

Anno LIV, nn. 225-226
maggio-dicembre 2019
ISSN 2035-5866
Nuova serie

***Special Double Volume
in Memory of Glen Newey
edited by Glyn Morgan***

Glyn Morgan

Introduction

Anna Elisabetta Galeotti

Glen Newey's Critique of Political Toleration

Rainer Forst

Toleration, Power and Reason:
Continuing a Dialogue with a Political Realist Friend

Federica Liveriero

Newey and Rawls in Dialogue: The Limits
of Justification and the Conditions of Toleration

Richard Bellamy

Lies, Deception, and Democracy

Dimitrios Efthymiou

Political Lying in Newey and Bellamy

Kenneth Baynes

Public Reason's Faith

Glen Newey

Real Legitimation, Anarchism, and Power Loops

Enzo Rossi

On Glen Newey's Prescient Political Realism

Giulia Bistagnino

Glen Newey and the Concept of the Political

Greta Favara

Glen Newey's Critique of Legitimacy. An Assessment

Detlef von Daniels

Realism, Power-Loops, and Re-Entry.
An Imaginary Conversation with Glen Newey
over the Gaps of Time and Traditions

Michael Mosher

Glen Newey's Brief Against Comprehensive Justification

Glyn Morgan

Glen Newey's Realism, Liberalism and its
Alleged Suppression of Politics

Corrado Fumagalli

Book review - Justification, Legitimation and the Self

libertà

Biblioteca della libertà

Special Double Volume in Memory of Glen Newey

- 3 Introduction | **Glyn Morgan**
- 15 Glen Newey's Critique of Political Toleration | **Anna Elisabetta Galeotti**
- 41 Toleration, Power and Reason: Continuing a Dialogue with a Political Realist Friend | **Rainer Forst**
- 49 Newey and Rawls in Dialogue: The Limits of Justification and the Conditions of Toleration | **Federica Liveriero**
- 61 Lies, Deception, and Democracy | **Richard Bellamy**
- 83 Political Lying in Newey and Bellamy | **Dimitrios Efthymiou**
- 103 Public Reason's Faith | **Kenneth Baynes**
- 117 Real Legitimation, Anarchism, and Power Loops | **Glen Newey**
- 137 On Glen Newey's Prescient Political Realism | **Enzo Rossi**
- 147 Glen Newey and the Concept of the Political | **Giulia Bistagnino**
- 163 Glen Newey's Critique of Legitimacy. An Assessment | **Greta Favara**
- 177 Realism, Power-Loops, and Re-Entry. An Imaginary Conversation with Glen Newey over the Gaps of Time and Traditions | **Detlef von Daniels**
- 193 Glen Newey's Brief Against Comprehensive Justification | **Michael Mosher**
- 203 Glen Newey's Realism, Liberalism and its Alleged Suppression of Politics | **Glyn Morgan**

Frontiere liberali | *Book Review*

- 229 Justification, Legitimation, and the Self | **Corrado Fumagalli**
on Sebastiano Maffettone's *Politica. Idee per un mondo che cambia*
- 233 Abstracts
- 239 Biographical notes



Direzione, redazione e amministrazione
Biblioteca della libertà
Via Ponza 4 • 10121 Torino
Telefono 011 5591611 (cinque linee)
segreteria@centroeinaudi.it

<http://www.centroeinaudi.it>

Autorizzazione del Tribunale di Torino
n. 3606 del 30 dicembre 1985
Quadrimestrale
Direttore responsabile: Salvatore Carrubba
Condirettori: Maurizio Ferrera e Beatrice Magni
© Copyright 2019 by Centro di Ricerca e Documentazione Luigi Einaudi

Giulia Bistagnino

Glen Newey and the Concept of the Political

I. INTRODUCTION

In the past years, the methodological debate in political theory has seen the emergence of a new wave of political realism. As well-known, political realism is a long-standing tradition of political thought, which goes back to Thucydides and Niccolò Machiavelli, concerned with providing guiding principles for political action based on accurate descriptions of politics and on the consideration that the political realm is, in some sense, autonomous. Contemporary political realists have not only presented new interpretations and ideas about the key features of political realism, but also have embraced such standpoint as a methodological reaction against mainstream liberal, normative theorizing, which they deem moralistic and too ideal.¹

