

## REVIEW

### The Liberalism of Love

Sharon R. Krause†

*Political Emotions: Why Love Matters for Justice*  
Martha C. Nussbaum. Belknap, 2013. Pp 1, 397.

#### INTRODUCTION

Liberal political theory has always had something of an allergy to love. Whereas liberalism rests on universal principles of right, love tends to be particularistic in its focus. While liberalism seeks cool-headed fairness in the representation of reasonable interests, love can be hot-headed and inflammatory. Love presupposes controversial conceptions of the good that liberalism (especially political liberalism)<sup>1</sup> relegates to the private sphere. And liberalism means to eschew dependence on motivations as elevated as love, preferring instead the more prosaic motives of self-interest and respect for persons. Against this background, Professor Martha C. Nussbaum's full-throated call for love as a necessary support for liberal democracy is striking. Her new book, *Political Emotions: Why Love Matters for Justice*, acknowledges how strange this idea will sound to liberal ears (pp 4–6, 387–88). To her credit, however, Nussbaum presses ahead, leading a charge that opens up important new terrain for contemporary liberalism even if it does not always persuade.

*Political Emotions* brings together Nussbaum's political theory (her "capabilities approach" and her defense of political liberalism)<sup>2</sup> with her work in the philosophy of emotion.<sup>3</sup> The

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† Professor of Political Science, Brown University.

<sup>1</sup> See generally John Rawls, *Political Liberalism* (Columbia 1996).

<sup>2</sup> See, for example, Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* 31–36 (Belknap 2011) (presenting the "capabilities approach," which holds that respect for human dignity requires ensuring an adequate threshold of certain central capabilities); Martha C. Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* 92–95 (Belknap 2006) (arguing that the capabilities approach sheds light on some problems for political liberals, including problems of justice for people with mental disabilities, of transnational justice, and of justice for nonhuman

book responds to what she sees as a “Problem in the History of Liberalism” (p 1), namely that liberal political philosophy has had little to say about “the psychology of the decent society” (p 4) and especially about the role that emotions play within it. All liberal-democratic societies committed to justice need to “ensure their stability over time” and “to guard against division and hierarchy” (p 3). To achieve these ends they must rely on a range of emotions. On one level, the book is a study of the different types of emotion that are needed among citizens to reinforce the attachment to reasonable political norms that stabilizes a just society or a society aspiring to justice. It means to identify the right political emotions and the right mechanisms for their cultivation, given the normative commitments of a properly conceived liberal democracy and the principled constraints of political liberalism. These commitments and constraints preclude the cultivation of emotion in ways that would be “illiberal and dictatorial” (p 5). Indeed, the core challenge of the book in this respect is to show how political emotions can be fostered through leadership, education, government policy, and culture without running afoul of key liberal principles such as pluralism and personal autonomy. Nussbaum advocates an activist role for both the state and civil associations in the cultivation of political emotions, but she insists that the emotions being cultivated must serve liberal political principles and that this cultivation must take place within a broader cultural context that allows for dissent and the protection of individual liberties (pp 5–7).

If the book is in one sense a general effort to understand why political emotions are necessary and how they may legitimately be cultivated in liberal democracies, in another sense it is a very specific defense of *love* as the political emotion par excellence. Although Nussbaum investigates “a family of interrelated emotions, such as compassion, grief, fear, anger, hope” and “the spirit of a certain sort of comedy,” as well as shame and

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animals); Martha C. Nussbaum, *Perfectionist Liberalism and Political Liberalism*, 39 *Phil & Pub Aff* 3, 42 (2011) (contrasting political liberalism with perfectionist liberalism).

<sup>3</sup> See, for example, Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* 4 (Cambridge 2001) (exploring the relationship between emotion and judgment); Martha C. Nussbaum, *The Therapy of Desire: Theory and Practice in Hellenistic Ethics* 3–12 (Princeton 1994) (exploring how Hellenistic philosophers—particularly Epicureans, Skeptics, and Stoics—viewed the emotions); Martha C. Nussbaum, *Hiding from Humanity: Disgust, Shame, and the Law* 13–18 (Princeton 2004) (arguing that public policies based on the emotions of disgust and, to a lesser extent, shame are “profound threats to the existence and stability of a liberal political culture” because they prevent us from realistically assessing our own humanity).

disgust, she holds that all the core emotions needed for liberal democracy are tied to love in a constitutive way (p 15). This is the radical heart of the book. The claim is radical both in associating all political emotions with love and in arguing that liberal-democratic justice depends on love. *Political Emotions* thus has two distinctive aims: first, the general effort to show that emotions are important in politics and how they should be cultivated, and secondly, the specific defense of love as a condition of justice. The two aims are in principle separable, and one might agree with what Nussbaum has to say about the first while resisting her views on the second. Indeed, while the evidence and examples she brings to bear offer rich support for the idea that certain kinds of emotions matter a great deal in liberal-democratic politics, the book offers less compelling support for the defense of love per se. In what follows, I give a brief overview of the book followed by an assessment of Nussbaum's treatment of love and some suggestions for how the view defended in *Political Emotions* might fruitfully be extended by making a place for a faculty of affective impartiality.

