The Morality of State Symbolic Power

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Abstract: Philosophical interest in state power has tended to focus on the state's coercive powers rather than its expressive powers. I consider an underexplored aspect of the state's expressive capacity: its capacity to use symbols (such as monuments, memorials, and street names) to promote political ends. In particular, I argue that the liberal state's deployment of symbols to promote its members' commitment to liberal ideals is in need of special justification. This is because the state's exercise of its capacity to use symbols may be in tension with respecting individual autonomy, particularly in cases in which the symbols exert influence without engaging citizens' rational capacities. But despite the fact that the state's deployment of symbols may circumvent citizens' rational capacities, I argue that it may nonetheless be permissible when surrounded by certain liberal institutions and brought about via democratic procedures.

Keywords: autonomy; coercion; democracy; justice; legitimacy; state expression; state symbols

It is often observed that the modern state's power over the people is extraordinary—in its degree (how much power over the people the state has), range (how many areas or domains of life the state has power over), and variety (how many different modes of power the state has). But despite this observation, philosophical interest in state power has tended to concentrate on the state's coercive powers, which on a broad understanding include its power to punish and imprison, to levy fines and penalties, to tax and withhold income, to conscript, and to seize and destroy property. Relatively little attention, by contrast, has been paid to the softer and more subtle forms of state power, like its power to speak, to deploy symbols, and to structure the physical environment.

To be sure, philosophers and normative theorists have done important work on the state's role in matters of expression and communication. But attention has mostly focused on the state's power to regulate certain classes of private speech, such as commercial speech, private and group libel, obscenity, hate speech, and fighting words. While the state's power as protector or censurer of speech has received significant attention, the state's power as a speaker itself has received comparatively less attention. Moreover, analytical reflections on the state's power as a speaker has concentrated primarily on questions tied to *what* the state can or cannot permissibly say (in

DOI: 10.5840/soctheorpract201642218

speaking in the name of the citizens), neglecting those tied to *how* the state can or cannot say what it might otherwise permissibly say (for example, in speaking to citizens). The fact that analytical work has tended to concern the *contents* rather than *modes* of state expression may explain why relatively little philosophical work has been done on the state's power to use symbols as a mode of expression: its capacity to deploy symbols (for example, monuments, street names, and official holidays) for political ends. This neglect is surprising, considering the crucial role of the state's use of symbols in serving a range of political ends, including the maintenance of state power, social cohesion, and the people's commitment to key national or political ideals.[1]

In this article, I examine the morality of the state's use of symbols as a mode of expression. More specifically, I argue that the liberal state's deployment of symbols to promote its members' commitment to liberal ideals is in need of special justification. This is because the state's exercise of its capacity to use symbols may be in tension with respecting individual autonomy, particularly in cases in which the symbols exert influence without engaging citizens' rational capacities. But despite the fact that the state's deployment of symbols may circumvent citizens' rational capacities, I contend that it may nonetheless be permissible when it is surrounded by certain liberal institutions and brought about via democratic procedures.

My discussion is organized as follows: In section 1, I expand on the theme of state expression and the important role of symbols in political life. In section 2, I argue that an important dimension of normative concern as regards the state's expressive capacities is that of *legitimacy*, or how the state should relate to its members in trying to realize certain political goods. In section 3, I develop the worry that the liberal state's deployment of political symbols to promote its members' commitment to liberal ideals may be in tension with respect of citizens' agency and autonomy, particularly in cases in which the symbols exert influence without engaging citizens' rational capacities. In section 4, I sharpen the worry by discussing Corey Brettschneider's idea of "democratic persuasion" and Richard Thaler and Cass Sunstein's idea of "libertarian paternalism." In section 5, I address the worry by appealing to the general idea that the state's use of coercive force on citizens can be made more legitimate when it is grounded in liberal institutions and a result of democratic procedures. If we can justify coercion when it is imposed by the state in these ways, then a fortiori we can justify the state's deployment of nonrational symbols.

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[1]An important exception is Murray Edelman, *The Symbolic Uses of Politics* (Urbana: University of Illinois Press, 1964). Though Edelman raises concerns about the symbolic nature of political communication, he is less concerned about the state as speaker than about how elected officials and those running for public office deploy symbols.

1. State Expression and the Power of Symbols

Although subtler in its workings, and so easier for us to overlook, the state's capacity to mobilize its symbolic resources is arguably just as important a mode of state power as its ability to offer economic incentives and to use coercive force. After all, states do not rely exclusively on carrots and sticks to build and maintain their power, but also rely on messages and symbols to do so. As Robert Paul Wolff observes:

> We become conditioned to respond to the visible signs of officiality, such as printed forms and badges. Sometimes we may have in mind the justification of a legalistic claim to authority, as when we comply with a command because its author is an elected official. More often, the mere sight of a uniform is enough for us to feel that the man inside it has a right to be obeyed.[2]

State-sponsored symbols are common features of our everyday surroundings, yet it is also easy to miss their presence all around us. By *state-sponsored symbols*, I mean to refer to such things as flags, monuments, memorials, museums, national languages, national anthems and emblems, holidays, and ceremonies. Less obviously, but no less significantly, the names of streets, public parks, and government agencies and departments can also have symbolic importance. The political importance of street names is evident in the fact that in the 1990s, the Chinese ruling party passed national legislation restricting street and place names to those that support "national unity and the establishment of socialist modernization," while prohibiting those that "damage sovereignty or national dignity."[3]

But the state's management of street names and the like for political ends is not just a recent phenomenon. There were many instances of renaming of streets and tearing down of buildings during the Cold War. Consider the *Karl Marx-Allee* in Berlin, a monumental socialist boulevard built by the German Democratic Republic between 1951 and 1964. Originally named *Stalinallee*, the boulevard was a flagship building project for East Germany's reconstruction after World War II. Nor is the practice of naming or renaming things for political purposes restricted only to nonliberal states. In the late 1940s, the U.S. War Department was renamed the "Department of Defense."[4] Notice that the term "defense" presupposes an existing threat—one can, after all, only defend against something. Renaming the War Department the Department of Defense had the subtle but significant

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[2]Robert Paul Wolff, *In Defense of Anarchism* (Berkeley: University of California Press, 1998), p. 7.