Within this debate, Glen Newey's work constitutes a decisive contribution, which represents an important component of the contemporary renaissance of political realism. On a methodological level, Newey argues that political theory should deal with what is distinctively "political". Indeed, one of Newey's main concerns regards how political theory should be conceived and carried out. From his point of view, contemporary political philosophy, understood in terms of normative theories of liberalism, is not *political* in the relevant sense for its scope is too narrow. According to Newey, normative liberal theorists misunderstand the nature of politics and, in turn, dis-

¹ For discussions of realism as a movement opposed to the "applied-ethics" approach, see Baderin 2014; Galston 2010; Philp 2012; Rossi, Sleat 2014; Stears 2007.

place real politics altogether² by focusing on conceptual distinctions and on constructing and evaluating theories of justice, citizenship, etc. According to Newey, political theory – as it is practiced today – is overly focused on normativity and on what should be done, while lacking a systematic analysis and understanding of what politics is.³ Drawing upon these ideas, Newey proposes a conception of politics, that is realist in kind for it is drawn from the experience of real world politics, in which the political realm is constituted by endemic disagreement and essentially involves the use of power.⁴ In “Real Legitimation, Anarchism and Power Loops”,⁵ Newey scrutinizes even further the notion of politics by not just proposing a conception of it, but by attempting to understand on what basis the realm of the political can be considered as such. By advancing what he calls the “first political question”, Newey proposes a criterion to identify what pertains to the political domain.

In this article, I shall discuss Newey’s idea that the “first political question” should not concern the securing of “order, protection, safety, trust, and the conditions of cooperation”⁶ – as Williams suggests – but *what do we do?*⁷ My aim is to provide an interpretation of what Newey considers basic for classifying a certain issue, action or decision as distinctively political and to show the force and relevance of such an account by elucidating how it applies to different understandings of politics present within the tradition of Western political theory. Indeed, in the essay here under discussion, which is published in this volume for the first time, the idea of the basic political question is underdeveloped. However, if my interpretation is correct, Newey has proposed an innovative and powerful way to understand what are the basic conditions for assessing what falls within the realm of the political.

² Although the attack on contemporary liberals is explicit in Newey’s work (see for example, Newey 2001a, 2), it is interesting to note that he advances the same critique also against perspectives that put conflict at their very centre. For example, he rejects Walter Bryce Gallie’s theory of essential contestability by arguing that it constitutes an attempt to displace political disputes in the philosophical arena. On this point, see Newey 2001b, 252.

³ As Paul Kelly notes (2004, 96), Newey’s idea of political philosophy is influenced by Michael Oakeshott’s methodological reflections on theorizing about politics.

⁴ See Newey 2001a, 7-8.

⁵ Published in this volume.

⁶ Williams 2005, 3.

⁷ Newey 2019 [2016], 127.

The article unfolds as follows: section 2 is devoted to the interpretation of Newey's basic political question and to the elucidation of its different elements. In section 3, I attempt to test whether his account of what constitutes "the political" can actually meet various interpretations of politics offered in the literature. In particular, I focus on three very different accounts:⁸ Carl Schmitt's concept of politics; Hannah Arendt's conception of political action; the liberal idea of the political, jointly with Bernard Williams's basic legitimation demand, which is Newey's starting point for arriving at the basic political question. If – as I aim to show – all accounts meet the basic political question, it seems correct to argue that Newey has successfully pinpointed what is basic about politics. Section 4 briefly shows how the basic political question excludes certain practices from the political domain. In the final section, some concluding remarks are offered.

2. THE BASIC POLITICAL QUESTION

In order to carve out the space of the political and thus to understand what are the crucial characteristics that are necessary to identify a certain issue or circumstance as political, Newey identifies what he takes to be the basic political question: *what do we do?* It is not easy to understand precisely what Newey intends with this question. However, it is possible to provide a tentative interpretation of it, which captures the spirit and aim of Newey's discussion. He states that with this question his intention is not that of providing a definition of politics or the political. However, he also writes that

this question arises all the time. For whom it arises, and in relation to what deliberative possibilities, are themselves already political questions. It is also obvious that the question admits of more descriptive and more normative inflections, but even where the answer purports to be a descriptive one ... it clearly also may have action-guiding intent.⁹

⁸ Although there exist other accounts of the political in the philosophical literature, I limit my discussion to these three conceptions for reasons of space. However, it is important to note that the chosen sample of theories is relevant for it covers not only realist and liberal understandings, but also a peculiar and unique perspective such as that of Arendt, which eschews any categorization.

