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Lines of Thought

DEFENDING COMPROMISE

by MICHAEL FISCHER

EMORY UNIVERSITY PRESIDENT JAMES Wagner's column ("As American as . . . Compromise") for the Winter 2013 issue of *Emory Magazine* defends compromise as essential to the founding and sustaining of the American political system.¹ Compromise needs defending, Wagner argues, because polarization is jeopardizing the ability of national political leaders to deal with such urgent issues as "our country's fiscal conundrums." As a citizen, Wagner advocates compromise as a way past legislative paralysis. As a university president, Wagner is reminding his readers—primarily alumni and parents—that compromise is alive and well at the university that he leads. What Wagner calls "the messy inefficiency of university life," Emory University included, results from welcoming different points of view and working through them to reach decisions that benefit the institution as a whole. In a university, Wagner suggests, compromise at once facilitates the decision-making process and strengthens its outcomes. Even as Emory, like other universities, faces limited resources and competing visions of what should be done with them, Wagner concludes, "I am grateful that we have at our disposal the rich tools of compromise that help us achieve our most noble goals."

Wagner cites as a positive historical example of compromise the agreement at the 1787 Constitutional Convention that allowed three-fifths

of a state's slave population to count toward determining the number of that state's representatives in the newly created Congress. Southern delegates, Wagner notes, had wanted to count the whole slave population, whereas Northern delegates did not want to count slaves at all. To resolve this disagreement, the two sides set aside their original positions and settled on something in between, enabling the new Constitution and country to take shape.

The president's column in an alumni magazine is not a genre usually associated with controversy. But Wagner's piece quickly made national news. Readers were furious that he had cited this compromise without deploring the slavery that it kept intact and inscribed in the inaugural United States Constitution. Their outcry triggered the apology from Wagner that now precedes this column on the magazine website:

A number of people have raised questions regarding part of my essay in the most recent issue of *Emory Magazine*. Certainly, I do not consider slavery anything but heinous, repulsive, repugnant, and inhuman. I should have stated that clearly in my essay. I am sorry for the hurt caused by not communicating more clearly my own beliefs. To those hurt or confused by my clumsiness and insensitivity, please forgive me.

Although most readers (rightly, in my opinion) accepted this apology, the damage had been done, if not to the university's reputation or to Wagner's presidency then at least to his defense of compromise, which got lost in the ensuring clamor.

Wagner's article and the tumult it occasioned say much about attitudes toward compromise in contemporary American life. Like Wagner, many observers feel that unprecedented polarization is hurting the country. While legislators squabble, the climate burns, unemployment persists, and bridges and highways crumble. Pick any urgent issue, and chances are that the national legislative stalemate is exacerbating it. With ideological intransigence and political gridlock identified as the problem, compromise is frequently put forth as the remedy. But when a specific compromise is proposed, even the most ardent proponents of compromise recoil and the original logjam reestablishes itself, the failure to arrive at an agreement creating additional opportunities for mutual recrimination and resentment. Even when an often last-minute compromise is achieved, it occasions disappointment, not celebration. A compromise has thus come to suggest not every faction benefiting, but

all sides feeling shortchanged, dissatisfied, and more determined than ever that next time they will vanquish, not appease, their adversaries.

I want here to explore why compromise functions as what Avishai Margalit calls a “boo-hurrah” concept: something that we cheer in theory as evidence of cooperation and generosity but often disparage in practice as selling out and spinelessness.² Margalit’s *On Compromise and Rotten Compromises* is one of the best recent philosophical treatments of compromise, especially its role in resolving or prolonging international disputes. In *The Spirit of Compromise: Why Governing Demands It and Campaigning Undermines It*, political scientists Amy Gutmann and Dennis Thompson focus on the fractious United States Congress and the political pressures that discourage elected officials from compromising.³ Robert Mnookin’s *Bargaining with the Devil: When to Negotiate, When to Fight* adds still more disputes to the mix—business, family, and employment conflicts—that individuals face every day.⁴ The chair of Harvard Law School’s Program on Negotiation, Mnookin probes our personal resistance to negotiating and compromising with our adversaries. Finally, I introduce literature and the other arts as underutilized resources in strengthening our fitful receptivity to compromise and sustaining the social hope that, I argue, trust in compromise embodies.

