by mutual concessions among the parties). Proposing, and accepting, compromises means in this first case to accept the presence of a trade-off between personal desires and commitments

¹ W. B. Gallie, “Essential Contested Concepts”, in *Proceedings of the Aristotelian Society*, 56, 1956, pp. 67-198: “This is what I mean by saying that there are concepts which are essentially contested, concepts the proper use of which inevitably involves endless disputes about their proper uses on the part of their users... More simply, to use an essentially contested concept means to use it against other uses and to recognize that one's own use of it has to be maintained against these other uses. Still more simply, to use an essentially contested concept means to use it both aggressively and defensively... Recognition of a given concept as essentially contested implies recognition of rival uses of it (such as oneself repudiates) as not only logically possible and humanly "likely", but as of permanent potential critical value to one's own use or interpretation of the concept in question”.

² This is one of the main argumentations of Fumurescu (2013): compromise is today understood in a positive or “commendable” sense, and in a negative or “condemnable” sense, and the origin of this radical split can be found in the way – as Fumurescu notes – this concept evolved in the two very different contexts of Britain and France between the late Renaissance and Enlightenment periods. “The positive sense refers to the view of compromise as a political virtue that enables two distinct entities to resolve disagreements without resorting to force and violence, and it was in this sense that the concept emerged in Britain. The negative sense refers to the view of compromise as the violation of the essential integrity of one's inner self or self-conception, and it was in this sense that the concept evolved in France”(review by R.P. Hanley).

and various possibilities³ to agree, to disagree, and to agree on our disagreement.

Otherwise we can ‘compromise’ ourselves – in a second and more negative sense – in particular situations where we have to make concessions to something considered harmful or wrong, in other words to something **damaging** or prejudicial⁴ to our very deep beliefs. In this second sense the idea of some ‘moral compromise’ could seem an oxymoron: if a moral compromise occurs every time you deal with choices or actions that can put at risk values and ethical principles with whom you strongly identify, how could you accept a compromise and keep yourself morally undiminished?

But now and then we could face some individual or institutional situations where a sort of compromise becomes necessary. The necessity to consider compromise is motivated by the existence of a number of reasons that contribute to increase disagreement within the institutions, and in society in general: individual interests, the scarcity of resources, the lack of adequate information, contingency, uncertainty and moral complexity are altogether elements of disagreement. A compromise may be a way to examine possible solutions to some of these difficulties.

This paper has two main sections. In the first section I will present the proposal of a conception of compromise that – if we assume the fact of **pluralism and disagreement** – aims to be more than a mere strategic or *ad hoc* concession among two individuals or groups (or between a public authority and the citizens). Then I will argue that such a model of compromise - I will

³ See e.g. Arnsperger C., Picavet E.B., “More than Modus Vivendi, less than Overlapping Consensus: Towards a Political Theory of Social Compromise”, *Social Science Information*, 43, (2), 167-204, 2004; Pennock J., Chapman J., *Compromise in Ethics, Law, and Politics*, New York, New York University Press, 1979.

⁴ See Cejudo (2010), p. 301: “However, the literature on ethics has not displayed a similar interest on the issue, in spite of the recent work of Bellamy (2002), Nachi (2004), and Margalit (2010). Possibly this is because compromising and bargaining are not valued as part of honest behavior if we are concerned with values or duties. A compromiser should refuse to compromise when her moral values are at stake, or at least consider refusing... in that case a compromise will be wrong when the concession goes too far because we risk our dignity, do not respect our own principles, or do not comply with our duties”. See also Day J.P. (1989), “Compromise”, *Philosophy*, 64 (250), 471-485.

provisionally call it pragmatic compromise – could represent, as for William James pragmatism⁵ did to philosophy, a valid *method* to face value conflicts in politics. In my work, then, the term ‘pragmatic’ doesn’t mean only the result of a virtuous balance between different kind of interests, but it will include a deeper normative commitment. In the second part of my work I will bring together the usually separate discussions on the ethics of authenticity/integrity and ethics of artificiality/hypocrisy. But how is it possible to keep them together? I will investigate – in a very brief analysis - what public role integrity and hypocrisy can and should precisely play in politics, and how the idea of pragmatic compromise could enable individuals to preserve the former and to incorporate the latter.

An overall conclusion is that – once integrity and hypocrisy are redefined as consistent concepts in politics – pragmatic compromise is positively related to the reliability of an individual and the accountability of an institution. Consequently, compromise and integrity can not only stand side by side, but also they can and should work together in the constitution of a public framework. To a certain extent, the Lincoln’s case and the TRC (Truth and Reconciliation Commissions) case are two final examples of pragmatic compromise, at an individual level (the former) and at a collective one (the latter). Both cases exemplify how pragmatic compromise works in theory, and which practical consequences it can have.