⁹ Newey 2019 [2016], 127.

Drawing from this, it is possible to advance two considerations. First, the basic political question does not constitute, by itself, the sphere of politics. It is certainly not the case that when the question is posed the domain of the political is somehow revealed. On the contrary, understanding the way in which the question is advanced (by who, with respect to what, throughout which means) is already part of politics. In this sense, the point is that the question *what do we do?* is central every time we are assessing a proper political matter: in order for a situation to be distinguished and identified as political, some version of the question must arise.

Second, the way in which the basic political question is understood can vary, depending on one's idea of what politics is, thus it can be more or less grounded in theories about how political actors operate in practice and what causal mechanism explain political behaviour. Similarly, it can display a more or less normative and prescriptive flavour, attempting to provide answers that go beyond the descriptive reality of how human beings actually act. Moreover, the basic political question arises regardless of whether politics is considered an autonomous domain, characterized by specifically political values, or if it is thought as regulated by morality and ethics. In this sense, it is possible to argue that, precisely because he admits different readings of the same question, Newey's aim seems that of capturing what is really essential about any account of what politics is about. To use a famous Rawlsian distinction,¹⁰ it may be possible to argue that Newey's question is meant to identify a concept of politics, which can be developed and worked into many different conceptions. The basic political question captures those elements which any definition of politics needs to consider and better specify in order to be satisfactory. Indeed, as Newey writes, such question "is simply an attempt to characterise the point from which [politics] begins".¹¹

With respect to the question *what do we do?*, three elements appear crucial: *what*; *we*; *do*. The first element – *what* – concerns the fact that, within the political domain, various courses of action are possible, thus it is necessary to filter those ones that are most appropriate, given the circumstances. In this sense, although consideration and assessment of the past may occur, politics is generally concerned with the future and thus with what is to be done and how it is to be done. As Hanna Pitkin notes "if the central question

¹⁰ See Rawls 1999, 9.

¹¹ Newey 2019 [2016], 11.

of moral discourse might be characterized as ‘what was done?’ the central question in politics would have to be ... ‘what shall we do?’”¹²

The second element – *we* – signals the fact that, when dealing with politics the subject is plural. A course of action is genuinely political if it concerns and regards a certain collectivity and has an influence on it. Moreover, an action is political because it regards the way in which the society is organized and not just a specific individual. Politics does not concern the individual conscience or the individual life. Political questions and matters retain a large scope and scale, they take a general and public form.

The third element – *do* – refers to the fact that politics requires some form of action or decision. The mere act of thinking fails to be political unless it is coupled with discussion with others, deliberations, and actions for the change or maintenance of social circumstances and political institutions and practices. As Hanna Pitkin writes in a similar vein, “political discourse is concerned not primarily with how things work or what things are like, but with what we are to do. Again, the topic is action”.¹³

3. WHAT DO WE DO? COMPETING UNDERSTANDINGS

Now that the idea of the basic political question is clearer, it is possible to evaluate whether it can successfully meet different understandings of politics. Indeed, if it is true that any conception of politics somehow responds to the question *what do we do?*, it is possible to argue that Newey has pinpointed what is really basic or essential to any conception of the political. To this end, in what follows, I briefly recollect and discuss some of the most prominent conceptions of politics present in the philosophical literature.

3.1 Carl Schmitt: *politics as conflict against the enemy*

Schmitt’s political theory aims at restoring dignity to politics by elucidating its real essence, by finding what criterion allows to distinguish it from other domains (as for example those of morality, aesthetics, economy, etc.) Indeed, one of the most pressing concerns of Schmitt regards the autonomy of the

¹² Pitkin 1972, 205.

¹³ *Ibidem*, 206.

political and the necessity not to conflate it with other spheres of human existence. Drawing from a conceptualization based on a pair of constitutive opposition, Schmitt identifies such a criterion in the distinction between friend and enemy, which cannot be reduced to any other distinction, as for example that between the morally good and the morally bad.

