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Political Tension

DISSERTATION

Submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in Philosophy

by

Jacob Daniel Heim

Dissertation Committee:
Professor Aaron James, Chair
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2020

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ABSTRACT

Political Tension

by

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Doctor of Philosophy in Philosophy

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Professor Aaron James, Chair

This dissertation presents an account of the important but under-theorized phenomenon of political tension, and argues that contrary to appearances, tension is in fact indispensable to a healthy political process. Though the felt aspect of political tension is often unpleasant, its responsiveness to structural properties makes it a valuable asset for the purpose of social progress. Understanding the value of tension, in turn, leads us to re-examine many common assumptions about the nature and value of social stability, the importance of democracy, and the meaning of mutual recognition.

Chapter 1 gives a characterization of the basic phenomenon, drawing on a variety of examples, most notably the American Civil Rights movement of the 1960s. A preliminary definition of political tension is proposed, and is contrasted with a variety of similar or related concepts. Chapter 2 explores the ways in which tension progresses through different stages, and further explores the claim (most famously made by Martin Luther King, Jr. in his “Letter from Birmingham Jail”) that tension can be deliberately exposed and channeled for the purpose of resolving otherwise intractable political disagreements. Chapter 3 presents a conceptual argument against the notion that political arrangements can be structured in such a way as to eliminate or prevent the existence of tension. Finally, Chapter 4 introduces the idea of *tension-resilience*, and argues that the best defense against destructive manifestations of tension is to

proactively engage with that tension in its early stages, using it as a guide for addressing hidden structural issues. A conception of *mutual recognition* is presented as a means of formalizing the collective values of tension-resilience. A society or organization characterized by this mutual recognition, it is argued, is one that sacrifices a degree of stability for the more important (but frequently underappreciated) value of *meta-stability*: that is, the ability to evolve in a well-informed, deliberate fashion.

INTRODUCTION

We often speak of tension in politics. Though it is little understood, the phenomenon we refer to as “political tension” has become impossible to ignore in recent years. It seems reasonable, perhaps even obvious, to say that tension is damaging to the political process, and ought to be eradicated wherever possible. I argue that this attitude is misguided, and that when managed properly, tension can play a unique and valuable role in regulating the terms of social cooperation.

This dissertation gives an account of the important but under-theorized phenomenon of political tension, and argues that contrary to appearances, tension is in fact indispensable to a healthy political process. The characterization I offer, in very simple terms, is that political tension exists where a person or group experiences a felt demand for resolution, in response to an ongoing disagreement about the structure of the political situation they inhabit. I develop a unified theory that defines both the felt, subjective component of the phenomenon, as well as its objective structural component. The causal relationship between structural and experiential is not a one-way connection: a political agent coming to feel the demand for resolution is itself a significant change to the anatomy of a bargaining situation, and even more so when that feeling becomes a shared experience between agents. Historically, this phenomenon has played a vital role in the movements that have shaped and re-shaped our society. By seeking to understand it more fully and systematically, I hope to establish a theoretical framework to guide our efforts at harnessing political tension in more productive ways.

I begin in Chapter 1 by introducing the phenomenon in question, drawing on the writings of Martin Luther King, Jr., firsthand accounts of the 1969 Stonewall Riots, and other examples. From these case studies I go on to develop a descriptive account of political tension, arguing that it is related to but distinct from other, more well-defined concepts such as instability, civil

unrest, and disequilibrium. One of the defining properties of tension, as opposed to its neighbor concepts, is that it involves a buildup of unseen pressure that can exist long before its presence is consciously felt. During this latency period, the tension appears causally inert. Yet when a certain threshold is reached, it becomes active, and the political force it then generates is well beyond what could be accounted for without pointing to the previous buildup as part of the causal story.

This idea of buildup and subsequent release is explored in detail in Chapter 2. In this chapter I define the various stages in which political tension can exist, and map out the causal forces that shape the trajectory by which the tension shifts between these stages. I also develop an account, inspired by King's "Letter from Birmingham Jail," of how hidden tensions within a political situation can be deliberately escalated and harnessed to resolve structural disagreements, via a process I call *renegotiation*.

Chapters 1 and 2 are primarily descriptive, presenting an account of what political tension is and how it is causally situated within our social arrangements. Chapters 3 and 4 build on that descriptive foundation, and together present a normative argument for how we ought to respond to the existence (or the potential existence) of political tension within a system. The primary goal of Chapter 3 is to show that, counter to what common sense might seem to indicate, we should not be seeking to design our political structures in such a way as to make them impervious to tension. First, I examine some problems with ordinary notions of stability, and show that an unreflective resistance to change for stability's sake is based on an erroneous understanding of what it means for a political arrangement to be stable. Second, I argue that given the types of agreements that define our political structures, and given our epistemic situation relative to those agreements, it is a mistake to think that we could formulate our agreements in such a way as to prevent them from giving rise to further tensions in the future. We are left, then, with the question of what to do about the tension when it inevitably comes into being.

Chapter 4 attempts to answer that question, introducing the idea of *tension-resilience* as a more effective and realistic measure of how well an arrangement can handle tension. The foundation of tension-resilience, I argue, lies in a collective willingness to acknowledge the existence of diverse sources of tension; to accept the experiential aspects of tension as a vital source of structural information; and to value and protect the expression of such tension-experience. If we want a society that is capable of both self-preservation and self-improvement, we ought to be less focused on norms of stability, and more focused on norms of what I call *meta-stability*. This property is measured not by how well or how long we can maintain any particular equilibrium, but by how smoothly we can transition between competing equilibria in a manner that trends towards increasing equity over time.

These tension-resilient practices are constitutive of a particular kind of democracy: one that is organized around a practice of mutual recognition, understood as a functional but revisable set of basic social powers and protections. This recognition, as a formal structural property, empowers citizens in a way that promotes sensitivity and responsiveness to a wide range of tensions. Thus, by increasing our understanding of the dynamics of political tension, we will be better equipped to make the most of the distinctive opportunities that democratic institutions offer us for incremental, collective self-improvement. In this regard, the theory of political tension strengthens and complements the work of democratic theorists in the social contract tradition, particularly Rawls and Rousseau.

Over and above any particular claims about what political tension is or how it should be dealt with, a central aim of this work is to establish that a better understanding of tension—whatever it is—should be regarded as indispensable to any society that aspires to justice and mutual recognition. Though the felt aspect of political tension is often unpleasant, its responsiveness to structural properties makes it a valuable asset for the purpose of social progress, regardless of one’s preconceptions about what that progress should entail. Political tension, by its nature, functions as both a “carrot” and a “stick.” Handled carefully, it can bring

about great strides in correcting structural imbalances, as it has in the past. But kept silenced and suppressed for too long, it eventually erupts as a destructive and unmanageable force.

CHAPTER 1

Political Tension: What It Is, and Why It Matters

It is not uncommon for us to hear or speak of political situations as being ‘tense.’ It is a label applied freely by news reporters and government agencies alike,¹ and one that can even come up in casual conversation (or at least as casual as a conversation can be when politics are involved). Although we might not share a clear, hard definition of the term, there does seem to be at least a general sense of when it can and cannot be appropriately applied. It would be perfectly in line with ordinary usage, for instance, speak of the political tensions that arise during the fraught negotiations between nations on the brink of violent conflict, or that linger among the populace after an especially vitriolic election. Political tension can be easily recognized in labor disputes, civil protests, senatorial filibusters, and so on.² At first glance this tension that we speak of seems to be merely something that we *feel*, a kind of qualitative unease that hangs over some of our less congenial public activities.

I want to argue that there is more to it than that. While political tension is indeed something that can often be felt, I propose that is not *merely* a feeling. Rather, these feelings track a particular structural property of political processes, situations, and organizations. This structural property is one that has received very little philosophical attention, yet it has the potential to explain a great deal about the things that we find important in the study of political systems and collective values.

The goal of this work as a whole is to sketch out the basics of a theory of political tension: what it is and what it is not, why it is a concept worth paying attention to, and what we can potentially learn about other, more familiar concepts by looking at them through the lens of

¹ Some concrete examples will be given below.

² I will ultimately be arguing that the same kind of political tension can also exist in a much broader range of situations and relationships, both large scale and small, from highly structured to highly informal. But it is probably best to start out with what is most easily recognizable.

political tension. The current chapter will be focused on the preliminary tasks of characterizing the phenomenon under investigation, identifying the essential structural features that underlie the phenomenon, and attempting to construct a general definition that captures both the psychological and structural components of political tension. That definition will then be used to mark out the distinction between political tension and a variety of related and possibly overlapping concepts, including superficially similar phenomena studied by game theory and bargaining theory. Subsequent chapters will explore some of the nuances and consequences of the proposed definition, and further distinguish it from existing concepts, focusing in particular on the dynamic relationship between tension and stability in political systems. There I will argue that tension, despite its bad reputation, is not inherently undesirable from the perspective of stability; but rather is capable of operating as a positive or negative force based on a variety of factors which will be more closely examined. I will be arguing that, as unpleasant as it may be at times, political tension plays a unique and vital role in regulating the terms of social cooperation. The final chapter will bring the theory of political tension to bear on the question of what, if anything, might explain the seemingly common intuition that there is something uniquely valuable or desirable about democracy as compared to other alternative systems, even in light of some of its more obvious shortcomings. I will argue that a theory of political tension can not only vindicate the unique justifiability of democratic systems (of a certain kind), but can help us more fully understand what it is about democracy that we find appealing, and help us identify where we might focus our efforts in the ongoing attempt to bring existing, imperfect democratic systems more fully in line with the ideal. Whether or not all of these arguments ultimately succeed or fail, my hope is that I will at least succeed in defending the claim that political tension is a concept—and not only a concept, but in fact a real political force—that is fully deserving of further, more systematic investigation.

1.1: Tension in real life

The first step is to locate the phenomenon in question, to get a sense of the thing we are trying to define. Fortunately for us (at least *qua* theorists), the idea of “tensions running high” is a familiar, even pervasive aspect of the current political climate, both in the United States and throughout much of the world. At the 2019 G20 summit, United Nations Secretary-General António Guterres spoke of the present as “a moment of high political tension.... We have global warming, but we have also global political warming, and this can be seen in relation to trade and technology conflicts, it can be seen in relation to situations in several parts of the world.”³ The word ‘tension’ has become a regular fixture of political news reporting in recent years, lending its visceral connotation to headlines such as “The fundamental tension of the Trump presidency;”⁴ “Why U.S.-Iran tensions could quickly escalate into a crisis;”⁵ and “Tensions with mainland China explode into violence on the streets of Hong Kong.”⁶

Clearly we are dealing with a phenomenon of great importance to the political realities of the early twenty-first century. Yet there have been surprisingly few scholarly attempts to define what we mean when we speak of ‘tension’ in this context. Where such definitions are attempted, they tend to focus on symptoms of the kind that usually only appear after the tension has been building for some time. For example, a UK Police Service report defined tension as “any incident that would tend to show that the normal relationship between individuals or groups has seriously deteriorated and is likely to escalate to wider groups other than those involved.”⁷

Definitions of this kind are not necessarily wrong; but they are not terribly helpful. If we want to really understand what tension is and how it operates, we cannot limit our investigation

³ UN News 2019

⁴ Bauer 2019

⁵ Nichols and Stewart 2019

⁶ Wickenden 2019

⁷ Dyfed Powys Police 2008

to cases where relationships have already reached some kind of “breaking point.” When we read, for example, of tensions exploding into violence in Hong Kong, there is a clear sense that *something* has been building up for some time prior to any overt confrontation. We might go further and say there is at least the suggestion of some failure to resolve matters before they escalated that far. Part of the task of the theorist here is to try and define just what that “something” is that precedes the violence in cases such as this. While there appears to be little work along these lines in the fields of philosophy and political theory, we can glean some insights from research in other fields, such as this passage by Ming-jer Chen, Kuo-Hsien Su and Wenpin Tsai in the *Academy of Management Journal*:

[T]ension, as it is conceptualized here, describes the state of latent strain that precipitates the “breaking point” when strain becomes manifest through competitive actions. Thus, tension defines the forces that build up and tend to pull a static interfirm relationship into dynamic behavioral interplay between rivals. It can be conceived of as a sort of energy storage agent: once there is enough build-up (perhaps as a consequence of prior battles or of managerial and industry psychology), competitive tension is likely to explode into rivalrous actions.⁸

This definition gives us much that we can work with; we will return shortly to the analysis of tension as an oppositional relationship between forces or agencies, as well as the idea that high levels of tension can pull these opposing forces out of a static or equilibrium state into a more dynamic interplay. But first we ought to inquire a bit more closely into the notion of “energy storage” or “build-up.” Clearly this is in the direction of what we said we were looking for. But the language used here is still a bit too vague to be useful for our purposes. There may be limits to

⁸ Chen, et. al 2007: 103

how precisely we can define the phenomenal character of tension as a first-personal experience, without sacrificing the ability to generalize our findings. But, to the extent possible, we ought to see what further content we can add to flesh out the idea of energy being stored up and approaching some kind of limit.

One way of doing that is to extrapolate from paradigm cases of political tension: situations that we can easily recognize not only as tense, but tense in a way that is distinctly political, even on an ordinary, pre-theoretical understanding. A prime example would be the Stonewall Riots of June 1969, which have since come to be recognized as the beginning of the modern LGBT rights movement in the United States.⁹ Here we can see the moment of transformational crisis from a hidden, long-fermenting discontent, into an open conflict that can no longer be ignored. Notice the interplay between emotive and structural language in this recollection by Michael Fader, a participant in the Stonewall Riots:

We all had a collective feeling like we'd had enough of this kind of shit. It wasn't anything tangible anybody said to anyone else, it was just kind of like everything over the years had come to a head on that one particular night in the one particular place, and it was not an organized demonstration... Everyone in the crowd felt that we were never going to go back. It was like the last straw. It was time to reclaim something that had always been taken from us.... All kinds of people, all different reasons, but mostly it was total outrage, anger, sorrow, everything combined, and everything just kind of ran its course. It was the police who were doing most of the destruction. We were really trying to get back in and break free. And we felt that we had freedom at last, or freedom to at least show that we demanded freedom. We weren't going to be walking meekly in the night and letting them shove us around—it's like standing your ground for the first time and in a really strong

⁹ D'Emilio 2004

way, and that's what caught the police by surprise. There was something in the air, freedom a long time overdue, and we're going to fight for it. It took different forms, but the bottom line was, we weren't going to go away. And we didn't.¹⁰

There is a great deal going on in this passage, which we will revisit later on. Fader evocatively captures both the wide range of emotions present among the protesters, and the common threads that unite these seemingly disparate experiences. From “outrage, anger, [and] sorrow”, to a sense of “freedom a long time overdue”, to the “collective feeling like we’ve had enough of this kind of shit,” what we see in Fader’s account is a snapshot of long-building pressure at the moment of overflowing. But we can also see traces of how things were prior to that moment, both structurally and experientially. The expectation of “walking meekly in the night and letting them shove us around,” the sense of “something [having] always been taken from us”—these are not merely arational emotions, but responses to real structural injustices.¹¹ What Fader has encapsulated here is the transition from a state in which one feels compelled to accept what one finds unacceptable, to a state in which one rejects the unacceptable condition in defiance of that same compulsion. It is a kind of transformation which brings with it an awareness that, whether or not one has been conscious of it previously, one has on some level been anticipating this moment for a long time.

We find another excellent (and highly instructive) example of political tension in the American Civil Rights movement. The period of widespread protest and corresponding backlash that took place in the South in the 1950s and 1960s, driven by the goal of ending legalized segregation, discrimination, and disenfranchisement against African-Americans and other

¹⁰ Carter 2004: 160

¹¹ One of the benefits of using examples from recent history is that we can easily confirm that these structural problems were in fact present at the time (see, for example, Carter 2004 and King 1963).

people of color, was indisputably tense.¹² In fact historical documents tell us that it was deliberately so. In Rev. Martin Luther King, Jr.'s famous "Letter from a Birmingham Jail" (1963), he tells of the strategic value he sees in purposefully cultivating an atmosphere of tension:

You are exactly right in your call for negotiation. Indeed, this is the purpose of direct action. Nonviolent direct action seeks to create such a crisis and establish such creative tension that a community that has consistently refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. I just referred to the creation of tension as a part of the work of the nonviolent resister. This may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly worked and preached against violent tension, but there is a type of constructive nonviolent tension that is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half-truths to the unfettered realm of creative analysis and objective appraisal, we must see the need of having nonviolent gadflies to create the kind of tension in society that will help men to rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. So, the purpose of direct action is to create a situation so crisis-packed that it will inevitably open the door to negotiation.¹³

¹² While the problems of racial injustice in our society are far from solved, I refer to the civil rights movement in the past tense (for now) as a means of focusing on a particular, more or less well-defined time period and set of events. The reason for thus temporarily restricting my focus is that it is presumably easier to get a fix on concepts by talking about something that has already happened, rather than what is still happening now. Once we have the beginnings of a working theory in hand, we will hopefully be better equipped to approach current instances of inequity and injustice with an eye to understanding the various forces involved.

¹³ King 1963: 79-80

Ultimately, one of the goals of this work will be to develop a theory that could provide some insight into Dr. King's claim that political tension—which even King himself admits we generally regard as something to be avoided—can be harnessed as a force for positive social change. Chapters 2 and 4 will examine that question in detail. But before we can get there, we need to develop a definition that can tell us just what this tension *is*.

Looking deeper into the present example may prove useful in that regard. Consider the situation in which King was writing: Birmingham in the 1960s was “probably the most thoroughly segregated city in the United States,”¹⁴ a stronghold of legal, political, and economic inequality in the heart of a deeply racist region and culture. When Black leaders sought to challenge the status quo, they were subjected to violence and arrest without any legal recourse.¹⁵ As the Black activists continued to organize more and larger protests, and the White segregationists grew increasingly violent in their retaliation, it became more and more apparent to anyone who was paying attention that this conflict was not simply going to go away. Feelings of frustration, fear, indignation, anxiety, impatience, and outrage were felt and expressed by parties on both sides, as well as those caught in the middle and even those observing from the outside.¹⁶ It was, as King had intended, a situation so “crisis-packed” that it could not be ignored. The need for some kind of resolution became increasingly apparent, even as it remained uncertain just what form that resolution would take, when or how it would arrive, or just how high the cost would ultimately be.

It is in that state of suspense, accompanied by the feelings of increasing pressure and of the need for an as-yet-undetermined resolution, that I think we find the core of the phenomenon we call political tension. In order to get a more complete sense of this phenomenal character, it

¹⁴ King 1963: 78

¹⁵ Hampton and Fayer 1990: 123-131

¹⁶ Hampton and Fayer 1990: 133; Jackson 2008: 10-14

may be helpful to briefly consider one more paradigmatic example—this one a bit more abstract—before moving on to the analytic task of carving out a more precise definition.

Think of a labor dispute at a manufacturing plant. The wages of the workers on the factory floor have remained stagnant, even as the company's profits and executive salaries have both seen significant increases over the past several years. On the relatively rare occasion that a worker risks mentioning this disparity to a superior, she is brushed off with reassurances that the labor force will see their share of the revenue just as soon as the shareholders approve a raise. At first this appeases them. But of course, the vaguely-promised raise never comes.

Over time frustration begins to build, as laborers arrive to work each day riding public transportation or broken-down cars to be greeted by the sight of the supervisor's gleaming new Ferrari. Every time an illness, accident, or emergency puts another one of their fellows into dire financial straits, the grumbling increases and their shared list of grievances expands. Eventually the feeling of general discontent reaches the point where the workers feel the need to express it more openly. They begin meeting together in groups, perhaps informally at first, and choose someone to represent them in approaching their employer to discuss the situation. Tired of making vague hints or polite requests and being brushed aside, the representative comes prepared to negotiate. But the supervisor remains dismissive, refusing to acknowledge this as anything more than yet another timid request that he is at liberty to ignore.

Up to this point the tension (at least as far as can be observed) has all been on one side. The workers now begin to realize that negotiations are not going to take place as long as they remain on such an apparently unequal footing with their employer. First they must alter the bargaining situation by bringing the weight of their numbers to bear on the problem. They need to make the supervisor feel pressure, even urgency, before they can expect him to budge. So the workers organize, form a union, and notify the higher-ups that they will go on strike if negotiations are not allowed to take place.

It is at this point that the tension in the situation, which has been slowly building all along at least on the workers' side, now comes fully out into the open. It has become clear that things can no longer simply continue as they are, now that the aggrieved parties are committed to pushing for change. In one way or another, a resolution of some kind is necessitated, whether it comes in the form of a better deal for the workers, mass layoffs or resignations, or simply a retreat from their demands if their leverage turns out to be insufficient. (In the latter case the resolution would be only partial and most likely temporary, as its root causes remain. Tension is still being felt, and still calling for something more final, or at least more stable.)

It is interesting to note that in both cases, there comes a point—the Birmingham activists engaging in public protest, and the factory workers' newly formed union presenting their demands and threatening a strike—at which the tension becomes undeniable, perhaps even unbearable. It can be felt by parties involved on all sides, it is there to be seen by observers in the very structure of the situation, and it clearly is not about to go away on its own. But it is not that moment of confrontation, or even any moment close to it, that gives birth to the tension: rather, it is a turning point, the apex of an upward trajectory, more than a real beginning. While certain parties may be caught off guard by it (generally those in privileged positions who have been insulated from appreciating the full extent of their privilege), there are almost certainly those among the aggrieved parties who have long since begun to feel the buildup of personal and communal pressures that have led to this moment and whatever may follow it. It certainly should be no surprise, in situations of this kind, to hear someone remark that “it’s been a long time coming.”

1.2: What we want to explain

With these examples in hand, we are in a better position to take stock of just what questions we want answered; that is, what we think a good theory of political tension ought to be able to account for:

To begin with, tension is something that we feel; yet it often seems upon reflection that by the time we consciously recognize we are feeling it, that tension (whatever it is) has been with us for some time already. Is tension just a feeling that can exist below the level of phenomenal consciousness, like an itch I'm too distracted to notice until I put down my book; or is there something more to it? Either way, our theory ought to capture this property of tension, that it is something that we (often, if not always) come to know by virtue of feeling it, but whose existence can precede our ability to feel it in any conscious manner.

Taking that line of thinking one step further, this phenomenon we are calling political tension can also be recognized by an outside observer, even one with no apparent stake in the situation. It might be that we can simply attribute this to our ability to empathize. Yet unlike many simple emotions, which we tend to infer from things like body language, tone of voice, or facial expression, there seems to be something about tension that we can see, as it were, in the brute facts of the situation itself, even knowing nothing about the individuals involved, their dispositions and temperaments, and so on. Imagine you read about a pair of neighboring tribes that both claim rightful ownership to a certain patch of fertile land along their shared border, and neither tribe is willing to relinquish its claim. By virtue of that bit of information alone you can infer the presence of political tension in their situation, in a way that you cannot with equal reliability infer the presence of such feelings as anger, hostility, or bitterness. For all we know the two tribes might be long-standing allies, and their negotiations may have so far been carried out with a distinctly amicable tone. Yet as long as they are both equally unwilling to yield, the issue demands a resolution as surely as if they were sworn enemies. So it seems that the

information needed to identify a *situation* as a tense one is less, or at least different, than what is required to ascertain anything about the particular feelings of those who have a stake in it. We want a theory that can explain this rather puzzling property of political tension, and it seems that this would incline us to look for a definition that is structural as well as experiential.

As far as what kind of structural property we are looking at, the examples we've considered make one thing quite apparent: that political tension is a *dynamic* property—one that shifts in response to a variety of stimuli, that can grow or recede over time, and that has a troubling tendency toward escalating the longer it goes unaddressed. On the phenomenal side of things, we might want to say that tension is not really a distinct feeling so much as it is a progression of feelings, just as we could describe an explosion as not a single arrangement of matter but rather a progression of arrangements. This dynamic view of political tension is consistent with the Nozickean insight that, in matters of political morality, the history of a given distribution is at least as important as the distribution itself.¹⁷ It would be a serious mark against any theory of political tension, given how closely intertwined the subject matter is with so many real and ongoing struggles for civil rights and protections, if said theory were to take a static, ahistorical view of the social conditions it purports to analyze.

Of course, we also want our theory to capture the fact that the phenomenon in question is endemic to political life (whatever that may be).¹⁸ We can feel all kinds of tension—inner turmoil when faced with a difficult choice, romantic or sexual tension when our affections may or may not be reciprocated, suspense while reading a mystery novel, and so on—that are not necessarily political in nature. These experiences may have a lot in common, qualitatively, with the feelings of tension that arise in the kind of political situations we've been discussing so far. So we want a theory that can tell us what, if anything, sets apart what we want to call *political* tension from tense situations and/or feelings of tension more generally. Here, again, we see a

¹⁷ Nozick 1974: 150-160

¹⁸ We will need a working definition of the political; that task will be taken up later on in this chapter.

need for a theory that defines political tension in terms of structural properties, not just phenomenal properties.