[3]Jonathan Hassid, "Place Names, Symbolic Power and the Chinese State" (1 August 2013); available at SSRN, http://dx.doi.org/10.2139/ssrn.2308814.

[4]I borrow this example from Robert Goodin, *Manipulatory Politics* (New Haven: Yale University Press, 1980), p. 100.

effect of getting citizens to tacitly accept the presupposition that the nation is under threat without explicitly considering or reflecting on the idea. This effect can be morally problematic:

> [W]hen something is introduced as a presupposition it may be harder to challenge than something which is asserted outright. A speaker who introduces a proposition as a presupposition thereby suggests that it can be taken for granted: that it is widely known, a matter of shared belief among the participants in the conversation, which does not need to be asserted outright.[5]

An idea that is introduced as a presupposition can easily slide under the radar. It can also be harder and more costly for one to question or reject an idea that is taken to be a generally held truth. Because states can mobilize symbols to subtly introduce presuppositions or background assumptions in this way—particularly when those symbols are deployed in ways that do not involve the provision of reasons—symbols are a powerful tool for shaping the beliefs and attitudes of citizens.

Even the way in which a state sets the boundaries of its citizens' experience of time—such as by exerting control over the time zones in its territory—may have politically relevant symbolic significance. Despite the fact that China is geographically enormous, after the Communist takeover in 1949, the new political leaders abolished the country's previous four time zones and implemented a single "Beijing time."[6] That China, the geographically third largest state in the world, has only one time zone is all the more striking when we consider that Australia, which is geographically smaller than China, has six time zones.[7] So even in remote Tibet and Xinjiang, all government services must still operate on Beijing time, despite the daily inconvenience to the people of these provinces. It has been argued that the purpose of the Chinese state's control over its time zones is to reinforce and assert state control over people's lives in ways that are often "invisible."[8]

So all of these objects or practices—monuments, holidays, street names, time zones—count as political symbols in that they stand for or represent something with political content favored by the state: they have been created or installed by the state with the intent of conveying or expressing or signaling that message symbolically to serve some political end. While contemporary philosophers have tended to underappreciate the relevance of

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[5]Rae Langton and Caroline West, "Scorekeeping in a Pornographic Language Game," *Australasian Journal of Philosophy* 77 (1999): 303-19, p. 309.

[6]Hassid, "Place Names," p. 6.

[7]I take this observation from Jonathan Hassid and Bartholomew C. Watson, "State of Mind: Power, Time Zones, and Symbolic Centralization," *Time & Society* 23 (2014): 167-94, p. 167.

[8]Hassid, "Place Names," p. 6.

symbols to political power, historians and social scientists have not. In his work on the origin and spread of nationalism, Benedict Anderson argues that symbolic resources such as museums and monuments play an important role in holding polities together.[9] Similarly, in his work on state-building in Latin America, Miguel Centeno observes that the "concrete manifestations of nationalist sentiments," such as "monuments and street names," "are on constant public display," and "help to define the public sphere."[10] For Centeno, these instances of "state-sponsored nationalism" serve an important role in defining the public sphere in a new regime.

Pierre Rosanvallon writes of the role of civic festivals during the French Revolution in generating the "sentiment of equality among citizens":

> [E]lections were in themselves insufficient to create a sense of community among citizens because of the extent to which they were hamstrung by procedural rules. Great importance was therefore attached to the organization of public festivals and other gatherings. Free of any institutional constraint, these were intended specifically to produce a palpable sense of community. In an age steeped in empiricist philosophy, people were convinced that the warmth of such gatherings and the influence of symbols would have tangible moral and sociological effects … No one was counting on institutions and laws alone to produce citizenship … Festivals were seen as a straightforward means of producing society.[11]

Indeed, the important role of civic festivals was reflected in the first written constitution of France, created by the National Assembly after the fall of the Absolute Monarchy of the Ancien Régime. Article I of the French Constitution of 1791 states that: "National festivals shall be established to preserve the memory of the French Revolution, promote fraternity among citizens, and foster devotion to the Constitution, the nation, and the law."[12]

That state symbols in our environment often go unnoticed (at least at the level of our conscious awareness) is a sign not of their impotence, but of their potential efficacy. As Michael Billig observes,

> in the established nations, there is a continual "flagging," or reminding, of nationhood. The established nations are those states that have confidence in their own continuity … The metonymic image of banal nationalism is not a flag which is being consciously waved with fervent passion; it is the flag hanging unnoticed on the public building."[13]

What Billig and the others cited above recognize is that the state's deployment of symbols—and its exercise of communicative power, more gener-

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[9]Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. (New York: Verso, 1991).

[10]Miguel Angel Centeno, *Blood and Debt: War and the Nation-State in Latin America*. (University Park: Pennsylvania State University Press, 2002), p. 178.

[11]Pierre Rosanvallon, *The Society of Equals*, trans. Arthur Goldhammer (Cambridge, Mass.: Harvard University Press, 2013) pp. 41-42.

[12]Quoted in Rosanvallon, *The Society of Equals*, p. 42.

[13]Michael Billig, *Banal Nationalism* (London: Sage Publications, 1995), p. 8.

ally—is an important operation of state power. Symbols can be used to influence, shape, and even control its citizens' values, commitments, and dispositions. But because the psychological effects of symbols often operate on their "targets" nonrationally and without their conscious awareness, it is easy to miss their function in subtly building and sustaining the people's commitment to important ideals and values that structure the moral and political community.

I have been emphasizing the potential effects of state-sponsored political symbols on citizens, but there are also the intentions, aims, or purposes behind the deployment of political symbols. What the actual point or purposes is of the state's use of symbolic resources in a particular case—say, erecting a monument or declaring some date to be a public holiday—is at least partly an empirical question: it concerns actual political motives. Sometimes it is a way for citizens to express themselves through the vehicle of the state: for example, to honor someone of significance to the public life (such as a civil rights activist) or to commemorate an important event in history (such as a war). In other cases, it is out of a sense of collective duty (say, to acknowledge the wrong done by the state in the past in the treatment of indigenous peoples) or a way to reinforce citizens' collective commitment to core political values (say, to affirm the values of freedom and self-rule on Independence Day). These possible motives need not all be incompatible; they can and often do operate simultaneously. Indeed, in a liberal-democratic context, the "motive," whatever it may be, is often mixed, as political decisions are subject to the messiness of the democratic process (for example, logrolling and compromises by political representatives in the legislative process).