Margalit labels the so-called Three-Fifths Compromise, the example upheld by Wagner in his *Emory Magazine* column, a “rotten” compromise: an agreement that should not have been entered into even though it secured peace between the North and the South and enabled a new country to gel. According to Margalit, rotten compromises ensure peace but at the expense of justice, which in this case demanded an end to the systematically inhuman, cruel, and barbarous institution of slavery. Margalit concedes that the establishment of the union eventually may have done more to undermine slavery than to perpetuate it. But the framers of the Constitution could not have predicted this outcome. They signed on to this agreement realizing that it was probably going to perpetuate slavery for at least another generation and maybe even longer, a price that Margalit feels they should not have been willing to pay even if it brought about concord between opposed factions.

For Margalit, rotten compromises are the exception rather than the rule. The grounds for rejecting rotten compromises center on their establishing or maintaining social arrangements as systematically dehumanizing as slavery, with its “crimes against humanity” (p. 67). One other rotten compromise that Margalit mentions is the 1938 Munich agreement with Hitler, which Margalit describes as “a pact with radical

evil, evil as an assault on morality itself" (p. 22). By making the test of rotten compromises so strict, Margalit wants to make it harder, not easier, for us to reject compromising, a process that he, like Wagner, regards as necessary to democratic political life. More positively, he means to encourage openness to particular compromises as agreements to be evaluated on their merits, case by case, not rejected out of hand. His encouragement of compromising leads him to go so far as to defend the so-called "Blood for Trucks" deal that Adolf Eichmann offered the Allies, which promised to save the lives of a million Hungarian Jews in exchange for Nazi Germany receiving ten thousand trucks for civilian use. Such a deal, which the Allies rejected for strategic reasons, approaches moral rottenness but rises above it presumably because its impact on the Nazi government would have been negligible, its benefit to the victims of Nazism huge.

In shoring up our receptivity to compromise, Margalit is opposing what he calls sectarianism, which rejects all compromises as rotten. For him, sectarianism describes both a way of dealing with others and a state of mind. In dealing with others, the sectarian would rather "split the party than split the difference" (p. 148): that is, sectarians would rather keep the cohort of true believers pure than expand it by, say, treating some criteria for membership as optional or less important than others. From a sectarian point of view, integrity suggests unwavering ideological commitment. Over time, sectarians hope, a shrinking but steadfast group will have more influence than an opportunistically expanding one. "The heresy of today," however weak in numbers, might still be the "orthodoxy of tomorrow," but "this will happen by massive conversion, not by messy compromise" (p. 152).

As a state of mind, sectarianism stays in the "grip of the idea of the holy" (p. 24) whether or not its underlying worldview is religious. Margalit explains that "the holy is not negotiable, let alone subject to compromise" (p. 24). A sacred commitment can only be tenaciously upheld, not waived, revisited, or revised in dialogue with others. The sectarian frame of mind always feels under siege in a hostile world. Sectarians demonize outsiders as enemies and experience every compromise with "them" as "a sellout, a capitulation, a betrayal of the cause" (p. 149). Even seemingly minor concessions to one's adversaries are resisted as steps on a slippery slope to defeat. For sectarians, every disagreement thus becomes a win-or-lose showdown with nonnegotiable, sacred first principles at stake. In a word, "sectarians are haters": "They hate not just the error but the ones who err" (p. 162), the adversaries whose

departures from doctrine get reduced to moral failings in need of recantation or punishment.

By repudiating all compromises, sectarians reject the possibility of what Margalit calls sanguine compromises. A sanguine compromise confers legitimacy on the point of view of the other side by meeting it halfway. Parties to a sanguine compromise may even refrain from driving as hard a bargain as they could, out of respect for an ongoing relationship with the other side that they want to protect. Empathy plays a key role in sanguine compromises, as each side acknowledges the circumstances, needs, and motives of the other. Margalit notes how, in international political negotiations, recognizing the legitimacy of the other side—acknowledging it as an elected entity, for example, and not dismissing it as a terrorist organization—can be as difficult as reaching an agreement with it. But moving from winner-take-all competition to both-sides-belong-at-the-table cooperation requires the mutual respect and trust signaled by deeming the other side worthy of collaboration.