#### I. THE CASE FOR POLITICAL EMOTIONS

After diagnosing the problem in the history of liberalism that the book means to remedy (liberalism's inattention to emotions), Nussbaum embarks on a characteristically erudite and illuminating voyage through intellectual history, this time with an emphasis on modern thinkers, including Jean-Jacques Rousseau, Johann Gottfried Herder, Auguste Comte, John Stuart Mill, the Indian novelist Bankimchandra Chatterjee, the Indian philosopher Rabindranath Tagore, and Wolfgang Amadeus Mozart's opera, *The Marriage of Figaro*. This first part of the book includes three chapters intended to show that political principles in every society "need emotional support" (p 2). Nussbaum is particularly interested here in "public emotions," which "take as their object the nation, the nation's goals, its institutions and leaders, its geography, and one's fellow citizens seen as fellow inhabitants of a common public space" (p 2). No liberal society can sustain itself for long or achieve its aspirations if its people are not committed to its constitutive principles and to one another as citizens. To sustain this commitment, something like a "civil religion" is needed to marshal and channel citizens' emotional energies. In contrast to the accounts of civil religion found in Rousseau and Comte, however, which err in being excessively

homogenizing and coercive, contemporary liberal societies can take inspiration from Mill and Tagore, who envisioned emotional supports for political community that allowed for greater diversity and more individual freedom (p 112).

In Part Two Nussbaum takes up the question of what political principles and institutions citizens' emotions ought to serve, and then goes on to identify some psychological sources of salutary political emotions as well as several psychological obstacles to them. The political principles and institutions she identifies are standard liberal-democratic ones, and they are part of "a family of liberal political conceptions" that includes John Rawls's theory of justice as fairness and Nussbaum's own "capabilities' approach" (p 118). Taken together, they emphasize the equal "opportunities of people to live rich and rewarding lives" (pp 118–19) in addition to "[a] vigilant critical culture" (p 124). Part Two also includes a chapter on compassion as a psychological source of political emotions, citing scientific studies of both animals and human beings that show that the capacity for concern for others runs deep in us but that it tends to be narrow in scope (pp 137–60). "Thus one task of any political use of compassion will be to create stable structures of concern that extend compassion broadly" (p 145). Another chapter draws on experimental psychology to investigate psychological obstacles to the kinds of political emotions that are good for liberal society, focusing on narcissism (pp 168–74), projective disgust (pp 182–86), acquiescence to peer pressure (pp 191–93), and the tendency to obey authority uncritically (pp 193–98). In seeking to cultivate political emotions that support liberal democracy, then, we need to do more than just extend the capacity for compassion. It will also be necessary to mitigate these forms of what Nussbaum, following Immanuel Kant, refers to as "radical evil" (p 166).

Part Three moves on to consider the content of the public emotions that liberal democracy needs and the mechanisms by which they may legitimately be cultivated. This part includes chapters on teaching patriotism; on fostering compassion through public festivals; on managing fear, envy, and shame; and on how love matters for justice. The sources that Nussbaum engages here are remarkably diverse, ranging from the rhetoric of Abraham Lincoln and Martin Luther King Jr (pp 229–39) to FDR's use of artfully constructed photographs to garner support for the New Deal (pp 282–84), from the Stoicism of Marcus Au-

relious (pp 222–24) to the political activism of Gandhi (pp 242–46), from contemporary debates over the colors and imagery of the Indian flag (pp 239–41) to public art in Chicago’s Millennium Park and American Supreme Court decisions regarding the pledge of allegiance (pp 215, 299). The public emotions she identifies as especially salient for liberal democracies today include patriotism (with a critical edge), compassion, “the spirit of tragedy and the spirit of comedy” (p 201) (which respond productively to the sense of loss and the tendency toward projective disgust), and love. These emotions can be cultivated

through many strategies: through public artworks, monuments, and parks, through the construction of festivals and celebrations, through songs, symbols, official films and photographs, through the structure of public education, through other types of public discussions, through the public use of humor and comedy, even by shaping the public role of sports. (p 203)

If done right, the state’s cultivation of the public emotions it needs can proceed without obstructing critical inquiry, pluralism, or individual freedom.