Three clarifications are in order to understand Schmitt's conception of politics. First, the friend/enemy distinction should not be intended in a private sense, for it is essentially public. Politics involves groups of people that consider each other enemies, not private individuals who dislike or hate each other.¹⁴ Moreover, for Schmitt, a certain political community, a group of friends in the political sense, can never be judged, from an external perspective, for choosing its enemy. Only from within the group of friends, a decision about enmity can be made and evaluated. Second, it is the possibility of war and mutual killing that constitutes the condition for politics: two groups can recognize each other as enemies if they are willing to initiate a war towards each other, if they are in a situation in which they can make an attempt to each other's lives. Indeed, "the distinction of friend and enemy denotes the utmost degree of intensity of a union or separation, of an association or dissociation".¹⁵ Third, any sphere of human experience can be politicized insofar as it is dominated by the friend/enemy distinction. Indeed,

every religious, moral, economic, ethical, or other antithesis transforms into a political one if it is sufficiently strong to group human beings effectively according to friend and enemy. The political does not reside in the battle itself, but in [...] being able to distinguish correctly the real friend and the real enemy.¹⁶

In this sense, "the political is, for Schmitt, primary and all-subsuming [...] consists of the degree of intensity [...] at which other spheres [...] lose their identity and are politicized".¹⁷

¹⁴ "An enemy exists only when, at least potentially, one fighting collectivity of people confronts a similar collectivity. The enemy is solely the public enemy, because everything that has a relationship to such a collectivity of men, particularly to a whole nation, becomes public by virtue of such a relationship. The enemy is *hostis*, not *inimicus* in the broader sense" (Schmitt 2007, 28).

¹⁵ Schmitt 2007, 26.

¹⁶ *Ibidem*, 37.

¹⁷ Sartori 1989, 65.

Drawing from this rough presentation of Schmitt's theory, it seems easy to show how it fits with Newey's basic political question. For Schmitt, politics arises when a group or community, marked by a certain collective identity (*we*) is constituted by deciding and selecting (*do*) its enemies (*what*).

3.2 Hannah Arendt: *politics as discussion among equals about politics*

Despite rejecting his idea that politics is a struggle against the enemy, Arendt shares Schmitt's project of conferring dignity to politics. Indeed, a large part of her work is devoted to understanding what is authentically political, as distinguished not only from what most other people mistakenly consider political, but also from in-authentic politics.¹⁸ But what is Arendt's definition of politics? According to her, politics is action and, although speech can be considered only one kind of action, there is little doubt that speech is a fundamental and crucial dimension of authentic politics. Indeed, "most political action, in so far as it remains outside the sphere of violence, is [...] transacted in words".¹⁹ In this sense, authentic politics is the opposite of violence or coercion, and is characterized by deliberation, discussion, expression of different points of view and persuasion among equals. Indeed, for Arendt, the equality in access to freedom of speech – what she calls *isonomia*²⁰ – is the hallmark of political relation and a fundamental condition for political action. Accordingly, given that speech is the most vivid and relevant form of action, and since it is an activity that cannot be carried out in isolation, it should not come as surprise that, for Arendt, politics is a public activity in the sense that politics concerns doing things together.²¹ A central feature of political action is plurality: the

¹⁸ Examples of authentic politics are, for Arendt, Periclean Athens, the American revolution, certain working-class rebellions occurred in the nineteenth and twentieth centuries, the civil rights movement in the United States during the 1960s.

¹⁹ Arendt 1998, 26.

²⁰ "*Isonomia* does not mean that all men are equal before the law, or that the law is the same for all, but merely that all have the same claim to political activity, and in the polis this activity primarily took the form of speaking with one another. *Isonomia* is therefore essentially the equal right to speak" (Arendt 2005, 118).