For the purposes of the remaining discussion, I want to abstract from the variety of possible motives involved when the state mobilizes its symbolic resources, and focus on one particular motive: that of shaping the content of the public political culture in ways that facilitate the development and preservation of a liberal regime.[14] More specifically, I want to examine the normative dimension of the liberal state's capacity to deploy symbols to build and sustain its citizens' commitment to core liberal values, such as the ideal of free and equal citizenship.

[14]There are other important cases of state uses of symbols that are beyond the scope of this paper: (1) institutions (such as the monarchies throughout Europe and in the U.K.) the point and purpose of which seem to be almost entirely symbolic but which play an important role in representing the state's ideals; (2) states that rely on the use of religious symbols to claim legitimacy; and (3) legal institutions that make heavy use of symbols (robes, wigs, and so on).

2. Legitimacy and the State's Expressive Capacities

It is often said that the state's power to use (or threaten to use) physical force against its members is in need of special justification. It is also said that the use of coercive force by the state can be objectionable, even when it has only good effects—if consent (or something like it, such as popular authorization) is absent. The same is true, I argue, of the state's use of symbolic power (and more broadly, expressive or communicative power).

It is worth thinking about the state's communicative power alongside its use of coercive power. Insofar as state expression is targeted at autonomous agents and as state expression rests on the state's virtual monopoly of coercive power (*rests on* in the important sense that the state is able to enforce its messages or forbid messages that conflict with its own), the state's use of its expressive powers—like its use of coercive powers—is in need of special justification. This is so, I claim, even if the political symbols used by the state are in the service of valuable ends, such as the people's recognition of basic liberties, their development of egalitarian sensibilities and traits of character, and the formation of collective unity or social solidarity amongst the citizenry.

The state's coercive and communicative (or expressive) powers can be characterized as follows:

Coercive power involves the capacity to physically invade, damage, or constrain the target's *body* (or to threaten to do so); or to use or destroy the target's *property* (or to threaten to do so).

Communicative power involves the capacity to shape or influence the target's *mind*—dispositions, beliefs, attitudes, emotions, and intentions—via expressive acts.

While this characterization presents the state's coercive and communicative capacities as contrast classes, the separation is somewhat artificial. In other words, certain modes of influence can be at once coercive and communicative. After all, if laws are conceived as commands of a special kind backed up by the threat of sanction, and commands as a kind of speech act, then laws are clearly at once coercive and communicative. Put differently: the state's coercive power can be deployed using its communicative capacity (say, to issue a threat of punishment); conversely, the state's coercive power (say, to punish criminals) itself can have an expressive function (say, to condemn certain acts). Nevertheless, even if some mode of state power has both communicative and coercive dimensions, my characterization also allows that there could be forms of coercive power that are not communicative and forms of expressive power that are not coercive—

at least not obviously so.[15]

At the most general level, state expression includes all forms of state-supported communication. Broadly understood in this way, state expression may include official state messages, statements by state officials at state-sponsored events and press conferences, the utterances of teachers in state-funded schools, and the speech of political candidates and artists supported by government subsidies. The expressive capacities of the state also include the power to mobilize symbolic resources such as monuments and holidays; to condemn certain behaviors by applying legal punishment and sanction; to provide certain tax subsidies and incentive schemes; and to educate its citizens in certain ways.[16] As this list brings out, state expression itself has various modes and can involve varying degrees of endorsement or government involvement.

I want to now distinguish between two important dimensions of political evaluation: *justice* and *legitimacy*, both of which bear on the state's expressive power.[17] Questions of justice concern what ends the state should aim to realize or what goods the state should bring about for its members—such as peace and security, individual liberty, material resources and opportunity, equality in the distribution of social goods, dispositions of justice, and relations of respect and equality between citizens. Questions of legitimacy concern how the state should treat or relate to its members in trying to realize these goods—say, with coercive force, law, taxation, the people's consent, democratic procedures, public deliberation, elections, and so on.[18]

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[15]For an influential typology of power in the social science literature, see Amitai Etzioni, "Organizational Control Structure," in James G. March (ed.), *Handbook of Organizations* (Chicago: Rand McNally, 1965), chap. 15. Etzioni distinguishes between "coercive power," "utilitarian power" (payments for compliance), and "identitive or normative power" (symbolic power). He argues that coercive power is the hardest to sustain and ultimately the least effective, while symbolic power is the most difficult to obtain but easiest to maintain.

[16]Martha C. Nussbaum discusses Franklin D. Roosevelt's efforts to motivate and persuade Americans to support the New Deal through photographs and speeches that appeal to their emotions such as compassion and sympathy. See *Political Emotions: Why Love Matters for Justice* (Cambridge, Mass.: Harvard University Press, 2013), pp. 282-84.

[17]Philip Pettit, "Legitimacy and Justice in Republican Perspective," *Current Legal Problems* 65 (2012): 59-82, and *On the People's Terms: A Republican Theory and Model of Democracy* (Cambridge: Cambridge University Press, 2012); A. John Simmons, "Justification and Legitimacy," in *Justification and Legitimacy: Essays on Rights and Obligations* (Cambridge: Cambridge University Press, 2001), chap. 7.

[18]My characterization of justice and legitimacy allows that justice and legitimacy be *mutually* constraining. So, on the one hand, whether some way of bringing about an end can count as legitimate can depend on whether the end to be brought about is just. And, on the other, whether some end counts as just can depend on whether it can be brought about in a way that is legitimate.

Justice is relevant to the state's exercise of its expressive power, because the state's expressive power can be used to build a shared sense of justice among citizens. It can be used to promote certain ends, such as the good of having all citizens enjoy the right to vote, and other procedural and substantive democratic rights. Justice is also relevant to the issue of restrictions on the state's exercise of its expressive power to promote certain values. For one thing, the state may not permissibly promote via its expressive capacity those values that are incompatible with the ideals of justice and of free and equal citizenship. Clearly, it may not deploy symbols to instill in the people a set of morally odious political values. But more controversially, political liberals such as John Rawls, Ronald Dworkin, Charles Larmore, and Martha Nussbaum have long maintained that the state should not promote any substantive conception of the good life, a view that implies restrictions on the state's use of its expressive power to promote controversial values.[19] Relatedly, when the state's expressive capacities are used to project a national culture that misrepresents or mischaracterizes the needs and interests of certain minority groups, this might be seen as treating unfairly and disadvantaging those minorities.[20] Thus, concerning the normative dimension of justice, there must be limits to what the state may say in the people's name, if we take seriously the idea that state expression is supposed to be in the name of the citizens.