Nussbaum does a great service in showing as a general matter that liberal theory’s allergic reaction to emotions is misplaced. Along the way, she offers insightful accounts of the ways that both tragic and comic arts can serve contemporary political life, and of how important cultural resources are for sustaining democratic citizenship. *Political Emotions* is also a wonderful example of comparative political theory. Nussbaum’s engagement with Indian culture, politics, and philosophy alongside the Western canon and examples drawn from American public life extends liberal theory in important and unexpected ways. Hopefully it will inspire more philosophers and political theorists to look beyond the West for resources in addressing the perennial challenges of political life. Finally, her careful attention to the empirical study of human psychology and her richly drawn illustrations of how public emotions can be fostered in practice offer a valuable model of political theory as an intellectual enterprise that is deeply engaged with the real world. Her account of public emotions is structured by a set of political ideals, but it is by no means idealized. It means to address political societies, such as our own, that aspire to justice without having fully achieved it. Nussbaum has her eyes wide open to the many failures of actual liberal democracies today and to the frailty and fallibility of ac-

tual human beings. Yet she has high hopes for liberal democracy, and she means to encourage us on the path to more fully just societies. One of the great strengths of *Political Emotions* is this ability to be both realistic and aspirational.

## II. ASSESSING THE ARGUMENT: CURRENT DEBATES AND THE ROLE OF LOVE

Although the book takes up themes that have been at the center of multiple fields in recent years, it engages little of the relevant contemporary literatures. As a meditation on the civic sources and moral psychology of democratic citizenship, for example, *Political Emotions* converges with the very large literatures on civic engagement, civic virtue, civic education, and patriotism developed by political theorists and philosophers over the last twenty-five years,<sup>4</sup> but none of this work is mentioned.

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<sup>4</sup> See, for example, Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* 277–79 (Harvard 2000) (arguing that public policy, particularly education policy, should go to greater lengths to encourage citizens to support civic values and goals for the sake of sustaining and enhancing liberalism); Stephen Macedo, *Liberal Virtues: Citizenship, Virtue, and Community in Liberal Constitutionalism* 265–76, 284 (Oxford 1990) (arguing that the political virtues citizens of liberal states must endorse in their public lives, such as tolerance, necessarily shape the things they value in their private lives to the extent that their personal moral commitments are often subordinate to civic values and needs); William A. Galston, *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State* 8–10 (Cambridge 1991) (arguing that, far from being neutral toward varying conceptions of the good life, liberalism itself “rest[s] on a distinctive conception of the human good” that supplies considerable unity to the moral allegiances of otherwise diverse liberal citizens); Amy Gutmann, *Democratic Education* 287–91 (Princeton 1987) (arguing that schooling in liberal democracies should include “political education,” which involves nurturing certain skills, knowledge, and virtues that prepare children for political participation, in order to preserve democracy across generations); Rob Reich, *Bridging Liberalism and Multiculturalism in American Education* 219 (Chicago 2002) (proposing a “liberal theory of multicultural education” emphasizing the cultivation of autonomy, respect, and civic virtue rather than liberal neutrality); Eamonn Callan, *Creating Citizens: Political Education and Liberal Democracy* 215–20 (Oxford 2004) (arguing that public education should endeavor to inculcate children with an appreciation for liberal virtues, particularly reasonableness and “pluralistic moral dialogue”); Anna Stilz, *Liberal Loyalty: Freedom, Obligation, and the State* 22–25 (Princeton 2009) (arguing, contra cosmopolitan theories critiquing citizenship and nationalism as illiberal, that because states are the only institutions capable of providing for equality of freedom—a valuable service—citizenship itself provides sufficient grounds for special allegiance to the state and one’s fellow citizens); William E. Connolly, *Pluralism* 5–10 (Duke 2005) (advocating the cultivation of deep, multidimensional pluralism—pluralism across multiple zones of social and personal lives—fashioned through local meetings, church organizations, and education); Stephen K. White, *The Ethos of a Late-Modern Citizen* 105 (Harvard 2009) (arguing that wealthy Western democracies should adopt an “ethos of democratic citizenship” stressing respect for other people and “presumptive generosity,” rather than mere tolerance).