²¹ As it is well-known, according to Arendt, political power occurs when a plurality of actors acts together for some common political purpose they have discussed and agreed upon. "Power corresponds to the human ability not just to act but to act in concert. Power is never the property of an individual; it belongs to a group and remains in existence only so long as the group keeps together" (Arendt 1970, 44).

presence of others in the public space, who see, acknowledge or participate to it, is fundamental for an action to be meaningful and authentic. Action, insofar as it requires appearing in public, expressing what appears to one as true, and eliciting consent is possible only in a context of plurality. Indeed, it is because human beings are different, though equals that it is possible to act in unique and distinctive manners.²² Authentic political action is characterized by freedom, intended as the capacity to start something new, to do the unexpected.²³ To act means to be able to eschew regulated, automatic, determinate behaviours and to initiate the unanticipated.²⁴ It is important to note that, according to Arendt, the content of authentic political action is politics itself. Political action is directed towards preserving or creating the condition of possibility for the expression of plurality, thus its target is to preserve, repair, or establish a political body. In this sense, proper political actions regard constitutional matters, the spirit of the laws, or the framework of the rules for the institution of government.²⁵ As Kateb writes, “to speak of the content of politics as politics [...] is to claim that the purpose of politics is politics, that politics (when authentic) exists for its own sake”.²⁶

Does Arendt’s conception of politics answer Newey’s question? Drawing from the discussion offered above, it is possible to argue that the three elements proposed by Newey are all present in Arendt’s thought: politics concerns a group of equals (*we*), who discuss, act jointly and start something new (*do*) to maintain or renew a political body (*what*).

²² Arendt famously writes that “men, not Man, live on the earth and inhabit the world ... Plurality is the condition of human action because we are all the same, that is, human, in such a way that nobody is ever the same as anyone else who ever lived, lives, or will live” (Arendt 1998, 7-8).

²³ The capacity of starting something new is rooted for Arendt in the notion of *natality*: “The new beginning inherent in birth can make itself felt in the world only because the newcomer possesses the capacity of beginning something anew, that is, of acting” (Arendt 1998, 9).

²⁴ It is because of this idea of action as the capacity to initiate something new that Arendt is particularly interested in the cases of revolutions and popular insurrections.

²⁵ Arendt considers the French revolution a failure precisely because its leaders abandoned the goal of freedom in order to focus on matters of subsistence, to answer the social question. In this sense, the French revolutionaries allowed non-political issues to enter the realm of the political inevitably corrupting it (Arendt 2006).

²⁶ Kateb 2000, 134.

3.3 Liberals and Bernard Williams: politics as a domain setter

Liberal theorists generally understand the role of political philosophy in normative terms, considering its goal that of establishing what justice is or providing an account of the most appropriate political order, without defending a specific ontology of politics. For this reason, differently from Schmitt and Arendt, liberal political scholars rarely offer a full analysis of what politics is. However, it is possible to pinpoint the specific conception of the political that liberals rely on by considering what liberalism is about. In an influential article, Michael Walzer advances the idea that liberalism concerns “a certain way of drawing the map of the social and the political world, [it practices] the art of separation.”²⁷ To appreciate this point, consider the most notorious wall defended within the liberal tradition, namely that between the church and the state. Indeed, it is possible to argue that perennial hostility towards any confusion between secular and religious authority and obsession with freedom of conscience and toleration are fundamental traits of liberalism.²⁸ The reason for such attitude is that, according to liberalism, religion does not pertain to the political domain for two reasons: on one hand, matters of faith concern the willingness and beliefs of a certain individual, who cannot be forced to assent to a certain religion. On the other, matters of faith constitute a threat to peace and stability for they are divisive and disputes over religion cannot be solved once and for all. The upshot of this position is that there is a sharp distinction between those matters over which secular authority might be exercised and those over which must not. Of course, the wall between the church and the state relies on the distinction between the private and the public: for liberals, individual rights exist to demarcate and protect a sphere in which any political authority ought not to rule, a sphere in which all should be granted the freedom to do as they please, as long as it does not interfere with the freedom of others.

In this sense, the liberal understanding of politics functions as a domain setter: it functions in such a way that it identifies the boundaries within which the basic political question should arise and those in which it would be wrong to pose it. From a liberal perspective, politics is about finding agreements and compromises on which all individuals of a certain political community can consent to and abide by. Such agreements and compromises cannot regard

²⁷ Walzer 1984, 315.

²⁸ On this point, see Ryan 2007, 368-371.

what religion to believe in or the private sphere. Rather, they should concern how institutions and public rules are shaped. In this sense, the liberal understanding of politics meets Newey's question in stating that politics occurs when a certain polity (*we*) discuss and find an agreement (*do*) about the public sphere and its boundaries (*what*).