Legitimacy is relevant to the state's expressive capacity because, even if we all agree that it is a good thing that the state should promote the ideal of free and equal citizenship, there remains the question whether in promoting this ideal *in the way that it does* (via certain laws, via symbols, via public education, via the statements of public officials, and so on), the state is relating to its citizens in a way that treats them with respect as autonomous individuals. A widely held assumption about state legitimacy (and authority) is that "the powers of a state are limited to those the citizens could recognize while still regarding themselves as equal, autonomous rational agents."[21] Legitimacy, as a dimension of evaluation, is relevant to the state's coercive power as well as to its expressive power, including its power to deploy political symbols. Just as we might think there is an

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[19]John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996); Ronald Dworkin, "Liberalism," in *A Matter of Principle* (Cambridge, Mass.: Harvard University Press, 1985), pp. 181-204; Charles Larmore, *Patterns of Moral Complexity* (New York: Cambridge University Press, 1987), p. 43.

[20]Following in the tradition of political liberals, Martha Nussbaum argues that a liberal state may not identify with a particular religious tradition, because this would convey disrespect to those members who do not follow that tradition. See Martha C. Nussbaum, "Perfectionist Liberalism and Political Liberalism," *Philosophy & Public Affairs* 39 (2011): 3-45.

[21]T.M. Scanlon, "A Theory of Freedom of Expression," *Philosophy & Public Affairs* 1 (1972): 204-26 p. 215.

inherent danger to the coercive power of the state, so we might also think there is an inherent danger to the communicative power of the state. For just as political agents can capitalize on the state's coercive power in objectionable ways, so too political agents can capitalize on the state's communicative power in objectionable ways. After all, political symbols can be mobilized to instill in the people an ethos that is sympathetic to a particular regime or set of political values, doing so in a way that is insensitive to whether the people want to be influenced in that way or not.

Of course, the state's communicative power can also be used to promote ideas, values, and dispositions of individual character that are crucial to a flourishing free and equal society.[22] That is, in a liberal state, the state's communicative apparatus can be used to promote core liberal values such as the ideal of free and equal citizenship as members of a political community. More expansively: the ideal that every citizen (or every able-minded adult permanent resident) ought to be treated as equal with one another, and have their basic liberties (such as free speech, association, and religion) protected by and under the state. This raises the question of whether (and how) a liberal state can legitimately mobilize politically symbolic resources to encourage the people's commitment to core liberal values, such as the ideal of free and equal citizenship, particularly when the practice does not involve the provision of reasons or is not meant to encourage the consideration of reasons, and hence is likely to have the effect of circumventing citizens' rational capacities rather than engaging them.[23]

3. State Symbols and the Circumvention of Citizens' Rational Capacities

Within the various ways in which the state might exercise its expressive capacities, we can distinguish between those that clearly involve giving reasons, evidence, or arguments in favor of some attitude or belief, and those that do not.

Thus, contrast:

(a) offering someone reasons to accept the ideal that persons are free and equal in a debate, with

[22]The core elements of the public political culture of liberal societies need not be taken as comprising only moral ideas; they may also include more particularistic or local elements, such as certain ethnic or linguistic commitments and identities.

[23]One related issue that I will note but not take up is whether a liberal state is justified when it gives arguments *only* for liberal values and not for other, nonliberal democratic values. One might think this is morally problematic, since not every view is given an equally charitable hearing. (Compare: a history book might make all true claims but still be deeply misleading if it does not present "all sides of the issue.")

(b) conveying that ideal by inscribing it on the gates of a public park or representing it on paper money.

Contrast:

(c) critically examining the ideals of a liberal society in a high school civics class, with
(d) tacitly absorbing those ideals as one recites the words to the Pledge of Allegiance in a classroom or sings the national anthem before a sporting event.[24]

And contrast:

(e) endorsing a certain interpretation of the scope of some civil liberty as a result of working through the justification offered in a Supreme Court opinion, with
(f) internalizing a commitment to that liberty (so interpreted) partly as a result of driving down a street named *Martin Luther King Jr. Boulevard* each day to work.

What should we make of the state's use of nonrational but noncoercive methods involving the deployment of symbols—as exemplified by (b), (d), and (f)—to encourage not just law-abiding behavior but broad support for the liberal principles of justice on which the liberal public political culture is at least partly based? In these cases, the influencing effects of the state-sponsored symbols seem to bypass the people's rational capacities: the messages are being communicated indirectly and not through the provision of reasons as exemplified in rational persuasion. The people's rational capacities are not being as straightforwardly engaged with in these cases, inasmuch as the changes in beliefs and attitudes that the symbols encourage do not depend on the people's independent consideration of the reasons for or against those beliefs and attitudes. Even granting that most forms of expression, including rational persuasion, rely to some extent on nonrational factors to change beliefs and attitudes, the point is that not all forms rely on them to the same degree: cases (b), (d), and (f) seem to rely on nonrational factors to a significantly greater degree than cases (a), (c), and (e).

When realized in its extreme form, the idea of state deployment of symbolic resources for political ends (such as getting the people to internalize certain values) can be deeply morally troubling. It calls to mind the

[24]On the Pledge, see Vincent Blasi and Seana V. Shiffrin, "The Story of *West Virginia Board of Education v. Barnette*: The Pledge of Allegiance and Freedom of Thought," in Michael Dorf (ed.), *Constitutional Law Stories*, 2nd ed. (St. Paul: Foundation Press, 2009), chap. 12.

sorts of propaganda and indoctrination methods associated with Fascism and Soviet Communism. With respect to the state's deployment of symbolic resources in these cases, we have the sense that there is something morally objectionable about the way the state is relating to its people.