Another property we can see play an important role in our examples, and one that seems to consistently show itself in other paradigmatic cases as well, is the presence of an unbalanced power structure of some kind. (As per our last point, this may turn out to be one of the properties that distinguishes *political* tension in particular.) But it's not obvious exactly what kinds of power arrangements give rise to political tension, or for what reasons. Looking back at the cases previously discussed, there does seem to be something about their respective power distributions that has a quality—a kind of *feel*, for lack of a better term—as of being not only unjust, unequal, undesirable, etc.; but of being somehow *untenable*. We might even go so far as to say that it presents itself as more of a descriptive quality than a normative one. It seems that part of what marks a political situation as being especially tense is when the current power arrangements give the impression that they *cannot* remain as they are indefinitely, regardless of whether we or anyone else happens to think they *ought* to (and in general, drawing attention to that fact only seems to exacerbate it, at least in the short term). It is worth mentioning—and this point will bear further examination in subsequent chapters—that this same feeling of untenability can also arise in situations where the power structure is undetermined or in some way ambiguous, even between reasonably just and equitable alternatives. So perhaps it is the fact of unsustainability itself that most definitively marks a given political situation as tense, and extreme inequality is just the most obvious of several ways that the power distribution can fail to be sustainable.

Finally (and perhaps most importantly), returning to the earlier quotation from Dr. King, we want to gain some understanding of that peculiar feature of political tension that has proved so influential, not just in the Birmingham campaign and the Black Civil Rights movement more broadly, but in the Indian Independence movement, the fight against Apartheid, and countless other social movements large and small: that while we so often experience it as an undesirable,

even destructive force, political tension can in the right conditions be cultivated and harnessed in such a way that it becomes a powerful engine for positive social change. As one of the primary aims of this inquiry, we want to develop a theory that can help us better understand the apparently ambivalent nature of political tension, and shed light on the various factors that contribute to its developing in one direction or the other. A theory that can tell us how to more effectively manage political tension for constructive purposes would have tremendous practical value, in addition to whatever its theoretical contribution might amount to. While I do not purport to be offering a fully worked-out practical system of tension management, I do hope to at least lay a solid conceptual groundwork and take a few preliminary steps in that direction.

So, to recap, here are the essentials that a good theory of political tension should be able to account for:

- Political tension is often experienced as a feeling, but can exist where it is not consciously felt.
- We can observe and predict the presence of political tension even where we lack the necessary information to say anything substantial about the attitudes or emotions of those involved.
- It is a dynamic, structural property of political situations.
- The power arrangement in the situation feels problematic or uncertain in a way that presents itself as untenable, or unable to persist without disproportionate effort.
- It can operate as either a constructive or destructive force in society, depending at least in part on the actions of the respective parties involved.

1.3 Defining political tension

Now that we have a better sense of what we are looking for, let us begin the task of trying to articulate a definition of political tension that both captures the phenomena we are trying to point to, and explains the things about it that we want explained. I propose that we consider the following:

Political tension is a dynamic structural property of political situations, involving an ongoing opposition between distinct forces, interests, or motivations, and characterized by a felt lack of needed resolution.

There is a lot going on in our proposed definition; there are a lot of ways it could succeed or fail, either at adequately representing the intended phenomena, or at being illuminating in the ways that we want it to be. A great deal of weight seems to be riding on the last clause in particular, with the idea of a “felt lack of needed resolution.” In order to more fully explicate the kind of property I am hoping to capture, perhaps it will be helpful to look at the idea of tension more generally: both as a type of emotive experience, and as a physical property that we frequently use as a metaphor for these emotions.

While the psychological aspects of tension may superficially manifest in a variety of ways—frustration, outrage, anxiety, and so on—the various incarnations of this experience-type share an underlying commonality. It is less of a visceral emotion (which is perhaps why we are less prone to notice it), and more of a directional force, almost a kind of willing or demanding. For lack of more precise terminology, we might describe it as a *felt demand for resolution*. What seems to unify both the examples already given and those yet to be discussed—and appears to be pervasive in contentious political climates like the one we are living in—is a kind of underlying sense that the current situation, whatever it is, is in some way *unsustainable*. It is not

so much a feeling that the status quo *ought* to be changed (though that can be present as well, and often is). Rather, it is a kind of premonition that, whatever balance currently exists in the structure of the situation, it will not be able to persist indefinitely, and might already be on the verge of some kind of breaking point. It is the anticipation of impending structural change, coupled with a deep uncertainty¹⁹ about all of the most important details regarding such change: when it will happen, what will cause the change, how others (and perhaps even oneself) will react, and what new state of affairs will ultimately result.²⁰

Putting it a bit more precisely, to feel tension with regard to one's political circumstance is have an intuitive or affective experience which combines the following basic elements:

1. One feels that the current status quo cannot or will not remain as it is;
2. One is uncertain about what will happen when the status quo fails;
3. One feels a pressing need for this uncertainty to be replaced with knowledge.

We might further suggest that what it means for this kind of tension to increase in an individual is that one's need for answers is growing. This is often a result of a growing self-awareness that one finds the current situation unacceptable; but it has many other sources as well. What leads an individual to a kind of "breaking point", or to gamble on bringing that tension into the open, is that one's need to have this uncertainty resolved *at all* has come to dominate one's need to have it resolved *in one's favor*. (This can be either a good or bad thing, depending on how the tension is channeled: the recent resurgence of fascist movements, for example, seems in large part to be driven by just this sort of compulsion to resolve things at any cost.) We can succinctly

¹⁹ I use the term "uncertainty" here in its ordinary, non-technical usage. It would be consistent with my views here to say that, in the terminology of decision theory, tension could also exist when there is *risk* rather than *uncertainty* (i.e. the relevant probabilities are known, even though the actual outcome is not).

²⁰ This uncertainty about what comes after the breakdown of the current structure is central to one of Kant's arguments against the right to revolution (Ak. 6:372).

encapsulate all of this by saying that what one feels, when one is experiencing political tension, is a demand for resolution.

The slightly more controversial claim I want to make is that these feelings are, roughly speaking, a kind of perception of one's social environment. They represent certain elements of the world around us, and they do so in a way that has the potential to be accurate and even reliable.

As a general thesis, the idea that emotions can function as a type of perception is by no means a new one. Many current views in the philosophy of emotion hold some version of this position, though there are various nuances that differentiate them from one another.²¹ What I am arguing here falls under the broad umbrella of feelings-as-perceptions, but also differs from other accounts in a few important respects. For one thing, I am not giving an account of emotions in general, or of a familiar subcategory (the "moral emotions," for example). Rather, I am giving an account of a particular phenomenon—political tension—which, while it involves emotional content, is best described as something more complex than an archetypical emotion like anger or fear.

Perceptual theories of emotion frequently make some version of the claim that emotional experience provides reasons for evaluative beliefs in much the same way that perceptual experience provides reasons for empirical beliefs.²² What I want to suggest here, on the other hand, is that at least in the case of some feelings—particularly in the case of tension—the emotional experience is a response to, and thus can provide reasons for beliefs about, certain *empirical* features of the world around us. In general, these empirical features tend to be the sort that are closely connected with questions of value, even when they are not themselves strictly evaluative.

²¹ Michael S. Brady (2013) gives a good overview of the different variations on this theme.

²² See Brady 2013: 46-51.

This, too, is a position that other philosophers have flirted with, even when they have not defended it explicitly. Martha Nussbaum, for example, asserts that anger involves perception of, or beliefs about, harms done to something we care about. “Like all the major emotions,” she says, “anger has a cognitive/intentional content, including appraisals or evaluations of several distinct types. Often, it involves not simply value-laden appraisals, but also beliefs.”²³

Anger is just one of several emotions that can tell us how we are situated, morally speaking. These feelings help us map out the normative landscape and our position within that landscape, sometimes in ways that resist straightforward categorization as normative judgments. For example, we can feel shame when we violate norms of behavior held by our community, even when we do not endorse those norms ourselves. In some cases the feelings of shame can be the first conscious indication that our actions have cast us in a bad light; the experience of feeling ashamed might itself constitute a way of perceiving some communal expectation that we were not previously aware of.²⁴

Jesse Prinz develops the theme of emotional representation even further:

Emotions can refer to properties. After all, we use emotions to classify things. We can divide the world into disgusting things and nondisgusting things, scary things and nonscary things, irritating things and nonirritating things, and so on. The very fact that we use emotions to sort things suggests that emotions function as representations....

²³ Nussbaum 2015: 42

²⁴ It might be worth reinforcing a distinction here: the perception I just described corresponds to an empirical, sociological proposition (that one has done something which one’s group regards as wrong), as opposed to an evaluative proposition (that one has done something wrong).

Emotions are good classifiers. I could fill a bin with disgusting things and another bin with nondisgusting things. That suggests that disgust is in the business of representing. If I say that something is disgusting, I imply that it has the property that disgust represents.²⁵

So what is the property that is represented by tension, in general, and by political tension in particular? This is a little bit less straightforward than in the case of disgust or scariness, since tension is not a property of objects but of something more complex and relational. Pending additional investigation, we might posit (albeit rather vaguely) that it is a property of situations; this further suggests that there is something *formal* or *structural* about it. In other words, tension is something that comes into being when particular objects—in this case, persons or groups—instantiate a certain type of abstract arrangement between them. Following Prinz’s reasoning, we could say that feelings of tension *represent* that type of arrangement.

It may not immediately be obvious just what kind of arrangement is represented by tension, construed broadly, much less by political tension in particular. Due to the relatively complex nature of the phenomenon, uncovering its cognitive content is a more complex task than in the case of archetypical emotions. Nevertheless, I think there is a discrete meaning to be found here.

When we speak of tension in the context of something that we feel, we typically take ourselves to be speaking somewhat metaphorically. But this way of using the word predates any awareness of it as a metaphor. Some of the earliest recorded uses of “tension” in English appear in medical texts, describing what we now call “stress” as a result of one’s nerves or veins being physically over-stretched.²⁶

In its literal usage, ‘tension’ refers to a physical property pertaining to the relative arrangement of opposing forces. More specifically, physical tension is the potential energy

²⁵ Prinz 2007: 276

²⁶ “Tension.” *Oxford English Dictionary*.

generated when two or more distinct forces are arranged such that (1) the forces are opposed to one another; (2) neither force immediately negates or overwhelms the other; and (3) the forces do not immediately come apart from each other. Often this arrangement depends on some common medium linking the divergent forces. Think of a rope that is drawn tight by the pulling of two opposing players in a game of tug-of-war. The rope is the medium in which the tension occurs, as a result of the fact that you and I are simultaneously pulling on it in opposite directions. The continued existence of this tension is dependent on a combination of factors: that both of us continue pulling, and continue to pull in different directions from each other; that neither become sufficiently strong, or sufficiently weak, that one of us fails to keep their grip on the rope; and that the rope is durable and flexible enough to bear the force of our sustained pulls without breaking. So the tension is caused and sustained by the interplay between three separate forces: your pulling, my pulling, and the integrity of the rope.

Had any of these three forces been far enough out of balance from the others, the state of tension would never have come into being in the first place, or would have immediately resolved itself—either the rope would snap, or one of us would have it yanked out of their hands right away. When the forces are perfectly balanced, they achieve a state of equilibrium, and the tension will persist indefinitely until something causes one force to fall out of balance with the others. In almost all cases, however, what happens will be somewhere in between those extremes, and we get what we might call an extended disequilibrium: that is, a product of combined forces that is progressing towards some final resolution, but doing so in a temporally extended and incremental fashion. Eventually, either you, myself, or the rope is going to give out. How predictable the outcome is in advance, how long a time it takes to reach that point, and how steadily or erratically it proceeds in the meantime will all depend on how close the different forces are to balancing one another, as well as how consistently each is applied.

We can use this physical metaphor to understand how political tension operates (though the structural parallels are robust enough that I like to think the term ‘tension’ applies to the

political case in more than a purely metaphorical sense). The medium in question here, in which the tension occurs and through which the opposing forces are transmitted, is the structure of the political arrangement. (As will be further explained shortly, I use 'political arrangement' as a kind of general, catch-all term for the various normative structures, formal and informal, that bring our individual actions and interests into conversation with those of other agents. For now, it may be helpful to think of it as akin to 'the social contract,' or whatever its analogue may be in a given situation.)

Think, for example, of a primitive social contract that forms an array of individuals into a community. With the existence of such a contract comes a new kind of power that would not otherwise exist, over and above the respective powers of each individual member: the power to make *collective* decisions, to declare what we will or will not do, will or will not accept, etc. For any given community, there exists some sort of process or algorithm (which may or may not be known, can change over time, and may or may not even resemble what the members believe or claim it to be) by which the disparate actions and expressions of individuals are distilled into a single collective determination. When the various individual expressions and actions are all either silent or in agreement, the collective determination will likely follow suit without much difficulty. Referring back to our tug-of-war analogy, this would be the equivalent of a single team pulling the rope with no one resisting on the other side. So far there is no opposition, and thus no tension in the rope itself. But when interests begin to diverge in ways that cannot all be fully satisfied, the structure of collective determination becomes a medium under tension. Speaking metaphorically, an opposing team has picked up the rope and begun to pull.

Unless the forces are perfectly balanced (which rarely if ever happens, in the real world), the political structure comes into a state of extended disequilibrium, progressing—quickly or slowly, steadily or chaotically, depending on circumstance—towards a resolution: either (a) one or more of the opposing forces must cease to apply pressure; (b) the opposing forces must harmonize with one another so that they exert pressure in the same direction rather than

opposing directions; or (c) some or all of the individuals' relationship with, or acceptance of, this particular political arrangement must dissolve. It is this state of extended disequilibrium that often registers in our qualitative experience (though perhaps unconsciously, especially at the outset) as a felt demand for resolution. In general, I think it reasonable to suppose that the more unbalanced or erratic the state of extended disequilibrium is, the more intensely we will tend to feel it (or, perhaps, the more drastic efforts we will have to employ to remain unaware or unconvinced that we do feel it).

1.4: Defining the political

At this point we have been able to shed light on most of the key components of our proposed definition; what remains to be explored is the suggestion that political tension is “a dynamic structural property of political arrangements.” In the subsequent chapters, which examine in detail the relationship between tension and stability, we will discuss more fully the dynamic nature of political tension. Concerning the claim that it is a structural property of political arrangements, we have already seen a bit of how that operates, at least in a highly generalized picture. While the idea is relatively simple at that level of abstraction, and is thus a useful place to start, it fails to capture some of the nuance that makes political tension such an interesting and (I think) explanatorily fruitful concept. We will be able to move to more detailed and illuminating cases by filling in the remaining portion of our definition, which delineates the domain to which these abstract basics can be applied: the realm of ‘the political’. While of course it is familiar enough as a general concept, we have not yet defined the term precisely enough for our purposes. It is to that task that we now turn.

The term ‘political’ in the sense that I am using it can describe a range of things, including situations, events, processes, groups (formal and informal, large or small),

relationships, and institutions.²⁷ I will on occasion make use of the admittedly vague terms ‘political arrangement’ or ‘political situation’ as imperfect placeholders for any or all of the above, along with whatever other subcategories deserve to be listed alongside them.

As an initial pass at outlining the concept, I want to propose that an arrangement can rightly be called “political” only if it in some way involves (1) a decision-making process (2) involving more than one agent, (3) where each of the agents involved has some interest of theirs at stake in the outcome of the decision.²⁸

The explanation for (1) should be fairly self-evident: where there is nothing to be decided, there can be no politics.²⁹ The decisions being made need not be explicitly discussed or even acknowledged; two people taking a walk together can jointly decide what route to take, without ever discussing it or interrupting their unrelated conversation.³⁰ By observing the ways that they move, and respond to one another’s movements, we can understand them to be silently engaged in an ongoing, joint process of working out where they are going to go (and whether they are really going to go there *together* at all). This is a good, if simplified, model for understanding much of the implicit politics of everyday social interaction.

The reasoning for (2) is perhaps a bit less obvious, but we need to remember that passive involvement is still involvement. If one person says “we will do X” and the rest of the group quietly does X, that is still a joint decision with regard to what the group as a whole will

²⁷ Contrast this sense of the term, which we might call the direct sense, with another way of using it, which we might call the indirect sense. The latter is how we are using the term when we speak of making a political joke, for example, or when we say of someone that she is an important political figure. By this usage we mean that the subject we are referring to is associated in some significant manner with one or more of the things that can properly be called political in the direct sense.

²⁸ Claude Ake (1975) offers a definition of political activity that aligns closely with mine, though it differs in a few particulars.

²⁹ Of course, political maneuvering of various kinds can take place in a context where no decisions are *currently* being made, but this only makes sense given the expectation of future decisions where one’s advantageous position can be put to good use.

³⁰ See Gilbert 1990 for more detailed analysis of this kind of interaction. Much of what I have to say here is consistent with, and builds upon, the basic elements of Gilbert’s theory of what she calls *joint action*.

do.³¹ In order for a decision process to truly involve only a single agent, it would have to be a decision only about what that single agent would do, without requiring any cooperation or consent from others, and without acting in any kind of institutional or relational capacity that would imply such cooperation or consent; and in a case such as that, there does not seem to be room for anything that could rightly be deemed political.

The argument for (3) is something like this: If you and I are deciding something together, and you care about the outcome but I do not, there is a sense in which our mutual deliberation lacks the kind of transactional quality that is so characteristic of political activity. I can perhaps influence the decision, but I am not really a part of it. If you are carefully trying to work out whether option A or option B would best serve the ends that you care about, and I simply flip a coin and cast a vote for B, I have merely changed the landscape of the decision (as it concerns you) without ever really engaging with it. There is no room for an exchange of reasons between us (because, having no stake in the outcome, I have nothing for your reasons to engage with), and thus, it cannot rightly be said that we are deciding *together* in any sense that is thick enough to describe political activity.

A closer look at what we have so far will reveal the need for a few additional requirements that were missing from the initial pass. First among them is that there must be some form of communication between the agents involved. In the more explicitly political activities we are familiar with this will often take such forms as campaigning, voting, or negotiating. But it can take various subtle, unspoken forms as well. Returning to the example of two friends walking together, all that is really required is for it to be mutually recognized that the agents are watching and responding to one another's actions. But if each of one thinks that he is moving at random, and only unconsciously adapts to the other's movements, then they are

³¹ This point also serves as a reminder of how often politics is inescapable, even when we think we have succeeded in keeping our hands clean.

not really engaged in deciding anything together. Their actions may still be causally linked, but not in the kind of way that would make them co-deliberators.

To take things a slight step further, there must be common knowledge (or something like it) that multiple agents are involved, even if their exact number or identities are unknown or misrepresented. In the case of a dictator for instance, even if it is not openly recognized that the subjects in some way lend their endorsement by obeying, at least it is known that the dictator is dictating over a population. If a madman periodically shouts out orders without knowing that there is anyone real to hear and follow them, he is not engaged in politics even if he is feared and obeyed by many. This type of situation lacks the basic level of mutual recognition necessary for shared decision-making to even be a possibility.

I had said earlier that political decision-making requires that each of the agents involved have some stake in the outcome of the decision. We must interpret this requirement somewhat loosely, however. We can imagine situations where you might not care *directly* about any outcome of the decision itself, but still want me to not get my way because you wish me harm, for example. Or you might want me to get my way so that I will be more likely to take your side in some future decision that you are more directly invested in. These are just different ways of having an interest at stake in a decision, but they do point us to an additional requirement that was previously omitted: the decision must take place within the context of some kind of temporally extended relationship. Only then can things like reputation, reciprocation, and punishment and reward come into play. Suppose, for instance, that you are going to play through a series of one-off prisoner's dilemma scenarios, and you know that for each round you will be paired randomly and without repetition. Even given the opportunity to communicate and potentially bargain with your opponents, there is nothing they can do to change your optimal strategy, because there are no consequences if you choose to defect (even if you deceptively promise not to). However, if you know there is a possibility that you might get paired with the same partner again, or that your future partners might have access to information about your

past decisions, the situation changes. Your strategy must now account for how the other agents will respond to your actions, something that had previously been irrelevant. The iterated game contains one of the basic building blocks of joint decision-making that the stand-alone game lacks.

So to review: a political arrangement is one that (1) involves an iterated decision-making process (2) that is recognized as involving more than one agent, where (3) each of the agents involved has some interest of theirs at stake in the outcome of the decision, and (4) has the ability to communicate with the other agents about the decision being made. While I am not fully convinced that this definition is exhaustive, I think I have offered good reasons for regarding the conditions listed as necessary. In any case it will, I hope, be complete enough to sustain the present inquiry.

One important consequence of understanding the political in this way is that it is not restricted to the functions of government, or even to formalized institutions more broadly construed. Political activity infuses any number of arrangements, large and small, formal and informal, enduring and short-lived. The list of political arrangements includes such things as nations, families, corporations, card games, social clubs, sports teams, lunch lines, academic departments, dating couples, pirate crews, and a great deal more besides. I hope to be able to show that my account of political tension can be applied to any of these diverse situations, and help make better sense of the interactions that take place there. I will take it as a strength of the theory if it proves compatible with feminist critiques of traditional definitions of political activity, often expressed in the slogan “the personal is political.”³²

³² Hansich 1969/2013

1.5: A distinction: social vs. political tension

Taking all that we've said together, it might seem natural to claim at this point that political tension includes any kind of interpersonal tension occurring within the context of a political situation as we've defined it. However, we have good reason not to extend things quite that far. There is within the realm of politically-situated conflict an important but often-missed distinction between what we might call *first-* and *second-order disagreements*. Approaching it from the angle of our present inquiry, it amounts to a distinction between tension occurring against the background of a political arrangement, and tension existing in the structure of the political arrangement itself. Only of the latter kind can we properly say that the tension is essentially political in its nature.

To illustrate the distinction I have in mind, consider Helen and Leroy, a stereotypical married couple in 1950s suburban America. Every Friday when Leroy gets home from work, he and Helen get ready to go out for dinner, and Helen asks him where they are going to eat. Leroy knows that the Italian place is Helen's favorite, but every week he tells her they are going to the steakhouse, because that's what he prefers. Every week, Helen suppresses a sigh and goes to get herself ready. Finally, one Friday she decides she has had enough, and determines that when Leroy inevitably tells her they are going for steak, she is going to say something. However, Helen has not had much experience standing up for herself, and so she decides to put her challenge in the form of a question. There are two kinds of questions she could ask. As Option 1, Helen could ask, "How come you always pick steak, even though you know I'd rather have Italian?" Or for Option 2, she could go with, "How come you always get to pick where we go for dinner?"

These two challenges appear similar enough, but they are in fact operating on two entirely different levels. Option 1 is merely challenging the outcome of an established procedure, without calling into question the legitimacy of that procedure as it stands. Option 2,

on the other hand, directly challenges the decision procedure itself. Although they are both perfectly intelligible protests, and Helen has valid reasons to make each of them, she may find that Option 1 does not really get at the heart of what is wrong in the relationship between her and Leroy. Because she does not merely have an interest eating a particular desired food for dinner. She also has a further interest—we might call it a *second-order interest*—in having the power to choose what she has for dinner.

To draw the distinction more explicitly, first-order interests are those desires, impulses, intentions, etc. that drive the majority of our day-to-day decision making. These can include both final and instrumental ends in the Aristotelian taxonomy; the things in this category are marked primarily by the fact that their satisfaction is not contingent on the manner in which it is brought about. Helen's first-order interest in eating Italian food can be fully satisfied regardless of whether it is her choice or Leroy's that gets her there. From the perspective of the first-order interest, all that matters is that Helen gets to eat the food she wants. A second-order interest, by contrast, is an interest in having the power to obtain and protect one or more first-order interest.³³ Helen's second-order interest is in having the power to determine—or, minimally, to have a say in—what she eats. Even if she wants Italian food and gets Italian food, the second-order interest remains unsatisfied if it came about as a product of someone else's decision and was indifferent to her own.

Corresponding to the distinction between first- and second-level interests is a parallel distinction between first- and second-order decisions (similar, but not identical, to what H.L.A. Hart calls primary and secondary rules³⁴). First-order decisions are those things that both groups and individuals decide from day to day, moment to moment. They concern what we do

³³ Many, though perhaps not all, of what Rawls calls 'primary goods'—things that it is rational to want, whatever else you want—could be categorized as things in which we have a second-order interest.