The central puzzle of the book, which Nussbaum describes as the tension between cultivating a common ethos of citizenship and protecting pluralism and individual freedom (pp 5–6), has been widely discussed in that literature. The theme of emotions and politics also has generated a great deal of attention in the last decade (some of it inspired by Nussbaum’s own earlier work),<sup>5</sup> but again virtually none of the relevant work is discussed. Finally, the claim that love is a necessary support for democratic justice calls to mind the extensive literature on the ethics of care as applied to politics,<sup>6</sup> but it is as if this literature

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<sup>5</sup> See, for example, Michael Walzer, *Politics and Passion: Toward a More Egalitarian Liberalism* 126 (Yale 2004) (arguing that liberal theory should have greater appreciation for the importance of emotions—as opposed to dispassionate reasonableness—in shaping political associations and decision making); George E. Marcus, *The Sentimental Citizen: Emotion in Democratic Politics* 7–8 (Pennsylvania State 2002) (arguing that rationality is enabled by emotionality, making good citizenship dependent upon citizens’ emotional faculties); George E. Marcus, W. Russell Neuman, and Michael MacKuen, *Affective Intelligence and Political Judgment* 1–2 (Chicago 2000) (drawing on neuroscience and experimental psychology to argue that most citizens react to familiar political events and issues habitually and emotionally—unconsciously relying on earlier judgments—but perform novel evaluations when confronted with new or threatening political situations); Cheryl Hall, *The Trouble with Passion: Political Theory beyond the Reign of Reason* 126–27 (Routledge 2005) (arguing that liberal democracy requires passions among the citizenry embracing liberal goods); Christina H. Tarnopolsky, *Prudes, Perverts and Tyrants: Plato’s Gorgias and the Politics of Shame* 193–94 (Princeton 2010) (arguing that “Platonic respectful shame” has a place in discursive politics by encouraging both democratic debate and genuine care for others, perhaps even more effectively than emotions like love); Barbara Koziak, *Retrieving Political Emotion: Thumos, Aristotle, and Gender* 177–78 (Pennsylvania State 2000) (arguing that contemporary liberal theory neglects the role played by emotions in political life, instead placing too much emphasis on self-interest as the source of political motivation); Michael E. Morrell, *Empathy and Democracy: Feeling, Thinking, and Deliberation* 158 (Pennsylvania State 2010) (arguing that empathy must play a central role in order for deliberative democracy to properly function because it is necessary for making collective decisions that give equal weight to the needs of all citizens); Davide Panagia, *The Political Life of Sensation* 1–4 (Duke 2009) (contending that individuals’ political lives are formed and altered in moments of interruptive sensation because these moments “invite occasions and actions for reconfiguring our associational lives”); Deborah B. Gould, *Moving Politics: Emotion and ACT UP’s Fight against AIDS* 46–47 (Chicago 2009) (arguing that emotions powerfully shape political views, behavior, and activism); Jeff Goodwin, James M. Jasper, and Francesca Polletta, eds, *Passionate Politics: Emotions and Social Movements* 21 (Chicago 2001) (arguing that emotions help explain the creation, trajectory, and decline of social movements); Simon Thompson and Paul Hoggett, eds, *Politics and the Emotions: The Affective Turn in Contemporary Political Studies* 4–7 (Continuum 2012) (arguing that emotions play a crucial role in human reasoning capacities, political conflicts, social movements, political communication, policy making, and humanitarianism).

<sup>6</sup> See, for example, Joan C. Tronto, *Moral Boundaries: A Political Argument for an Ethic of Care* 162–65 (Routledge 1993) (arguing that the notion of care is important to political ethics as a means of enhancing equality within democratic society); Virginia Held, *The Ethics of Care: Personal, Political, and Global* 81, 88 (Oxford 2006) (arguing

never existed. To be sure, the book does engage a variety of different literatures, often with great depth and insight.<sup>7</sup> Still, for all its richness, many of Nussbaum's core insights—about the importance of attending to the motivational supports of liberal democracy, about the value of emotions in politics, and about the challenges of directing civic engagement in ways that serve the polity but also protect individual freedom—will seem familiar to anyone who has been keeping up with central debates in political theory and philosophy. What she has to say on these matters is generally quite sensible, but a good deal of this ground has been covered by others, and the primary dilemmas have been widely discussed.

Where the book truly departs from existing work is in its defense of love as the political emotion that matters most for the stability of democratic societies and the pursuit of justice. Love matters most, Nussbaum says, partly because “all of the core emotions that sustain a decent society have their roots in, or are forms of, love” (p 15). Partly too, love is the key because other forms of affective engagement that are often associated with democratic citizenship, such as “respect and even sympathy,” are “insufficient and dangerously unstable” without love (p 165). Yet the arguments Nussbaum offers here are less than fully convincing. One difficulty has to do with the ambiguity surrounding the meaning of the term “love” as it gets employed throughout *Political Emotions*. Many different types of love are included in the “political love” that Nussbaum champions, ranging from “the love of parents for children, the love of comrades,