But what is it exactly that makes the state's deployment of political symbolism objectionable, when it is objectionable? Perhaps it is simply that it has harmful or bad effects—that people end up choosing what goes against their interests or believing what is morally and politically false. It is not clear that this is right, however—at least it cannot be the whole story. This is because, on the one hand, these bad effects could come about without the state's deployment of political symbolism. Indeed, a state could mobilize its symbolic resources for the purposes of guarding against these bad effects. And, on the other, it seems that deploying political symbolism could be objectionable even when it achieves good effects (e.g., using propaganda or subliminal advertising to encourage people to accept the ideal of free and equal citizenship).

I want to suggest that at least part of what is objectionable about the state's deployment of its symbolic resources (when it is objectionable) has something to do with the fact that citizens' attitudes toward important matters are being influenced in a way that bypasses their independent evaluation and deliberation. In this way, it fails to respect their autonomy. By *autonomy*, I mean the ability to exercise one's agency (one's capacities of judgment and action) and the opportunity to do so. Having an opportunity to exercise one's agency requires having some measure of control over one's own thoughts and decisions, and in particular, some degree of independence from certain kinds of influence (such as coercion, interference, manipulation, and other agency-undermining forms of influence) in deciding what to believe, what to value, and what to do. Notice that the relevant sense of autonomy is (in part) *relational*: it depends on having some measure of control over how others use force or influence or constraint on one *as such*, independently of its *effects* (e.g., whether it furthers or hinders success in achieving one's goals, satisfying one's desires, the avoidance of human suffering and evil, and so on).[25]

Bernard Berofsky writes that a person's "autonomy is respected insofar as his desiring nature as given is accommodated and the method of influence is restricted to the techniques of rational persuasion."[26] If this or something

[25]Contrast a *nonrelational* notion of autonomy as a characteristic of a single agent (e.g., leading a life informed by reflective choices, or having a certain structure of lower- and higher-order desires).

[26]Bernard Berofsky, "Autonomy," in Leigh S. Cauman, Isaac Levi, Charles Parsons, and Robert Schwartz (eds.), *How Many Questions? Essays in Honor of Sidney Morgenbesser* (Indianapolis: Hackett, 1983), pp. 301-20, at p. 311.

like it is right, then to the extent that the state's deployment of political symbols involves influencing people's moral-political beliefs and commitments without providing reasons, without engaging with their rational capacities, it fails to respect their power to decide for themselves what values to accept. It fails, in other words, to respect their agency and autonomy. The state's use of symbols may even start to approximate the paradigm of manipulation or indoctrination or mind control or something of that sort.[27] Marcia Baron observes that the vice of manipulation includes "arrogating to oneself decisions that are not one's make" and "putting undue pressure on others."[28] Just as the person involved in manipulation is too inclined "to steer others," so we might think the state involved in using symbols in ways that circumvent the people's rational capacities is too inclined to steer its people, even if it is toward the true or the good, morally and politically speaking. At the very least, it seems that there are morally preferable, more respectful and admirable, methods of influencing people than deploying symbols that either aim to influence, or are likely to have the effect of influencing, the people nonrationally: methods of influence such as rational persuasion, and open and informed discussion.[29]

I have argued that, in cases in which the use of symbols as a vehicle of communication does not involve offering reasons or encourage rational reflection, there is the risk that the state's deployment of symbols may influence citizens' values in ways that circumvent their rational agency, thus potentially undermining their autonomy. The state would be depriving citizens of the opportunity to exercise their capacities for assessing the reasons that support the regime: the opportunity to endorse core values and ideals on the basis of their independent consideration of the reasons that support those values and ideals.

I want to now add that this autonomy-undermining risk is compounded by the reasonable background assumption or presupposition on the part of citizens that the state speaks in their name. This assumption makes it

[27]We tend to associate manipulation or indoctrination or mind control with aiming to get people to think or do things that are false or against their interests. But it is also possible to manipulate with good intent, and people may be manipulated or indoctrinated into doing or believing the good and the true.

[28]Marcia Baron, "Manipulativeness," *Proceedings and Addresses of the American Philosophical Association* 77, no. 2 (2003): 37-54, p. 47.

[29]Symbols are not usually deployed in isolation, but as part of a broader strategic program. Thus, a nation-building program may involve both reason-giving civics classes in high school and the use of symbols (among other things). Here, the specifics in the operations of the program matter normatively. When the symbols are just a supplement to the reason-giving parts of the strategy and meant to encourage rational reflection, that seems not to be morally objectionable. But if the symbols are meant to compensate for deficits in the reason-giving parts in the program, this seems more morally objectionable, as there may be an element of deceit: the symbols distract from the deficits in the reason-giving parts of the strategy.

even harder for citizens to critically assess whether they really accept state messages, particularly when those messages are represented by the state as something citizens already believe. Because of the presumption that state expression is *in our name*, expression that is put forth by the state involves the presupposition that it is what citizens already accept. When content is offered to us against this background (as something we already accept), this heightens the risk that we may come to accept that content without the usual rational scrutiny (and exercise of agency that is a condition of autonomy) that we would bring to statements expressed by an ordinary agent in the mode of offering explicit reasons who is communicating without the background assumption of speaking in our name.[30]

Furthermore, in contrast to the symbolic expressions of private citizens (say, in works of art or in political acts like flag burning), the state's symbolic expression rests on, is backed up by, the state's virtual monopolization of the use of authorized violence and coercive force.[31] State symbolic expression (indeed, state communication in general) enjoys a certain advantage in the marketplace of ideas over the expressions of private citizens: a state expressing message X can coercively enforce that message, or at least give it pride of place by, for example, forbidding the expression of not-X.[32] This advantage runs the danger of further consolidating state power. Given the well-documented history of abuse by political rulers in exercising their power to deploy symbols, there is reason to think that there must be limits to the ways in which the state may permissibly deploy its symbolic resources (just as the history of abuse by political rulers in their use of coercive force gives us reason to think there must be limits to the ways in which the state may permissibly coerce the citizens). Citizens thus have an interest in limiting the state power-consolidating effects of state deployment of symbols.

In light of these general worries with the state's capacity to deploy symbols, then, the challenge is to think about whether (and how) the *liberal* state's deployment of symbolism in particular—say, to promote its

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[30]This point draws on Langton and West's apt observations about the subtle workings of speech acts that implicitly presuppose certain facts and norms. See "Scorekeeping in a Pornographic Language Game."