³⁴ Hart 1961. Hart thinks that the existence of secondary rules over and above primary rules is one of the things that distinguishes the domain of law from other systems of social regulation. Much of what I am saying here suggests that something functionally equivalent exists in, and indeed defines, any of a much wider range of systems, though generally not so clearly and precisely as in the case of law.

with the power we have, as opposed to what kind or quantity of power we have, which is a distinctly second-order concern. These second-order decisions frequently occur within the context of groups, relationships, and other political arrangements, since much of our political activity (both voluntary and involuntary) is driven by the motive of securing our second-order interests.³⁵ In this context, they are things that the members of a political arrangement agree to—in most cases tacitly and even unconsciously, but sometimes explicitly and deliberately—which in various ways set the terms for their more ordinary, first-order agreements and disagreements. These second-order decisions tend to have a great deal of inertia, often continuing unchallenged for extended periods of time. Common subject-matter for second-order decisions includes, but is not limited to: (1) who is considered part of the group, association, etc.; (2) what kinds of things the group can decide on; (3) how those decisions are reached; and (4) what interests (or whose interests) are taken to matter.³⁶ In formally structured institutions, these second-order decisions may be codified in the form of a constitution, a corporate charter, etc. In more informal arrangements they may be known as traditions, customs, common decency, or simply “the way we do things.” When we speak of “the social contract,” we are referring to the basic set of standing second-order decisions that exist at the level of society as a whole, and that set the terms of our interactions as members of a shared “scheme of social cooperation.”³⁷

When Helen challenges Leroy by asking why he chose steak rather than Italian, she is protesting a first-order decision. Suppose she is struggling with whether or not to raise this objection, torn between her desire to go somewhere different for dinner and her desire to have a peaceful evening without the risk of an argument. She is in a state of tension—yet I don’t think it

³⁵ This need not be taken as a cynical claim; political activity enhances our power, not only over material goods and services, but also over such valuable intangibles as friendship, purpose, and a sense of belonging. (See Aristotle, *Politics* Book I, on how we come together in order to pursue the good life in ways we could not on our own, or in smaller groups.)

³⁶ See Hart 1961

³⁷ Rawls 1971/1999: 6

is quite right to call this *political* tension. The pressures that are opposing themselves are not distinctly political in nature; they are only imbalances in the byproducts of political activity, not imbalances in the nature of the political activity itself. The tension Helen feels now could be resolved without any change to the shape of the relationship between her and Leroy: all it would take is for Leroy to choose Italian food, and then Helen can both eat what she wants and avoid an argument. It wouldn't even matter, at least to these particular first-order interests, whether Leroy did it because he wanted to make Helen happy or simply because he himself felt like something different tonight.

Contrast that with the second-order tension Helen begins to become aware of when Leroy takes her out for Italian food and, after her initial feeling of gratification, she gradually starts to feel a nagging sense that something is still not quite right. The tension she is feeling now, though it might take her some time to recognize it, is an extended disequilibrium that is playing itself out directly in the power structure of her relationship with Leroy. *This* demand for resolution originates at the level of second-order interests and decisions, and is inescapably political in nature. The only way it can end is with a change to the second-order terms that define the day-to-day workings of their marriage, either by correcting the imbalance between Helen's and Leroy's respective second-order interests in having agency in the relationship,³⁸ or, if neither of them is willing to relent, by dissolving the relationship entirely. Until one of those outcomes is realized, the structural need for resolution will persist, and its phenomenal manifestation will likely continue to increase the longer it goes unaddressed.

I want to reserve the term 'political tension' for tension that occurs at the second order, like the conflict between Helen's and Leroy's interest in having a say in their joint activities; or like the dissonance between a Southern Black citizen's demand for equal civil protections, and a White segregationist's unwillingness to relinquish their position of legalized privilege. To

³⁸ Or more precisely, correcting the imbalance in the extent to which Leroy's second-order interest is recognized, as compared with Helen's.

describe the more common (and, for the most part, more easily solved) first-order tensions which are influenced by the outcomes of political decision procedures, but are not rooted in the structure of those procedures themselves, I will adopt the term ‘social tension.’ For simplicity’s sake, we might think of political tension as a special subset of social tension.

In light of the first/second order distinction, we can make the following revision to our original definition:

Political tension is a dynamic structural property of political situations, involving an ongoing opposition between second-order interests, and characterized by a felt lack of needed resolution.

In the coming chapters, we may end up needing to make some further amendments to this definition as we see how it plays out in greater detail. But this seems like a good foundation to work from, as far as the core concept is concerned.

1.6: Neighboring concepts

I began this chapter by claiming that political tension is an important but under-theorized concept—that it has not gotten the philosophical attention it deserves. I hope I have made a plausible case for this claim, one that will be further strengthened by the coming chapters. It would only be natural, however, to challenge my claim to be talking about something different by attempting to equate political tension as I’ve defined it with some other, more established term already in circulation. There are several neighboring (and in some cases, partially overlapping) concepts with which we might be tempted to conflate political tension. I want to close this chapter by briefly examining how political tension as I understand it is related to these other concepts, and how it is distinct from each of them.

Civil Unrest: In the relatively few cases that the notion of political tension appears in the academic literature, it has not been carefully defined, but has more or less been equated with general civil unrest³⁹ as determined by indicators such as average number of prisoners, number of soldiers called to deal with civil disturbances, number of arson fires, number of banned books and newspapers, and so on.⁴⁰ While it is true that civil unrest of this kind is often correlated with high levels of political tension, there are important ways in which the two diverge. Two in particular are worth noting. First, civil unrest seems to refer specifically to upheavals taking place between the body of citizens (or a significant subset thereof) and the civil government, at the national or societal level; while political tension by our definition covers a much wider range of possible situations. And second, political tension frequently applies to situations in which the problematic structural issues are still simmering beneath the surface, waiting to be recognized, while civil unrest suggests that matters have already escalated to a certain (rather severe) level of open conflict.

Disagreement: Although disagreements are common sources of tension, we must recall that there are a great many disagreements—including many that generate interpersonal tension—that are not really political in nature, as they are not concerned with the structure of second-order agreements. Political tension is thus a very particular type of disagreement, within a certain range of background conditions and with certain type of phenomenal character.

There is a more specialized usage of the term in game theory, where the *disagreement point* in the bargaining problem is each player's expected utility if no agreement is reached. Here, the relationship between political tension and this technical concept is a bit more nuanced. Chapter 2 will discuss the way in which the concept of a disagreement point is helpful

³⁹ See for instance He, Nielsson, and Wang (2017), and Grekov and Shatsillo (1990)

⁴⁰ Grekov and Shatsillo (1990)

in understanding a particularly crucial stage in the trajectory of political tension, which will be identified there as *renegotiation*.

Strains of Commitment: Of the political concepts currently in circulation, the notion of *strains of commitment* as used by John Rawls and some of his commentators is perhaps the closest to capturing the essence of political tension as I've described it here.⁴¹ Rawls introduces the idea of strains of commitment as a limiting factor on which principles of justice could be accepted by the parties in his hypothetical Original Position: without knowing where in society they will end up once the veil of ignorance is lifted, they must choose principles of justice that they are confident they could willingly endorse regardless of their position. Thus they cannot select a principle that runs the risk of saddling them with a greater burden than they would be able to accept.⁴²

There is certainly some affinity between the two ideas; we might go so far as to postulate that political tension will arise wherever the strains of commitment are unacceptably high. Perhaps the most important difference is one of usage: while Rawls introduces strains of commitment as boundary conditions on the principles of an ideal society, my interest is in political tension as a living force in imperfect, existing structures. The active question concerning strains of commitment is whether a given set of strains could be willingly endorsed by all; whereas the active questions for political tension are how to find and assess it wherever it exists, and what to do about it once we find it.⁴³

Inequality, or injustice: While I am not about to claim that equality and justice are the same, or that all inequality must necessarily amount to injustice, I am addressing them both together for

⁴¹ Rawls 1971/1999; Harsanyi 1977; Binmore 1989

⁴² Rawls 1971/1999: 153-160

⁴³ I'm not quite convinced that this is a fully satisfying answer in its current form, and I hope to have more to say about it later.

the simple pragmatic reason that the answer in both cases is essentially the same: both inequality and injustice are frequent, familiar causes of political tension. But tension can arise in any number of cases where there is neither inequality nor injustice. One type of circumstance in which we sometimes encounter high levels of political tension—though not necessarily in a bad way—is the process of forming a new political structure and negotiating (explicitly or not) that structure’s second order agreements for the first time. We could envision two newly met strangers, coming together on an equal footing with no discernable advantage in bargaining position between them, and with neither of them having committed or suffered any injustice with regard to the other. Yet their interests do not perfectly align with one another—at the very least, it would be unwise to start from the assumption that they do—and there will likely be a strongly felt lack of resolution as they navigate questions about what sorts of things will be subject to their collective decision-making, and how those decisions will be reached. In short, while inequality and injustice both frequently coincide with political tension, neither of them is a necessary condition for its existence.⁴⁴ (As for whether they are sufficient conditions, I think we can say at least that inequality is not: there are certain kinds of inequality that seem quite tenable and unproblematic, and many ways of being unequal are not even involved with political structures at all. Whether the same could be said for injustice is less clear to me.)

Disequilibrium: In the technical language of game theory, an equilibrium is simply a point of possible convergence at which cooperation can occur. There can be any number of potential equilibria in a single game, some of which might be more optimal than others. Of particular relevance to political theory is the Nash Equilibrium, which is any equilibrium in which no one player can improve their outcome by changing their strategy so long as the strategy of all other

⁴⁴ A relevant observation I made earlier, which I will return to in Chapter 3, is that political tension can arise in situations that are untenable, not because there is a determinate power structure that some find objectionable, but because the relative powers of the various parties are unclear or undefined.

players remains constant.⁴⁵ A situation that is in a Nash Equilibrium will remain on its current trajectory until it is disrupted by some outside force (at least as long as all players are behaving rationally). This conceptual tool is useful in any number of ways, but there are some things it does not fully capture, and one of those things is political tension. Political tension is part of a dynamic process that can move a group from one equilibrium to another. It is a concept that can be used, among other things, to explain what might cause a breakdown of cooperation among a group that has arrived at a Nash equilibrium. Cooperation might appear stable, even in an arrangement that puts disproportionate costs on certain members, if the equilibrium is one in which defection makes no one better off under their current payoff structure. But this kind of arrangement is a fertile breeding ground for political tension, which can slowly build over time—with no outward change in the state of affairs—until it reaches the point where, like the protestors at Stonewall, those who have been asked to accept disproportionate burdens come to see their situation as unacceptable. At that point their payoff structure shifts, not from some new intervening force, but through an internal transformation in which the felt need for resolution finally overcomes the felt need for whatever benefit prompted them to cooperate in the first place.⁴⁶ As discussed earlier, the demand for resolution comes to be felt as one's aversion to deep uncertainty begins to overwhelm one's other, more particular preferences. Once the increasing tension causes one or more players to rearrange their order of preferences, the equilibrium may no longer be stable, and in fact may have ceased to be an equilibrium at all. At that point the group's decision matrix will change, and move towards a new equilibrium that may be dramatically different, depending on how drastically the new players' payoffs have changed as a result of the rising tension. The effects of even a small number of players undergoing a

⁴⁵ Nash 1950 and 1951

⁴⁶ It should be mentioned that an external "trigger" of some kind can often act as a catalyst, making one aware of one's previously unconscious feelings of tension, or prompting individuals who do feel the tension to bring it out into the open. But the suggestion here is that the tension already existed and was already on the path to becoming a causally active force, even if it was accelerated by outside intervention.

tension-induced transformation can be quite far-reaching, as the Nash Equilibrium only guarantees that players cannot change strategies to their benefit so long as everyone else's strategy remains constant. Once even a few players change strategies due to a revised set of preferences, any number of other players may suddenly stand to gain by defecting, even if their own payoff structures remain constant.

There is more to be said about the ways in which the tools of game theory could contribute to the study of political tension, and vice versa. Some of that will be revisited in Chapter 4. But I hope for now to have at least given some reasons for thinking that the concept of political tension I am developing describes a different phenomenon, and has different goals and uses, than the game-theoretic concept of equilibrium.

Instability: As mentioned previously, the relationship between stability/instability and political tension is a complex and dynamic one, which the following chapters will be devoted to examining in detail; so I will only give a brief answer here. The core idea is that political tension can either contribute to stability or detract from it, depending on how it is responded to. Handled carefully, a deliberate escalation of tensions can ultimately have a correcting and stabilizing effect in the long term. Conversely, attempting to ignore or suppress signs of budding tension can create a temporary image of harmony, but have disastrous results over time, as the pressure continues to build out of sight until it finally erupts into open conflict. To say more about the interplay between them will require us to articulate more carefully what we mean by *stability*, and to confront some potential misconceptions about what it means for a political arrangement to be stable in a way that is worth pursuing. I argue that part of the reason that the nature of political stability has remained so elusive⁴⁷ is that we have been lacking a theory of

⁴⁷ See the opening section of Chapter 3, where I discuss the current state of the academic literature on political stability.

political tension, which I will show is necessary in order to identify and address some of the more vexing problems in defining stability. But that, as I have said, is a task for another chapter.

CHAPTER 2:
The Dynamics Of Political Tension:
Insights from King's "Letter from Birmingham Jail"

"I have almost reached the regrettable conclusion that the Negro's great stumbling block in the stride toward freedom is not the White Citizens Councillor or the Ku Klux Klanner but the white moderate who is more devoted to order than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice."⁴⁸

The aim of this chapter is twofold: first, to examine what it means for tension to be resolved, which will require us to look more closely into the dynamic nature of the phenomenon as a whole; and second, as we develop a more comprehensive account of the dynamics of political tension, to bring that increased understanding to bear on an important matter that was left partially unresolved in the previous chapter: the question of how tension interacts with stability within a political system.

2.1: King's "Letter" as Political Philosophy

With those two goals in mind, I think it is only fitting that we begin by returning to Dr. King's "Letter from Birmingham Jail," where he first introduces, and then expands on, the idea of political tension as a force that can be deliberately and productively wielded. While King's "Letter" has been widely and rightfully recognized as both a vital historical document and a rhetorical masterpiece, its valuable contributions to political philosophy have gone largely

⁴⁸ King 1963: 84

unnoticed.⁴⁹ I regard that as a mistake, and one that I aim to make at least a few initial steps towards correcting here. Without intending to deny the central importance of the real-world context in which the “Letter” was written as part of the Black Civil Rights movement, nor to appropriate it away from the practical goals of that context, I nevertheless want to draw out some of King’s claims in which I see a more universal applicability as a theoretically rich set of insights into the dynamics of political tension.

Using King’s comments as a guide, I want to try to sketch out a conceptual framework for the trajectory that political tension can take, some of the key stages and turning points that it can move through along the way, and some important environmental and agential factors that can play a role in determining the shape of that trajectory. I must clarify that I am not trying to claim that political tension must always unfold in the ways to be described below, or that the theoretical model being developed here is sufficient on its own to adequately predict the flow of real-world tensions and make effective recommendations for successful intervention. Once again, there are limits to what a project of this scope can achieve, and this is but the first step. The primary goal here, at least for the present, is to put names to some of the key phenomena and attach some conceptual content to those names.

While King’s “Letter” is filled with insightful comments which invite further examination, perhaps his most complete yet concise description of the basic phenomenon is the following:

“[T]he present tension in the South is a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepts his unjust plight, to a substantive and positive peace, in which all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent direct action are not the

⁴⁹ Notable exceptions are Krishnamurthy 2015, and Nussbaum 2015 and 2016. While exceptions like these are rare, the fact of their recentness gives me hope that this may be the beginning of a growing recognition of King’s distinctly political wisdom.

creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open, where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness to the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.”⁵⁰

In its most basic form, what he offers us is a kind of narrative model whereby **hidden tension** exists within a population, that tension is then **exposed** and transformed into **open tension**, at which point the underlying problems can begin to be **addressed** and ultimately **resolved**. Call this the *basic trajectory* of political tension.

Of course the basic trajectory is an optimistic narrative; it is what happens when things proceed about as well as we can realistically expect them to, given the starting assumption of hidden second-order disagreement. There are numerous ways in which things can diverge along the way, either by sliding back to how they began, falling into stagnation midway, or spiraling out of control into destructive conflict. These various deviations will get their turn at analysis before we are done. But first we need to get a handle on the basic trajectory, what we might call the “ideal case” of political tension—though we must acknowledge that even this “ideal” is already making substantial concessions to the messy realities of political life, and thus falls well within the bounds of non-ideal theory, properly speaking.

⁵⁰ King 1963: 85

2.2: Key Stages and Mechanisms of Political Tension

Already we have, in the passage from King quoted above, three of the most important stages in the basic trajectory, which we can label *hidden tension*, *open tension*, and *resolution* (all of which will be defined shortly). We also find reference to the primary mechanism that allows for transition between these stages: a process which I call *escalation*, whereby the actions of a minority directly challenge the status quo or otherwise bring into sharper focus the underlying second-order disagreements, thus making the tension simultaneously more intense and more visible. And there is the further process I call *renegotiation*, which is when unproductive first-order negotiations give way to critical second-order bargaining of the kind that makes true resolution possible. This transition is typically the result of an aggrieved party signaling their willingness to consider complete rejection of the basic political structure as a legitimate option, thereby significantly altering the balance of power in the bargaining situation.

With some further guidance by King, let us see what additional content we can give to these various stages and mechanisms.

2.2.1: Tension Formation and Hidden Tension

So far we have defined political tension as a dynamic structural property of political situations, involving an ongoing opposition between second-order interests, and characterized by a felt lack of needed resolution. From that definition of what political tension is, combined with the understanding we have been developing of the various concepts involved in it, we can derive an idea of what sort of conditions need to exist in order for this kind of tension to arise in the first place.

First of all, there needs to be some kind of political situation, as broadly defined in Chapter 1. It is important to our present concerns that we remember what was argued

previously: that the necessary criteria can be met by both formal and informal arrangements, ranging from small and intimate to national or even multi-national in scale. They can also be either long-term or relatively short-term in their duration, as long as they meet the minimum requirements necessary to have some kind of iterative, transactional quality to the relationships involved.

The other precondition that is significant in the present context is that there needs to be grounds for disagreement between parties—more specifically, disagreement about the second-order structure of the political arrangement itself. This would include questions such as whose interests are at stake and whose interests matter; what subjects are or are not within the proper scope of decisions to be made; what counts as a valid input to the decision procedure; how the various inputs are weighed and calculated into a determinate output; and what further conditions, if any, that output must meet in order to be considered legitimate. Disagreements over second-order concerns can come in either the descriptive or normative variety—that is, parties can disagree either about what the power structure of the political situation actually is, or about what it ought to be. So in order for political tension to arise within a given situation, that situation must be structured such that different parties involved could come to have meaningfully different beliefs about descriptive or normative features of the situation itself. Presumably, these differences of belief would also have to be of the sort that could have practical implications, relevant to the current situation, for the actions or expressions of those who hold them.

Even when different parties to a political situation do come to have differing second-order beliefs, that does not automatically lead to the creation of political tension. Suppose for instance that a democratically-run student club is preparing to vote on next year's budget. Eric, who is about to graduate, is under the impression that he is still entitled to vote on the issue as he is a current member; however, it is Lucy's understanding that students who will not be around next year can still participate in deliberations, but are not actually allowed to vote on

matters pertaining exclusively to next year's activities. Neither of them communicate about this in advance, each believing their own understanding of the rules to be common knowledge. Eric plans to vote, and it hasn't occurred to him that anyone would take issue with that; Lucy, on the other hand, does not expect any graduating students to attempt to participate in the voting, and would be inclined to protest if any were to try it. On the day of the voting, Eric, who has been planning to vote, comes down with the flu and so decides to stay home instead. Thus, the differing second-order beliefs of Lucy and Eric never actually come into conflict with each other, and the incipient tension is resolved before it ever really comes into being.

Now let's consider some permutations of this simple story, to get a better idea of some of the ways that tension can manifest in its early stages. What if, to take the most obvious variation, Eric had not gotten sick and had shown up to vote according to his original plan? Lucy, upon seeing Eric walk into the voting meeting, might ask Eric if he is planning to cast a vote, and when he answers in the affirmative, she might then challenge him on his purported right to do so. If things unfold in this way, then we have tension that immediately comes out into the open: as soon as the conflict between Lucy and Eric's second-order expectations becomes actualized, it is immediately there to see for anyone who is paying attention.

At that point it would be clear that there was a problem that needs to be dealt with one way or another; some considerations on how things might progress from there will be raised in the following sections. But for the moment, I want to slow things down a bit and look closer at the very beginnings of tension—or, perhaps more accurately, what tension *can* be like in the beginning, at least in cases where it progresses more incrementally. In contrast to the scenario where Lucy and Eric immediately come to a direct confrontation—which, pre-theoretically, seems to fit what King has in mind when he speaks of tension being “open”—I want to consider alternative ways this encounter could unfold to see if we can find a model for what King refers to as “hidden” tension.

Perhaps instead of approaching Eric right away, Lucy watches from a distance, waiting to see what he will do. After all, she might think to herself, there are other reasons he might have come to the voting meeting: to spend time with friends, or even to satisfy his curiosity about how matters will get decided. Surely, she thinks to herself, Eric would know better than to try and vote where he is not entitled to. But she keeps an eye on him all the same, just to be safe.

At this point we have just the faintest beginnings of tension creeping into the situation. So far it is not clear to anyone there, even Lucy, that there is any disagreement at all about how things are done, or about how they ought to be done. But the possibility of such disagreement has become salient at least to Lucy, and with that recognition of the potential for conflict might come any number of tension-adjacent feelings, among them confusion, anticipation, worry, suspicion, perhaps even indignation or resentment. Most likely, these feelings will manifest themselves only faintly, perhaps even so faint as to be unrecognizable. Lucy might not yet be aware that she is feeling anything at all; or, if so, she might shrug it off as merely being “on edge,” or even attribute those feelings of nascent tension to something completely unrelated, such as last night’s argument with her roommate, or an aversion to the color of Eric’s shirt. But something feels *off*, and whether Lucy recognizes it or not, it began to feel that way when she became aware that Eric *just might* think himself entitled to something that Lucy does not believe is rightfully his.

In this early stage, the tension is hidden even from the one who is feeling it, who we might think of as being closest to the crux of the brewing conflict. In a similar fashion, victims of abusive relationships, or of regimes or religious cultures that employ “brainwashing” or thought-control techniques, might experience cognitive dissonance brought on by discordant second-order beliefs or desires long before they themselves become consciously aware of any such

tension.⁵¹ Often it is some third party—a friend, a relative, a human rights worker—who is the first to become aware of the tension between the second-order interests of oppressor and oppressed. Situations like these suggest that the “hiddenness” of political tension might best be thought of as a matter of degree, depending on who is and is not conscious of the disagreement, to what extent they are aware of it, and where they are situated relative to the political arrangement in question. Developing this line of thought just a bit further, I think it would make sense to think of tension as being hidden in some important sense even if everyone involved is each privately aware of it, so long as it is kept out of their shared conversation (whether out of some taboo or tacit agreement, fear of reprisals, or whatever reason).

Returning to Lucy and Eric, we can say that as soon as Lucy sees more concrete signs that Eric does in fact intend to cast a vote, she will most likely become conscious of feelings that indicate tension (whether those feelings were already present in her in some form or not), and will further understand that Eric’s behavior is inconsistent with the structure of the current political situation as she understands it. At that point the tension is known to her, though it remains hidden from everyone else at the scene, at least for the moment. It does not become common knowledge until she says or does something to make it clear that there is a problem—which could happen immediately, though it might not for any number of reasons. And when she does react, there is no guarantee that she will do so in a way that is sufficiently communicative to convey to her fellows that she objects to some aspect of the way business is currently being conducted. But provided that she succeeds in registering her discontent to the relevant public—which in this case is the general membership of the student club—then at that point, I think, it is clear enough that we have what we can call a case of *open tension*.

Hidden tension can and often does develop in other, more gradual ways as well. For instance, I might go along with a given political arrangement and be content about it for some

⁵¹ See Leon Festinger (1962); Eddie Harmon-Jones (200); and David Berger (2008).

time, until at some point down the road I begin to care (or alternatively, come to realize that on an unconscious level I already cared) about something that is inconsistent with the current structure. In this case it is a change of normative second-order beliefs, rather than a change of descriptive beliefs or a change of the structure itself, that brings the tension into being.

Alternatively, perhaps my attitude changes when I begin to recognize a pattern and derive some conclusion from it: cutting me off in conversation once can be easily overlooked, but the more frequently you do it, the more I will come to see it as disrespect, and perhaps as evidence of a problematic imbalance in our relationship.⁵² Once I draw that conclusion I become aware of the tension, but it does not become *open* tension until I bring it to your attention.