In the dialogue between adversaries that results, Margalit points out how hardliners sometimes block progress by measuring proposed concessions not against the status quo but against a dream that they refuse to give up: the dream of having it all, without having to take into account the perspective of the other side. A monetary settlement might be more than one currently has, yet less than what one thinks in an ideal world one deserves, and be rejected by hardliners on that basis. This ideal world keeps alive the dream of domination over one's adversaries or the wish that they would go away once and for all. Empathy again is required to help us understand that others regard their needs exactly as we regard ours: as critical to their very survival and identity, not as unrealistic demands that they should discard because they get in our way. At their best, sanguine compromises are freely entered into out of respect for the other's point of view. A coerced concession isn't a compromise but begrudging capitulation, a resented pause in a conflict that will one day resume.

Margalit doesn't clarify his use of "sanguine," but here is what I think people who enter into these compromises are sanguine about: sharing the world with people who differ from them and benefiting from ongoing relationships and long-term commitments that encourage disagreement, independent thinking, and dissent. Unlike sectarians, parties to a sanguine compromise trust that the tolerance, respect, and concessions they extend to others will be reciprocated, that cutthroat competition can give way to cooperation, and that dialogue with others offers opportunities

for growth for everyone involved. Like Wagner in his *Emory Magazine* column, Margalit believes that compromise “breathes life into democracy” (p. 151). He steers us away from rotten international compromises because they instantiate or sustain antidemocratic hatreds. He opposes the sectarian rejection of all compromises for much the same reason. For him, our interest in getting along with others should not override our commitment to justice. But we must not construe justice narrowly as something for our group alone. Rejecting a compromise should be a last resort carefully arrived at, not a kneejerk reaction to disagreement.

On Compromise and Rotten Compromises is a wise, consistently thought-provoking book and an indispensable starting point for anyone thinking about ambivalence toward compromise. Although Margalit predicates democracy on compromise, he stops short of specifying the institutional arrangements and political processes that nurture or stifle the willingness to compromise in a democracy. That task is taken up by Amy Gutmann and Dennis Thompson in *The Spirit of Compromise: Why Governing Demands It and Campaigning Undermines It*, which looks at the United States Congress, an institution that Gutmann and Thompson also think is stymied by finger pointing, deep distrust, and unprecedented acrimony.

Like Wagner and Margalit, Gutmann and Thompson emphasize the necessity of compromise in democracies, which value disagreement and welcome different points of view. Even if a landslide election were to bring the Senate, House of Representatives, and White House under the control of one party, the need for compromise would persist because of inevitable differences within the dominant party. In a democracy, even a powerful national leader—an arm-twisting Lyndon Baines Johnson, a savvy Abraham Lincoln, a persuasive Ronald Reagan—still has to find receptive partners from the other side and meet them half way. Compromise will thus always be the “artistry of democracy” (*SC*, p. 204) and “there is no escape from compromise” (*SC*, p. 20) as an indispensable precondition of achieving legislative change. Without trade-offs, concessions, and mutual accommodation to bridge divergent perspectives, legislating degenerates into grandstanding gestures and ineffectual rhetoric. Gutmann and Thompson stress that the status quo is the chief beneficiary of the gridlock that results. Blocking improvements, even in the name of greater change or ideological consistency, leaves things as they are.

Although compromise will always be essential to getting things done, Gutmann and Thompson show that specific compromises remain vulnerable to second-guessing and disappointment, especially when

measured against freestanding solutions abstracted from the tangled political realities that make negotiation necessary in the first place. In practice, compromises are “path-dependent”: “How a compromise is reached affects how it is valued” (*SC*, p. 36). The process of arriving at an agreement will never be perfectly transparent, inclusive, and paced. Every perceived procedural lapse stays in play, ready to be used to question the outcome that results. Exacerbating the vulnerability of compromises, “the deep and persistent disagreement” (*SC*, p. 35) that polarizes contemporary American politics can make the search for common ground futile. “Win-win” solutions are rare; painful concessions much more common. In such a polarized environment, the best that can be achieved in a compromise—and it may still be a step forward—resembles a patchwork or grab bag of expedient half measures instead of a coherent resolution arising from a (nonexistent) unified point of view. Finally, uncertainty disturbs the process of compromising from beginning to end, making the compromise that results even easier to criticize after the fact. Parties to a compromise can never know if they should have tried a different tactic at the outset or held out for more at the end. They are always haunted by the feeling that the outcome would have been better if they had been more forceful or their adversaries less obstinate.