⁵ “... Pragmatist turns his back resolutely and once for all upon a lot of inveterate habits dear to professional philosophers. He turns away from abstraction and insufficiency, from verbal solutions, from bad a priori reasons, from fixed principles, closed systems, and pretended absolutes and origins. He turns towards concreteness and adequacy, towards facts, towards action, and towards power.... At the same time it does not stand for any special results. It is a method only... It appears less as a solution, then, than as a program for more work, and more particularly as an indication of the ways in which existing realities may be changed... As the young Italian pragmatist Papini has well said, it lies in the midst of our theories, like a corridor in a hotel. Innumerable chambers open out of it. In one you may find a man writing an atheistic volume; in the next someone on his knees praying for faith and strength; in a third a chemist investigating a body's properties. In a fourth a system of idealistic metaphysics is being excogitated; in a fifth the impossibility of metaphysics is being shown. But they all own the corridor, and all must pass through it if they want a practicable way of getting into or out of their respective rooms”, James (1907), pp. 45-47.

The problem of disagreement

Disagreement represents a peculiar feature of the political life of contemporary liberal and democratic societies. Citizens of liberal societies disagree not only about which policies should be implemented and how, but also about matters of principle, namely on what are the best reasons to justify the adoption of one policy or the other.

Furthermore, in liberal societies there is an unstated consent on the opportunity that non-public believes should not be thoroughly expressed in a public field: everybody accepts limits - when not prohibitions - to the public expression of one's personal convictions. But if respect (respect of personal beliefs) is an unavoidable bond for the stability of a democratic system, immediately we have to face a number of problems and difficulties, both practical and institutional, as follows:

- How can we find deliberative processes or procedures able to give voice to every citizen?
- How can we articulate a sort of neutral general public will, in case of disagreement?
- When we found this deliberative procedure, how could we then make it responsive to the content of individual moral conceptions?
- How can we, finally, tame the dissent that may nevertheless linger on in liberal societies?

Bioethical controversies have become in the last few decades crucial issues in public discussion of western societies. They are perhaps the best example of a persistent existence of a high level of public disagreement. This kind of controversies is even more interesting as they show that many different fundamental accounts of our moral lives may arise. Political disputes, public

disagreements – and their connected controversies – deal not only with which kind of politics could give the best and most desirable outcomes, but also which kind of outcomes can be defined as desirable in themselves. This is one of the most typical cases where issues of desirability and feasibility cross and clash. In other words, and to give just an example, the disagreement on the beginning of life relates to the moral understanding and vision considered when we have to decide which kind of good practice adopt in each case (namely and in a nut shell, to sustain pro-life and/or pro-choice positions). In this case we can have disagreements that can be, therefore, categorized in - at least - two different levels:

- disagreements on political solutions for solving problems: first level of disagreement;
- disagreements on desirability of the reasons of these political solutions: second level of disagreement.

If we consider for instance disagreements associated with medically assisted procreation, those that I called first-level disagreements will deal with discussion on the legitimacy of turning to such techniques (for example, some consider m.a.p. itself an immoral act as it manipulates a natural event); while second-level disagreements will deal with discussion on the justifiable validity of reproduction using such techniques involving donors and surrogate mothers. At even another level can be placed the discussion on embryos' treatment (in particular, those extra embryos that have not been implanted in the m.a.p. process). It seems evident that, even at this general stage of the argumentation, the concept of disagreement needs the involvement of some theoretical approaches, to answer practical questions. The two main key issues here seem to be:

- What can we do when should shared principles have divergent implications?

- What can we do when there aren't any shared principles?

If it is true that one of the central tasks in contemporary political philosophy is to identify principles governing political life (Moreno, 1995) - where citizens disagree deeply on important questions of value and, more generally, on the proper ends of life -, it is also plausible that rationally irresolvable disagreements (as is the case with bioethics) are something more than a possibility.

When we deal with disagreement and the possibility of compromise, an additional meaningful critical duality at which we have to look carefully is that between moral disagreement and moral dilemma. Moral disagreement is a conflict of moral opinions among different subjects. There can be apparent disagreements, that can be solved with moral considerations, factual or semantic, and there can be genuine disagreements, that cannot be solved on the basis of moral, factual, semantic considerations. Moral dilemma, on the other hand, affects a conflict internal to the individual, concerning directly the agent. It is moral disagreement that will be the main focus in my approach on compromise⁶.

Therefore, given pluralism as a fact, given the irreducibility of some, if not all moral disagreements, I would like to find out, in this work, among the many and different meanings available in political theory, a meaning of compromise that could be something more than a mutual concession open to use for instrumental ends, and eventually accepted by two conflicting parties. Namely I'll try to propose an idea of compromise that allows the coexistence of searching compromises in public life - and in some political fields - and the loyalty to our deepest principles. To do that we need to proceed orderly, and

⁶ I follow here Winslow and Winslow (1991), p. 313: "... when people have resolved in their own minds what course best fits their considered moral judgments, but who then find themselves in conflict with others whose best moral judgments have led them to an opposing position".

therefore to start defining precisely what it means to me firstly compromise, and secondly integrity.