Interestingly and despite his intention to propose a realist theory of politics in opposition to liberalism, Williams's idea of the basic legitimization demand functions as a domain setter too. The basic legitimization demand is offered by Williams as a criterion of evaluation that is distinctively political, it is a standard to identify what politics is and, in particular, to distinguish it from mere force or war. Indeed, only when power is used legitimately, Williams holds, it is genuinely political. On the contrary, the use of force by one group of people over another does not qualify as a political action. To illustrate this consideration, he uses the example of the Helot population of Sparta, a radically disadvantaged group of individuals treated as enemies by their rulers. According to Williams, the situation of the Helots is not political because "the mere circumstance of some subjects being de facto in the power of others is no legitimization of their being radically disadvantaged".²⁹ The problem, for Williams, is that a political power cannot be considered as such if it is not legitimate, namely if it cannot be justified in a non-manipulative manner³⁰ to those who are subjected to it. In this sense, insofar as the basic legitimization demand is not met, there is no politics.

According to Williams, politics can genuinely arise only within the boundaries of a legitimate authority. In this sense, legitimacy functions as a domain setter. This approach meets the basic political questions: politics occurs when a dominant group and a subjected group (*we*) recognize the same authority (*do*) by following and respecting its rules (*what*).

²⁹ Williams 2005, 5.

³⁰ In order to provide a theory which excludes the possibility that "the acceptance of a justification does not count if the acceptance itself is produced by the coercive power which is supposedly being justified" (2005, 6), Williams introduces the *critical theory principle*. Such principle functions counterfactually by asking whether those who are ruled would still accept the rulers' legitimacy, even if they were not subjected to their rule.

4. EVALUATING CONCEPTIONS OF POLITICS

The basic political question *per se* provides little guidance for the evaluation of what is the most convincing conception of politics. All the interpretations recollected in the previous section can be criticized and deemed unconvincing. Schmitt's idea of politics may seem reductive with respect to the political projects that can be pursued – the element *do* of Newey's question – for it excludes the possibility of overcoming and eradicating political enmity. Arendt's theory of authentic political action may be rejected because it discards violence as a proper political means, therefore limiting the kinds of actions – the *what* of the basic political question – available to individuals. Indeed, some may find it difficult to deny that sometimes politics can be pursued in violent manners. The liberal understanding of the political may seem implausible because, according to such view, certain issues should not be politicized, thus the basic political question should arise only with respect to certain specific matters. However, if we consider the case of abortion – which has represented one of the most hotly debated political issues in contemporary democratic societies – it is easy to understand how religious considerations cannot help to play a role in political decisions. Finally, Williams's basic legitimation demand may not appear persuasive because of its limited understanding of the political element *we*, which he intends as applying only to subjects recognizing the same authority as legitimate. If we take the case of civil disobedience,³¹ it is easy to appreciate how Newey's question *what do we do?* may very well arise among a minority of individuals who reject the political power and want to change or overthrow it.

However, although some further criteria are needed to defend a specific conception of the political,³² Newey's basic political question is interesting for it allows to consider what are the specific elements that are necessary and essential when we are talking about politics. Accordingly, such an account constitutes an interesting standard to include or exclude certain practices from the realm

³¹ Newey (2019 [2016], 124-125) refers to civil disobedience to criticize Williams's perspective.

³² In the article under discussion, it is clear how Newey prefers a conception of politics that is Schmittian in kind, in which violence is not placed outside the boundaries of the political.

of the political. Consider, for example, the case of conscientious objection,³³ namely the refusal to comply with a specific legal rule, because the latter stands in contrast with one's conscience, because it goes against one's deep religious or moral convictions. Such an act of protest seems to fall outside the political domain because it usually consists in an individual omission carried out in order to preserve one's integrity, in virtue of some moral reasons. If, for example, we examine Henry David Thoreau's refusal to submit his poll tax to the local constable in virtue of his unwillingness to provide material support to a federal government that perpetuated mass injustice,³⁴ it hardly qualifies as political in Newey's sense.³⁵ In "Resistance to civil government", Thoreau writes:

It is not a man's duty, as a matter of course, to devote himself to the eradication of any, even the most enormous wrong; he may still properly have other concerns to engage him; but it is his duty, at least, to wash his hands of it, and, if he gives it no thought longer, not to give it practically his support. If I devote myself to other pursuits and contemplations, I must first see, at least, that I do not pursue them sitting upon another man's shoulders. I must get off him first, that he may pursue his contemplations too.³⁶

This passage suggests that Thoreau's concern lies in the individual conscience: his refusal is determined by his unwillingness to participate directly in some form of injustice and, thus, his action retains a private and not a public dimension.