It should also be noted that a common barrier to hidden tension being recognized, and thus progressing to the point where it can be brought into the open and addressed, is that second-order interests are often masked by their corresponding first-order interests. It is easy for the more immediate and visceral anger or disappointment of not getting what I want *at this moment* to swamp the more abstract frustration of not having the relational *power* to secure what I want when I want it. Recall Helen and Leroy, our stereotypically traditional couple from Chapter 1. The fundamental problem with their relationship, or at least the narrow slice of it we've looked at so far, is a structural one: Leroy has the power to choose where they eat, and Helen does not. But what Helen experiences most immediately, upon Leroy announcing that they are headed to the steakhouse again, is that she is not going to get Italian food like she wanted. It can be difficult, especially in the case of long-standing or widely-accepted customs, to see past the fact that the established decision procedure (in this case, that Leroy decides and that's all there is to it) has yet again delivered an undesired result, and to recognize the deeper problem that exists in the decision procedure itself, or more generally in the second-order

⁵² This would qualify as second-order, and thus *political*, tension on the ground that what is problematic about our relationship is your apparent entitlement to unilaterally decide when your words are more important than mine.

structure of the political arrangement. In some instances, time and repetition are enough for the underlying patterns to begin to manifest themselves, as was the case with Helen; other times, outside intervention might be needed; and in still further cases, the second-order tensions can remain hidden indefinitely unless some catastrophic failure brings them suddenly to light.

2.2.2: Open Tension and Escalation

The question we face now is what happens to political tension once it becomes open, or in other words, once it is at least somewhat widely recognized among the relevant population. In King's words, the hidden tension needs to be brought into the open before it can be addressed. But that certainly does not guarantee that it *will* be addressed, much less that it will be dealt with promptly, effectively, or fairly. So we want to get a sense of what are the relevant variables that shape how things move forward once political tension has progressed into the open stage.

To begin with, we might want to take stock of what can be said about a situation in virtue of the fact that it contains open political tension. That is, what changes about a political structure when the tension within it becomes common knowledge?

If there is open tension within a group, then that group knows there is a problem. But that is not the same thing as knowing what the problem is, or how it originated. When formerly hidden tension comes out into the open, a natural first question that group members or onlookers might ask is, 'Where is this tension coming from?' It is reasonable enough to think that searching out the source of the newly-surfaced tension would be essential to resolving the issue. However, there is a danger there as well. A common mistake is to misidentify the party that brought the tension into the open as the cause of the tension itself. (Of course it is possible that they could be one and the same, but they need not be; and realistically speaking, they are probably not in a majority of cases.) This mistake is frequently expressed in replies such as

“Why are you making a big deal out of this?”, or “Everything was fine until you decided to rock the boat,” or “If this were really a problem, someone would have said something before now.”

Lurking in the background of this kind of misattribution, I think, we can often find a tacit commitment to what King called “a negative peace which is the absence of tension.” It is a commitment that is easy enough to understand and empathize with; tension is certainly uncomfortable, especially when its root causes are as yet unknown. The sudden exposure of previously hidden tensions can provoke a visceral reaction in even the most open-minded among us, and all the more so when it seems that our most comfortable assumptions might potentially be threatened by it. There may be an instinctive backlash against the party that has raised the issue for discussion, motivated by an implicit assumption that tension is an inherently negative force—that the tension is itself the problem, rather than a mere symptom of a deeper structural issue. On that assumption, the natural solution is to make the tension go away, which predictably would tend to involve silencing the one who has spoken up. King urges us, as he urged his “moderate” detractors in Birmingham, to recognize that this instinct is not only naive and unproductive, but that more often than not it tends to favor the privileged at the expense of the already disenfranchised.⁵³

Mistaken though it may be to blame the presence of tension on the one who speaks up about it, there is still a kernel of truth to the criticism. King repeatedly emphasizes the following two claims in conjunction with one another: (1) the tension in an unjust system already exists prior to any act of protest bringing it into the open; and (2) the act of protest itself not only exposes the existing tension, but additionally increases the level of tension in the system beyond the level where it existed prior to being exposed.⁵⁴ King agrees with his critics that he

⁵³ King 1963: 90-93

⁵⁴ King 1963:79-80

and his fellow activists deserve the labels of “agitator” and even of “extreme;”⁵⁵ but he denies that these are inherently bad things.

This brings us to the question of what King means, and what we mean, when we speak of political tension as having ‘levels’, or of ‘increasing’ and ‘decreasing’. Phenomenologically speaking I think it is clear enough upon introspection that tension is something we experience as the kind of thing there can be more or less of. A standoff between an armed kidnapper and a SWAT team, for example, is clearly more tense than an online buyer and seller haggling over the price of a secondhand bookshelf. A friendly poker game played for nickels and dimes becomes more tense when the betting increases to ten- and twenty-dollar bills. On the other hand, that same card game would also become more tense, perhaps in a different way, when one player accuses another of cheating.

I must confess that, as of yet, I have no fully developed theory of how to measure the level of political tension within a given system. As far as I can tell it is a complex equation drawing on a number of factors, and while we seem to have a rough intuitive ability to track the tensions around us as they grow and diminish, the way we experience this tracking seems to be at least as much emotional as it is cognitive. The following factors, at least, appear to be significant inputs in determining the overall level or intensity of political tension within a given situation:

- How much the various parties stand to gain or lose based on the outcome of the disagreement
- How fundamental the point of current disagreement is, either to the respective value or belief systems of the individual parties involved, or to the shared political system of which they are a part

⁵⁵ King 1963: 86-89

- How large a role this particular political arrangement plays in the lives of the relevant parties
- How long the tension has had to build up in its hidden form before the aggrieved party has recognized it or resolved to act on it
- How long it has existed specifically as open tension without sincere or adequate efforts to address it
- The general temperament or agreeableness of the parties to the dispute
- How this particular strand of tension fits within a broader pattern of political advantage or disadvantage, privilege, or prejudice
- Whether shifts in the balance of power have been happening smoothly or erratically

How exactly all these (and whatever other) inputs get factored together into a holistic sense of how tense things are is a puzzle that, as of yet, remains unsolved. Nevertheless there does appear to be a sense of what it feels like for there to be tension in a political situation, as well as what it feels like for that tension to increase and decrease. And in practice we seem to be able to secure broad agreement on these questions, even between parties who disagree fiercely about who or what is actually to blame for the existence of the tension that they all agree is there.

In some cases, bringing tension out into the open is sufficient to initiate the necessary conversations that will lead to that tension being resolved. Often this is not the case, however, especially where deeply-entrenched inequalities are involved. King observed that “it is an historical fact that privileged groups seldom give up their privileges voluntarily;” consequently, “we have not made a single gain in civil rights without determined legal and nonviolent

pressure.”⁵⁶ When it comes in response to an already open tension that is not making sufficient progress towards resolution, this “determined pressure” of which King spoke takes the form of what I call *escalation*: a process by which the actions of a minority continually increase the tension in a situation, drawing ever more attention to the ongoing disagreement and its need for resolution and provoking increasing levels of discomfort among those who benefit from the current arrangement. Many of the familiar tools of the social activist—protests, marches, civil disobedience, and so on—are generally a part of this process of escalation.

The same instinctive aversion to tension we spoke of earlier, that makes people want to silence the complainer rather than hear and deal with the complaint, can be strategically invoked and used to put pressure on the comfortable majority. King noted that not only those actively opposed to change, but even many self-described “moderates” who are passively sympathetic to the disenfranchised minority, tend to place a high value on “a negative peace which is the absence of tension.”⁵⁷ Perhaps more accurately, what they want is an absence of *open* tension; if there are problems, they would rather not know about them. The more the activists escalate that tension and make it inescapable, the more the majority is forced to acknowledge the fragility of their “peace” and the power that even a small determined minority has to disrupt it, and the more powerful a bargaining chip that aversion becomes in the hands of those who seek to bring about a more equitable bargaining situation. It is a way of broadening and generalizing the stakes involved, so that not only those who are actively oppressed by the status quo, but also those who merely want to go about their lives without the constant uncertainty and discomfort of open tension all around them, come to have an interest in pursuing the kind of good-faith negotiations that could lead to a resolution of the tension.

Escalation, much like the other stages in the lifespan of political tension, comes in degrees. For pragmatic reasons (and possibly for moral reasons as well), acts of protest often

⁵⁶ King 1963: 80

⁵⁷ King 1963: 84

start small before gradually and steadily escalating from there, as long as the status quo continues to resist change. If things are escalated too drastically and too quickly, those engaging in protest risk undermining the perceived legitimacy of the very cause they wish to advocate for. At some point, however, it may nevertheless become necessary to engage in more extreme acts of escalation. Historically, successful efforts at high-level escalation have often involved generating what Michael L. Gross refers to as *backfire*:

The term “backfire” is used here to describe how protesters successfully employ nonviolent tactics to provoke a brutal and disproportionate response from their adversary to solidify domestic support, encourage defections among state military and law enforcement personnel, and swing international opinion to their side.... Backfire may strengthen solidarity among insurgents, sully a state’s image at home and abroad, undercut international support for an occupying or repressive nation, and ideally, force concessions.⁵⁸

The act of provoking backfire, like other forms of escalation, publicizes the tension in a situation in a way that simultaneously increases it. The Birmingham campaign led by King is a well-known historical instance of the backfire strategy being used to great effect. The widely publicized images of peaceful Black protesters being subjected to police violence, including the use of fire hoses and police dogs, made a national and even international spectacle out of what had previously been regarded by many as a local affair. After reading firsthand accounts and viewing photographs of the police brutality suffered by nonviolent high school students, prominent members of Congress and even President John F. Kennedy began to take an active interest in the civil rights struggle in Birmingham and across the Southern states.⁵⁹ These

⁵⁸ Gross 2018: 317

⁵⁹ Jackson 2008:10-14

events have since come to be widely regarded as a crucial turning point in the American Civil Rights movement.

Though it played a significant role in the success in Birmingham, as well as in Mahatma Gandhi's struggle for Indian independence and other historical movements, the escalation of political tension is not itself an inherently good or bad thing from the standpoint of either justice or stability. Like the tension itself, it can be put to constructive use, but can easily turn destructive when not handled with care. And there is no reason to assume that only disenfranchised minorities can escalate the tension in a system, or that they are the only ones who can benefit from such actions. One is reminded for example of President Donald Trump's repeated accusations of "fake news", which have increased both the visibility and the magnitude of political tension at an already deeply divided time in the United States. By repeatedly leveling charges of dishonesty and conspiracy against mainstream news media, Trump agitates and entrenches his followers, continually reinforcing their perception of being persecuted, and even in some cases inciting acts of violence against news reporters.⁶⁰

As tension escalates, it can also have a consolidating effect among parties who partially agree and partially disagree on the issues that constitute the source of the tension. So far I have avoided saying much about what we might call *complex tension*, where there is unresolved second-order disagreement between more than two distinct parties or positions. For the most part I regard questions pertaining to complex tension as something to be dealt with after the basic theory of political tension is more well-developed. But it seems worthwhile to at least note in passing that what begins as a case of complex tension can often become distilled into a more straightforward tug-of-war between two directly opposing positions as the tension escalates. For instance, while he was in jail near the start of the Birmingham campaign, King noted the

⁶⁰ Keneally 2019

precariousness of his position trying to advocate for the Black community as a whole, remarking that

I stand in the middle of two opposing forces in the Negro community. One is a force of complacency, made up in part of Negroes who, as a result of long years of oppression, are so completely drained of self-respect and a sense of "somebodiness" that they have adjusted to segregation; and in part of a few middle-class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and comes perilously close to advocating violence.⁶¹

However, once the images of police violence were publicized, "the black community was instantaneously consolidated behind King."⁶² On the other hand, one can easily imagine that in cases where escalation is handled badly or met with unexpectedly stiff resistance, the opposite might occur: a previously unified group could become fractured, either by moral or pragmatic questions about the appropriateness of the means taken in pursuit of the appointed ends, or over doubts about whether the ends themselves are worth the increasing cost.

Up to this point we have been speaking of the escalation of political tension as a deliberate undertaking. That is not always the case: often, most likely in a majority of instances, it is simply a natural, arational occurrence, the continual building-up of unmanaged emotional and social energies. Much of what has been said of intentional escalation will also tend to be true of natural or unintentional escalation, though of course there are important exceptions.

⁶¹ King 1963: 86-87

⁶² David Vann (who later went on to become mayor of Birmingham), quoted in Hampton and Fayer 1990: 133

In any case, to the extent that escalation is a deliberate undertaking, it seeks the ultimate goal to “create a situation so crisis-packed that it will inevitably open the door to negotiation.”⁶³ Sometimes these negotiations are entered into in good faith by parties on both sides of the disagreement. In that case, provided the talks do not break down due to stubbornness, lack of mutual recognition, or failures of communication, the disagreeing parties may eventually come to see eye to eye, or at least arrive at a reasonably stable compromise, or what Rawls refers to as *modus vivendi*.⁶⁴ At that point the tension would then progress into a stage of resolution (which is itself a process and not a mere event, as will be discussed in greater detail below). Unfortunately, however, such talks are sometimes unsuccessful, or even fail to begin in the first place. In most of the obvious examples that come to mind, this failure can be attributed to a substantial power differential between parties, combined with deeply entrenched beliefs that such a power differential is either justified, or does not actually exist (or count as inequality) at all. Presumably there can be other reasons as well. Either way, failure to successfully negotiate an agreement at this stage will only increase the already high level of tension. Sooner or later, if it is not resolved, we can anticipate that it will eventually metastasize into the highest level of tension, which I call *renegotiation*, where even the most basic assumptions about the political situation and its continued existence are called into question.

2.2.3: Renegotiation and the Possibility of Rejection

The period of renegotiation is what we might call the apex of the trajectory of political tension. It is the stage at which there is the greatest potential for meaningful, even radical change to the structure of a political situation. At the same time, it is also the point at which the situation is in the greatest danger of unraveling into anarchy or violent conflict. Both of these

⁶³ King 1963: 80

⁶⁴ Rawls 1993/2005:134-149

possibilities hinge on the fact that renegotiation is an irreducibly second-order bargaining situation, in which the possibility of rejecting the basic terms of association altogether is entered into the conversation as a real option for one or more parties to the dispute. To fully understand the importance of renegotiation and its role in the political process, we need to explore what it means to reject the basic terms of association in a political arrangement, and what changes in that arrangement when rejection of this kind is put on the table.

Every political situation has a certain structure to it. This structure is built up of shared assumptions, or implicit second-order agreements of a particularly fundamental class, about what the basic nature of the shared activity here is, and who is engaged in that activity. It is on the basis of these foundational assumptions that all other agreements pertaining to the political situation, even other second-order agreements, are able to be decided at all. The basic assumptions define what is up for negotiation, and set other subjects firmly out of bounds (although there may be an ambiguous range of border cases that may or may not be considered appropriate subject matter for joint decision-making in a given situation, and these would need to be decided on a case-by-case basis).

For example, when I sit down in a restaurant and the waiter approaches my table, it is understood that we are entering into a political arrangement with the shared goal of exchanging a satisfying meal and dining experience for a mutually acceptable price. There are some basic assumptions in place from the beginning that constrain our interaction. It is assumed, for instance, that I am interacting with the waiter in her capacity as a representative of the restaurant, and not as a private individual. So while it is expected that I order something off the menu, it would be “out of bounds,” so to speak, if I were to make an offer to buy the waiter’s watch or car, or pressure her to accept a religious pamphlet, or if I were to try and sell *her* some food that I had made at home and brought with me. Those are all attempts to negotiate something that should clearly not even be on the table as the kind of thing we are engaged in jointly deciding here. Other subjects might be more nebulous: there might not be any

established set of shared assumptions about the degree to which the kitchen is open to custom orders, or about whether I can open a tab and pay later. These and similar issues would have to be brought up first as a kind of preliminary inquiry, where we would have to reach an agreement on whether or not this is something about which we could pursue some further agreement. I would be skipping an important step if, when the waiter asks for my order, I immediately request a special dish not listed on the menu and then ask what it will cost and how long it will take to prepare. There is a prior conversation that needs to be had about whether the request is one that they are willing or able to honor at all.

A simplistic example like the one above, while useful for conveying the basic point, does not reflect the gravity that can in many political situations be attached to the basic structuring assumptions. To better illustrate that side of things, think of a legislative body in a modern republic. When the group convenes to debate and vote on legislative business, they may be engaged in first-order decision-making, such as considering a new tax bill; they might take up simple second-order issues, such as appointing a new presiding officer; or even more fundamental second-order concerns, such as whether to restructure the rules governing their own deliberative process. But there are limits to just how foundational their decisions can reach under normal conditions. It is *not* within the structure of their shared assumptions, when they come together to conduct their regular business, for them to take up the question of whether the republic they govern should continue to exist as a state at all, or whether they will pass a motion to dissolve it entirely.

That is not to say that such a fundamental question could never conceivably be raised in that context. But it does suggest that if such a thing were to happen, it would carry a very specific meaning. By bringing such a motion forward, the legislator who did so would in effect be suspending the ordinary assumptions about what is and is not out of bounds for decision-making within the context of this political arrangement. In particular, they would be raising the possibility of rejecting the basic terms of the situation altogether. A structural parallel would be a

married couple who are in the midst of arguing about what to eat for dinner, when one of them suddenly suggests that perhaps they should get divorced; or a hunting party trying to decide which set of tracks to follow, when the discussion suddenly turns to whether they should be hunting together at all, or whether they should go their own ways and each fend for themselves. These kinds of things do happen; but it is understood that when they do, the effect is that the discussion immediately shifts to another level entirely.

Sometimes the basic terms of agreement in a situation are brought up for debate; but they can also be rejected unilaterally without prior deliberation or even any explicit acknowledgement. This kind of fundamental rejection can take any number of forms, depending on the situation. If you and I were playing a game of chess, I could reject the basic terms of the arrangement by flipping the board, or by simply getting up and walking away without saying anything. Contrast either of those outcomes with the act of explicitly conceding the match, which is contained within the structure of established expectations for a chess match, even if it is a higher-order move than advancing a pawn or capturing a rook. To concede a match signals only that I am ending this particular game of chess, not that I am done playing chess. It would be natural for me to concede and then immediately ask for another match; the same could not be said of my asking to play again when I have just flipped the table. At the very minimum, some kind of apology would be needed to signal that I am re-submitting myself to the structure of basic assumptions surrounding the game of chess, and you would be under no obligation to take my apology as sufficient evidence that I can be counted on to uphold those expectations in the future.

In a large-scale arrangement such as civil society as a whole, rejection of the basic terms might mean seceding, emigrating to another country, or seeking to start a revolution. But it could also take any number of other forms, each of which more or less subtly signal an unwillingness to continue engaging in the same basic “game” of communal life as our fellow citizens. It might mean turning to theft, the sale of drugs, or other illegal activities to support

oneself; “dropping out”, becoming voluntarily homeless or unemployed, and free-riding on government welfare or private charity when one could reasonably support oneself; taking advantage of loopholes in business or tax law to avoid contributing one’s fair share to society; using one’s political position to enrich oneself through corruption or embezzlement; and so on.

What distinguishes these latter examples of rejection from flipping a chess table, divorcing one’s spouse, or overthrowing the government, is that they all in one way or another involve withdrawing oneself from cooperative participation in a political structure while otherwise leaving that structure intact. My act of leaving a company does not also entail the end of that company in the same way that my leaving a marriage entails the end of that marriage. This kind of single-party rejection seems to only be possible in political situations involving more than two agents and some minimum level of complexity. Even then, depending on circumstances, a single-party rejection can still have dire consequences for the arrangement they are rejecting. Enough individual workers quitting their jobs at a factory can bring that factory to a halt. The lead singer leaving a band just might cause the band to fade into obscurity. And if too many formerly-productive members of society become free riders, sooner or later the system will no longer be able to sustain itself.

Now, to return to the trajectory of political tension: the stage of *renegotiation* is distinguished from the stage of open tension, which precedes it, by the fact that renegotiation involves the suspension of some or all of the basic assumptions that define what is and is not up for debate within the context of the current political situation. Specifically, in paradigmatic cases of renegotiation, one of the parties to the disagreement raises the possibility of their rejecting the arrangement altogether, and enters that possibility into the ongoing dispute as a live option. The transition from open tension to renegotiation occurs when an aggrieved party signals their sincere willingness to walk away from the situation rather than accept one or more alternative resolutions currently on the table.

My reason for calling this stage by the term *renegotiation* (while admittedly wishing for a better one) is that, in contrast to the various first-order or simpler second-order negotiations that can be taking place throughout the various other stages of its progression, at this point the tension has escalated to a place where it supersedes any disagreement contained *within* the fundamental structure of the political arrangement, and instead becomes *about* that fundamental structure itself. In this it takes the form of an unmistakably and irreducibly second-order disagreement. The very nature of one's relationship to the group or organization is being renegotiated, whether that was what the disagreement was originally about or not. Perhaps that relationship is being taken up as an explicit subject of debate for the very first time, where before it was only a matter of assumptions.

Think back to Helen and Leroy and their dispute over dinner plans. It started out as a hidden political tension disguised as mere first-order disagreement: they wanted to eat different things, and Helen was dissatisfied with the outcome. (We might imagine that for a long time she had remained silent even about that.) The tension comes into the open when she challenges Leroy about the issue. Perhaps she begins with the first-order objection, asking why he always chooses steak even though he knows she would love to get Italian food once in a while. When he seems unmoved by her complaint, she escalates the issue with a further challenge, this one more directly aimed at the underlying second-order disagreement: why is it that Leroy should have the power to decide, all the time and for both of them, where they go for dinner? Let us suppose that at this point Leroy becomes more frustrated with Helen; perhaps he tries to belittle her and talk down to her, calls her ungrateful, or attempts to justify his disproportionate power as "the way things are" or even "the way things ought to be." By his response he has escalated the tension still further. Suppose that after a prolonged back-and-forth over this issue, each of them becoming increasingly agitated, it gradually begins to dawn on Helen that the real problem at the heart of their disagreement is something much bigger and more pervasive than where they go out to eat. Paying attention to the ways that Leroy is responding to her arguments, the

values and assumptions that seem to shape both his reasoning and the manner in which he expresses it, she becomes increasingly aware of the mounting evidence that there is a deep inequality running through the basic structure of their relationship. What's more, she increasingly comes to recognize within herself that this underlying inequality is not something that she can continue to accept. Finally, and much to Leroy's shock, Helen delivers an ultimatum: if Leroy cannot agree to a more equitable relationship, she is going to leave him. Leroy might make one final attempt at dismissing her concerns, protesting that it would be absurd to divorce someone over a disagreement about what to eat. Helen replies that she would not be divorcing him for that; the tension (and the ensuing argument) may have started there, but it has transcended that superficial issue and is now about something far more fundamental.

At this point, in addition to the structural shift in the focus of the disagreement, something drastic has changed in the power dynamic of their current bargaining situation.⁶⁵ It is what bargaining theorists call the introduction of an *outside option*.⁶⁶ By introducing the possibility of rejection (in this case, in the form of divorce), Helen is no longer limited to whatever compromise she can work out with Leroy within the limits of his willingness to budge. She has now accepted that she can walk away, and that this would be preferable to her relationship with Leroy continuing as it has been in the past. Of course, one might observe that she always had that option. But in the course of ordinary political negotiations, especially within a relationship such as a marriage which is presumably intended to last indefinitely, that possibility is so far outside the assumed boundaries of discussion as to be invisible to the participants for all practical purposes. It simply does not come up as a sincere contender unless something in the situation is already badly out of joint.

⁶⁵ Abhinav Muthoo defines a bargaining situation as "a situation in which two or more players have a common interest to co-operate, but have conflicting interests over exactly how to co-operate" (Muthoo 2000: 146).

⁶⁶ "[C]onsider a married couple who are bargaining over a variety of issues. Their outside options are their payoffs from divorce, while their inside options are their payoffs from remaining married but without much co-operation within their marriage" (Muthoo 2000: 149).

Binmore *et. al*⁶⁷ argue that having an outside option does not strengthen one's bargaining position unless it is an option that one would consider taking. In this case, Helen's subjective situation changes when she comes to realize how little she has been getting (objectively) under the current arrangement, and the previously-disregarded outside option of divorce begins to look much more attractive, by comparison, than it previously did. Even though divorce was always logically within the bounds of Helen's possibilities, it is not until the tension in the situation escalates far beyond normal levels, exposing deeper structural disagreements of which the original dispute was merely a symptom, that it becomes salient to her as a member of the set of viable outcomes which she could realistically pursue.