According to Gutmann and Thompson, political campaigns exploit the ineluctable vulnerability of compromises. Unlike collaborating on legislation, political campaigns are zero-sum, winner-take-all battles. They reward what Gutmann and Thompson call the uncompromising mindset, which they define in much the same way as Margalit characterizes sectarianism. Campaigns reinforce a candidate’s readiness to draw a stark contrast between her position and her opponent’s, even when it means disparaging her adversary’s motives, exaggerating the differences between them, and taking inflexible, attention-getting stands (no new taxes, no cuts to a favored program, etc.) that make flexibility and open-mindedness look wishy-washy by comparison. In a campaign, short-term gains override longer-term relationships. Candidates listen to their opponents not for overtures they can reciprocate but weaknesses they can exploit.

Gutmann and Thompson argue that for a variety of reasons, campaigning in contemporary American politics never stops. Congressional representatives and senators are always looking back at the last election or ahead to the next one, at great cost to their ability to govern. In gerrymandered House districts controlled by one party, the next election

means the next primary—when they know they will be challenged by insurgent opponents who will hold their achievements against them exactly because these legislative accomplishments required compromise. In primaries, candidates can't win without staking out extreme positions.⁵ In office, however, elected officials cannot get anything done without being more flexible and thereby risking, in the next election, criticism for “flip-flopping.” Aided by rules like the filibuster, which give disproportionate power to minority voices, obstructing change turns out to be politically smarter and more effective than making the concessions necessary to achieving change. A “cascade of intransigence” (*SC*, p. 91) results, overflowing from campaign debates to legislative committees and blocking every effort to move forward. Anticipating gridlock, legislators exchange proposals that have no chance of passing but that play to the base that will be judging them in the next election.

Gutmann and Thompson want to curb endless campaigning or, what comes to the same thing, to create more space for governing. For them, spurred on by unchecked campaigning, the uncompromising mindset resembles “an invasive species that spreads beyond its natural habitat as it roams from the campaign to the government” (*SC*, p. 22). Gutmann and Thompson offer several promising specific measures for limiting campaigning, including imposing moratoriums on fund-raising, reforming primaries, improving media coverage, and strengthening “the kind of cognitive and civic education that teaches not only how to tell fact from fiction but also how to engage with those with whom one disagrees” (*SC*, p. 195). These proposals round out a well-argued, timely book.

Although Gutmann and Thompson detect some inconsistencies in Margalit's argument, they rightly call *On Compromise and Rotten Compromises* “the best recent attempt to distinguish acceptable from unacceptable compromises” (*SC*, p. 78). I think the similarities between these two books overshadow their occasional differences. In addition to complementing one another, the two books converge in defending the necessity of compromise in democratic decision-making while acknowledging the vulnerability of individual compromises to sectarian rejection. Sectarian intransigence finds reinforcement not only in endless campaigning but also in the complexity of the issues that Congress takes up. These issues are rarely clear-cut and always susceptible to moral judgment. As Gutmann and Thompson point out, “Few material interests in democratic politics, and almost no important ones, present themselves unattached to moral principles” (*SC*, p. 76). Even seemingly minor legislative disputes can be reframed as jeopardizing or protecting

“core principles of justice” (SC, p. 76). In political debates, what Margalit calls the holy is never far away, threatening reconciliation and even dialogue with its nonnegotiable imperatives.

In *Bargaining with the Devil: When to Negotiate, When to Fight*, Robert Mnookin focuses on how we stigmatize our adversaries as “devils” when we think they jeopardize that which we hold sacred. These “devils” touch off an almost visceral, moral revulsion in us, maybe because we feel they intentionally harmed us in the past and will do so again, if given the chance, in the future. Even talking with these adversaries, let alone negotiating or compromising with them, feels as if it undermines our integrity and betrays something deep inside our selves, no matter how much the compromise might make practical sense.