Why we cannot do without compromise

The tension between individual values and public reasons cannot only be found in the bioethical field, but it is constant and recurrent in political life. This is the lesson of Sophocles' *Antigone*, highlighted by the tragic conflict between Creon's point of view – the point of view of *polis* – and Antigone's vision, namely her individual calling for transcendent codes and laws. In Sophocles' *Antigone*, Creon, the ruler of Thebes, and Antigone, his niece, are severely divided over the burial of Antigone's brother Polyneices—who is an enemy of the state. For Creon, a proper burial would undercut national unity, stability, social order, and state authority. For Antigone, to leave Polyneices unburied would violate gods' laws as well as the deep pull of kinship commitments.

Hegel represents this conflict as a contest between the law of the gods (and the family) *versus* the law of the state—both of which he argues, as expressions of justice, are partial and incomplete. He writes on this subject:

“Here, familial love, the holy, the inward, belonging to inner feeling, and therefore known also as the law of the nether gods, collides with the right of the state....[Creon] maintains that the law of the state, the authority of government, must be held in respect, and that infraction of the law must be followed by punishment. Each of these two sides actualizes only one of the ethical powers, and has only one as its content. This is their one-sidedness. The meaning of eternal justice is made manifest thus: *both attain injustice* just because they are one-sided, *but both also attain justice*. (Hegel, 1990)

But Creon and Antigone represent also, according to a probably more persuasive Martha Nussbaum interpretation (Nussbaum, 2001), two practical

universes strongly limited, that result in two different strategies of defending and simplifying one-way values. Nussbaum considers these two characters morally shortsighted not only because of their value monism (as Hegel already brightly pointed out), but especially because they are obsessively focused on avoiding conflict. Oversimplification of values put in action when we tend to eliminate conflicts and their obligation, fades away when we recognize to compromise a public constitutive function. A function that neither Creon nor Antigone take into consideration. As Nussbaum states:

“... Both Creon and Antigone are one-sided, narrow, in their picture of what matters. The concerns of each show us important values that the other has refused to take into account. On this issue Hegel’s famous and frequently abused reading is correct. Hegel erred, perhaps, in not stressing the fact that Antigone’s actual choice is, in the play’s terms, distinctly superior to Creon’s; but his general criticism of her neglect of the civic is not, as we have seen, incompatible with this recognition. Hegel, however, locates the deficiency of the protagonists in this narrowness or one-sidedness alone, not in their conflicting-avoiding aims. The elimination of conflict is, for Hegel, both an acceptable and a plausible aim for a human ethical conception... from our study of the two protagonists we might infer that to do justice to the nature or identity of two distinct values requires doing justice to their difference; and doing justice to their difference – both their qualitative distinctness and their numerical separateness – requires seeing that there are, at least potentially, circumstances in which the two will collide. Distinctness requires articulation *from*, bounding-off *against*. This, in turn, entails the possibility of opposition – and, for the agent who is committed to both – of conflict.” (Nussbaum, 2001, pp. 67-68).

If, as it seems in a very broad sense, human beings are both capable of reason and vulnerable to luck, in need of a rich plurality of life-activities (the “human exposure to luck”, as in Nussbaum vocabulary), we can simply seek to limit those risks for the sake of stability of life and shape our lives and our principles in order to avoid in the ordinary experience most serious conflicts. One way to achieve this objective, namely to avoid the conflict, is to simplify the structure of one’s value-commitments (as in the case of *Antigone*). There is, in my opinion, an alternative option, which provides criteria for choosing between

conflicting values in public space, without postulating the elimination of conflict, and for keeping pluralism⁷.

If our public commitment to a plurality of values always leaves open the possibility of conflict, many conflicts that at first seem intractable can themselves be surmounted with an idea of moral compromise that should be an element of assertion, instead of being seen as an element of threat of individual integrity. But individual interests, lack of resources, limited informed preferences, contingency, uncertainty, and moral complexity, can contribute to increase and raise the level of conflict and disagreement within institutions and societies: when you have to make shared decisions (Moreno, 1995) on controversial issues you will probably face a moral conflict. This can be due to different and often divergent beliefs and principles of the individuals involved in the decisions making process. In those cases it could be interesting to take a closer look at the notion of compromise.

Which kind of compromise?