When she signals this change to Leroy in the form of her ultimatum, Helen causes the relative bargaining power between them to shift in her favor.⁶⁸ Assuming that Leroy still has some interest in remaining married to Helen, the presence of her outside option of walking away places additional pressure on him to make the kinds of concessions that will incentivize her to stay. And if Helen is paying attention, at least some of those concessions must take the form of substantial second-order changes in the basic structure of their relationship, in order for her to consider accepting Leroy's proposal and remaining in their (newly restructured, and presumably more equal) marriage.

On the other hand, perhaps Leroy does not value Helen's continued presence as much as Helen values equality; or he thinks that a continued marriage under the conditions she would now accept would be different enough in substance that it would no longer retain the characteristics that made him value it in the first place. In that case, the discussion would reach an equilibrium where neither party would be willing to budge any further on their position, with a gap remaining unbridged between the minimum change Helen will accept and the maximum

⁶⁷ "An Outside Option Experiment," 1989

⁶⁸ "[H]ow can a bargainer use his outside option to gain leverage? By threatening to play the deal-me-out card. When is such a threat credible? Only when dealing himself out gives the bargainer a bigger payoff than dealing himself in" (Binmore *et al*, 1989: 756).

change that Leroy will offer. At that point Helen (assuming her ultimatum was sincere and she does not suffer a sudden lack of nerve) will follow through and walk away from her relationship with Leroy. The equilibrium they arrive at here, where neither is willing to make enough concessions to satisfy the other, is what in bargaining theory is referred to as a *disagreement point*.⁶⁹

Once she leaves him (or, taking complications of modern life into account, once the divorce is finalized), the political situation itself is dissolved, and by necessity the tension goes with it. Of course, there may still be an abundance of what I've labeled *social* tension. They may still have sharply divergent views about what each other ought to do or think or feel, or about who was to blame for the collapse of their marriage. But there is no more *political* tension, because there is no more second-order disagreement between them. There couldn't be, because there is no longer any political arrangement between them, no second-order structure for political tension to be *about*. Thus, the political tension has reached a resolution. To hearken back to the metaphor of physical tension from Chapter 1, it is as if Helen and Leroy were playing a game of tug-of-war, and one of them suddenly let go of the rope. The medium that was between them, in which the tension existed, is no longer bringing their divergent interests into contact with each other.

Of course, resolution via rejection is not the only way that political tension can get resolved. But it is not necessarily a bad way in all cases, any more than it is necessarily always a good way. Much like the tension itself, the details of the situation, and the agents involved, make all the difference. But to complete our map of what we called the basic trajectory of political tension, we ought to look at how tension can be resolved from a place of renegotiation without the basic structure of the arrangement being dissolved. Ideally, we want to see how a

⁶⁹ Nash 1950; see also Binmore *et al* 1989 and 1991.

tense political situation can come back from the brink of an ultimatum like Helen's, not only still intact, but even stronger and more stable than it was before.

Before we do, however, it is worth noting that there are likely a range of other, more complex argumentative moves that can be made within the space of renegotiation, and it is possible that not all of them derive their strength solely from the threat of rejection. There may be various ways of harnessing the pressure generated by that basic ultimatum, and the amplified bargaining power that comes with it, to lend greater moral or rhetorical weight to arguments for restructuring that appeal to rational norms of universal conduct, for example, or that put pressure on the conscience of the advantaged party. Perhaps the abnormal bargaining situation can be leveraged to make an especially forceful appeal to a kind of enlightened self interest, showing recalcitrant opponents that the very same norms on which their position depends need to be extended and enforced more broadly if they are going to continue to retain any validity in the present political context. And negotiations can be further complicated by the possibility that, under conditions of prolonged disagreement, there may be an eventual breakdown of the bargaining situation regardless of whether a compromise could eventually have been reached. Binmore *et al*⁷⁰ have shown that the possibility of a 'time limit' to negotiation is itself another bargaining chip that can tip the balance of power in one way or the other.

King seems to employ a mixed strategy in this regard: first, offering the ultimatum of rejection, which he frames as a natural consequence of tensions left too long unresolved;⁷¹ but then following that ultimatum by saying, "I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I

⁷⁰ 1991

⁷¹ "[I]f they [the white moderates] refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black-nationalist ideologies—a development that would inevitably lead to a frightening racial nightmare" (1963: 87). "Oppressed people cannot remain oppressed forever.... If his repressed emotions are not released in nonviolent ways, they will seek expression through violence; this is not a threat but a fact of history" (King 1963: 87-88).

have longed to hear white ministers declare: ‘Follow this decree because integration is morally right and because the Negro is your brother.’”⁷² It is not entirely clear to me to whether King intended these as two parallel but independent lines of argument, one pragmatic and the other moral, or whether he saw some kind of deeper logical relation between them (and if so, what exactly it was). In any case, I merely raise this set of questions to mark it as fertile ground for additional study. These issues are as complex as they are interesting, and I cannot hope to do them justice here.

2.2.4: Resolution

How can political tension that has reached the level of renegotiation be resolved without causing the political structure to fall apart? It requires the opposing parties to seek a new equilibrium, informed by the newly augmented leverages and the shift in the locus of debate that come from escalating into the renegotiation phase. In broad conceptual terms, the first step would be to find a mutually agreeable balance of power within the renegotiating situation, where the normal restrictions on acceptable bargaining chips and viable outcomes are suspended.⁷³ The next step, and presumably the more difficult one, would be to weave those newly rebalanced power relationships back into the fundamental second-order power structure of political arrangement in question, such that when the renegotiation stage is left behind and ordinary presumptions of baseline acceptance are reinstated, the resultant structure will be one in which the unacceptable strains of commitment that were unearthed during the escalation process will have been recalibrated to a more proportionate distribution of benefits and burdens.

⁷² King 1963: 90

⁷³ See Esteban and Sakovics 2007 on some of the key variables that determine the relative bargaining powers in this kind of situation.

Sketched out in the abstract, this process of corrective de-escalation has a vaguely Rawlsian flavor to it, albeit in a rougher and perhaps more pragmatic incarnation. Ultimately there is a great deal of room here for the empirical social sciences to weigh in on how to best implement this process in the real world. There are practical questions as to which concrete strategies are more likely to result in long-term stability in the aftermath of renegotiation, and for what reasons. Of course there is also ample space for normative theorizing about what counts as stability (or the right kind of stability) in this context, and what types of reasons besides the purely pragmatic ones might count for or against accepting the resultant equilibria.⁷⁴ Ideally, parties would leave the renegotiation phase with a mutual commitment to an ongoing collaborative effort of fine-tuning, rather than treating the newly-adjusted arrangement as a one-off decision to be uncritically adhered to once established.⁷⁵

Despite what the name might at first suggest, resolution is itself a temporally extended stage in the process, not merely an event or a static end-state where the former disagreements have already been fully worked out to everyone's satisfaction. It involves an incremental de-escalation, with both sides trying out the new terms to see how they hold up in practice, watching for signs of resurgent tension that might indicate shortcomings in the new arrangement, and seeking to re-establish trust in the wake of fading hostilities. This process can at times be a bumpy one, especially in the early period of re-adjustment where formerly advantaged parties may have to come to terms with lost or diminished privileges. Regrettably, it is sometimes easier to endorse a redistribution of one's own power, in a moment of moral or pragmatic clarity, than it is to live out the result of that endorsement in actual practice. Further complicating matters, there may be still-hidden sources of tension that have so far been missed or misdiagnosed. And even if by some minor miracle there are not, the immediate aftermath of renegotiation can leave participants on both sides with a temporarily heightened sensitivity—a

⁷⁴ Some of these questions will be taken up in the next two chapters.

⁷⁵ Much of Chapter 4 will be devoted to working out this idea of ongoing adjustment.

kind of tension hangover, as it were—that can make them especially reactive to perceived slights, or any other evidence of lingering injustice.

With time, and mutual patience, this volatile but understandable reactivity will hopefully begin to recede. But if either side fails to make good on the new agreement, or comes to realize that the new terms are still unacceptable or were offered in bad faith, it will not take long to re-escalate back into open tension. It may be over the same issue, or an evolved version of it. But perhaps just as likely, the newly resurgent tension may be in response to disagreements that were previously overshadowed by the original issue, and are only now coming to light in the wake of the former tension's resolution. So while it has been instructive thus far to view tension as a linear process, it would perhaps be more realistic to see it in true Hegelian fashion as a cyclical, ongoing evolution.

2.3: Deviations

Now that we've mapped out the basic trajectory, which political tension tends to follow to the extent that things progress in a linear fashion, we can more easily conceptualize some of the ways in which events might diverge from that path. First, it must be noted that it is possible, though perhaps not as common as we might wish, that the flow of tension be short-circuited at any point along the way by a mutually satisfying agreement between the disputing parties. Not just any agreement will suffice, however: it must be a properly second-order agreement, one that addresses structural aspects of the political situation instead of (or at least in addition to) whatever particular surface-level interests gave rise to the initial disagreement. But in the auspicious event that such an accord is successfully reached, the parties would then find themselves transitioning directly into the phase of resolution.

However, we might do well to be wary of such scenarios. While I do not doubt that they do occur, it can be difficult to distinguish between a genuine resolution, especially when the

tension has not yet been thoroughly explored down to its roots, and a *false resolution*. By false resolution I mean an agreement that has the superficial appearance of resolution, and is taken as such by at least one party, when in fact it merely conceals the tension rather than resolving it. The archetypical false resolution would be a first-order agreement that appeases the complaining party by satisfying their unmet first-order interest without doing anything to discover or address the deeper structural issues. For example, when Helen first complains to Leroy that they never go where she wants for dinner, Leroy offers an apology and promises to take her out for Italian food next week; thereafter, he says, they will alternate between going to the Italian restaurant for Helen, and going where Leroy wants to go.

At first this seems satisfactory to Helen. Her concern was heard and responded to, and she received a concession from Leroy that entails getting what she wants a great deal more frequently than she has (at least on the surface). But what she does not yet see, and what ultimately causes this putative resolution to fall short, is that the power of deciding still rests wholly with Leroy. He merely pledged to use that power in a way more in line with Helen's interests. Perhaps she does not fully see things for what they are until several weeks later, when the new arrangement begins to lapse and their Italian nights become less and less reliable; frequently when it is Helen's turn (but never when it is Leroy's), Leroy will come home from work saying he is too tired to go out and would rather eat dinner at home, which Helen is then tacitly expected to prepare. Helen wants to hold Leroy accountable in some way, but when she contemplates her course of action, she realizes that the current arrangement between them does not afford her any mutually recognized powers in this regard except to complain and hope that Leroy will be moved by her complaint. The power imbalance in their relationship, she realizes, is exactly the same as it always was.

Or suppose instead that Leroy keeps his word, and they continue to alternate as planned. Then, on one of Leroy's weeks, he says that instead of steak he feels like tacos tonight, and unilaterally decides to take them both to the local Mexican restaurant. Helen is fine

with this, and in fact is so intrigued with the idea of introducing more variety that on the following Friday, when they would ordinarily (under the new arrangement) go out for Italian food, she says that instead she wants to go get sushi tonight. Leroy seems perplexed by this, and chides her that the agreement was that every other Friday was supposed to be Italian night. When Helen argues that he had no problem shaking things up last week for something *he* wanted, Leroy dismissively replies that Helen seemed to be fine with getting Mexican food, but that he has no interest in trying sushi, and there is nothing she can do to persuade him otherwise. Once again, the core problem is the same: Helen still has not acquired the relational power she needs to have real agency in securing her first-order interests. Though the new agreement purports to offer her a fair share of what she wants, it does so in a way that is perpetually dependent on Leroy continuing to keep his word, and it is subject to being reinterpreted without notice in whatever way Leroy finds convenient. The original political tension never really went away at all: it merely regressed back into hidden tension, in this case hidden for a time even from Helen herself. If she wants to secure a true resolution that will grant her the second-order powers necessary for actual equality, Helen is going to have to re-escalate the issue, and this time refuse to accept any compromise that deals only in superficial remedies.

Historically, a similar false resolution occurred early on in the Birmingham struggle. Prior to beginning their campaign of protest marches and civil disobedience, King and other Black leaders met with political and economic leaders in the city, seeking to negotiate. During these negotiations, they secured a promise that the “humiliating racial signs” in downtown stores would be removed, and the stores desegregated. But, King says,

As the weeks and months unfolded, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us. We had no alternative except to prepare for direct action, whereby we

would present our very bodies as a means of laying our case before the conscience of the local and the national community.⁷⁶

Just as in our fictional example, the initial compromise was purely a first-order concession. The merchants volunteered to remove the signs, but did not cede any control in the process, so it remained within their power to delay indefinitely or even reverse their compliance, without any consequences from within the system as it then existed. It was only through a sustained and deliberate process of escalation that the activists were able to eventually force the kinds of structural changes that were needed to begin remedying the dire imbalance of second-order powers in Birmingham.

False resolutions aside, it remains a possibility that a genuine early resolution can short-circuit the trajectory of political tension outlined earlier. There is another way that the prime trajectory can be short-circuited in the opposite direction: when one or more parties opt to skip over the process of escalation and renegotiation, and instead immediately reject the political arrangement altogether. There are numerous ways this can happen, depending on the context, and there may frequently be a correlation between the reasons for early rejection and the ways in which that rejection is manifest. Imagine someone in a dating relationship who is strongly averse to confrontation of any kind, and is careful to suppress any negative reaction when his significant other acts in a way he finds irritating or offensive. Over time he quietly grows more and more frustrated, the pressure building in secret as he keeps the tension hidden and never seeks to address it, except perhaps through occasional passive-aggressive comments that go largely unnoticed. Finally he is fed up: the tension has become too great to bear it any longer, and he either breaks up without explanation, perhaps via email or text message, or simply vanishes from his now-former lover's life entirely (colloquially known as "ghosting").

⁷⁶ King 1963: 78

In this case there was no escalation, no open tension or renegotiation, simply a jump from a high-level but mostly hidden tension straight to full rejection. Examples of this basic structure can easily be multiplied, taking a variety of shapes. An employee's request for a pay raise is denied, and rather than going on strike or otherwise trying to fight the decision, she simply leaves and takes a job elsewhere. A pirate crewman sees his captain hoarding an unfair portion of the loot, and rather than ask for a larger share, he gathers his shipmates and stages a mutiny. A group of friends is trying to pick a movie to watch, and when one of them begins to feel that his voice is not being heard, he walks off in a huff and watches a movie by himself. And so on.

Granted, rejection of the basic structure is, as mentioned earlier, itself a kind of resolution in that the tension, or at least that *particular* tension, ceases to exist because the relationship which sustained it has been dissolved. But what sets these kinds of cases apart is that the rejection happens before there has been a thorough attempt at restructuring the arrangement so as to make it sustainable. This is not always unwarranted; sometimes the situation is so clearly intractable that the effort required to correct matters from the inside could be better invested elsewhere. And sometimes the relationship or organization is simply not that important to the one who walks away. But often the decision to reject prematurely is impulsive or not well thought-out, and ends up leading to suboptimal or even disastrous outcomes for all those involved. One interesting pattern that seems to be recurring in cases of early rejection is that, at least from the point of view of the agent who ends up abandoning the arrangement, there appears to be a lack of salient, acceptable options along the middle range of the spectrum between immediate rejection and full acceptance of things as they are. Either the situation presents itself as relatively empty of the kind of fine-grained possibilities that make for incremental change, or those possibilities that are visible involve some cost that renders them subjectively repugnant. So the agent finds himself in a situation that, at least as he sees it, only admits of drastic action, or of no action at all. And the tension he feels has already reached a

level where doing nothing has become unbearable. This observation is one that we will revisit in Chapter 4, where it will have interesting implications for the question of what it takes for a political arrangement to maintain stability in the presence of tension.

Another important deviation from the basic trajectory is what we might call *stagnation*. This one is not as drastic as immediate rejection, nor is it typically as insidious as a false resolution. Nevertheless, it can seriously undermine the constructive possibilities of tension, and some of its danger lies in how easily and gradually it can come into being.

Stagnation occurs when tension continues to be felt, but is no longer driving any progress towards resolution. It can occur when negotiations have reached a stalemate, and neither party is satisfied, but neither is willing to risk the potential downside of more drastic action. It may only be a matter of time, even if a very long time, before external circumstances change enough or the downside of remaining in a state of suspended tension is felt strongly enough for one of the parties to once again actively pursue a resolution. But it is also possible that over time even high levels of stagnant tension can become so familiar and omnipresent as to be taken for granted. Think of an extended family that continues to hold annual reunions even though no one looks forward to it and it is a thoroughly uncomfortable experience for everyone involved. The high levels of tension between the group of relatives has become so normalized that it simply does not occur to any of them that they could make efforts to uncover and address the source of the awkward and standoffish manner in which they all relate to one another. Of course, once again this is but one possible example among many. One might even suggest that periods of the so-called “Cold War” between the United States and the Soviet Union could be characterized by a similar structure of stagnant tension.

Part of what makes stagnant tension problematic is that the respective parties involved are seldom on an equal footing with regard to the costs and benefits of remaining in a prolonged

state of limbo.⁷⁷ Whether out of simple hesitation or reluctance to take risks, or by way of deliberate delaying tactics, it is often the party that benefits more from the current status quo (whether or not that fact is transparent to their adversaries or to disinterested observers) that is engaged in various subtle, perhaps hidden or even unconscious activities to preserve the unsteady equilibrium between resolution on one hand and escalation on the other.

Even as the situation remains idle and those in power have no intention of allowing substantive change, the disadvantaged party may be receiving some form of the message that improvements are on the horizon, that their voices are being heard and a solution is already being worked on. They are made to feel that any further acts of escalation at this point would be unwarranted; perhaps that there was a time where active dissent was necessary and important, and that it got them this far, but that what the situation calls for now is patience. Those in power still hold all the cards, so to speak, but give the impression of being involved in good-faith negotiations; in circumstances like this it can be easy for the plaintiff to be tempted by what King calls “the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills.”⁷⁸ This was the attitude that King found so distressing in the rebuke by the White moderates of Birmingham, who expressed sympathy with the de-segregationists’ cause but urged them to be patient and wait for the situation to improve naturally rather than continue to engage in actions that would escalate the tension further. To this King replied, “For years now I have heard the word ‘Wait!’ It rings in the ear of every Negro with piercing familiarity. This ‘Wait’ has almost always meant ‘Never.’”⁷⁹

History seems to have vindicated King and his trust in the constructive capacities of political tension. For him and his fellow protesters in Birmingham, just as for Gandhi in India, for the women who campaigned for suffrage, and for countless others, the deliberate escalation

⁷⁷ See Muthoo 2000: 150-152.

⁷⁸ King 1963: 86

⁷⁹ King 1963: 80-81

and cultivation of tension achieved what patience alone could not. Even so, there are still legitimate worries and unanswered questions about the proper role of tension in our political lives. It is a powerful and often unpredictable force, and as we've said, can lead to destruction as easily as it can lead to improvement. In particular, we might be concerned that embracing political tension, even if it does offer tangible benefits, might come at the cost of stability. The next two chapters will attempt to address these concerns, first by exploring in detail the relationship between tension and stability, and then by inquiring about what kinds of structural properties enable a political arrangement to strike the best possible balance between the two.

CHAPTER 3

The Problem of Stability

It seems clear enough that political tension is likely to coincide with instability. In the real world we find the two phenomena overlapping so frequently that, as we mentioned in Chapter 1, it becomes tempting to think they are simply two different words for the same thing. In this chapter we more closely examine the complex but important relationship between tension and stability (and in the process, I hope it will become more clear that they are in fact two distinct concepts). Having laid down a basic definition of political tension already (which we will return to in a bit), let us now inquire into the nature of stability, so that we can then examine the relationship between the two.

As it turns out, the academic literature on the nature and meaning of stability is remarkably sparse. Even if it were to turn out upon investigation that political stability is either unimportant or uninteresting (or both), one would think at the very least that its *prima facie* status as a broadly desired feature of public institutions would mark it as a ripe target for political theorizing. But that does not does not generally seem to be what we find.

Instead, what we see is a pattern of authors taking the meaning of stability for granted, punctuated by the occasional admission that the concept remains distressingly vague. As a fairly representative example, Leon Hurwitz wrote in 1973 that “The concept of ‘political stability’ is an excellent illustration of the fuzziness and confusion existing in political science research regarding concept formation;”⁸⁰ after a thorough examination of the existing definitions on offer, he arrived at the disheartening verdict that

⁸⁰ Hurwitz 1973: 449

the concept of “political stability”, one must conclude, remains as elusive as other abstract concepts in political science research... There is basic agreement that “political stability” somehow means the absence of violence, governmental longevity, the absence of structural change, legitimacy, and effective decision-making. But the problem and task still remain to organize and synthesize these latter concepts.⁸¹

Sadly, the basic situation has not much improved since then. While Rawls has since introduced the idea of a ‘well-ordered society’ that is ‘stable for the right reasons,’⁸² both he and his commentators have generally followed the established precedent of skipping past the basic questions of what it means for a political arrangement to be stable, why we want them to be stable in the first place, and whether there is such a thing as *too* stable.⁸³ Instead the post-Rawls literature, at least as far as it is concerned with the notion of stability, tends to focus on the more restricted question of what it means for a *public conception of justice* to be stable within the context of a well-ordered society.⁸⁴

While I do not mean to suggest that those inquiries aren’t worth pursuing in their own right, my own interests incline towards understanding a more general notion of stability and instability as a broad spectrum: the notion we have in mind when we say, for instance, that Western military interventions have destabilized the Middle East, or that the increasing polarization of the United States’ two main political parties continues to undermine the stability of American democracy. It is this everyday notion of stability that seems the most closely

⁸¹ Hurwitz 1973: 461-463

⁸² Rawls 1971/2005: 375-405

⁸³ We can read Hobbes as offering an answer to the second of these questions. But if that is the case (which I think it is), then his account further suggests, in answer to the third question, that there is no such thing as too much stability, or too high a price to pay for it. This runs afoul of some of the problems I will be raising later on in the chapter.

⁸⁴ Kevin Vallier, for instance, has written as recently as 2017 that “The literature on modeling stability within a well-ordered society is new and focuses almost exclusively on how to understand Rawls’s account” (Vallier 2017: 233, footnote 3).

intertwined with political tension, to the extent that we are unlikely to succeed at understanding either one without the other.

So what is it that we are talking about when we speak of stability in the context of real-world, non-ideal situations? At its most basic, our everyday stability-talk seems (at least in large part) to be driven by a broadly Hobbesian concern with securing ourselves and our social arrangements against the evils of uncertainty. At a minimum, this would suggest that an arrangement is stable to the extent that it tends to remain as it is—to resist interference. Beyond that fundamental concern, perhaps the only thing we can unreflectively agree on about the concept of stability is that, whatever it is, we want our institutions to have it.

In practice, however, even this basic sketch of an idea already begins to generate problems. For what we often find is that the ability to resist change is by no means a universally good feature for political structures to have. In fact it is often those structures that are most in need of improvement, from a standpoint of justice, that are the most entrenched; too frequently those who benefit most from an unjust state of affairs are those with both the power and the incentive to keep things just as they are. In Dr. King's words, "History is the long and tragic story of the fact that privileged groups seldom give up their privileges voluntarily."⁸⁵

It is not terribly difficult, with a little bit of thought, to come up with possible circumstances where an increase in political or social stability is likely to make the overall situation worse. We could compile an extensive list of historical examples, including oppressive despots, slave plantations, concentration camps, abusive relationships, and more. One might object that a large part of what makes these situations so unbearable is their unpredictability, so they are not fitting examples of stability gone bad. But the claim here is that adding stability to these scenarios without changing anything else about them—making them more certain, more consistent, more resistant to change or dissolution—would almost invariably make them worse,

⁸⁵ *Letter from a Birmingham Jail* (original 1963 version): 2

not better. What should we make of this observation? The opposite conclusion, that efforts to stabilize one's political situation can only be beneficial if that situation is already sufficiently good, seems equally unsatisfying.

3.1: Internal and External Stability

What seems to me be missing from this discussion, so far, is an oft-neglected distinction between what we might call *internal* and *external stability*.⁸⁶ Essentially, to fully grasp what it means for any arrangement to be stable, we need to inquire separately about its disposition to change or resist changing in response to forces *internal* to itself, and in response to those forces that are *external* to it.