Mnookin wants to honor our moral, intuitive resistance to bargaining with these enemies while subjecting that resistance to rigorous scrutiny. Like Margalit, Mnookin resists saying that we should always negotiate and never fight. Mnookin defends, for example, President George W. Bush’s decision not to negotiate with the Taliban after September 11; the Soviet Jewish dissident Natan Sharansky’s refusal to negotiate with the KGB; and Winston Churchill’s May 1940 decision not to negotiate with Hitler. But he cautions against using these examples to justify the categorical rejection of negotiation. Even in the most seemingly morally one-sided disputes, the possibility persists that an aggrieved person’s judgment could be clouded by anger, warped by the longing for revenge, or distorted by the readiness to demonize and distrust others because they disagree with us.

Mnookin wants the choice between negotiating and fighting to be a difficult decision, not a foregone conclusion arrived at by dogmatic obstinacy or uncritical appeasement. His examples of people agonizing over this decision include an American businessman who feels betrayed by his Japanese partner; an angry spouse facing child custody and support disputes in an acrimonious divorce; embittered symphony musicians contemplating the next contract negotiation after a costly strike and disappointing settlement; and adult children at odds over a family vacation home that they have inherited. These people struggle with determining whether their initial, perhaps ongoing, impulse to fight is morally called for or the result of misguided stubbornness.

In considering these specific cases, although he can defend the occasional decision to fight, Mnookin puts the burden of proof on those who would refuse to negotiate with their antagonists. The hero of his book is Nelson Mandela, who had every reason not to negotiate with

the ruling National Party: twenty-three years of unjust imprisonment for treason; pressure from his followers, his political base, to retaliate and strike back, even violently, as soon as they had a chance; and lack of any personal connection to President F. W. de Klerk, the adversary with whom he had to negotiate. Mnookin argues that Mandela's decision to bargain with his enemies turned out to be more successful than violent resistance could ever have been. He calls Mandela one of the best negotiators of the twentieth century because he struck the right balance between pragmatic openness and principled assertion, between empathic understanding of other points of view and forceful articulation of his own. Mnookin concludes, "Mandela was a negotiator to whom one could make concessions and yet maintain one's self-respect. Mandela worked hard to establish and maintain a personal, human connection with Afrikaner leaders whose life experiences and attitudes were radically different from his own. These leaders came to see that Mandela really believed in racial reconciliation. They saw that his vision for South Africa included them" (*BD*, p. 135).

Although Mandela made mistakes, his exceptional judgment, courage, and insight into others guided him through some challenging negotiations, while going to war against his adversaries remained a constant temptation. For those struggling with the devils in their own everyday lives—the businessman, divorced woman, and symphony union members mentioned earlier—Mnookin offers this rule of thumb:

In deciding whether to enter into negotiations with a despised adversary, you can guard against a hasty rejection based simply on your gut instincts by discussing the matter with a colleague who disagrees. Being pushed to give reasons for your inclinations may sometimes lead you to change your mind. And even when it doesn't, it will force you think through more rationally which course of action makes the most sense. (*BD*, p. 103)

This advice is helpful, but it is also limited. The Mandelas of this world have already internalized this recommendation, whereas the sectarians of the world reject it out of hand. They remain in the grip of what one San Francisco Symphony musician, quoted by Mnookin, astutely calls the "fear of empathizing": the "fear of hearing somebody else's side. Fear that it is going to make it harder for them to disagree" (*BD*, p. 209). This is the deep-seated distress that, as we have seen, militates against compromising, energizes many political campaigns, and seals off rotten regimes.

Here is where I think literature and the other arts can come into play: as counterweights to this “fear of empathizing,” to which anyone, of course, can succumb. Sectarianism, narcissistic and self-promotional campaigning, and intolerance can crop up anywhere—in the workplace as well as in political campaigns. In claiming a role for literature in strengthening consideration for other points of view, I specifically have in mind Martha Nussbaum’s recent work, especially *Not for Profit: Why Democracy Needs the Humanities*, which argues that the arts and humanities cultivate the qualities that healthy democracies depend on: among them, empathy, respect for differences, and appreciation of complexity.⁶

Nussbaum’s defense of literature can be taken further by looking more closely at how empathy can find traction in compromises and the collaborative decision-making that compromises enable. In David F. Elmer’s remarkable *The Poetics of Consent: Collective Decision Making and the “Iliad,”* a work of literature—here, the *Iliad*—shows how attentiveness to other points of view, debate, and compromise can energize collective decision-making.⁷ The confidence invested in the community and the emphasis placed on cooperation are so powerful in the *Iliad* that a crisis results when a leader, Agamemnon, acts unilaterally and violates the expectation that consensus must be achieved—the consent of others secured—before proposals get implemented. In Elmer’s account, even the Olympian gods, Zeus included, exhibit a disposition to yield to the collective wisdom of their group. They make crucial decisions by debating, negotiating with one another, and accommodating different views, initiating a process, Elmer argues, that extends to the reception of the *Iliad* itself. The performance of the poem at public festivals made the audience partly responsible for the tradition that individual recitations of the poem intended to carry on. Reconciling different versions of the poem engaged the community in the collaborative decision-making that the poem itself values.