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that liberalism should be informed by the ethics of care in order to better account for the social reality of considerable interdependence among individuals within their communities and the economy at large); Michael Slote, *The Ethics of Care and Empathy* 96–100 (Routledge 2007) (applying an “ethics of empathetic care” to the issue of distributive justice, and arguing that political institutions and decisions should display compassion); Fiona Mackay, *Love and Politics: Women Politicians and the Ethics of Care* 129–30 (Continuum 2001) (arguing that a political version of care ethics would correct an imbalance in contemporary liberalism by informing political decision making with an improved sensitivity to issues of care and challenging harmful policies motivated by interest alone); Nel Noddings, *Caring: A Feminine Approach to Ethics and Moral Education* 3–6 (California 2d ed 2003) (proposing an ethics that is derived from a natural caring and a recognition of our longing for human relation).

<sup>7</sup> For example, Nussbaum explores Professor Paul Rozin's experimental work on projective disgust in order to enrich Kant's concept of “radical evil” (pp 182–84). She also addresses Professor Daniel Batson's idea that focused compassion generates particularistic favoritism by suggesting that compassionate love should be cultivated in an inclusive and generalized way while remaining “in dialogue with principles and general moral norms” (pp 316–19).



and romantic love” (pp 381–82) to the love of country embodied in patriotism (pp 239, 249). Indeed, political love on Nussbaum’s view is “a family of sentiments, not a single emotion” (p 394). And the family is a large one. It involves “kaleidoscopically many feelings, actions, and reactions—including intense focus on the other person, but also including the solitary cultivation of one’s own personal interests, and even sleep” (pp 319–20). By the time we get to the cultivation of one’s own personal interests and sleep, the concept of love has grown too capacious to function as Nussbaum needs it to do. One’s personal interests and one’s sleep may be objects of one’s love, but that kind of love is a far cry from the “altruistic” concern for others and its effectiveness in “prompting cooperative and unselfish behavior” that makes love valuable for politics (p 382). Likewise, the claim that “compassion, grief, fear, anger, [and] hope” all “have their roots in, or are forms of, love” (p 15) is difficult to swallow.

What most matters to Nussbaum seems to be that “the public culture cannot be tepid and passionless, if good principles and institutions are to survive” (p 320). “[P]eople’s attitudes to one another and the nation they inhabit” must be more than “dead routine” (p 320). True enough. But why must it all come down to love? The exceedingly extended family of emotions that Nussbaum includes under the rubric of “political love” is too broad. It entails collapsing real distinctions between types of emotion and running together forms of affective engagement that we need to understand on their own terms if we are to mobilize them effectively. We do need an emotionally inspired political culture, but we should acknowledge that such a culture requires many irreducibly diverse emotions, among which an important one (but only one) is love.

Nor is it entirely clear that love is necessary for democratic justice in the ways that Nussbaum believes. The role of love in politics “comes in two stages,” on her account (p 165). The first stage is developmental. Drawing on studies in infant psychology and early childhood development, Nussbaum argues that the capacity to have concern for others arises from the “facilitating environment” of parental love in early life and from the child’s own first experiences of love for his or her parents (pp 174–75). It is “[o]nly love,” she says, that “propels the infant into creative reciprocity and the sort of empathetic perspective taking that makes action an expression of genuine concern” for others (pp 175–76). Love between parents and children is the catalyst

for the later development of all the other-regarding capacities that make an inspired political culture possible. For this reason, “the political culture needs to tap these sources of early trust and generosity . . . if decent institutions are to be stably sustained” (p 177). The second stage at which love matters for justice comes in adulthood. For even when a person has successfully experienced the love that spawns the capacity for concern, this capacity is regularly hindered by “persisting insecurities” and by the narrowness of sympathy that is “inherent in our animal heritage” (p 165). Thus throughout our lives “love needs to come to the rescue,” here in the form of “a vigorous imaginative engagement with another person’s particularity” (p 165). This imaginative engagement enables us to extend our circle of concern in more inclusive ways, to “undo or prevent the ravages of group-based stigma and reveal citizens to one another as whole and unique people” (p 165).