This point can be greatly appreciated if conscientious objection is contrasted with civil disobedience. Contrary to the former, the latter corresponds to a

³³ It is worth stressing that here I am attempting to understand only whether an act of conscientious objection is properly political. Establishing whether such practice is justified and thus whether it should be protected and authorized by the law is a different matter, which seems indeed political. Following Newey, a society (we) deciding on the legitimacy (what) of such practice (what) meets the basic political question.

³⁴ In particular, through his refusal, Thoreau aimed at protesting the practice of slavery and the Mexican-American war.

³⁵ It is interesting to note that there exists a debate about whether Thoreau's thought should be considered a proper political theory or a view of the self. In particular, see Arendt 1972; Rosenblum 1987; Kateb 1992.

³⁶ Thoreau 2004, 71.

practice in which a breach of law is undertaken with the aim of bringing about a change in laws or government policies. Following Rawls,³⁷ it is possible to argue that civil disobedience is an exception to the obligation to comply with the political authority justified by the presence of unjust laws. Those who disobey appeal to principles of justice that are commonly shared to resist and draw attention to laws or policies that they believe require reassessment or rejection because in contradiction with those very principles. In this sense, civil disobedience is public not only in the sense that it is performed in public, but also because it rests on the political responsibility of the political community as a whole. Conscientious objection, on the contrary, does not address one's collectivity, it is not precisely aimed at changing one's society. Rather, it is concerned with prioritizing individual moral purity. Accordingly, conscientious objection does not meet the basic political question because it does not match its second element, that of *we* and, thus, does not count as genuinely political.

5. CONCLUSIONS

In “Real legitimation, anarchism and power loops”, Newey proposes the basic political question – *what do we do?* – as a criterion for the identification of the political realm. Unfortunately, such issue is underdeveloped in that essay. In this article, I attempted to build on and expand such an idea to show its conceptual importance. Indeed, the analysis of distinct accounts of politics allows to appreciate how the basic political question can be met in different manners. Despite the need for further evaluative criteria to choose which conception of politics is the best suited one, Newey's basic political question constitutes a fundamental starting point to understand what belongs to politics and what does not.

³⁷ Rawls 1999, 319-323.

REFERENCES

- Arendt H. (1970), *On Violence*, San Diego, Harcourt Brace Jovanovich.
- (1972), “Civil Disobedience”, in *Crises of the Republic*, New York, Harcourt Brace Jovanovich.
- (1998), *The Human Condition*, Chicago, The University of Chicago Press.
- (2005), “Introduction into Politics”, in J. Kohn (ed.), *The Promise of Politics*, New York, Schocken Books, pp. 93-200.
- (2006), *On Revolution*, London, Penguin.
- Baderin A. (2014), “Two Forms of Realism in Political Theory”, *European Journal of Political Theory*, vol. 13, n. 2, pp. 132-153.
- Galston W. (2010), “Realism in Political Theory”, *European Journal of Political Theory*, vol. 9, n. 4, pp. 385-411.
- Kateb J. (1992), *The Inner Ocean: Individualism and Democratic Culture*, Ithaca, Cornell University.
- (2000), “Political Action: Its Nature and Advantages”, in D. Vila (ed.), *The Cambridge Companion to Hannah Arendt*, Cambridge, Cambridge University Press, pp. 130-148.
- Kelly P. (2004), *Liberalism*, Cambridge, Polity Press.
- Newey G. (2001a), *After Politics. The Rejection of Politics in Contemporary Liberal Philosophy*, New York, Palgrave.
- (2001b), “Philosophy, Politics and Contestability”, *Journal of Political Ideologies*, vol. 6, n. 3, pp. 245-261.
- (2019 [2016]), “Real Legitimation, Anarchism and Power Loops”, *Biblioteca della Libertà*, vol. LIV, nn. 225-226, pp. 117-135.
- Philp M. (2012), “Realism without Illusions”, *Political Theory*, vol. 40, n. 5, pp. 629-649.
- Pitkin H. (1972), *Wittgenstein and Justice: On the Significance of Ludwig Wittgenstein for Social and Political Thought*, Berkeley, University of California Press.
- Rawls J. (1999), *A Theory of Justice Revised Edition*, Cambridge, Harvard University Press.
- Rosenblum N.L. (1987), *Another liberalism: romanticism and the reconstruction of liberal thought*, Cambridge, Harvard University Press.
- Rossi E., Sleat M. (2014), “Realism in Normative Political Theory”, *Philosophy Compass*, vol. 9, n. 10, pp. 689-701.
- Ryan A. (2007), “Liberalism”, in R. Goodin, P. Pettit, T. Pogge (eds), *A Companion to Contemporary Political Philosophy vol. II*, 2nd ed., Malden, Blackwell, pp. 360-382.