Elmer starts out on a path other critics might follow by studying scenes of cooperation as well as conflict in works of literature. (Athena’s bargaining with the Furies in the *Oresteia* after the jury verdict has gone against them, for example, would be a good place to extend Elmer’s work.) In addition, Elmer’s focus on the public reception of the *Iliad* points to another promising line of inquiry: how our social experience of the arts can reinforce their contributions to democratic decision-making. The wide-ranging books that I have been discussing overlook one kind of disagreement: aesthetic disputes, or disagreements over the value of works of art. Immanuel Kant set the stage for this discussion when he

famously argued in the *Critique of Judgment* that in aesthetic judgments, we speak with a “universal voice.”⁸ When someone calls something beautiful, Kant says, “he supposes in others the same satisfaction” (*CJ*, p. 47) that he experiences in himself. The person attributing beauty to a work of art “promises himself the agreement of everyone” (*CJ*, p. 51); even more strongly, “he *demand*s it of them” (*CJ*, p. 47).

Aesthetic disputes arise when others rebuff this demand for assent. Kant pictures one common response to the conflict that results. The person claiming something is beautiful “blames them if they judge otherwise and he denies them taste, which he nevertheless requires from them” (*CJ*, p. 47). Another familiar possibility is that the disputants agree to disagree and make peace by avoiding the subject. Both responses stop discussion before it gets started, the one by disqualifying the dissenter from participating, the other by leaving the dispute unresolved. The take-it-or-leave-it response resembles the sectarian refusal to count the other worthy of dialogue (because lacking taste). The to-each-his-own response minimizes differences in aesthetic judgment instead of taking them seriously enough to debate them. From this point of view, there is apparently no way to dispute taste, but also no need to do so. Different judgments can proliferate and peacefully coexist because nothing is at stake in resolving their differences. Other opinions, at least about works of art, neither threaten nor enrich my own.

Some comments by Ted Cohen explore the rich middle ground between these two extremes.⁹ In the response to aesthetic disagreement that interests Cohen, when I differ with you about a work of art, “I am entitled to my feeling, but I am not justified in thinking yours illegitimate, and, further, I must somehow incorporate your sensibility in my sense of things” (“SC,” p. 156). Cohen’s example is the music of Wagner, which he dislikes but others love—Cohen mentions Thomas Mann, W. H. Auden, and Arturo Toscanini. I can think of many reasons why Cohen feels that he must somehow incorporate these contrary opinions into his own “sense of things”: he respects the overall judgment of Mann and the others, even though he disagrees with them about this particular case; he feels that music allows for different legitimate responses; he believes that thinking about these different responses to Wagner could help him clarify or even reconsider his own.

Cohen, however, arrives at an even more striking reason for caring why someone else loves a composer he dislikes:

My world is one in which the music of Wagner is distasteful. Your world is one in which the music of Wagner is endlessly engaging. I have to find room in my world for you and your Wagner along with me and my Wagner. If I don't, then I forfeit my claim to *human*, moral responsibility, for it comes with an obligation not to write you off, not to consign you to some other world I have nothing to do with. It has to *mean* something in my world that you are in it loving Wagner, for, after all, *the* world is no more mine than yours. ("SC," p. 158)

This resolution differs from a classic political compromise because I do not (yet) see any action that results. Nevertheless, Cohen's conclusion recalls what I said that sanguine compromises are sanguine about: sharing the world with people whose views differ from our own and benefiting from disagreement, not resenting it.