When we speak of stability within complex structures, it is easy to make the mistake of thinking about them as analogous to brute physical objects (from whence, I imagine, our most naive concept of stability originates). Think of a large rock sitting on the ground: there are no easily observable, active forces internal to the structure of the rock, so it is easy to think that the only way in which we could meaningfully describe it as stable would be in regard to its tendency to resist outside forces (gravity, wind, being picked up, etc.) and stay where it is. On that naive reading, stability for the rock could only mean *external stability*. What we would be missing, of course, would be an awareness that there are in fact a number of forces operating within the structure of the rock itself—chemical and atomic forces, for instance—that exist in an equilibrium so durable and self-perpetuating that we scarcely notice them. The rock thus has such a remarkably high level of *internal stability* that we have to pay close attention to even be aware that there is anything going on there at all. The presence of internal stability as a variable independent from external stability becomes more visible and interesting in the case of more

⁸⁶ Vallier (2017) alludes to something like this distinction (233).

dynamic structures, such as machines and organic lifeforms, and perhaps even more so when examining social structures composed of multiple organisms.

To cement this distinction into explicitly political terms, think of the classic abstract model of a social contract emerging out of the state of nature. On the one hand there are the members of the commonwealth, who have established a mutual agreement between them to take themselves out of the state of nature with regard to one another; and on the other hand, there are all the remaining individuals “out there” in the world, who remain in the state of nature relative to the commonwealth. The creation of the social contract generates a new kind of moral standing, from the point of view of any member of the commonwealth, that differentiates between their fellow members on the one hand; and human outsiders, non-human animals, and forces of nature such as wind, rain, earthquakes, and volcanoes, on the other. The proposed distinction between internal and external stability maps onto that same basic divide: internal stability in a political arrangement is a measure of how well it maintains its integrity as a product of the individual actions and inclinations of its members, while external stability is a measure of how it fares in the face of outside forces such as invaders, foreign critics, natural disasters, and so forth.

Obviously these definitions are still fairly crude for the moment, but hopefully we will be able to make the necessary refinements as we go.⁸⁷ For now I want to focus on the fact that in practice, having a handle on these two kinds of stability allows us to not only track how much or little a given structure changes in response to the various pressures it faces, but to index those

⁸⁷ There are also more complex cases, such as international relations, where what counts as external stability at one level (when the object of investigation is a single nation-state) becomes internal stability at another level (looking at that same nation-state from the point of view of an international order). Likewise there are ways that internal and external stability even at the same level can bleed over into one another, such as when a food shortage caused by a drought or a trade embargo puts new pressure on the internal relations between members. While making sense of these kinds of cases will require more nuance than the basic models I will largely be focusing on for now, I anticipate that the theoretical framework that I am developing here will ultimately be able to adapt to the more complicated situations without too much difficulty, once we have all the basic pieces in place.

changes (or lack of changes) against the source of the pressures that drive them. It allows us to capture the difference, for example, between a new president being appointed by a legitimate election, and a puppet being installed by a foreign power. It also introduces an additional dimension of normativity, by which we can distinguish between the inputs that an organization ought to be *prima facie* responsive to, and those which it *prima facie* ought to resist, on the basis of whether those inputs come from agents who have (or ought to have) the right kind of standing.

So it seems the question of what it means for a political arrangement to be stable is not a single question at all, but rather a matrix of two distinct measurements: its internal and external stability. External stability is determined by how well the system resists or absorbs interference originating outside itself while preserving its essential character. Internal stability, on the other hand, is a measure of how well the system balances all of the various forces originating inside itself, so as to achieve a self-perpetuating equilibrium.⁸⁸

If we re-visit our earlier discussion of negative or undesirable stability in light of the internal/external distinction, we find that many of the problematic cases (tyranny, slavery, unjust dominance, etc.) involve a political arrangement that is structured in such a way as to resist being influenced by the interests or actions of certain agents within that arrangement. It is a kind of category mistake, whereby the social structure regards as outsiders one or more persons that should properly be regarded as insiders; it is disposed towards them with the default attitude

⁸⁸ Rawls' model of the well-ordered society offers a hypothesis of what such a self-perpetuating equilibrium might look like, and he describes the mechanism by which that particular equilibrium could successfully reproduce itself. Much of the debate among his commentators in recent decades has centered on questions related to the feasibility and logical consistency of Rawls' proposed equilibrium. But to my knowledge neither Rawls nor his commentators have offered, or claimed to be offering, a well-worked out model of how such a self-sustaining equilibrium might be reached from the starting point of society as it exists now. (Vallier (2017 and 2018) appears to be making some preliminary steps in that direction, and by his own description he seems to see himself as acknowledging for the first time a task that the Rawls literature has previously left by the wayside.) That, as I see it, is one of the major factors that sets this work outside the scope of existing Rawlsian scholarship.

definitive of external stability (i.e. *prima facie* resistance or indifference), instead of the default that characterizes internal stability (*prima facie* receptiveness or recognition⁸⁹).

When a group or its leaders insulate themselves against the voices or interests of certain individuals who exist within the boundaries of that group, and claim stability as their justification for doing so, they mistakenly judge their actions by the standard for matters of external stability, rather than internal. In effect, they are tacitly categorizing those disenfranchised individuals as foreign threats to be managed, rather than as part of a diverse set of internal inputs to be balanced out in a sustainable equilibrium.⁹⁰ This is precisely the pattern we observe in cases of “stability” gone wrong: what slavery, tyranny, patriarchy, and all the others appear to have in common is that the political arrangement maintains its current form by regarding as illegitimate the dissenting opinions of some subset of its members.⁹¹ Of course, this should not be terribly surprising, as it is simply one particular manifestation of one of the great perennial problems of human politics: the question of who rightly belongs to the “in-group” and who does not. *This* question somewhat complicates the dichotomy we have been sketching out by entangling itself in both sides of the internal/external distinction as a demand for some kind of sorting mechanism.

In summary, then, any group that wants to develop a comprehensive roadmap to stability is going to have to reckon with these three general questions:⁹²

⁸⁹ Chapter 4 will explore, in much greater detail, the question of what this receptiveness and recognition among group members ought to look like.

⁹⁰ We might read Aristotle’s distinction between the “true forms” of government and their perversions as saying that in the true forms, the rulers make the correct categorization of internal and external stability, rightly regarding the interests of all members of the *polis* as inputs to the calculus of internal stability; whereas in the perversions, the rulers regard only their own interests as belonging to the internal balance, and react to the rest of the populous according to the model that would be appropriate for matters of external stability (*Politics*, Book IV).

⁹¹ Susan Wolf seems (to me at least) to be alluding to this type of imbalance in her reply to Charles Taylor’s *Multiculturalism: Examining the Politics of Recognition*: whenever we encounter justifications of a status quo that appeal to the value of “preserving our culture,” we ought to begin by checking whether the “we” whose culture is being appealed to is at all representative of the people who actually make up the society in question (79-85).

⁹² Or, perhaps more accurately, three *categories* of question.

1. Who belongs in the group, and who does not?
2. How should the group's dealings be arranged so as to create the most sustainable balance between the competing interests of those who belong to it?
3. What provisions should the group make to preserve its integrity in the face of potential interference from things or persons who do not belong to it?

A group cannot fully answer questions 1 or 2 without making what, in the previous chapters, we classified as a *second-order agreement*: an agreement that defines the rules of engagement, as it were, or the terms by which more ordinary, day-to-day matters are decided. Indeed, if we rephrase them just slightly, we see that both of these questions are among the paradigmatic examples of second-order concerns: respectively the questions of whose voices or interests matter, and how much relative weight each voice or interest is to be given. (Question 3, as far as I can tell, is primarily a first-order concern.)

It is at this point that our inquiry into stability leads us back to political tension. Recall that by the end of Chapter 1, we had arrived at a definition of political tension as

a dynamic structural property of political situations, involving an ongoing opposition between second-order interests, and characterized by a felt lack of needed resolution.

Now we've just said that the stability (and in particular the *internal* stability) of any political arrangement is, in large part, a function of how it adjudicates between the competing interests of those who are, or who claim to be, part of that arrangement. We've identified the interests with which internal stability is concerned as second-order interests. On the very modest assumption that a political arrangement can exist in a state where the competing interests of its members are not fully resolved, it follows that the concepts of internal stability and political tension are

closely intertwined. When we seek to determine the level of stability that exists within a given political arrangement, we are essentially asking about the political tension that resides there, and how well the arrangement succeeds at managing that tension. If we are interested in adjusting the structure of an existing arrangement to make it *more* stable, we are implicitly asking what we can do to more effectively deal with the tensions that currently exist in the system, as well as any that may arise in the future. As I've alluded to previously, developing a practical theory of tension management—*how* to most effectively manage tension in political arrangements—would as far as I can tell be at least partly an empirical endeavor, and in all likelihood must be highly context-dependent. But such a practical theory presupposes a general understanding of what it *means* to manage tension, and what could possibly count as success in such an enterprise. It is that understanding that I hope to be developing in this work.

3.2: The Inevitability of Political Tension

So far we've seen that political stability requires the successful management of political tension. It remains to be determined just what it means to manage such tension successfully. The first place we might want to look, if we were to jump prematurely into a search for empirical techniques, would be for ways to make political tension go away—to eliminate it from the system entirely. I believe that this approach would be misguided, and I hope to show why: that such an outcome is not merely unrealistic, but conceptually impossible, once we more fully understand what political tension consists in and where it comes from at its root. I mean to show that political tension is an inescapable reality of human political life, and that successfully managing it will first require us to come to terms with that fact. Once we see why tension will always be with us in one form or another, we can then ask more refined questions about how we can deal with it. Ultimately I hope to show, following the inspiration of Dr. King, that political

tension can be more than an unfortunate reality to be endured; that we can come to see it instead as a force to be harnessed and put to constructive use.

But first things first. The argument for the unavoidability of political tension is somewhat complex, and will take up most of the remainder of this chapter. Sketched very roughly, the argument takes the following form:

1. Political tension arises not just from disagreement about second-order normative questions, but about descriptive questions as well.
2. The second-order powers that one has within a political arrangement are defined by the implicit agreements that shape the structure of that arrangement.
3. The precise content of implicit, second-order agreements is always underdetermined by experiential data, which means that there will always be grounds for reasonable disagreement about what those agreements actually are.
4. So the conditions for political tension to arise cannot be fully eradicated from the structure of any political arrangement.

The first premise of the argument requires us to examine more closely one of the components of our definition of political tension from Chapter 1. We argued there that political tension involves second-order disagreement within a political arrangement, or in other words, disagreement about the second-order agreements that define the structure of that arrangement. This way of describing the source of the tension can be read in two different ways. The way we might be more naturally inclined to interpret it is implicitly normative: the tension arises out of a dispute (spoken or silent) about what the power structure *ought* to be like. This normative formulation is probably the most easily recognizable, as it is reflected in many of the paradigmatic scenarios where political tension obviously exists: protest marches, bitter electoral rivalries, and so on. But while there is nothing wrong about the normative interpretation, it is not

the only one. There is another way to read second-order disagreement that is more descriptive in nature: as briefly mentioned in the Chapter 2, tension can arise not just from disputes about how the second-order agreements *ought* to be structured, but also from parties disagreeing about what the structure of those agreements actually *is*.⁹³

One might think that the descriptive form of disagreement would only be a problem for informal political arrangements, of the kind that lack any clearly articulated defining document: a book club, a street gang, or a band of revolutionaries, for example. After all, we have said that second-order agreements can be implicit or explicit, where the latter are used to establish formally structured institutions such as nation-states and corporations: these explicit agreements are known to us as constitutions, corporate charters, and the like. So perhaps implicit second-order structures are a kind of less-refined default, something that only exists in the absence of something more formal and explicit.

If only it were so simple. But the messy reality is that implicit agreements are always with us, even when we try our best to define them away. Over and above whatever we say to each other about what we are committed to, there is the unspoken interplay of actions and reactions, cooperation and resistance, by which we continually work out the unfinished fact of what each of us is actually permitted to do.⁹⁴ Second-order structures at their most basic are about power, and power in a political context is mostly a matter of what behaviors other agents will and will not accept, and of what one can get other agents to do or refrain from doing. To put it in extremely crude terms, my political power in actuality is a measure of what I can get away with.

⁹³ I find myself wondering whether the true underlying source of the tension in both cases might be second-order *uncertainty* rather than disagreement, and that the two types of disagreement (normative and descriptive) are just interpersonal manifestations of that uncertainty. But this formulation seems to introduce additional complications without any substantial theoretical payoff, at least as far as I can tell. So I leave it to the side for now.

⁹⁴ “The formal cause of the city-state is its constitution (*politeia*). Aristotle defines the constitution as “a certain ordering of the inhabitants of the city-state” (III.1.1274b32-41). He also speaks of the constitution of a community as “the form of the compound” and argues that whether the community is the same over time depends on whether it has the same constitution (III.3.1276b1–11). The constitution is not a written document, but an immanent organizing principle, analogous to the soul of an organism. Hence, the constitution is also “the way of life” of the citizens (IV.11.1295a40-b1, VII.8.1328b1-2)” (Miller 2017).

That is something that can only reveal itself through actions, bit by bit over time, not in the words we say, no matter how official we make them.

Of course, I am not denying the tremendous importance of formal political documents, nor am I in any way claiming that they are merely some kind of useful fiction. But what I am saying is that explicit agreements, at least at the level of second-order concerns, play a normative or regulative role. What they do (assuming for the sake of simplicity that they are legitimate, consistent, and whatever else they might need to be in order to “count”) is establish what we are *permitted* or *required* to do, or to abstain from doing. They assign such normative properties as rights, duties, and legitimate expectations. Through these formalizations we are able to make it explicit that we collectively agree to act in certain ways, to accept and reject certain kinds of behaviors from one another, to comply with or refuse certain kinds of demands, and so on. We can and do attach normative force to these things, and that force does play a real guiding role in our lives (or at least it does for most of us). But at best those normative forces are measures of what powers we are *entitled to* by virtue of our agreements, not what powers we actually have.⁹⁵

If my employer and I have a valid contract guaranteeing me a certain salary in exchange for my labor, that does not make it certain that my paycheck will reflect the agreed-upon amount—or even that a check will arrive at all. What it does guarantee is that I am *entitled to* a check for a certain amount; and if it does not come, the contract further entitles me to take certain steps to correct the situation, and to expect certain kinds of institutional cooperation and support. But suppose that when my paycheck fails to arrive I take all the appropriate measures, engaging with the system in good faith, and continually find myself denied and ignored at every turn... what then? Would it be inappropriate for me to infer from these events that I do not

⁹⁵ Even if explicit agreements could be properly descriptive rather than merely normative, there is reason to think that still would not fully resolve the issue: “The authoritative general language in which a rule is expressed may guide only in an uncertain way much as an authoritative example does” (Hart 1961: 127).

actually possess the institutional powers that I was promised, and in which I had such confidence until I actually put them to the test? It seems reasonable for me to conclude that my actual power with respect to this relationship does not match my legitimate entitlement: that the political reality is in some way out of joint with the regulative ideal.

Now, perhaps my employer feels fully entitled to take advantage of me in this way, and is trying to wear me down to the point that I will accept a new, lower salary in my desperation to be paid anything at all. That would make this a second-order disagreement of the normative type: we have diverging, incompatible views about the nature of the terms that ought to guide our interactions, and about what kinds of mediating principles are acceptable (or what counts as right, fair, just, or whatever we might think is the appropriate ideal). There certainly would be no shortage of political tension in that scenario. But that is not the only way that things might turn out, or the only way that we can find ourselves at an impasse about the nature of our arrangement.

It's quite possible, for instance, that there is no malicious intent by my employer at all. Suppose instead that as a result of some modern bureaucratic nightmare, my check failed to be processed for reasons unknown to anyone, and ever since that time I've been repeatedly shuffled back and forth from one resource to another, each one confident that the person to whom they're referring me will finally have the answer. After perhaps a week of this nonsense I find myself once again in conversation with my immediate supervisor, who is now as perplexed as I am, but nevertheless remains far more optimistic than I can manage at this point. He assures me that if I just keep at it, and have faith in the system, sooner or later I am sure to get what I am owed. It does not seem to register with him that I once shared his rosy outlook, but that my own experiences are continually piling up evidence to the contrary. Even if I do manage to get paid at this point, it now seems apparent to me that I lack certain powers that I previously thought I had: for example, the power to collect my rightful pay at the agreed-upon time, or the power to elicit a quick response or at least a straight answer when I raise a legitimate complaint.

But what I am quickly coming to see—and, increasingly, to *feel*—as a kind of powerlessness on my part, my supervisor interprets instead as a mere irregularity, an uncharacteristic hiccup that should not be taken as representative of the way things “really are.”

These are importantly different views of what the situation is, which in turn lead to different recommendations about what is to be done; yet we both have sufficient evidence for seeing things as we do. This is an example of second-order disagreement in its descriptive form: a disagreement, not about how things ought to be, or what we are each entitled to, but about how things actually are. We are still disagreeing about socially constituted properties of the relationships in which we are situated; but these particular social properties are descriptive, not normative.

This kind of situation, in which one person sees a mere exception or misapplication where the other sees a previously-unknown rule, is but one variation on a more universal phenomenon. The general pattern is that two or more agents within a political arrangement have meaningfully different beliefs about the way the arrangement is actually structured, and each has enough subjective experiential evidence to make their view a reasonable one. In all likelihood it occurs much more frequently than we tend to realize, because differing descriptive beliefs of this kind almost invariably yield divergent prescriptive beliefs as well—and since that is often the point at which we come into direct conflict with one another, we can easily fail to notice the underlying difference in descriptive beliefs that generates the conflict in the first place. Even when we succeed in moving past the dispute about actions to the deeper disagreement between descriptive structural beliefs, it can be frustratingly difficult to determine, in any conclusive, consensus-generating way, what the truth of the matter actually is.

Chances are we have all lived through messy encounters like this, and experienced firsthand the feelings of tension that can easily arise there, sometimes with surprising intensity. So my claim that these things can and do occur is probably not controversial. But I want to make a further claim that might be more surprising, not to mention unsettling: that in

disagreements of the kind we've been discussing, there may actually be no fact of the matter about who is right and who is wrong.

This second, more radical claim is essentially a more restrictive political instantiation of a broadly Quinean underdetermination thesis.⁹⁶ There is an inescapable uncertainty rooted in the fact that we are always simultaneously *constituting* and *discovering* the implicit power dynamics that surround us. In practice, the implicit agreements that govern a political arrangement are a function of how each of its members tend to react to one another's actions and demands; and we are always working from incomplete data in that regard, for the simple reason that the sum of what we have observed and experienced is always vastly outweighed by the untested counterfactuals. Even our most formal systems of law, H.L.A. Hart notes, have to contend with the ever-present indeterminacy inherent in the fact that "[w]e have not settled, because we have not anticipated, the question which will be raised by the unenvisaged case when it occurs."⁹⁷

Not all agreements are equally flexible; some shift quickly and easily, while others are deeply entrenched and budge only with tremendous effort. But things are never so concrete that it is fully settled, in advance of experience, exactly what behaviors we will or will not accept from one another. Even when we conceive of our own actions as merely reaffirming an already established order, we cannot help but be engaged in an ongoing process of construction at the very same time. And because it is always the case that power structures *can* change, it is never fully determinate, of any particular set of actions and reactions, whether what is now happening is the development of some new pattern, or a further revelation of how things have always been. All any of us really have to go on is our best constructive interpretation⁹⁸ of our cumulative

⁹⁶ See Quine 1960, 1969; Dummett, 1974; Bostrom 1995.

⁹⁷ Hart 1961: 129. While acknowledging the complications that it brings, he nevertheless seems to see this kind of openness and indeterminacy as something valuable in its own right: "we should not cherish, even as an ideal, the conception of a rule so detailed that the question whether it applied or not to a particular case was always settled in advance, and never involved, at the point of actual application, a fresh choice between open alternatives" (128).

⁹⁸ I borrow this term from Dworkin 1986, though my application of it is somewhat different than his.

experiences and observations up to the present moment, always subject to ongoing revision as new experiences bring new evidence to light. And for any set of experiences, the Quinean line suggests, there is an indefinite number of possible constructive interpretations that are equally compatible with the evidence at hand.

We might try to lessen the impact of the underdetermination argument by appealing to the thoughts and intentions of the agents involved as defining the meaning of their actions. Though it might be true that none of us can perfectly see the principles behind each other's actions, the reply goes, I can still have a conception of the rule *as I understand it*. That is the rule according to which *I* act, and the same is true of everyone else individually; the "true" rule that is in effect at any given time would then be the net output of all the individual actions, and their respective rule-conceptions, aggregated together. Thus, the argument goes, there *is* a definitive fact of the matter about the actual rule or principle that produces any particular empirical result, and our apparent inability to agree on it is merely a product of our own epistemic limitations.

All of that might have been the case, were our minds structured somewhat differently. As we are actually constituted, however, that escape does not seem to be open to us. The vast literature on implicit bias ought to be enough to show that, particularly in political matters, our actions can be driven by patterns and associations that are not only hidden from our consciousness, but can in fact be directly at odds with our conscious beliefs and values, no matter how sincere.⁹⁹ So the fact that we all have things we tell ourselves about what we are doing, and why we are doing it, does not seem like it will be much help here.

As things stand, the underdetermination of implicit political arrangements, combined with the fact that it is in reality those implicit arrangements that most directly determine the distribution of second-order power, make it so that even when we are fairly confident that we

⁹⁹ Kelly and Roedder (2008) give a good overview of the relevant literature.

understand how a given political situation is structured, there are bound to be alternative readings of the situation that are equally consistent with the available evidence. So even if we could all hypothetically agree about how things ought to be, there will always be substantial room for rational disagreement about what the precise structure of our second-order agreements actually is, or how closely it approximates the agreed-upon ideal. And if political tension arises from disagreement about second-order powers, then any political arrangement, no matter how well organized or highly regarded, must inevitably remain susceptible to the possibility of political tension arising within it.

Something important needs to be clarified, however. I do not mean to claim, of any particular instance of political tension, that it cannot be resolved, or that it must persist in some half-dormant form no matter what we do to address it. The point is rather that, no matter how well we resolve any particular strand of tension, there will always be room for more to emerge somewhere else within the system. There is not, and there cannot be, any such thing as a political arrangement that is immune to tension in general. But for any particular tension existing in a given system, there is probably some way that the system could be rearranged so as to exist without *that* tension. (Whether or not that would always be a good thing is another question entirely.)

We have already discussed, in Chapter 2, what it means for a particular instance of tension to be resolved, as well as the basic process by which that resolution comes about. But that still gets us only part of the way from the apparently pessimistic conclusion that political tension is unavoidable, to King's more optimistic view that tension can be used as a force for good. What we are still missing is an account of how it is possible for a political arrangement to make constructive use of tension without at the same time giving up on the value of stability; and, if such a thing is indeed possible, what kinds of structural features we might expect to find in those arrangements that are better equipped to manage tension in a way that is both properly

responsive in the short term and sustainable in the long term. It is to these questions that we turn in the following chapter.

CHAPTER 4

Tension, Democracy, and Mutual Recognition

We left off at the end of the last chapter with the conclusion that political systems, no matter how well-designed, nevertheless remain potential breeding grounds for political tension. So if we want to develop a theory of what it means for a system to be stable in light of this finding, we might be better served by inquiring into how we can recognize and address new strands of tension as they arise, rather than engaging in the apparently futile attempt to insulate ourselves from them entirely. The main focus of this chapter is to sketch out an idea of what it would mean for a political arrangement to be structured in a way that is well-equipped to identify and respond to tensions in a constructive manner. The goal is to develop a picture of what we might call *tension-resilience*: the structural property of being disposed to adapt to political tension in such a way as to produce a net positive effect on the internal stability of the system.

Obviously this is quite a tall order, and of necessity most of what I say here will be fairly general and exploratory in nature. With so much ground to be covered and so many questions yet to be asked, much less answered, I regard what follows as a broad roadmap for more focused and detailed future inquiry, rather than as an attempt to resolve anything in a definitive manner. Even with those limitations, however, there is a great deal that can be said about tension-resilience at an abstract level, and only by doing so can we identify the more specific questions that need to be asked in order to apply the abstract principles to particular situations.

4.1: Early Detection

A rather intuitive starting point, I think, would be to look for factors that might contribute to the early detection of political tension within a system. In Chapter 2's discussion on the dynamics of political tension, we argued that, generally speaking, it is easier to resolve tension

when its existence is widely known—when it has become *open* tension. This is not to say that it is *easy*, by any normal sense of the word. Indeed, what we saw was that the process of moving from open tension to a genuine resolution can be extremely messy. But even those uncertain prospects are better than hoping for a resolution while the tension remains hidden to most or all of the parties concerned. Though there might still be changes in the political structure, it would essentially be a lucky accident if any of those changes happened to be of just the right kind to resolve a tension that they were not informed by or directed at in any intentional manner.