Compromise has been traditionally considered a viable strategy for reconciliation. Indeed, compromise is usually connected to a process of negotiation, by which each of the parties in disagreement concedes something for the sake of something else considered of more value. However, the traditional interpretation seems to neglect certain crucial aspects which render the idea of compromise something more than a mere strategic concession. In a compromise, persuasion, reciprocal respect, and favorable dispositions towards mutual concessions seems to be crucial. In other forms of negotiations, power, threats, and other kind of pressures are on the contrary fundamental. The parties involved in a compromise are committed to consider others' arguments

⁷ See also on that point Kekes J. (1993), p. 58: "What matter is that pluralism is a theory about good lives. According to it, good lives depend on both personal satisfaction and moral merit, and personal satisfaction depends on the realization of both moral and non-moral values".

and to be in connection with them through various forms of discussion. They have to be competent and ready to give concession at least to reach the end of the decisional process.

If we take into account the basic definition of compromise, we can see that compromise is a way to respond to conflict with a deal that requires and implies a mutual concession, to get to a better condition of *status quo ante*. According to this first definition, compromise is a sort of agreement among different points of view, reached thanks to mediation (or a mediator) or thanks to reciprocal allowances. To embark on a compromise means to accept that a trade-off exists between my wishes/values and different other possibilities. Then the idea of compromise can seem to have the pejorative implications of my second and negative sense of compromise, and may inspire in some mistrust or even rejection, as though it inevitably fails to fully reflect the values rooted in our cherished ideals. A classic compromise is an agreement that parties reach because it serves their interests better than the status quo but also an agreement in which all sides sacrifices something and in which the sacrifices are at least partly determined by the other sides' will. Critically, this sacrifice "involves not merely getting less than you want, but also, thanks to your opponents, getting less than you think you deserve," that is, less than you feel you should have received if only your opponents had been more reasonable (Gutmann and Thompson, 2012, pp. 9-10). Thus, in classic compromise, parties make a strategic calculation that a sacrifice of some their commitments is the best tactic to advance their other values and interests over their current positions.

But if we try to figure a compromise as a way to get to agreements that – firstly – can minimize harm and promote mutual respect between individuals⁸, and secondly could increase the level of cooperation between them, we can consider a compromise shaped in that way as an agreement that can translate at

⁸ See on that point also J. J. C. Smart, "Negative Utilitarianism", *Boston Studies on the Philosophy of Science*, vol. 117, 1989, pp. 35-46: "The negative utilitarian principle is that we should minimize the amount of suffering and unhappiness in the world".

its best some of the individual's deliberative ideals, as fairness, mutual respect, and equality of opportunity, in order to influence the outcomes of the agreement. This kind of compromise will be different from simple negotiation, and more demanding to each one of the parties. It will require first and foremost a reciprocal recognition of moral fairness. It will represent a rational motivation to critically and socratically revise our automatic engagements towards the common world and to the typical features of political action, as its singularity, uniqueness, novelty, unpredictability, contingency, uncertainty (Arendt, 1998).

What I'll provisionally call pragmatic compromise in its broad form is based not on competitive self-interest, bargaining power, or internal reason about the merits of a dispute or the best way to solve a problem. Rather it aims to be a performative act that involves embedding conflict deeply within disputants and within the emotions and values they experience as constitutive of self and social relations. In this sense compromise could become an expression of higher-order values such as respect, recognition, solidarity, or community.

Compromise and Integrity

So when and how real people locked in conflict are at times willing to revise and relinquish some their desires—be they material interests and/or matters of principled concern—for reasons of mutual respect, community, and other kinds of higher-order moral, political, and procedural ends?

I wonder if Smith's idea of sympathy (Smith, 1976) might be included in the toolbox of this kind of pragmatic compromise, and if so, to what effect. In *The Theory of the Moral Sentiments* Smith introduces the notion of an *impartial spectator* and appeals to the reactions of such a spectator as setting the standard for our moral judgments: the impartial spectator, properly understood, sets a standard that endorses actions and institutions in proportion as they contribute to the

public good or over-all happiness. In other words, for Smith in a public setting we enter into another person's situation rather than into their feelings: impartial spectator is expected to become as well informed as possible about the circumstances at hand, and to remain as fair as possible in spite of his natural biases. Impartial spectatorship does not require a Rawlsian veil of ignorance: the impartial spectator does not forget his own conception of the good life when he crosses the public floor, but he understands when a virtue (especially justice) calls for restraining his demand that others act in accordance with his conception. This results in a suspension of moral judgment of actions until after an imaginary exchange with the actor has been attempted. Crucially, sympathy depends on exposure to details, on familiarity with specifics, on the integrity of other people. I need to know as much as possible about those circumstances. On the other hand, if I begin to sympathize with another, and make an effort to place myself in her circumstances, this can serve as an independent motivation and encouragement for endowing her with the same rights I have. To the uncompromising cry: 'I am right!' sympathy replies with a more feasible question: 'how do I make life bearable?' Exposure to context does not eradicate the possibility of moral criticism, does not render us incapable of deciding or acting; it just makes it more likely that we will decide and act carefully, pragmatically, reciprocally.