The idea that children need love to develop other-regarding capacities is eminently sensible.<sup>8</sup> This fact gives political communities a stake in the health and well-being of families. Whether the state “needs to tap these sources of early trust and generosity” (p 177) directly is not so clear, however. What the state needs to tap is the developed capacities of adult citizens for extended empathy and concern. In doing so, it engages capacities that would not have been possible originally without the facilitating presence of love, but it need not engage love directly. For what it means to have become an adult, even on Nussbaum’s own view, is to have developed capacities for concern that extend beyond and are independent of the particular context of personal love in which they were first germinated (pp 181–82). These capacities are not reducible to love, even when love is broadly defined. It is true that Nussbaum equates love here with the “imaginative engagement with another person’s particularity” (p 165), but she regularly distinguishes love from sympathy, compassion, empathy, and respect for persons, all of which involve (or could involve) imaginative engagement with another person’s particularity. This kind of imaginative engagement is important for democratic citizenship, but it is not the same thing as love. And even though the psychological capacity for such engagement may have its earliest sources in parental love, it is a mis-

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<sup>8</sup> See, for example, Nussbaum, *Upheavals of Thought* at 190–200 (cited in note 3) (discussing psychoanalytic literature on the development of other-regarding capacities in infants).

take to conclude that because we need citizens to be imaginatively engaged with one another we also need them to love each other.

Nussbaum allows that political love is “polymorphous” (p 381), and it may take for its objects political principles, practices, and institutions as well as people. But love of one’s fellow citizens does also seem to be crucial on her account. Consider her insistence that a fair tax system needs the motivational support of love if it is to be stable and effective. In “the absence of love directed at one’s fellow citizens and the nation as a whole,” she says, the laws and institutions that undergird a fair system of taxation “will not sustain themselves” (p 214). Yet it seems quite possible that a combination of motives other than love could do the trick, and particularly love of one’s fellow citizens. Why do we pay our taxes, after all? Some of us are afraid of the IRS; others are too lazy or too busy to resist; and some may be invested in the stability of the state for self-interested reasons that have little to do with love of one’s fellow citizens and one’s country. My hunch is that most citizens of more-or-less just liberal democracies pay their taxes out of some combination of these motives rather than out of the public love that Nussbaum points to here.<sup>9</sup> This is an empirical question, of course, and one well worth exploring in light of Nussbaum’s larger purposes. In any case, the example of a fair tax system does not provide the kind of support Nussbaum needs to sustain the conclusion that love is a necessary support for a liberal democracy aspiring to justice.<sup>10</sup>

One reason why Nussbaum is so insistent on the importance of love is that she has little faith in the efficacy of more standard features of liberal moral psychology, above all impartiality. She

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<sup>9</sup> For an empirical study of motives for paying taxes, see James Alm, Gary H. McClelland, and William D. Schulze, *Why Do People Pay Taxes?*, 48 *J Pub Econ* 21, 35–36 (1992) (concluding that “individuals exhibit a remarkable diversity in behavior” with regard to tax compliance).

<sup>10</sup> Nussbaum might say that the fair tax system she has in mind involves more redistribution of wealth than the current US tax system. And she might point to the absence of this kind of tax system in the US as evidence that public love is necessary. Given her frequent attention to FDR and the New Deal in the book, she might also point to the country’s move away from the ideals of the New Deal in the latter half of the twentieth century as evidence that public love is lacking. Yet one could frame the same concern in terms of an absence of solidarity and the sense of justice without necessarily bringing in love. Or at least, the value added by bringing love in—over and above more familiar sources of attachment and concern within liberal moral psychology—is not fully clear, especially if these attachments are conceived (as they should be conceived) as being affectively engaged.

criticizes Jürgen Habermas, for instance, for “his strong commitment to impartiality” (p 222). Although Habermas is right to “see[ ] the need for some type of emotional support for good political principles,” he is wrong to locate this support in the ideal of “constitutional patriotism” (p 222).<sup>11</sup> That ideal is marred by the “excessive abstractness” (p 222) of its core commitment to impartiality, something that Nussbaum seems to regard as intrinsically antithetical to emotion. Yet without engaging Habermas’s own work on constitutional patriotism or the meaning of impartiality, she moves directly to a discussion of Marcus Aurelius, the Stoic philosopher and Roman emperor. Marcus’s work, she says, will tell us “how this commitment [to impartiality] plays out in emotional terms” (p 222). “For Marcus, unlearning partiality requires an elaborate and systematic program of uprooting concern for all people and things in this world” (p 223). Impartiality therefore “means something like a death within life” (p 224), for it “requires the extirpation of the eroticism that makes human life the life we know,” and it shuts out the emotions (p 225). As such, it could never support a liberal democracy aspiring to justice. It is difficult to assess Habermas’s theory of constitutional patriotism on the basis of what Nussbaum tells us about Marcus Aurelius. Habermas’s view may indeed be flawed, but what we learn about Marcus here sheds no light on that.<sup>12</sup> And elsewhere Nussbaum calls attention to the value of “the human capacity for impartiality” as something that overcomes our natural “narrowness” and that forms “the core of mature morality” (pp 156–57). Whatever the specific meaning of impartiality as defined by Habermas or Marcus Aurelius may be, as a general matter there is no reason to think that impartiality must oppose emotions.<sup>13</sup> Indeed, it is quite possible to conceive impartiality in a way that acknowledges the importance of affective engagement on the part of citizens and even incorporates emotional modes of consciousness directly.