Once the presence of tension is widely acknowledged, there is at least the potential for a somewhat linear path to resolution, however fraught with conflict that path may be. But it is not enough to simply know that tension *exists*, if what we want is a model for addressing it in a reliable manner. Successful tension-resolution will of course be correlated with a number of factors, some more context-dependent than others. I expect that many of these are such that their discovery would fall within the proper domain of the empirical social sciences. But even if we had (as we hopefully will at some future time) a solid body of empirically-established best practices for tension resolution, it seems reasonable to posit that successfully applying any such knowledge to a particular situation would require an accurate reading of what that situation actually is.

So the first set of questions we need to tackle, in constructing our conceptual model of tension-resilience, is the following: first, what would it mean for a political arrangement to be structured in such a way that hidden tensions could reliably be translated into open tensions, early on in their lifespan and with as little resistance as possible? And second, what is required in order for hidden tensions to come into the open in a way that publicizes not only the mere *existence* of tension, but enough information *about* that tension to facilitate a well-founded public discussion of the issues that need to be addressed? This is an instance of what F.A.

Hayek called “the central theoretical problem of all social science:”¹⁰⁰ the problem of how to arrange things so that desirable outcomes at the collective level can be achieved “by the interactions of people each of whom possesses only partial knowledge.”¹⁰¹ The difficulty, according to Hayek, is that effective social action requires not only general knowledge of the relevant principles, but particular knowledge of the myriad, often-changing details that together make up an accurate model of the current situation to which those principles must be applied. But this latter type of knowledge is distributed among the various individuals involved, in a messy and fragmented array that defies attempts to extract and distill it into a cohesive picture of the kind that could be used by a single, fully-informed decision-maker.

Harkening back to our earlier discussion of the shift from hidden to open tension, we said that it generally begins by manifesting itself phenomenally to those who are most directly affected, before they bring it into the general consciousness and often before even they themselves are consciously aware of what they are feeling or why. So it would seem that the process of opening up the hidden tensions within a political situation might be well served by empowering those individuals who first come into contact with the phenomenal manifestations of tension, to be able to recognize it for what it is and to speak about it openly. There is both a cultural and a structural element to this suggestion. The cultural aspect involves a shared awareness that political tension is something that can and does occur, as well as a more or less collective endorsement of the idea that early detection is generally in the best interest of everyone involved. Such a culture (speaking of ‘culture’ here loosely, as something that can subsist within a nation, a town, a company, or a family, etc.) would likely be one that valued and promoted introspection and self-awareness, and in which there was a shared conceptual

¹⁰⁰ Hayek 1945: 528

¹⁰¹ Hayek 1945: 530

vocabulary for the kinds of feelings and experiences that are correlated with the presence of political tension in its early stages.¹⁰²

But the ability of a group's members to recognize when they are feeling the symptoms of political tension is not, on its own, sufficient to make a clear pathway from hidden to open tension. A significant structural component is also required: those who are in a position to feel the tension must also have the right to speak about it, and be protected in their exercise of that right. It is a regrettably common pattern, seen from Birmingham to abusive marriages to underpaid workers and beyond, that a person or subgroup is acutely aware of the inequality they face and the tension they feel because of it; yet when they attempt to bring the matter up for discussion, they are either ignored or shut down, sometimes violently. Iterated over time, this pattern instills what King called "a sense of nobodyness,"¹⁰³ a self-perception deeply at odds with the ever-growing need to be heard. This inner conflict incubates and exacerbates the tension, which builds up out of sight until, as King pointed out in his *Letter*, it threatens to explode into open violence.¹⁰⁴

Any system worthy of being called tension-resilient must be free from that destructive cycle and the enforced silencing that causes it. Ideally, we want to go a step further and actively take measures to prevent such things from occurring, and to rein in the tendency of those in power to suppress voices that question the legitimacy of the current arrangement. What we want is a structural antidote to the conditions that create King's "sense of nobodyness": some way of encoding into our political arrangements a functional acknowledgement that every member is entitled to speak and be heard, that each one occupies a unique point of view, and as such can be a source of valuable information not available from any other source. What we

¹⁰² It should be noted that I am not at this point making recommendations for how a culture could or should be deliberately shifted in such a direction; I am merely remarking that a culture that does, for whatever reason, possess these features would be one in which we could (all else being equal) expect a higher-than-average level of success in early identification of incipient tensions.

¹⁰³ King 1963: 82

¹⁰⁴ King 1963: 86-88

are looking for, in effect, is what social contract theorists have been alluding to for centuries under the heading of *mutual recognition*.

4.2: Types of Recognition

Although the idea of recognition has long played an important role in the republican and social contract traditions, there still seems to be a troubling lack of consensus about what it means or what role it ought to play. So it will be worth taking some time to examine the concept here; even though we cannot hope to fully do it justice, we can at least carve out a space for the work we need it to do in the context of a theory of political tension. There are many different meanings to the word ‘recognition,’ most of them not at all relevant to the present enquiry, so it will be helpful to begin by thinning the herd a bit before we attempt any serious analysis. We are not interested, first of all, in any of the various forms of what we might call pure sensory recognition, e.g. recognizing your friend’s face in a crowd, or recognizing the opening lines of a favorite song. The kind of recognition we are after is, at a minimum, the kind of thing that exists between persons, which will rule out many common uses of the word, such as recognizing that it is time for me to go home.

We can further specify that the kind of recognition we want to understand is a relational property that takes the form *X recognizes Y as Z*, where X and Y are both persons (or, by extension, groups or institutions that function in society as if they were persons in at least some important respects), and where Z is some property that Y possesses. It might be an innate property, as when Arthur recognizes Lancelot as a skilled fighter, or it might be a status of some kind, as when Merlin recognizes Arthur as the rightful heir. We can further restrict the domain by ruling out concepts of recognition that are not *political* in the sense that we defined in Chapter 1, i.e. that are not involved in the process of shared decision-making between agents.

Within the remaining conceptual space, there are two perpendicular distinctions that need to be established. On one axis is the distinction between what we might call *cognitive* and *formal* recognition; on the other is the distinction between what could be termed *special* and *general* recognition. These terms of course need to be explained: cognitive recognition is an internal mental state, the attitude of an agent seeing another agent in a certain light; a prime example of cognitive recognition would be the set of moral attitudes that Stephen Darwall has developed in detail under the heading of “the second-personal standpoint.”¹⁰⁵ By contrast, formal recognition is more of a structural or systemic matter, independent of any individual’s attitude. As a rough sort of illustration, I could see you as a person, and treat you accordingly, even if I were not required to (cognitive but not formal recognition); or I could fail to see you as a person, even though I am required to treat you as such (formal recognition without cognitive recognition). In the latter case, I might even recognize the fact that you are legally guaranteed certain rights and protections, and consequently recognize you as having formal recognition, even as I internally reject the system that grants you that status because I refuse to see you as the kind of entity that is deserving of it.

Regarding the second distinction, *special* recognition is when an individual is recognized (either personally or politically) as something that sets that particular individual apart from others of its kind. This special status might be something that is earned or bestowed, such as the right to a special parking spot that comes by virtue of being employee of the month; or it might be some innate feature of the individual that is used as a basis for singling them out in some way, as when the Guardians in Plato’s imaginary Republic identify the youth with the proper skills and temperament and select them to be trained as future Guardians.¹⁰⁶ General recognition, on the other hand, is the acknowledgement that an individual receives by virtue of their belonging to some (usually somewhat broadly-defined) class of persons, and on no other basis. The

¹⁰⁵ See Darwall 2004, 2006, and 2013.

¹⁰⁶ *Republic* 522-540

entitlements that come with a general recognition, whatever they may be, are available to every individual who meets some minimum criteria for belonging to the given class, and do not admit of further distinctions or stratifications within that class. There can be room in the same system for both general and special recognition, but only if they are noticeably independent from one another: there can be parking lot for all employees, which constitutes a form of general recognition, even while there is also special recognition in the form of a reserved spot for the employee of the month, or the manager, or both.¹⁰⁷ But if instead there are three distinct tiers within the parking lot, to which employees are assigned based on the level of their performance reviews or salary or whatever else, then there would be no general recognition at all, simply a multi-runged ladder of special recognitions.

Together, these two distinctions form a matrix of four discrete types. For example, we could use the classification of general cognitive recognition to describe the broadly Kantian attitude of moral regard owed to all rational beings as such. An example of formal special recognition would be the set of powers and responsibilities a person acquires when they are sworn in as a member of the Supreme Court.

Bringing this set of categories to bear on the question of what counts as *mutual recognition* in the classical sense, I think we can easily rule out either species of special recognition. It seems clear that what Rousseau and others of his tradition had in mind was something that was meant to exist between members of the commonwealth *as such*, and that their interest in the concept was motivated by democratic rather than aristocratic or meritocratic concerns. Even when writers in this tradition failed to extend their idea of mutual recognition as widely as they ought to have (to women, for example, or to those who did not own land), this generally seems to be a mistake in their baseline assessment of who qualifies as a proper

¹⁰⁷ If both the highest-ranking officer and the highest-performing employee both had reserved spots, this would constitute two separate and parallel systems of special recognition, since their respective criteria are unrelated to one another.

citizen of the commonwealth, rather than an attempted stratification between voting- and non-voting members, or between members who merit basic protections and members who do not.

It is perhaps more contentious whether we should look for mutual recognition on the cognitive or formal side. Certainly much of the literature surrounding the struggle for equal recognition by marginalized populations has leaned heavily towards identifying cognitive recognition (though they did not refer to it by that name) as the desired object. This seems especially to be the case where discussions of recognition intersect with debates about issues such as multiculturalism and pluralism, or where the struggle for recognition is cast in terms such as “dignity” or “common humanity.”¹⁰⁸ It should be noted, however, that a clear distinction between cognitive and formal types of recognition does not seem to be widely acknowledged within this segment of the literature, and while the recognition spoken of there is typically described in such a way that we would classify it as the cognitive variety, many of the arguments given would perhaps be better suited to advocating for formal recognition instead. In any case, I certainly do not wish to deny the importance of cognitive recognition as a basic human need and a vital foundation for interpersonal relationships. Yet despite the importance of cognitive recognition as an *interpersonal* good, I think we need to look elsewhere to find the distinctly *political* good of a mutual recognition that could promote stability and systematic self-correction within structural relationships of joint decision-making.

This should become especially clear when we recall that our current interest in recognition is driven by the problem of how to more easily bring hidden tensions into the open. Historically, one of the greatest and most consistent barriers to the early resolution of political tension is the unwillingness of privileged classes to hear the concerns and legitimate complaints of marginalized communities. This is the very fact that so often makes extreme acts of escalation necessary in the first place. And this basic unwillingness to listen and empathize with

¹⁰⁸ See for example Fraser and Honneth 2003, and Taylor 1992.

the “other,” who argues that they are not really an “other” at all, is at its root a failure to extend cognitive recognition to those who warrant it. A tension-resilient system is one that contains structural safeguards against the regrettable human tendency toward such failures. So if we want a system in which the disenfranchised can speak openly about the tension they experience, trying to require that everyone see each other as equals does not seem to be a very pragmatic solution. We would be much better served by promoting *structures* that guarantee the necessary protections, even (or especially) to those who might sometimes be *seen* as not meriting those protections. So, at least for the purposes of defining a tension-resilient society, I think the relevant notion of mutual recognition falls under the dual heading of *general* and *formal* recognition.

Now that we have a more targeted idea of *where* on the spectrum to look, we can try to flesh out the idea more fully by asking what this kind of recognition amounts to in practice. General recognition typically translates into something like the sentiment of being “one of us.” Adding formal recognition on top of that idea shapes the grounds on which your status as “one of us” is protected, and by extension, the grounds on which you qualify for that status in the first place. Rather than inclusion on the basis of what makes us feel a kinship towards you—things such as race, gender, religion, or other modes of identity-based sorting—your claim to inclusion rests on formal, structural grounds. You are one of us, not because you look or think like us, but because your actions and interests are entangled in this political situation in the same way that ours are. We are in the same boat, whether we happen to like each other or not.

One might say that recognition of this kind is less a matter of *who* you are, and more a matter of *where* you are, structurally speaking. If you and I must drink from the same watering hole, and thus have a comparable interest in unrestricted access to it, then a mutual acknowledgement of that fact alone is enough to ground a relationship of general formal recognition between us (provided that the basic prerequisites for any political arrangement—most notably the ability to communicate effectively—are present as well). Of course this is not to

say that such mutual recognition will actually come into being, or even that it is likely to. But when it does, it forms the core of what allows a political structure to develop in a way that is stable and resilient in the face of political tension. Especially during tense conversations around second-order disagreement, it is vital to the internal stability of a political arrangement that its members evaluate the strength of one another's claims, not on the basis of how they subjectively conceive of the other in relation to themselves, but rather on the basis of how they are situated in the abstract as co-deliberators and stakeholders. In this we find a close approximation of the deliberative standpoint that Rawls develops in his Original Position thought experiment.¹⁰⁹

To summarize, the basic idea of mutual recognition as general formal recognition seems to be that, if you are constituted and situated such that your interests and actions are bound up in the same political arrangement as ours, and to a roughly comparable degree, then you are rightly entitled to the same basic membership-powers as the rest of us, and as such ought to be treated by all as a fellow stakeholder in the ongoing political project. Which brings us to the next question: what does it actually mean, in practice, to be treated as a fellow stakeholder? Put another way, what set of membership-powers would mutual recognition actually entail, in a system that lived up to the aspiration of securing mutual recognition for all its members?

To compile a list of powers or protections that is both fully comprehensive and fully abstract would be impossible: even setting aside valid concerns about cultural imperialism, we need to account for the many ways that practical needs will differ based on factors such as scale, geographical and emotional proximity, and complexity. Mutual recognition in a pickup

¹⁰⁹ Rawls 1971/2005: 11-17. Note that for Rawls, the Original Position is only meant to be used in determining the basic structure of society. Of course, if political tension is what we have so far said that it is, then every instance of political tension to one degree or another involves a challenge to some aspect of the basic structure of society, or of whatever political arrangement is the site of the disagreement. So even by Rawlsian standards I do not think it would be inappropriate to use something like that kind of abstract deliberation, at least in confirming that the plaintiff has the right kind of standing to protest the current structure.

game of basketball, or around a dinner table, might look very different in its particulars than mutual recognition at the United Nations. But we can at least try to distill out the basic conceptual powers required for mutual recognition at an abstract level, with the acknowledgement that particular circumstances may require them to be instantiated in superficially very different ways.

4.3: Powers of recognition, publicity, and privacy

To begin with, we can say that mutual recognition, modeled on the idea of being recognized as a stakeholder, would break down into two broad sets of powers: power to access and influence the political process as a way of positively furthering one's interests,¹¹⁰ and power to restrict the scope of the political process (with respect to its acceptable inputs or its permissible outputs) as a way of protecting one's interests from the actions of others within that process. We might classify these two sets of powers, respectively, as powers of publicity and powers of privacy. But before we get into the details of defining those powers, I want to re-emphasize that the powers we are discussing here should be understood in terms of actual capacities that can be exercised effectively in practice, not merely formal rights or entitlements that are written down in a constitution or corporate charter. *Formal* recognition, especially, depends more on how a group actually reacts than it does on what that group says, or aspires to.

Failures of recognition come in a variety of shapes. But surely one of the ways that a system of general, formal recognition can fail to obtain is if a set of rights is legally guaranteed to a person, but that person finds themselves powerless to gain any traction when they attempt

¹¹⁰ Here as elsewhere, I use the term "interest" as construed broadly to include anything that one has reason to care about, including the well-being of others. My claim that one uses political processes to pursue one's own interests should not be construed as an egocentric reading of political activity.

to exercise the rights to which they are entitled. Unfortunately it is not always possible to be certain whether one's political activities have been disregarded, or merely unsuccessful; consequently, there may be some persistent level of ambiguity when we try to determine who is actually recognized and who is not, even with the most clearly defined account of what that recognition is supposed to look like. But far from being a problem with the theory, I think this is just one more way that it accurately reflects the second-order vagueness that infects our political lives and acts as a breeding ground for tension.

As Elizabeth Anderson, Susan Moller Okin and others have argued,¹¹¹ publicity and privacy are not fixed properties of spaces (whether physical or conceptual), but powers held by persons within a space; the same space can be public to one person and private to another at the same time. Something is public to me if I have the power to access it, it is private *to* me if I have the power to exclude others from accessing it, and it is private *from* me if others have the power to exclude me from accessing it. The power to access and the power to exclude are not identical: I am entitled to drive on the state highway, but I am not entitled to block anyone else from driving on it. They are connected, however, in the sense that every privacy power is a limit on someone else's publicity power, and vice versa. Together, your power of privacy and my corresponding power of publicity delineate the boundaries where one person's agency ends and the other's agency begins. When the powers in question are also *political* powers, the boundary between your privacy and my publicity defines our respective agency to harness and direct the combined powers of the group.

While there is a tight correspondence between power to access and power to restrict access, these powers can vary depending on who they refer to. I cannot exclude my domestic partner from entering my apartment, but I can exclude my neighbor. This suggests that privacy and publicity powers come in degrees: the more people I can exclude from an area, the more

¹¹¹ Anderson 2017: 43-44; Okin 1979

privacy power I have, and the fewer people who can exclude me, the greater publicity power I have. These powers can be graded in other ways as well: in most circumstances, but not all, I can exclude the police from accessing the contents of my hard drive. I have more privacy power (and the police have less publicity power) over my drive to the extent that there are fewer circumstances in which they could rightfully demand access to it, or to the extent that they face a stronger burden of proof to establish that those circumstances obtain.

The privacy and the publicity component of mutual recognition can each be further subdivided into several distinct powers.¹¹² On the model that I am developing here, there are four basic powers that, taken together, constitute the publicity requirement for mutual recognition.¹¹³ These are best understood as abstract conceptual powers, the ability to do certain kinds of things relative to a given political arrangement; there are any number of ways they could be realized as a more concrete system of rights or expectations within a particular institution or relationship. Some familiar real-life arrangements may combine or conflate them in various ways, which is not necessarily a problem. But if we want a clear map of the conceptual space, I think we should distinguish them as follows:

(1) Interest. The most basic publicity component of mutual recognition is what I call Interest. Simply put, one has this power when one's interests are given weight in the joint decision-making processes that affect those interests. Like all of the powers listed here, this one comes in degrees: I have more of this power (along one dimension) if my interests are given more weight in determining what is to be done, or (along a different dimension) if a greater number of my interests are taken into consideration. I would have the fullest extent of this power if my interests were considered in every decision, if all of my interests were considered, and if

¹¹² In all likelihood, this could be worked out reasonably well in a number of different ways; but what I am presenting is the taxonomy that seems to make the most sense to me.

¹¹³ I would not be surprised to find that there are other publicity powers in existence, and these may be important for a variety of reasons. But they are not a part of mutual recognition, as far as I can tell, so I will not go out of my way to discuss them here.

my interests were the deciding factor in every decision. Whether that kind of power could ever be justified is unlikely, and whether it would even be desirable is up for debate. But it should be clear that if my interests are not at least treated as a relevant factor, then no one could reasonably claim that I am a beneficiary of mutual recognition.

(2) Voice. The second publicity power is what I call Voice: the ability to speak,¹¹⁴ and to have my words heard and considered, in the process of deciding what is to be done. Although Voice and Interest may naturally be thought to go together, they are distinct, as either one can exist without the other. An attorney in the courtroom, for example, has the power of Voice—she speaks with the intent of influencing a decision, and is entitled to have her arguments heard and taken into consideration—but she does not have the power of interest: she is not permitted to speak on behalf of what is important to her personally, or what would be best for her career, or even whether she actually believes in the claims of her own client. It would be deeply inappropriate for the jury or the judge to allow any of those factors to influence their decision. On the other hand, children in most societies are granted the power of Interest, but not Voice: we insist that the government’s decisions give weight to what is good for the children, but we do not (generally speaking, at a societal level) take children’s voices as fully authoritative on what their own interests actually are. While it may sometimes be justified, as in the case of children (at least very young ones), we can see that having Interest without Voice creates a situation that is ripe for abuse. There is a familiar trope, in both history and fiction, of the oppressor who claims that the oppressed party is denied various rights “for their own good,” without ever giving them a fair chance to speak for themselves on the matter. So I think we can reasonably suggest that one is not being fully recognized if one is not permitted to speak, and in particular, if one is not permitted to speak on one’s own behalf.

¹¹⁴ I use the terms ‘speak’ and ‘speech’ here rather loosely, as a way of encompassing all manner of verbal and non-verbal communication. The only real limiting factor that comes to mind is that speech ought to have some kind of propositional content.

(3) Franchise. The third and perhaps most obvious publicity power, which I will call Franchise, is the power to have one's preference counted in the actual finalizing of a decision. Franchise power can be exercised by voting (formally or informally) or in other ways, such as voluntarily allocating one's share of resources. Although in many less-formal contexts it overlaps considerably (or even completely) with Voice, they differ in that Voice refers to participation in the debate about what is to be done, and Franchise refers to participating in the resolution of that debate. Think again of the attorney in the courtroom: she has the power of Voice, but not Franchise. She uses her Voice to try and influence the verdict, but does not actually participate in the formation of that verdict. The jury, by contrast, exercises Franchise but not Voice. Jurors are not permitted to speak during the trial, but must then decide the outcome on the basis of what they have heard. Franchise power, like the others, can come in degrees; in a direct democracy, each citizen gets one equal vote, while in a corporate shareholders' meeting, each participant gets a number of votes proportionate to their monetary investment in the corporation. Complete or maximal Franchise power is when one person's vote overrides all the others, or when only one person has a vote in the first place. Conceptually, the power being exercised is the same, whether I am a despot whose word is law, or whether I am the one ordering pizzas for a party and I unilaterally decide what toppings to get.¹¹⁵

(4) Redress. The fourth and final publicity power is what I refer to as Redress. Perhaps the most difficult to clearly articulate, it is essentially the power to complain about a past decision (either its content, or the process by which that content was affirmed) and have that

¹¹⁵ A potential wrinkle is introduced into this scheme of powers by the idea of representation, which seems to be an odd combination of Interest and Franchise (depending on the particulars of the constitution in question). Having someone who votes on my behalf could be understood as a more limited form of Franchise power, but only within certain constraints. If I have no say in determining who will represent me, or if my "representative" has no actual accountability to me once appointed, then there is little reason to think of myself as having any real input, direct or otherwise, in the determination of political outcomes. And likewise for similar reasons, there is little reason to think I possess anything which could be called mutual recognition in such a situation. This may suggest a less-than-sunny diagnosis for some modern "representative democracies" in which representatives place other loyalties above the expressed interests of their own constituents.

complaint taken seriously. Exercises of Redress power range from arguing before the Supreme Court that a law violates my constitutional rights, to rebuking my friend for insisting on a movie that turned out as boring as I predicted. In order for Redress power to actually exist, there must be at least a real possibility that the complaint raised could lead to future change, such as overturning or redefining the decision being contested, providing compensation for wrongful treatment, or creating, updating, or reaffirming some principles or guidelines for future decision-making. Exercising one's Redress power often involves claiming that one or more of one's other powers (Interest, Voice, Franchise, or one of the yet-unnamed privacy powers) have been denied, ignored, or misrepresented in some way. Redress power is primarily differentiated from Franchise power in that Franchise is active, while Redress is passive. With Franchise power one can be involved in the formation of new plans or policies, while with Redress power one can only participate reactively on a subject that has already been (at least tentatively) decided. In one sense Redress is perhaps best exemplified by the judiciary, who cannot create new laws, but can rule authoritatively on any law that has previously been passed within their jurisdiction. On the other hand, what even Supreme Court justices lack (at least *qua* justices), and which seems to be an essential part of a fully realized Redress power, is the standing to raise a complaint about a decision (or an aspect of the decision process) about which no previous complaints have yet been made. The maximal form of Redress power is an unrestricted veto: the ability to unilaterally override and cancel a decision, regardless of how much support it has among the rest of the political community. It is not unreasonable to think that, if one is entitled to mutual recognition, one ought to have a strong veto power (or something very much like it) over at least some few core aspects of one's life and person.¹¹⁶

¹¹⁶ Although veto power in some respects resembles a privacy power, in that it can be seen as a way of restricting what others may decide, I think it is best (or at least primarily) categorized as a publicity power, since it grants one access to something that would otherwise be regarded as closed (because the matter has already been settled).

These four powers, taken together, constitute the positive or constructive side of mutual recognition. If this picture still seems unsatisfying—as it likely will to anyone with strong liberal intuitions—that is because, as of yet, it is only half a picture. Thus far we have only discussed the ways that one might access the positive power of political associations. If we also want a story about negative power, or the ways that one might shield oneself and one’s interests from the interference of the group—which, for many liberal theorists, is the more important story—then we need an account of privacy powers, by which a group member can carve out a space of exclusion where the positive powers of other members may not be exercised.