If we consider the sophisticated and attractive account of moral judgment that lies behind Smith's specific substantive judgments and the standards he defends, we can conclude that it is an account that explains the emergence of our capacity to think in moral terms, mobilizing standards able to distinguish between accurate and inaccurate moral judgments.

Indeed, when we – for instance - discuss with someone whose opinions are radically different from ours, we can never be sure that we are dealing with ultimate and fundamental values that cannot be modified by that discussion. Not only we don't know this of our opponent, but we don't know this even of

ourselves. Nobody can rely on some definitive and perfect map of one's normative system⁹.

The model of compromise on which I would focus requires – as Smith's theory of moral judgments proves - considering the complex ways in which the terrain of human exchange is not fully captured by an oscillation among interests, reason, and rights. I follow on this point the important issues and questions raised by Martin Benjamin (Benjamin 1990, p. IX) who, in *Splitting the Difference. Compromise and Integrity in Ethics and Politics* asks if can we ever compromise on matters of ethical principle without compromising our integrity, and if can men and women who value their integrity commit themselves to the vocation of politics if, as a matter of course, it requires compromise on ethical issues.

A central claim of my argumentation is that both integrity and hypocrisy are inextricably connected with compromise on account of the peculiar character of political relationship. Political relations, ordinarily understood as power relations, can just as readily be conceived as relations of *dependence* (Grant, 1997). There are dependencies among people who require one another's voluntary cooperation but whose interests are in conflict. "In such a situation, trust is required but highly problematic, and the pressures towards *hypocrisy* are immense. Because political relations are dependencies of this sort, hypocrisy – as we use to say - is a regular feature of political life, and the general ethical problem of hypocrisy and integrity is quintessentially a political problem" (Grant, 1997, p. 3)¹⁰. In public and political relationships, one must beware of trusting others. Political relationships are not true friendships, and what we have to learn about politics is that - if we follow Grant's argumentation –

⁹ See on that point Platz J., "Negative Perfectionism", *Philosophy and Public Issues*, 2, n. 1, 2012, pp. 101-122.

¹⁰ See again Grant: "Some of the most serious and most frequent political conflicts arise among people who share basic guiding principles but part company over when to take a stand on principle and when to accept a compromise. How can the distinction be made between a legitimate compromise and a sellout, idealism and fanaticism, statesmanship and demagoguery, or moderation and rationalization in defense of the status quo? How can we determine the moral limits of both moderation and moralism in politics?" (p. 3).

because society requires trust but men and women are not always trustworthy, deceit is inevitable. And because society requires morality but men and women are not always moral, hypocrisy is inevitable, and ironically the frequency of hypocrisy in politics testifies to the strength of the moral impulse in public life:

“Though political hypocrisy in many of its forms is morally reprehensible and politically dangerous, its necessity indicates something positive nonetheless. Hypocrisy only occurs where people try to appear better than they are. The pretense is only necessary where people need to be thought of as good and to think of themselves as good. Where there is political hypocrisy, there is a public moral standard and a significant moral impulse. The necessity of hypocrisy in politics is one indication of the enduring strength of that impulse in human life” (Grant, 1997, p. 53).

In other words, if we try to put hypocrisy (and integrity) first – as in the Judith Sklar argument (Sklar, 1985) – we can conclude that hypocrisy is inevitable, even necessary, for (especially democratic) politics to function and for political actors to preserve themselves, and that – *vice versa* -extreme anti-hypocrisy can make people vulnerable to fanaticism and blind them to cruelty. Hypocrisy requires moral pretense, and that pretense is necessary because politics cannot be conducted solely through bargaining among competing particular interests. To argue that political hypocrisy is necessary is thus, as Grant states, to argue that moral cynicism as a public principle is impossible. On the contrary when integrity is viewed as purity, as a matter of fact, anything less may be condemned as unpardonable. As Hannah Arendt has convincingly demonstrated, this is the model that inspired Robespierre and Saint-Just. Fanaticism was the product of adopting moral integrity as the exclusive guide for political action¹¹.

¹¹ See Grant: “Machiavelli, so often understood as a theorist of “power politics”, rest his case for hypocrisy in politics precisely on this view. The necessity for hypocrisy arises whenever potential competitors depend on one another. And politics itself is understood as the situation where potential competitors depend on one another” (p. 55).