[31]The *locus classicus* for the idea that the state is defined by its monopoly on legitimate violence is Max Weber's *Politics as a Vocation*, in *From Max Weber: Essays in Sociology*, ed. and trans. H.H. Gerth and C. Wright Mills (Oxford: Oxford University Press, 1946), chap. IV, pp. 78-79.

[32]Certain corporations also enjoy advantages, though corporate speech is not backed up by coercive force. That is, states, corporations, and even celebrities hold an advantage in the marketplace of ideas in the sense of having at their disposal a megaphone that is more powerful and farther-reaching than the modes of communication most private citizens have. As a result, their communications are more potentially autonomy-undermining.

members' commitment to the ideal of free and equal citizenship—can be legitimate.

4. Interlude: "Democratic Persuasion" and "Libertarian Paternalism"

To sharpen the worry that the state's deployment of symbolic resources can sometimes circumvent citizens' rational agency, and so fail to respect citizens' autonomy, I want to discuss Corey Brettschneider's idea of "democratic persuasion" and Richard Thaler and Cass Sunstein's idea of "libertarian paternalism."

Consider the issue of what (if anything) the liberal state can legitimately do to combat racist, sexist, and other forms of hate speech and inegalitarian thought. Is it permissible for the state to go beyond protecting its citizens' rights and liberties, and use its range of powers, including coercive power, to ban such speech? Or must the state's use of its powers never go beyond protecting our liberal rights and liberties? Must the state never interfere with hateful speech but remain resolutely neutral towards different moral and political viewpoints?

Brettschneider argues that the state should neither use its coercive power to ban hate speech nor simply restrict itself to protecting our rights and liberties. To combat hate speech, the state can—and indeed has an obligation to—use its expressive powers to engage in "democratic persuasion" to shape the public's adoption of liberal values. "Democratic persuasion" is Brettschneider's term for the state's exercise of its expressive capacities to offer arguments and reasons for liberal ideals. According to Brettschneider, the state can engage in democratic persuasion in a number of different ways that include:

(1) political leaders of the executive and judicial branches explaining the underlying rationales for laws,
(2) the promotion of political values like equality via public education, public monuments, national holidays, and
(3) the promotion of the values of equality and liberal toleration via making available or denying tax subsidies to certain groups and other incentive schemes.

In offering these methods for the state to speak out in favor of ideas of equality and tolerance and condemn those of inequality and intolerance, Brettschneider's primary emphasis is on their contrast with coercive methods: that is, the options involving the state's threatening punishment or

acting coercively to promote the ideals of free and equal citizenship.[33] Here, I want to register two points. The first is that there are many modes of influence that fall short of coercion that are widely deployed by liberal states to promote the ideals of free and equal citizenship, modes of influence that include public education and the use of symbolic resources. The second is that, within the class of noncoercive modes of state influence, we can still draw further moral distinctions, such as between those modes that are in need of special justification (and those that are not); and those modes that respect citizens' agency and autonomy (and those that do not).

Brettschneider is sensitive to these points, writing that "the state should avoid manipulating citizens into accepting the values of free and equal citizenship through misleading citizens or by subliminally trying to change their minds."[34] "[I]t should avoid demonizing individuals or exiling them from society," as well as "the kind of propaganda that avoids reasons and relies on character assassination, mockery, or the denial of an individual's humanity."[35] What is problematic with the items on this list is that they conflict with respect for individual autonomy. For example, subconscious or subliminal methods of influence circumvent the people's rational capacities, diminishing their rational control over their own judgments and choices.

Some of Brettschneider's examples of "democratic persuasion" clearly meet the ideal of offering explicit reasons. For example, he gives the case of President Bill Clinton offering reasons when apologizing on behalf of the U.S. federal government for the infamous Tuskegee experiments from 1932 to 1972.[36] However, it is not clear that all of Brettschneider's examples satisfy the description of offering "explicit reasons." An important case in Brettschneider's argument is that of the U.S. government's erecting public monuments to civil rights leaders like Martin Luther King, and celebration of official holidays that honor democratic ideals.[37] It seems to me that Brettschneider is too quick to characterize these practices as instances of "democratic persuasion," if the idea of "democratic persuasion" entails "the explicit provision of reasons." For example, does naming a street after Martin Luther King Jr. involve the provision of explicit reasons or facts?[38]

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[33]Corey Brettschneider, *When the State Speaks, What Should It Say?* (Princeton: Princeton University Press, 2012).

[34]Ibid., p. 88.

[35]Ibid., p. 89.

[36]Ibid., p. 41.

[37]Ibid., p. 7.

[38]In the United States, there are over 730 cities or towns in 39 states that have streets named after Dr. Martin Luther King, Jr. See Derek Alderman, "Street Names and the Scaling of Memory: The Politics of Commemorating Martin Luther King, Jr. within the African-American Community," in John A. Kirk (ed.), *Martin Luther King Jr. and the Civil Rights Movement: Controversies and Debates* (New York: Palgrave Macmillan: 2007), pp. 232-44.

When the street name was changed, there may have been a ceremony during which explicit reasons were expressed. But for those people who drive on the street daily, who were not around at the time the ceremony took place, it is not clear that their rational capacities are directly or primarily being engaged with. Rather, what is presented to them (if anything) or what comes before their mind (if anything) when they drive down the street is not so much a reason, but rather some image or association or idea or mere conclusion, without the reasons, justifications, and arguments behind it being presented.[39] To the extent that no reason is offered or elicited, we may worry that the use of state-sponsored symbols in this way falls too far away from the paradigm case of rational persuasion as a respectful mode of communicative influence. We may worry that the practice is in tension with respect for autonomy.

Let me turn to Thaler and Sunstein's "libertarian paternalism."[40] Thaler and Sunstein argue in favor of the state's use of subtle, nonrational methods to influence the behavior of its citizens for their good. Their argument draws on the growing body of research in the behavioural sciences on the many ways in which our cognitive and affective capacities are flawed and limited, susceptible to biases due to things such as framing, availability heuristics, anchoring effects, and priming. Impressed by this research, Thaler and Sunstein make the case for what they call *libertarian paternalism*—the view that, since people are generally bad decision-makers (given their susceptibility to bias), the state ought to "nudge" them in the direction of their own desired goals by orchestrating their choices so that they are more likely to do the "good" thing. For example, by making employee retirement plans an "opt-out" rather than "opt-in" scheme, employees would be more likely to be in such programs. By strategically placing the healthy food at eye level, and the unhealthy option at a lower level, students in the school cafeteria would be more likely to choose the healthy option.