Like the publicity powers, there are four privacy powers that are relevant to political recognition. Just as there is an inverse correlation between one agent’s privacy powers and another agent’s publicity powers in general, each of the four privacy powers corresponds to a particular publicity power, and is a kind of inversion of it. We can classify them as follows:

(1) Exclusion. The first of the privacy powers, and the one that is correlated with the publicity power of Interest, is the one that I call Exclusion. This is the ability to have certain facts be treated as inadmissible in political deliberations that bear on one’s status or one’s interests. There is a particular piece of our legal practice that illustrates the idea in an especially vivid way: in a courtroom trial, an attorney can object when a question is asked or a statement made that is irrelevant, manipulative, or otherwise violates the established rules of evidence. If the objection is upheld then the question is not answered, and statements already made can be stricken from the court record, with the result that the offending utterance is barred from having any influence on the trial’s outcome. This is but one of many manifestations of Exclusion, which at its core is the inverse of Interest: whereas Interest power over something is the power to have that thing matter to a group decision, Exclusion is the power to have that thing *not* matter.

Laws that prohibit discrimination in employment on the basis of race, gender, or sexual orientation (to the extent that they actually function as intended) are institutionalized means of granting citizens Exclusion power over those areas of their lives against their potential

employers. In a modern liberal society there are many aspects of life over which citizens have the power of Exclusion at least as a default; so it is easy to miss the significance of this power, particularly if one belongs to the majority or the dominant group in one's social/political context. However, a lack of Exclusion power around some important or highly visible aspect of one's identity can easily become a debilitating burden, especially when there is widespread prejudice against that unprotected trait. Historically, powers of Exclusion appear to have consistently been among the most difficult to establish in places or relationships where they have previously been denied.

(2) Silence. The second privacy power, which I call Silence, is the power to refuse the demand that you answer questions, explain your intentions or your reasoning, or otherwise divulge information when you do not wish to. This power has a connection with the publicity power of Voice, but their relationship is not as straightforward as the one between Interest and Exclusion: my right to refrain from speaking about X is not a limitation on *your* right to speak about X, but only on your ability to *force me* to speak about X. The right to not be required to testify against oneself, and the right to a secret ballot, are well-known institutionalized instances of the Silence power. A more informal example of this same power (provided that there are people who take it seriously) is the infamous slogan, "what happens in Vegas stays in Vegas."

(3) Demarcation. To have what I call the power of Demarcation relative to some area is to be able to prohibit others from accessing it or exerting control over it. This power is perhaps most intuitively understood as it applies to physical spaces, such as one's home or office, and material things like a wallet, a sandwich, and especially one's own body. It can also apply to information, such as one's medical records, financial statements, and personal correspondence. Like most forms of privacy in a social world, these powers are rarely absolute; the obvious example is that I cannot keep investigators off my land if they've obtained a search warrant on suspicion that I have buried my murder victims there. I can possess more of this power by

having more areas that I can block people from, fewer people who can override my attempts to block them, or fewer possible reasons that permit those people to override my boundaries.

The above examples focused on the limiting of access, which despite its importance is but one segment of this power. At its core, Demarcation is about restricting the *control* of others, which includes access and a good deal more besides. The essence of Demarcation power is best understood as the inverse of, and a limitation on, the publicity power of Franchise. Where Franchise is the ability to participate in the determining of a collective will, Demarcation is the ability to place certain matters outside the scope of that same collective will. To put it another way, I have the power of Demarcation when mine is the only vote that counts.¹¹⁷

(4) Non-Interference. The privacy power I refer to as Non-Interference is a bit more challenging to articulate in a straightforward manner. Roughly speaking, I have this power in relation to some matter X if I am entitled to carry out my decisions concerning X without being subject to oversight, delays, or demands that I reconsider. It is the inversion of the publicity power of Redress, in that Redress is the ability to re-open an already closed decision, and Non-Interference is the ability to reject or ignore attempts by others to re-open what was previously settled. In informal situations we might think of it as being “above reproach.” In more formal systems, it is the power to reaffirm the stamp of legitimacy on a process or outcome that faces accusations of being illegitimate. The demands of expediency necessitate that some amount of this power be available at least some of the time, so that groups can move beyond the cycle of endless debate and take effective action where needed. Still, I think we tend to rightly regard this as dangerous territory. Even a small dose of Non-Interference power, if given too freely or uncritically, can be the first step on a path to totalitarianism.¹¹⁸ An expansive right of Redress,

¹¹⁷ If my reading is correct, what writers in the liberal tradition have sometimes called “negative liberty” would have roughly the same extension as the power of Demarcation as I define it here. The right to personal property and bodily autonomy, as traditionally understood, would both fall under this heading.

¹¹⁸ Many of the arguments made by Donald Trump’s attorneys during his impeachment proceedings could easily be interpreted as asserting that the office of the President is entitled to broad powers of Non-Interference. One particularly potent example is the claim by Alan Dershowitz that “If a president does

which is important to safeguard against abuses of power, requires a correspondingly low level of Non-Interference. If we want to diagnose a political system that is failing to identify and resolve tensions effectively, an excess of Non-Interference power should be near the top of our list of potential culprits.

4.4: Mutual recognition and democracy

While it is hopefully apparent that a scheme of general formal recognition ought to secure all eight powers at least to some degree, it is decidedly less clear just what is the minimum required amount of each. Indeed, there may not even be a determinate answer: it might be possible for a variety of different configurations of these powers, in varying degrees, to satisfy the requirements of mutual recognition. What counts as a sufficient level of, say, Franchise power in one configuration may be wholly inadequate in another. The key is that mutual recognition exists only when each member is able to exercise some basic package of all eight powers such that she can represent her interests as a co-deliberator and not as a mere supplicant; and that she can continue to advocate for those interests as long as she believes them to be unfairly disregarded. This in turn requires that each member's overall level of second-order power, taken as an aggregate of the eight individual powers, be at least roughly equal to that of the other members (at least *qua* members, setting aside any positions of limited special recognition that might exist). And in order for these powers to mean anything in practice, a member must both know that he has them, and know how they compare against the powers of his fellows. But working out the practical details, in any given context, may itself require at least a few cycles of tension and resolution in order to develop a sustainable balance that adequately empowers all members to represent themselves in the necessary fashion. It strikes

something which he believes will help him get elected in the public interest, that cannot be the kind of quid pro quo that results in impeachment" (Savage 2020).

me as highly unlikely that true mutual recognition could develop in even the simplest political systems without at least some amount of trial and error. So we should expect the development of tension-resilience to itself be an iterative process, requiring the discovery and resolution of various tensions before a kind of working equilibrium is achieved.

Suppose that there was a political arrangement in which this rough equilibrium had been established. Imagine a group that has, through some combination of luck and good communication, arrived at a point where each person who is situated so as to warrant the recognition given to members does in fact receive it; and that with the structural acknowledgement of membership comes a basic set of publicity and privacy powers. These powers—which might be written down in some authoritative document, or might instead be preserved between the members as a set of implicit expectations which they are prepared to enforce as needed—are functional in both the weaker sense that a member can expect responsiveness and a sense of legitimacy from fellow members when they invoke their powers, and in the stronger sense that they are balanced against the powers of other members such that they cannot be dismissed or overridden on someone else's whim. This is by no means a utopia: there are still all manner of disagreements, some more well-founded than others; political tension can and does arise at unpredictable intervals; and decisions are often made that leave members unsatisfied. Unfairness and injustice have not been wholly eradicated, and their effects can still be felt in ways that are sometimes painful even if they are not extreme. But what this system does have, that many systems lack, is a broadly-distributed sensitivity to hidden political tension. This sensitivity is a structural property of the system, grounded in the ability of each member to speak authoritatively on their own behalf, with the expectation that they will be both heard and protected when they do.

Put in the simplest possible terms, the kind of system just described is defined by three essential features:

1. Every member has a voice.
2. Every voice counts.
3. No voice counts for so much, or so little, that one voice can prevent another from being counted.

If we were going to give a name to a political structure defined by these traits, the most natural thing to call it would be a democracy. But not every democracy grants all of its members the full range of powers described above—and certainly not all democracies equally protect every member in their exercise of these powers. So what we are looking at, when we picture a political arrangement based on mutual recognition as we've described it, is a certain idealized type of democracy. Not that it is ideal in the sense of being utopian or free from shortcomings, but that it is structured in such a way as to emphasize those properties that are most distinctly democratic, in the positive sense of the term. In other words, the thing that this type of structure does best is the thing which makes democracy something worth wanting in the first place.

The precise details of what makes democracy special is a contested issue. Some have attempted to justify it on instrumental grounds, for example that democratic decision-making takes into account the needs of more individuals than non-democratic alternatives, and thus has a built-in incentive to serve the well-being of the many and the poor, not just the few and the rich.¹¹⁹ The epistemological version of this argument is that by drawing on more sources of information, democratic processes make more informed and thus better decisions on the whole. Others argue for democracy on the basis that it best embodies some non-instrumental value, such as liberty, equality, or non-domination.¹²⁰ At the same time, there is a tradition going at

¹¹⁹ See for example Mill 1861, Ch.3, and Sen 1999: 152

¹²⁰ For examples of each of these lines of arguments, see respectively: Gould 1988: 45-85; Waldron 1999, ch. 5; and Kolodny 2014: 287-336.

least as far back as Plato¹²¹ arguing that democracy fails to live up to these lofty ideals, and may actually be harmful, irrational, and immoral.

For the most part I am not going to weigh in on any of those controversies directly, other than to acknowledge that they exist. I am not interested in claiming (nor denying) that democracy is the overall best form of government, or that it is a basic human right, or that we have a moral duty to promote democratic systems. What I *will* say is that democracies, or at least democracies founded on a robust system of mutual recognition (defined as general formal recognition), uniquely possess at least *one* good-making property that other systems lack. Arrangements with this kind of basic structure are, to put it bluntly, about as well-prepared as we can reasonably expect any collection of humans to be when it comes to the inherently messy business of addressing unforeseen political tensions as they arise.

The chief merit of this brand of democracy is not a perfection of any kind, but rather the property of being well-equipped to incrementally perfect itself over time—and to do so not just when the ruler “gets it right,” but as driven by the voice of the people. With a sufficiently broad and equal distribution of important publicity and privacy powers, “the voice of the people” can be translated as the voice of whatever segment of the populace is feeling the tension the earliest or most strongly. We can typically expect that this same group, given the proper encouragement and protection, will be in the best position to begin the difficult conversation and draw in other voices or perspectives as general awareness of the issue expands.

While democracies founded on mutual recognition may have to endure relatively high levels of first-order tension (which in Chapter 1 we labeled *social* tension), what they stand to gain in exchange is a generally lower level of second-order or *political* tension. If we are to single out a random member at any given time, there will be a good chance that at least some of the group’s recent decisions have resulted in outcomes that she disagrees with. But the sting

¹²¹ *Republic*, Book VI; see also Hobbes 1651, Ch. XIX, Riker 1980, and Brennan 2016. Tocqueville 1835 is more ambivalent, but at least voices serious concerns along similar lines.

of these first-order disagreements will hopefully be tempered by the fact that she has as much influence as anyone else in the ongoing proceedings, and the power to seek a rebalancing if she has good reason to suspect that her voice has been unfairly disregarded. Her first-order preference in this instance went unsatisfied, yet her second-order interests, and the powers which embody those interests, remain intact.

Generalizing this pattern to the population as a whole, there will predictably be many who have grounds to complain about the outcome of any group decision (which of course is unavoidable to some extent, regardless of the political structure). What sets this type of system apart from alternatives is that, despite their disapproval of the *outcome*, few if any of these citizens will have legitimate grounds for complaint about the *process* by which the decision was reached, or about their own voice and relevance in that process. And when, on occasion, some members do have well-founded concerns or complaints about the process—or, in other words, when there are second-order disagreements, and thus political tension—this is still against a background in which the powers constitutive of mutual recognition allow for a more straightforward path towards resolution than would be available elsewhere.

Even in a democratic system of mutual recognition, developing and maintaining resilience to political tension requires a certain amount of flexibility. A fully static structure would not be able to have the responsiveness to second-order disagreements that mutual recognition requires, since as was previously argued, even the most equitable and well-intentioned arrangements may be susceptible to the discovery of structural imbalances that have previously gone undetected. More than simply a case for political humility (though that too is a virtue), this is an acknowledgement that part of what it means for a group of persons to be bound by mutual recognition is that the work of defining their shared arrangement is never fully done. To recall from Chapter 3, political stability requires not only the ability to *resist* change from the outside, but the ability to *be* changed from the inside, so as to seek and maintain an equilibrium between shifting internal forces. The past is littered with the stories of political arrangements, large and

small, that resisted internal change in the name of stability only to be shattered by the explosive pressures of political tension left too long ignored.

And so we come full circle: the best way for a political arrangement to protect itself against the destructive tendencies of political tension is not to unreflectively resist, but instead to take measures that allow such tensions to be detected and resolved before they escalate to dangerous levels. The success of these measures depends in large part on the group's ability to access hidden information that is distributed throughout the population in the form of first-person experiential data. In order for the group to make use of that dispersed information in as reliable and constructive a manner as possible, each individual needs to be able to speak on behalf of their own interests, and to do so with the assurances of protection, legitimacy, and responsiveness that characterize the deliberation among equals within in a system of mutual recognition. This type of recognition is both general and formal, and a political arrangement based on general, formal recognition for all members is one that is essentially democratic in structure. But what we mean when we say a system of this kind is democratic is not that it has been rigidly assembled in a form constitutive of democracy (as opposed to, say, a form constitutive of oligarchy). Rather we mean that it is democratic to the extent that it continues to adjust and refine itself in response to the voices of its members, as they exercise their powers of mutual recognition and seek to resolve the tensions they encounter within the system. It is this property, of consistently acting so as to prioritize incremental self-improvement over static self-preservation, that we might call *meta-stability*.

The life of a meta-stable (and thus tension-resilient) system is a dynamic process of self-correction. The same is true, to an even greater degree, for a system that has not yet fully developed the capacity for tension-resilience, but is seeking to move in that direction. Things will not be ideal in the beginning. They may be uncomfortable and even messy, and these unpleasant qualities will likely be exacerbated before they show visible signs of improvement. In the process of re-calibrating on a group level to be more receptive to signs of future tension,

there will very likely need to be a reckoning with whatever already-existing tensions have gone unaddressed. I think we have reason to hope that these two processes (addressing past tensions and attuning to new ones) can be conducted simultaneously and in parallel, and that in fact they lend themselves to that; we should not have to wait until all old debts are settled before we can learn to be more mindful moving forward. But I very much doubt that we can fully engage in one task without also initiating the other, intentionally or not.

There is an aspirational element to a system of mutual recognition, which goes beyond the immediacy of handling one crisis after another. The civil rights struggle that rose to prominence in Birmingham, like many other movements before and after, was not exclusively concerned with a particular set of injustices in a particular time and place. They were also driven by loftier, more teleological ideals, as captured by King's famous saying that "the arc of the moral universe is long, but it bends towards justice."¹²² And it is a typical feature of movements of this kind that, when they grow beyond a local matter and succeed in gaining broad public support, they do so in part by casting themselves as working in pursuit of general social progress, and not only for the righting of a concrete set of wrongs.

By seeking to become increasingly responsive to tension, political arrangements move gradually closer to a meta-stable equilibrium in which new instances of tension, while always a possibility, tend to become fewer and less dramatic, and can be resolved in less disruptive ways whenever they do arise. In this we can see a pathway to a Rawlsian "well-ordered society" that can generate its own support.¹²³ The tension-resilient society develops this status over time, as a byproduct of its increasing ability to recognize the disenfranchised, hear their concerns, and adapt to more effectively affirm their status as holders of mutual recognition with its constitutive

¹²² "Where Do We Go From Here?" (1967). It is clear from the context, as well as his other writings, that for King this inevitability is conditional on the continued work of activists like himself, and that "time itself is neutral; it can be used either destructively or constructively" (1963: 8).

¹²³ Rawls 1971: 138

powers. In doing so, the system achieves the Rawlsian goal of justifying itself to its members and earning their investment in its continued existence.

In the real world of human imperfections, the full realization of such an ideal is almost certainly too much to hope for. But one of the virtues of a tension-resilient system is that, even in spite of its imperfections, it can always be approaching that perfect equilibrium. This is part of what it means for an arrangement to achieve meta-stability. Once the major pre-existing injustices and tensions become more fully resolved (even if there is still work to be done there), the trajectory of such a system would likely become less linear, and more akin to that of a decelerating pendulum. We might liken it to the process of learning Aristotelian virtue, where the student repeatedly errs on one side and then on the other, but each time draws closer to the mean. Contrary to Aristotle, we should not expect this trajectory to eventually come to rest at the midpoint and remain thereafter. But part of what we have been saying all along is that, even if such an outcome were possible, it would not be desirable.

4.5: Lingering concerns

Though we have come a long way from where we started, the picture we have been painting in this chapter is far from exhaustive. There are still many questions to be answered, some of which call for considerable investigation, and which may have the potential to challenge the account presented here in various ways. It would be foolish, not to mention ironic considering the subject matter, for me to suppose that these ideas will not require further adjustment as new issues come to light. For now, as I have said before, we will have to content ourselves with painting in broad strokes, and to treat this as the beginning rather than the end of an inquiry. But I can at least make mention of a few lingering concerns, which strike me as deserving a more thorough examination than I can reasonably give them here.

The first is a worry about the potential for short-term inconsistency that could arise in a group whose members are especially proactive in the business of locating and publicizing tensions. Too-frequent changes to the structure of a political arrangement, even if each of them individually are changes in a positive direction, can in the aggregate have a negative impact on the system's ability to perform the most basic social needs, such as establishing expectations and coordinating actions between individuals. As Vallier puts it, "we not only care about having a high average level of social trust, but that it not vary too much."¹²⁴ This is not a new problem by any means: writers from Plato and Aristotle to Mill and Tocqueville have criticized democratic arrangements for their tendency to be fickle and erratic, and the framers of the United States Constitution were explicit about this as a reason for including non-democratic elements to slow the shifting tides of public opinion.¹²⁵ So there is clearly reason to be concerned about the potential danger of being *too* responsive to the voice of the people.

At the same time, however, it is all too easy for those in traditional positions of power or comfort to lean on this argument whenever their entrenched privileges are threatened. King was right to criticize the white Christians who urged him to move more slowly, to wait for a better time:

Frankly, I have yet to engage in a direct-action campaign that was "well-timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with a piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."¹²⁶

¹²⁴ 2017: 246

¹²⁵ Sanderson 1856: 265-266

¹²⁶ King 1963: 4

The puzzle we are faced with, then, is how to find a balance between on the one hand being proactive in our response to tension, and prioritizing the needs of the underrepresented over the comfort of the privileged; and on the other hand, preserving enough regularity in the system so that members can make choices based on reasonable expectations about the future. This problem is not unique to the theory of political tension, though such a theory may feel its sting with particular sharpness. On the other hand, I think that the study of political tension also offers some unique theoretical resources that can be brought to bear on this perennial issue.

One such resource is the distinction between first- and second- order tension: it is worth asking, at least, how much of the notorious fickleness of majoritarian politics is driven by first-order as opposed to second-order concerns, and thus not the sort of thing that would necessitate any change at a structural level. And the basic powers of mutual recognition, while essentially democratic, are abstractions that can be instantiated in other, more sustainable decision procedures besides direct participatory democracy.

At the same time, we can hypothesize that a system with the learning capacities of a tension-resilient democracy would, at some point, be able to identify an overactive citizenry as itself a source of rising tension that must be addressed. Recall that in Chapter 3 we identified second-order uncertainty, or descriptive disagreement, as another source of political tension; if structural change becomes rapid enough or easy enough that members are uncertain where they stand or what they can count on, this will begin to manifest itself as a political tension much like any other. In the same way that hearing and engaging with the voices of the discontent can teach a group how to overcome its mistakes regarding racial segregation, a similar practice—though perhaps initiated by a different set of voices—can also enable the group to outgrow any tendency of being over-eager to change, or of too easily dismissing the importance of effective planning. Of course, this is a complex problem, and I would not presume to brush it away so easily. What I have said here should be taken not as an attempt to solve it, but only as a gesture towards a possible solution that remains unexplored.

The other major concern, which also merits further attention, is what we might call “the problem of wounded entitlement.” This is at least as much a practical problem as it is a philosophical one; but, once again, it has a particular relevance to the theory of political tension. The phenomenon is a familiar one: an arrangement based on inequality is adjusted to become more equitable, and in the process the privileged class suffers a net loss of power, wealth, or other social goods. They feel slighted, perhaps even outraged; they may blame the parties or individuals whose actions led to the change, and they might attempt to use whatever influence they still have to try and revert things back to the way they were.¹²⁷ It would be easy enough to merely dismiss these complaints, and to say that they simply need to “get over it,” especially considering how frequently the complainers are still better off than the group average, even after the adjustment. And to some extent, that is exactly what needs to happen. But the matter is complicated somewhat by the fact that, at least in a significant number of such cases, there is some kernel of legitimacy to the complaint, something important that these individuals are perceiving that we may sometimes be too eager to ignore.

To be sure, the privileged-who-are-now-slightly-less-privileged may be drastically overstating their case. And there is definitely a kind of moral absurdity in their insistence on reclaiming what was likely only theirs in the first place as a result of historical injustices. But while the loss of material wealth or influence is itself something they may have little right to complain of, there is also a loss of a different kind. It is a loss of entitlement, not to particular things or positions of influence, but to the much more abstract good of being able to make plans for the future use of the resources, both material and social, that one has at one’s disposal. To have those plans disrupted is deeply distressing regardless of one’s position. And to have that disruption come from the collective will of one’s own group can feel very much like a betrayal.

¹²⁷ Although it is a general phenomenon I am describing, it is impossible to ignore the obvious connection with the current movement to “make America great again.”

I do not mean to say we should feel sorry for them, necessarily—and I certainly would not suggest that as the appropriate response for those disenfranchised members who are only now beginning to reclaim what they have been wrongfully denied. Still, it would be a mistake to ignore the fact that the sense of wounded entitlement is a way of disagreeing with the (recently changed or changing) second-order structure of a political arrangement of which they are a part, and in which their interests are at stake. By all the measures we have been using, this is still a real instance of political tension. And those should always be taken seriously as at least a possible indication that something, somewhere, is out of balance.

As with any political tension, the root problem or imbalance might not be anything like what the complaint-maker thinks and says it is. But the complaint is usually the most fruitful place to begin an investigation. And in the case of this particular kind of tension, I wonder whether it may be a sign that—as distasteful as this would be to seekers of justice—at least *something* is owed to those whose relative position is lowered by the correction of past inequality. Not compensation of any kind, but perhaps some form of public re-affirmation that their voices will still be as welcome as anyone else's, at least as long as they do not try to insist on being *more* than anyone else. For that, I think, is the hidden fear that clumsily manifests itself in the phenomenon of wounded entitlement: the fear that one's recent lowering of status was only the beginning, and that one has been set on the downward path to subservience or worse. Sometimes these fears arise in cases where they are ill-founded, and perhaps even comically (or insultingly) misplaced. But once again there is a nugget of truth to them: there seems to be something in us that can sometimes make it difficult to slow our momentum when we reach the line between justice and revenge. And a person or group that is currently on the "losing" end of justice—even if they are still winning in the broader scheme of things—cannot help but be viscerally aware of that danger. So while I am not advocating for anything like an appeasement or consolation prize for those who lose some of their excess privilege, I do think some time needs to be spent—more than can be spent here, at any rate—thinking about what we might

do, on both sides, to smooth what seems to be one of the most difficult and complicated social transitions: the shift from a relationship of superior and subordinate, to a relationship between genuine equals.

Conclusion

Once again, these questions must remain unanswered for now, as well as the others that I am sure will arise. I will conclude by reiterating the core idea of this chapter: a society or group that is tension-resilient is one in which all of its members benefit from mutual recognition, meaning that they all have the power to speak on their own behalf in politically meaningful ways, and that they are acknowledged by the group as both having those powers, and as being within their rights to exercise them freely according to their own best sense of the situation from their point of view. A structure that meets these criteria is a self-improving democracy, one in which the distributed sensitivity to tension is a mechanism for continually driving structural change. And this change, if it continues to be guided by political tension in a constructive manner, will tend to point in the direction of creating an increasingly stable system, in the Rawlsian sense of being able to perpetuate itself by generating its own support among its members.

While there is much to be done still in working out the details of the theory, my aspiration is to have begun to do some justice to King's important insight into the constructive powers of political tension. If nothing else, I hope it has at least been made clear that the study of political tension is a fruitful subject, and worthy of continued investigation.

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