On one hand, politics necessarily involves matters that are not only negotiable in the manner of interests – e.g. trust, loyalty, pride, honor, vanity, ambition, moral belief. On the other hand, we are still learning from Machiavelli that not only good men make good societies, but also bad men make good societies. We have to reevaluate – together with sympathy - in our definition of compromise the public role of hypocrisy aforementioned, if it is shared and accepted by both parties, if it helps to address imbalances and vulnerabilities, re-establish relationships, reconcile priorities that are worlds apart. Only in that sense hypocrisy could perform some positive role in public, and could be a valid resource of freedom:

“So long as there are public moral standards, there will be, and sometimes even should be, hypocritical manipulation of them. There will be hypocrisy if only because there is necessarily a gap between the real and the ideal. Human beings cannot always practice what they preach. There will be hypocrisy too whenever there are justifiable exceptions to the rules and a simultaneous need to maintain public commitments to the rules. Most important, there will be hypocrisy because it works in situations where neither force nor honesty is a viable alternative” (Grant, 1997, p. 50)

As such, in the case of public moral disagreements problems may require multiple forms of political and social contestation so that people can re-conceptualize their interests and rights before reaching consensus—or, rather, before they engage in compromises that are irremediably shaped by social and structural constraints.

If we reconsider – according to Smith’s sympathy and Grant’s hypocrisy - the notion of integrity away from a strict fidelity to personal principles (McFall, 1987)¹² and more related to one of social responsiveness to irreducible human plurality, we will have “a self that evolves in response to changing conceptions of the good over time, and when the self is viewed in this manner, what emerges is not an impermeable core of commitments, but rather a web of

¹² McFall (1987): “Personal integrity requires that an agent (1) subscribe to some consistent set of principles or commitments and (2), in the face of temptation or challenge, (3) uphold these principles or commitments, (4) for what the agent takes to be the right reasons”(p. 9).

commitments that one must somehow weave together... Given a self that evolves and develops over time, moral compromise can be seen as an expected feature of one's experience in a world of moral complexity... It is this critical perspective and reflection that allows one to draw upon and integrate the diverse commitments of the self. Loss of integrity therefore does not arise from a change of beliefs or values per se, but rather as a result of unreflective change.” (Goodstein 2000, p. 809)¹³. Moral complexity, in this case, can become an occasion for acknowledging the manner in which a moral pragmatic compromise can affirm integrity.

A compromise, in this sense, could basically represent our moral position more than our own moral choices do: rather than weaken our moral limits, a moral compromise can make us more responsible in supporting these limits in the future.

Thinking about compromise in the way I propose here – pragmatic as in James’ terms - imply taking this interpretation into account, and entails thinking about the normative principles that bind people into communities, about experiences of commitment and about a model of Lockean positive altruism: political field is not our ultimate and unique perimeter of life (Locke, 1966), and take account to others means firstly respecting them. On this wake, Margalit’s decent society (Margalit 1996) offers a sustained, innovative and well-informed discussion of this issue. A decent society, in Margalit's view, is a society whose institutions do not humiliate its members. He presents the logical, moral and cognitive reasons for choosing a sort of reasonable compromise: it is not justice that brings us to politics but injustice – the avoidance of evil rather than the pursuit of the good. In contrast to the elusiveness of the abstract notion of human dignity, the phenomenon of humiliation is tangible and instantly recognizable; so too is the notion of evil

¹³ “Our concern is for the long run and our aim is to live and to have lived a good and optimally integrated life in conjunction with others whom we regard as in some sense equals and whose commitments, values, and principles will not always be ours” (May, L. 1996. *The socially responsive self*. Chicago: University of Chicago Press, p. 24).

associated with it. Heading off evils and not the attempt to realize an ideal condition of justice should be the central focus of political thought and action. If we start from dealing with evils rather than striving for an ideal good—as Margalit propose – it is clear that in a decent society many types of injustice would be corrected; it is no less clear that remedying injustice is not the same as moving toward a condition of perfect justice. But his point is not that theories of ideal justice (such as those of John Rawls, for example) should be replaced by a philosophy that focuses simply on making the world less unjust—a position set out in Sen (2009). Margalit’s argument (Margalit 2010) is different and more radical: the struggle for a decent society requires compromise, including the willingness to accept a less just world where this is necessary in order to stave off greater and disrespectful evil.

The bond between moral compromise and integrity will be therefore considered in the case of pragmatic compromise from the point of view of an agent who makes commitments and intakes some (weberian) ethics of responsibility. This ethics is characterized as following: it takes into consideration the singularity of individuals, in practical contexts and circumstances; it aims to responds to other’s needs; it is interested in the present. Precisely because compromise expresses higher-order or extrinsic values in this way, it is also distinct from reasoned convergence on the merits of the dispute. That is, compromise does not happen when parties come together in their deliberations on a right answer to resolve a conflict or the best way to solve a problem.¹⁴ It is more often an expression of value pluralism—a recognition that one’s opponents’ claims are also legitimate and therefore deserve a measure of accommodation. Such an accommodation, however, typically depends on an additional source of justification—for example, moral respect, community, obligation, paternalism, solidarity, love — that parties experience as transcending the dispute. As Henry Richardson puts it, for