Cohen goes on to consider moral and political disagreements where urgent decisions are more clearly at stake and something has to be done. His example is the bitter debate over the permissibility of abortion. I would argue that working through the aesthetic debate over Wagner puts one in a better position to approach these other disputes. I do not automatically say that moral and political conflicts are more difficult than aesthetic disagreements. After all, as Cohen points out, for people who care about music, "it is not really all that easy for the Wagner-lovers and the Wagner-haters to share a musical world" ("SC," p. 160). But learning to share that world—in this case learning to share it by taking seriously someone else's opposite view of a work of art—is, as Cohen notes, "exactly what has to be done unless our conversation is to end and we are to be resigned, truly, to being in a war of all against all" ("SC," p. 160). From learning to share the world, I think a cascade of good will can result that won't by itself guarantee collaboration, but could predispose us more favorably toward it. If distrust can ramify and compound, so can generosity.

A comment by Walter Isaacson encapsulates what is at stake in compromise: "Knowing when to stand firm on principle or when to find common ground with your fellows is the most important, and also the most difficult, activity in a democracy."¹⁰ It is the most important activity because knowing when to compromise makes good on our otherwise abstract commitment to democratic values. As Margalit observes, "We should, I believe, be judged by our compromises more than by ideals and norms. Ideals may tell us something important about what we would like to be. But compromises tell us who we are" (p. 5). Knowing when

to compromise and when to stand firm is the most difficult activity because it requires complex judgments that are always vulnerable to second-guessing, disappointment, and uncertainty.

I have suggested that our engagement with literature and the other arts, whether reading Homer or debating Wagner, can reinforce our willingness to share the world, which at once is confirmed by, and results from, compromise. Individuals thinking through what they care about, listening and responding to other points of view, sorting out when to bargain with their adversaries and when to fight or flee, finding their footing in the different communities and relationships that involve them—these experiences inform great literature and lively aesthetic disagreements. They also enable robust democratic decision-making.

TRINITY UNIVERSITY

1. James Wagner, "From the President: As American as . . . Compromise," *Emory Magazine*, February 14, 2013.
2. Avishai Margalit, *On Compromise and Rotten Compromises* (Princeton: Princeton University Press, 2010), p. 6; hereafter referred to by page numbers in the text.
3. Amy Gutmann and Dennis Thompson, *The Spirit of Compromise: Why Governing Demands It and Campaigning Undermines It* (Princeton: Princeton University Press, 2012); hereafter abbreviated *SC*.
4. Robert Mnookin, *Bargaining with the Devil: When to Negotiate, When to Fight* (New York: Simon & Schuster, 2010); hereafter abbreviated *BD*.
5. Confirmation of this observation comes virtually every day. Far from being a bold move, vowing never to compromise is a box primary candidates have to check. Here, for example, is how Jonathan Martin reports Liz Cheney's decision to challenge the incumbent Wyoming Senate Michael Enzi in the Republican primary: "But along with the generational swipe at Mr. Enzi, [Ms. Cheney] implicitly took a shot at his low-key and consensus-oriented style, saying 'we can no longer afford simply to get along to go along' and declaring that Wyoming needed 'a strong voice in Washington.' 'I will never compromise when our freedom is at stake,' said Ms. Cheney, a not-so-subtle reference to Mr. Enzi's penchant for working with Democrats to find common ground." Jonathan Martin, "Liz Cheney to Challenge Senator Michael Enzi of Wyoming," *The New York Times*, July 16, 2013.
6. Martha Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton: Princeton University Press, 2010).

7. David F. Elmer, *The Poetics of Consent: Collective Decision Making and the "Iliad"* (Baltimore: The Johns Hopkins University Press, 2013).
8. Immanuel Kant, *The Critique of Judgment*, trans. J. H. Bernard (New York: Hafner, 1951), p. 50; hereafter abbreviated *CJ*.
9. Ted Cohen, "Stanley Cavell and the Limits of Appreciation," *The Claim to Community: Essays on Stanley Cavell and Political Philosophy*, ed. Andrew Norris (Stanford: Stanford University Press, 2006); hereafter abbreviated "SC." Belinda Piercy's paper ("Peer Disagreement and Aesthetic Claims"), presented at the 2012 annual meeting of the American Society for Aesthetics, is another promising example of the work to be done on how we navigate disagreements in judgments of taste.
10. Walter Isaacson, "A Delicate Balance," review of Richard Beeman, *Plain, Honest Men: The Making of the American Constitution* (*New York Times Book Review*, April 10, 2009).