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<sup>11</sup> For Habermas’s discussion of impartiality and constitutional patriotism, see Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* 491–500, 511–12 (MIT 1996) (defending “constitutional patriotism,” which views a state’s political unity as organized around a common liberal political culture and constitution rather than around nationalist sentiment—and which depends on assessing issues impartially) (emphasis omitted).

<sup>12</sup> For a criticism of Habermas’s theory of constitutional patriotism, see Morrell, *Empathy and Democracy* at 76–84 (cited in note 5) (arguing that Habermas’s dichotomy between reason and affect undermines his attempt to incorporate empathy into his theory of constitutional patriotism).

<sup>13</sup> See, for example, *id.* at 164–67.

## III. IN DEFENSE OF AFFECTIVE IMPARTIALITY

What I mean to suggest is an ideal of *affective impartiality* that satisfies Nussbaum's interest in emotions while also serving the liberal commitment to fairness.<sup>14</sup> Impartiality is a cornerstone of contemporary liberal theory because it insulates decision making from inequalities of power, from privilege and prejudice, and guards against the interests of the less powerful being sacrificed to those with more power. Impartial deliberation generates legitimate decisions because it instantiates the core democratic value of equal respect. Although the literature on democratic deliberation often presents the practice of impartiality as if it were antithetical to emotion, much as Nussbaum's critique implies, impartiality need not excise emotions. Affective impartiality in democratic deliberation requires two distinctive practices that include sentiments and hence affective engagement. First, the arguments that citizens make in deliberating about public matters are to be framed in terms of their shared attachments to the constitutive principles of the political order, attachments that are often referred to as "public reasons" (although the concept of public reason is often conceived, wrongly, in ways that render it devoid of affect). Secondly, deliberation on this view involves perspective taking in which citizens use empathy to affectively engage the sentiments of affected parties, and incorporate the endorsable sentiments of those affected into a generalized standpoint. Emotion therefore has two roles in impartial deliberation: it involves affective attachment to public principles and the desire to see them instantiated; and it requires identification with the sentiments of affected others in a way that is simultaneously empathetic and critically informed. Let me elaborate briefly on each.

Public reason has emotional content, although standard accounts of it usually fail to capture this content. To make use of public reason in deliberation means framing one's arguments in terms of public principles that are constitutive of the regime and defining features of the political community. Such principles are objects of shared concern and common attachment, things that

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<sup>14</sup> This paragraph and the three that follow are drawn from my prior book. See Sharon R. Krause, *Civil Passions: Moral Sentiment and Democratic Deliberation* ch 5 (Princeton 2008). *Civil Passions* explores the faculties of heart and mind involved in deliberating about justice. It shows why political deliberation cannot avoid the passions, and offers a systematic account of how passions, properly conceived, can generate an impartial standpoint that makes democratic decisions both just and motivationally compelling.

citizens *care* about. Public reasons embody the shared horizons of concern that define the political culture of the polity and shape the ethos of citizenship there. Such attachments are both cognitive and affective. In the American context, the core concerns that define public reason include Americans' attachment to the principles articulated in the Constitution and the Declaration of Independence. These attachments certainly do have intellectual content. We could not care about the principles of liberty and equality for all without sophisticated cognitive capacities. And we have good reasons for caring about these principles. Yet affective, emotional engagement is fundamental to how we relate to them. The principles do more than simply give cognitive meaning and intellectual order to our experience; they also specify forms of interaction, such as equal respect and reciprocity, which we care about and want to see brought to fruition in the world. Part of being a good citizen in this context is precisely to be affectively engaged in this way. We have a conative, not merely a cognitive, orientation to public reasons, and have emotional as well as intellectual attachments to them.

Public reasons therefore incorporate shared sentiments and common concerns, and when we engage in public reasoning we draw on faculties of both caring and reflection. Political deliberation that answers to public reason, so conceived, achieves the impartiality needed to ensure the legitimacy and justice of the decisions that result. It means that decisions will in principle be endorsable by all because the decisions are justified in terms of sentiments and concerns that all citizens, as citizens, are expected to share. Deliberation in this form is impartial insofar as it treats those affected with equal respect. It does not privilege the interests of some over those of others but rests on concerns that are constitutive of the polity and are widely shared. It is true that impartiality so conceived falls short of universalism, in the sense that the principles guiding it will be tied to a particular political community and its specific defining ideals. Deliberation that answers to public reason, properly conceived, will be impartial in the sense of being inclusive of different individuals and groups of citizens, but it will be partial to the concerns that are constitutive of the polity, and it will give special weight to these concerns. This kind of public deliberation fosters the greatest measure of impartiality we can hope for in politics, and it does so while remaining affectively engaged.