¹⁴ H. S. Richardson, *Democratic Autonomy: Public Reasoning about the Ends of Policy*, Oxford, Oxford University Press, p. 148, 2002: “Compromise... is different from simply coming to appreciate the other’s arguments and modifying one’s view accordingly”.

example, a “reasoner” does not compromise when she is convinced of the truth or soundness of another’s argument; rather she compromises when she agrees to change her position to one she “would not have accepted *but for* [a] kind of concern and respect.”¹⁵

The kind of integrity and compromise that I’m trying to suggest attempts to answer to the following challenge: cognitive diversity should find public voice even when it affects moral and divergent beliefs. Pragmatic compromise can be seen as the more convincing possibility of cognitive confrontation between comprehensive, conflicting and controversial views of the world¹⁶.

Compromise, pragmatism, and reconciliation: the Lincoln and Trc cases

Martin Golding argued that when parties compromise they acknowledge the moral legitimacy of their opponents as well as of their opponents’ interests. Compromise, he therefore reasoned, presupposes a commonality or, more exactly, a community. Theodore Benditt put the point as follows: “compromising and (mere) bargaining differ” because compromise requires recognition of the other.¹⁷ We can argue that rather than an expedient to manage the competitive assertion of self-interest, a pragmatic compromise is a moral response to the problems of reasonably competing values, perspectives, and resources that is grounded in a first principle of mutual respect.

To give just some examples, the portrayal of political Lincoln’s virtue in Spielberg’s movie, celebrates in a certain sense pragmatic compromise, even if

¹⁵ *Ibid.*

¹⁶ Margalit (2012), p. 50: “Does compromise always require something like splitting the difference? Not quite. There is a notion that views the essence of compromise not so much in splitting the difference as in the willingness to accept a redescription of what is in dispute. For example, if Jews and Muslims would agree to redescribe their dispute about sovereignty over the Temple Mount in Jerusalem in terms of a dispute about the *use* of the place, then the main compromise step is already taken; splitting the *use* is trivial, whereas splitting sovereignty is extremely hard”.

¹⁷ Theodore M. Benditt, *Compromising Interests and Principles*, in NOMOS XXI, pp. 26-27.

in troubling ways. Lincoln in Spielberg's report is the portrait of the president as a man gifted at reconciling irreconcilable points of view, someone who wouldn't hesitate to play both ends against the middle and even stretch the truth in the service of the greater good. Lincoln's politics of reconciliation would be enabled by the contestability of what 'real' reconciliation requires; it refers to human rights in their constitutive political sense; it invokes moral community to politicize the terms of political belonging; it acknowledges the risk that the beginning it seeks to enact in the present may not come to pass; be predicated on a gratitude that a willingness to forgive makes reconciliation available as political opportunity in the first place, and, conceives collective responsibility in terms of an ongoing responsiveness to the legacy of past wrongs that might unite the community-to-be-reconciled.

When Thaddeus Stevens, who devoted his life to the anti-slavery cause, speaks for the 13th amendment, he denies that he wants anything more than "legal equality" for blacks so as not to alienate potential supporters who worry about the possibility of suffrage. Near the end of the film we see how utterly false this statement is and know how devastating it must have been for him to make it, but when challenged he claims that "there is little I would not say" in order to achieve the goal of overturning slavery. Stevens is not the only one who perform his integrity for the cause. Three men are recruited by Lincoln to twist the arms of Congressmen who are on the fence about the bill. And, most significantly, Lincoln himself is forced to work in the tension that exists between two key goals: an end to the war and an end to slavery. And he too seems ready to do it.

In the case of TRC, Truth commissions have existed as mechanisms of transitional justice in some of the societies confronted with legacies of the criminal past. While recognizing the complexity and importance of moral and political considerations that are conventionally invoked to justify the existence of this body, the main claim is that the specific task capable of providing the ultimate justification of truth commissions consists of rebuilding the lost sense