- Sartori G. (1989), "The Essence of the Political in Carl Schmitt", *Journal of Theoretical Politics*, vol. 1, n. 1, pp. 63-75.
- Schmitt C. (2007), *The Concept of the Political. Expanded Edition*, Chicago, The University of Chicago Press.
- Stears M. (2007), "Liberalism and the Politics of Compulsion", *British Journal of Political Science*, vol. 37, n. 3, pp. 533-553.
- Thoreau H.D. (2004), "Resistance to Civil Government", in W. Glick (ed.), *The Higher Law: Thoreau on Civil Disobedience and Reform*, Princeton, Princeton University Press.
- Walzer M. (1984), "Liberalism and the Art of Separation", *Political Theory*, vol. 12, n. 3, pp. 315-330.
- Williams B. (2005), *In the Beginning was the Deed*, Princeton, Princeton University Press.



Centro
di Ricerca
e Documentazione
Luigi Einaudi

«**Biblioteca della libertà**» è pubblicata nell'ambito dell'attività culturale del Centro di Ricerca e Documentazione Luigi Einaudi di Torino. Il Centro, fondato a Torino nel 1963 da Fulvio Guerrini, è un'associazione privata indipendente. La sua attività si ispira all'einaudiano «conoscere per deliberare».

Direttore responsabile Salvatore Carrubba, Presidente Centro Einaudi

Condirettori Maurizio Ferrera (Università di Milano e Centro Einaudi) e Beatrice Magni (Università di Milano e Centro Einaudi)

Comitato Scientifico Dario Antiseri (LUISS Roma), Lorenzo Infantino (LUISS Roma), Angelo Maria Petroni (Università Roma La Sapienza), Richard Posner (University of Chicago), Michele Salvati (Professore emerito Università di Milano), Giuliano Urbani (Socio fondatore Centro Einaudi), Christian Watrin (Professore emerito Universität zu Köln), Giovanna Zincone (Presidente onoraria FIERI)

Comitato Editoriale Antonella Besussi (Università di Milano), Anna Caffarena (Università di Torino e Centro Einaudi), Emanuela Ceva (Université de Genève), Giuseppina De Santis (Centro Einaudi), Margarita Estevez-Abe (Syracuse University), Anna Elisabetta Galeotti (Università del Piemonte Orientale), Umberto Gentiloni Silveri (Università Roma La Sapienza), Federica Liveriero (Università della Campania Vanvitelli), Glynn Morgan (Syracuse University), Massimo Occhiena (Università di Sassari e Centro Einaudi), Giuseppe Russo (Centro Einaudi), Stefano Sacchi (Università di Milano), Roberta Sala (Università Vita-Salute San Raffaele Milano)

Coordinamento Anna Maria Gonella (Centro Einaudi)

Cura dei testi e copertina Segnalibro

I lavori proposti per la pubblicazione vanno inviati in formato Word all'indirizzo email della direzione: bdl@centroeinaudi.it. La loro accettazione è subordinata al parere favorevole di due referees anonimi.

Papers should be sent in Word format to the email address: bdl@centroeinaudi.it. Their acceptance is subject to two anonymous peer reviews.