The perspective-taking dimension of affective impartiality is also important. Perspective taking involves considering things from the point of view of all those who are affected by the matter under deliberation. The generalized standpoint that perspective-taking effects is impartial insofar as it resists the domination of any particular interests or private prejudices by incorporating the legitimate sentiments of all. At the same time, because deliberation from this generalized standpoint involves thinking and feeling with others, it is always an affectively engaged activity. It is important to see that not every sentiment that those affected may feel is properly included, however. To legitimately claim a place in the generalized standpoint of impartial deliberation, an emotion or concern must itself be endorsable from within a properly structured generalized standpoint, and it must be compatible with the principles of public reason. Sentiments based on ignorance of relevant facts should carry no weight, for instance. Likewise, in deliberating about antidiscrimination laws, we should not be moved by the pain a white supremacist may feel as a result of increased racial justice. White supremacy is fundamentally antithetical to the principles of freedom and equality that are constitutive ideals of liberal democracy and core features of public reason in the United States. Emotions stimulated by racism have no legitimate place in impartial public deliberation. Sentiments that violate public reason or result from factual mistakes could not reasonably be endorsed by those they affect. In this respect, affective impartiality is a far cry from blind empathy.

Impartiality need not be inconsistent with political emotions, then.<sup>15</sup> We can make sense of impartiality in a way that involves reflective sentiment and a form of practical reasoning that is both cognitive and affective. Affective impartiality embodies the interpenetration of mind and heart in this regard. It shows us one important way of being emotionally engaged in politics insofar as it involves bringing our common concerns and

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<sup>15</sup> Nussbaum acknowledges that “the human capacity for impartiality” is “[a] crucial resource” for moral development (p 156), but she treats impartiality as a function of principled reasoning that is distinct from perspective taking. Human beings, she says, “have two systems of judgment: a system based in the imagination and perspectival thinking, and a system grounded in principle” (p 157). The latter, which she refers to as “impartial principle,” should be in “dialogue” with the former, but the two are separate faculties (p 157). On my view, impartiality itself includes both perspective taking and attachment to principle, and both dimensions of impartiality involve affective modes of consciousness.

the sentiments of one another to bear in deliberation about matters of basic law and public policy. When emotions are properly incorporated into public deliberation they serve rather than thwart impartiality. The relationship between affective impartiality so conceived and liberal democracy is a reciprocal one. Even as impartiality supports liberal democracy, it depends upon the presence of liberal-democratic institutions and on the informed and critical engagement they make possible. By establishing individual rights and the political conditions of equality that force us to consider the sentiments of others, and by facilitating a wide-ranging deliberative system that brings a great diversity of sentiments onto the public stage, liberal democracy has the potential to expand the imagination and educate the emotions of citizens.

Citizens who are skilled in the feeling of impartiality can go some distance toward providing the emotional supports that a society aspiring to justice needs. Affective impartiality is not the only way that political emotions matter, of course, and it does not rule out the potential value of love in some forms. But it does suggest that some of the important work that Nussbaum thinks only love can accomplish actually may be achieved through other forms of emotional engagement not reducible to love. It also suggests that political emotion need not be conceived as antithetical to impartiality. And it may give us reason to hope that some other liberal principles, including respect for persons and the “principle-dependent emotions” that Nussbaum identifies in Rawls (p 313), may be reconceived in ways that are emotionally richer and affectively more dynamic than Nussbaum assumes and than the existing literature lets on.

What all this amounts to is an argument for a somewhat deeper pluralism of political emotions than what Nussbaum’s liberalism of love suggests. She is right to push liberals to take love more seriously, and I hope the book will inspire further reflection on the meaning and value of love for politics. And to Nussbaum’s great credit, her argument for love never comes off as excessively idealistic. Perhaps it is the wealth of concrete examples she gives and the book’s insistent engagement with the realities of human nature and political life. Perhaps it is the many reminders of how pervasive love actually is in our lives, its countless vitalities and multiple objects, which implicitly presses the point that love is more abundant and more available, even for political uses, than we typically think. Yet in making the



case for love, Nussbaum underestimates the independence and the capabilities of other political emotions. There is plenty more work to be done in elaborating the role of these emotions as they figure in liberal-democratic societies aspiring to justice. Martha Nussbaum is a towering figure in this domain and *Political Emotions* is a major contribution. The liberalism of love it envisions boldly goes where liberal theory has always feared to tread, and the vistas it brings into view stand to elevate us all.