of justice in the community of perpetrators. What transitional justice allows us to see, then, is the *right (measure of)* dissent – something that unites and divides at the same time, the ability to tame conflicts; restorative justice is an *ad hoc* justice: in my opinion, this is not to be considered a weakness. On the contrary its power grounded in its being exceptional, an exception shared and accepted by both parties, helping to address imbalances, re-establish relationships, reconcile. Due to the peculiar truth-building practice that it offers, restorative justice contradicts the need to find a justice paradigm which will be valid in every time and everywhere. Between forgiveness and revenge, the pragmatic compromise suggested by restorative justice offers a plural truth in the form of a continuous search for a balanced narration. It is a balanced compromise, a balanced truth, constructed by juxtapositioning one truth to the other (side by side), resulting in a final outcome produced by the constant tension between universalism and individualism. It is not factual truth, it is a truth about facts – a truth that attempts to preserve opinions, not destroying them – otherwise, it would also destroy the political legitimacy of the individual. Much emphasis is put on the idea of striking a balance between dealing with past injustices and finding a way forward in the best interest of society as a whole. The moral objective, it is claimed, is how to achieve both justice and reconciliation – not just one or the other. The basic idea here is precisely that of pragmatic compromise. Truth commissions, it is assumed, should not simply sacrifice justice to a “higher goal”, but should strive for a defensible moral compromise. If we accept the notion of value pluralism, as I do, we should attempt to achieve a genuine *balance* between the moral values involved in every case of conflict. On this assumption, simple sacrifices or trade-offs are morally suspicious. This, of course, raises the question whether the TRC, or any other truth commission, would pass the moral test. Do these institutions simply trade justice for other moral ends (social unity, reconciliation or the common good)? We should accept a notion of value pluralism and recognize the existence of conflicts between moral values: in the aftermath of collective

violence, recovering societies must attempt to find a morally acceptable compromise between values such as justice, national unity, reconciliation, or the interests of democracy, which exist in conflict or potential conflict with each other.

Taking this into account, legalistic conceptions of the retributive justice paradigm – contemplating mandatory prosecution and punishment of those found guilty of whatsoever violation – are put into question by a competing paradigm – a new model - (restorative justice), which is centred on therapeutic as well as restorative dynamics, and consequently having the power to encourage reconciliation. This new model of justice – restorative justice, of which thin as well as thick versions are available (depending on circumstantial factors such as time and place), has four main aspects: it condemns but refrains from sanctioning; generates provisional claims aimed at establishing the truth; is nurtured by the precariousness typical of slipping democracies; focuses on victims. In other words, if the reconciliation (of values, opinions, and worldviews) is produced by way of rupture, made explicit in our case of TRC, what bonds individuals with different backgrounds together could be a sort of competence, expertise, towards conflict, the awareness that bonds originate in the discontinuity of a division that is shared. What transitional justice allows us to see, then, is the *right (measure of)* dissent – something that unites and divides at the same time, the ability to tame conflicts by pragmatic compromises.

Conclusion

On this new pragmatic and reasonable account, in the case of Sophocles's tragedy a compromise would require Antigone and Creon to reconcile competing principles—which they would do, if at all, not only by rationalizing how the other's principle accomplishes justice, but also by experiencing a measure of respect, even solidarity, for the overlapping communities of kinship and state they share. Perhaps Creon would be motivated by the love of his son,

who is betrothed to Antigone, and through his son, feelings for Antigone; perhaps Antigone would experience a countervailing set of familial commitments to support her uncle in his efforts to consolidate the state. And through these transcendent values and commitments they would endure, if not resolve, feelings of loss. This kind of compromise—perhaps a decision to bury Polyneices in a remote location outside the state—resembles what Henry Richardson calls “deep compromise.” This is an agreement that happens when rivals revise and modify their ends—a possibility, Richardson argues, that “by definition, exists only for groups of people in which mutual respect, concern, or shared identity is strong enough for them to try to work together.” It also resembles what Avishai Margalit calls a “sanguine compromise,” an agreement that “involves painful recognition of the other side, a giving up of dreams, making mutual concessions that express recognition of the other’s point of view and that is not based on coercion of one side by the other” (Margalit 2012, p. 67). In this sense pragmatic compromise could be part of our democratic citizenship, because it will be helpful to overcome incompatible differences between individuals, respecting them without suppressing them.

Our conclusion is that one’s character is not solely measured by their ideals, but also by how one is willing to compromise. There are, of course, values that should not be compromised. But for the sake of peace, often we must compromise our upper hand even when we are certain of the truth. The art of compromise is far from easy and all of us have much to learn. So much more work needs to happen on the global, national, and interpersonal front. Our task is not merely pragmatic (spreading peace and regulating political disagreements concerning the justifiability of institutions, laws, and norms, which may cause social conflicts when not applied correctly) but also epistemic (learning to humbly see some truth in opposing positions). It is the lesson of John Locke: politics is significant, but not ultimate. Politics does enormous good, but it is not the only sphere in which to do good and the good it achieves is never ultimate.

The moral pragmatic compromise could therefore represent a paradoxical political paradigm: it is what makes conflict possible – conflict made perpetual, stable, cultivated. Since, as we know from Machiavelli's political theory, common grounds can originate precisely only from division and conflict. In other words, if reconciliation (of values, opinions, and worldviews) is produced by way of rupture, the case of pragmatic compromise made explicit that what bonds individuals with different backgrounds together could be a sort of competence, expertise, towards conflict, the awareness that bonds originate in the discontinuity of a division that is shared.

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