Thaler and Sunstein's defense of the state's use of "choice architecture" to nudge citizens in ways that benefit their personal good or welfare—to eat healthier, smoke less, wear seatbelts, save more for retirement, and so on—raises the question whether it would be legitimate for the state to use similar methods to generate and sustain the people's support of the foundational principles and ideals of a liberal society. After all, the techniques of framing, availability heuristics, anchoring effects, and priming could

[39]Of course, if Martin Luther King's contribution to the realization of important political ideals is explained in other contexts (civics classes, museum exhibitions), arguably this makes naming a street after him less potentially autonomy-undermining. Certainly, it would be morally different from a state simply naming streets "Harmony Street" and "Peace Street" without explaining the value of these ideals in any other context.

[40]Richard H. Thaler and Cass R. Sunstein, *Nudge: Improving Decisions about Health, Wealth, and Happiness* (New Haven: Yale University Press, 2008).

also be used to influence people's political values and commitments, and the medium of symbols seems well suited for the application of such techniques. It could, of course, be argued that the people's commitment to the liberal principles of justice, on which the public political culture is partly based, is in their interest, insofar as such commitment generates social solidarity or national unity, and thus increases the likelihood of domestic peace and security. Deploying symbolic resources to reinforce people's commitment to liberal values might then be construed as a kind of liberal paternalism or perfectionism. This may or may not be right, but the conclusion requires a further substantive argument that collective endorsement of liberal ideals adds to our welfare. The point, at any rate, is that just as we can ask about whether it is objectionable for the state (or government officials) to make use of research in the psychology of judgment and decision-making to shape citizens' choices to advance their good, so we can ask a similar question about the state's use of such methods to shape citizens' political convictions and commitments in a way that aligns with core liberal values.[41]

But we might think that there is something special about the state using these symbolic modes of influence and "choice architecture" on fundamental values (such as liberty and equality), even if we allow that there are domains associated with our self-regarding good where the state's use of these modes of influence on the people is unproblematic (say, to promote citizens' health and safety).[42] As Ronald Dworkin writes: "Morally responsible people insist on making up their own minds about what is good or bad *in life or in politics*, or what is true and false *in matters of justice or faith*."[43]

If this is right, then the liberal state's deployment of symbols should strive to incorporate reasons for liberal ideals, inviting the people to engage in rational reflection. It should not intend to deprive or have the effect of depriving citizens of the opportunity to exercise their capacities for assessing the reasons that support the regime: that is, it should not limit their opportunity to endorse core values and ideals on the basis of their independent consideration of the reasons that support those values and ideals.

But from the fact that it is morally *preferable* for the liberal state to provide reasons when it deploys symbols, it does not follow that deploying symbols to nonrationally influence citizens' commitment to liberal ideals

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[41]The good of endorsing liberal democratic ideals might be seen as an *other*-regarding good in contrast to the *self*-regarding goods that are the aim of policies proposed by Thaler and Sunstein (see ibid.).

[42]That is, if state paternalism can be justified, it seems its strongest case concerns those forms of consumption that harm the self, are addictive, or are typically regretted later in life (e.g., tobacco use).

[43]Ronald Dworkin, "The Coming Battles over Free Speech," *New York Review of Books*, 11 June 1992, pp. 55-64, at pp. 56-57 (emphasis added).

must be *impermissible*. Perhaps there are conditions under which the state's deployment of symbolic resources to promote citizens' commitment to liberal ideals without relying on their exercising their rational capacities can be seen as compatible with respecting individual autonomy. Under what conditions then (if any) would it be permissible for the state to "nudge" or nonrationally influence the people to accept liberal ideals?

5. Justifying the Liberal State's Deployment of Nonrational Symbols

Let me quickly recap where we are at this point: I have argued that the state's deployment of political symbols is or can be a mode of power or influence, and that an important dimension of evaluation concerning the state's power to deploy symbols is legitimacy. I have also argued that the liberal state's deployment of its symbolic resources to promote its citizens' commitment to the ideals of freedom and equality is in need of special justification, particularly in cases in which the symbols aim to influence, or are likely to influence, the people nonrationally. In these cases, the state's deployment of political symbols to generate commitment to liberal ideals circumvents engagement with the people's rational capacities, and so fails (presumptively) to respect their autonomy.

In this final section, I want to see whether there are resources in liberal-democratic theory to justify the liberal state's use of political symbols to nonrationally influence people's values. More specifically, I want to sketch some possibilities that address how, despite the fact that the use of symbols may have the intended or indirect effect of influencing nonrationally, it may nonetheless be permissible when brought about via democratic procedures and surrounded by liberal institutions.

Call the deployment of political symbols that is aimed to influence—or likely to have the effect of influencing—the people nonrationally, *nonrational political symbolism*. Nonrational political symbolism, as the expression suggests, does not involve the explicit provision of reasons and is not aimed at shaping citizens' attitudes and beliefs by encouraging them to consider the reasons behind the relevant attitudes and beliefs. What I want to now argue is not that it is only in a liberal democracy that nonrational symbolism is morally permissible, but something weaker: that nonrational symbolism *can be* morally permissible in a liberal democracy.

I have claimed that the state's use of its symbolic resources may fail to respect citizens' autonomy, particularly when it does not involve providing reasons and is aimed at influencing them in a way that bypasses their conscious, rational awareness. This, then, suggests at least a pro tanto reason against the adoption of such practices. Of course, this does not mean there are not also pro tanto reasons in favor of such practices. Indeed, one

of them has already been mentioned. This is that the state's deployment of (nonrational) symbolic resources, in some measure at least, seems necessary for sustaining the liberal ethos of our public political culture.

Political symbols have the power to help bind people together, to get them to see themselves as a community, to cooperate and work alongside each other. Political symbols help to combat our inclination to see ourselves merely as disparate and local communities, rather than as members of a unified political collective whose interests and values are sufficiently compatible and aligned. We might call this the *proleptic* or *anticipatory* deployment of political symbols: by projecting via symbols a picture of unity that may strictly speaking not exist, the state helps to bring about that unity. Without a certain level of social solidarity and shared political commitment among the wider public, a stable liberal political society would not be realizable. But achieving the sufficient level of social unity, given a large population that's pluralistic in character, may require the deliberate deployment of (nonrational) symbolic resources to some degree.

Notice that this justification—the appeal to social solidarity—is also available to nonliberal states. This is because the existence and persistence of any large state in the modern world requires a population whose interests and values are sufficiently overlapping to enable a degree of common allegiance to the political authority. This requirement may in turn provide some justification for the political authority to exercise its various forms of power—coercive as well as expressive (including symbolic).

It is not clear that any state can completely avoid the use of political symbols in ways that do not involve the public's prior engagement in a rational discussion and the people's consent. The state's use of political symbols in some measure is not just necessary to maintain power but (virtually) unavoidable. This is because in order for a state to have or exercise any authority or power at all, it has to represent its authority—which, in effect, means deploying some symbols. That is, for a state to exercise authority *just is* in part to use symbolic resources in certain ways for certain purposes. It is hard to imagine a state's having authority (in a purely descriptive sense as distinguished from *legitimate* authority) without sometimes representing its authority via symbols in a way that is absent the provision of reasons.

If some use of political symbols is necessary and unavoidable, the question that we should be asking, then, is: What are the permissible, more morally desirable, ways of using state-sponsored nonrational political symbolism? I have been suggesting that, despite its necessity, the use of political symbols is not necessarily unproblematic and can involve moral hazards when it overreaches. On the assumption that the state's deployment of its symbolic resources is intended to work by bypassing our full

conscious awareness and rational capacities, how could it be justified in the context of a liberal democracy?

Perhaps the mere fact that a state is deploying nonrational symbolic resources for political ends that are just is enough to make it permissible (legitimate). The idea here is that whether nonrational political symbolism is acceptable will depend in part on whether the ends to which the politically symbolic resources are being mobilized conform to or conflict with, promote or inhibit, the acceptance of the "true" or "correct" set of political values. Insofar as the ends involve the people's commitment to the values at the heart of a liberal democracy, this would be sufficient to justify the use of nonrational political symbolism. (Notice that this justification's being sufficient depends on the assumption that we should not think of being influenced by methods that bypass our conscious awareness and rational capacities as in conflict with respecting autonomy, as presumptively morally impermissible, as requiring special justification.) One worry with this justification is that from the internal perspective (i.e., the perspective of government representatives), the values it wants to promote always appear to be the "true" or "correct" ones.

Another strategy is to justify the use of nonrational political symbols in the context of a liberal democracy by pointing to the fact that it is a result of democratic procedures and surrounded by certain liberal institutions. After all, it seems morally relevant whether the people (the able-minded adult citizens) have endorsed the state's use of certain symbols, consented or agreed to it, or whether there is at least some justification for it that is acceptable or reasonable to them.[44] The basic idea here is that the permissibility of nonrational political symbolism—its compatibility with respecting autonomy—will depend in part on whether certain historical transactions or institutional structures precede, surround, or come after its deployment. For example: Were certain democratic procedures followed in arriving at the decision to use symbolic resources? Was there public discussion and debate, popular authorization, transparency in the decision-making process? Are the citizens permitted to protest the state's deployment of symbolic resources?

In a liberal-democratic society, the guarantee of the right to freedom of expression will mean that there are potentially other voices by some members of society that can speak out against the meaning of the political symbols as well as the particular interpretations that people attach to them. For example, the U.S. government might mobilize the symbolic significance

[44]Compare the thought with what is often referred to as *the liberal principle of legitimacy*, the idea that it is impermissible to use force against the citizens unless there is some justification of that use of force that is "acceptable." See John Rawls, *Political Liberalism*, expanded ed. (New York: Columbia University Press, 2005), p. 137.

of the national flag to promote liberal ideals, and yet at the same time it permits citizens to burn the flag in order to make a political statement, or burn a draft card to protest a war. The right to freedom of expression—including the right to speak out against the messages implied by the state's deployment of political symbols—guards against the possibility that the ideals promoted by the state will crowd out other potentially conflicting voices in society. Thus, features of the existing liberal institutions such as the guarantee of the freedom of expression and protection of counter-speech will limit the possibility that the state's deployment of political symbols will result in enforced conformity and stifle public debate, operating as a conversation stopper.

Another important feature of liberal-democratic political life is the commitment to transparency. Part of what is problematic about the state's use of political symbolism in cases such as Soviet Communism and North Korea is that they fail to satisfy what Rawls calls the "publicity condition" on a just society. The publicity condition requires that a society's operative principles of justice be neither esoteric nor ideological screens for deeper power relations: that in "public political life, nothing need be hidden."[45] For Rawls, publicity is a condition of justice as fairness: in a well-ordered society, the principles that order the basic structure are publicly known to do so, and the justifications for these principles are knowable by and acceptable to all reasonable citizens. The basic idea is that state laws and policies have to be transparent—their justifications have to be made public to the citizens. Publicity and transparency are morally significant because they enable the deployment of political symbols for political ends to be compatible with respecting citizens' autonomy. Inasmuch as the liberal state's use of its (nonrational) symbolic resources can be made public or transparent, we might see it as not failing to respect citizens' autonomy. That is, so long as the state offers its citizens the opportunity to access reasons and justifications in support of, say, naming streets after Martin Luther King Jr. (even after the fact that streets have been so named)—so long as there continues to be a place for those reasons and justifications alongside symbolic communications—then autonomy is not compromised.

Of course, there will be some limits on the extent to which the democratic process can be used in deciding whether to mobilize politically symbolic resources. An example of when the democratic process cannot be used is during the founding period (or state-building phase) of a regime. During this period, the democratic institutions (the public forums needed for public debate) may not yet exist or may just be coming into existence. Thus, political symbols may be nonrationally and/or nontransparently used to build up the institutions. Such uses of political symbols may be

[45]Rawls, ibid., p. 68.

justified even though they don't employ democratic procedures, because their aim is to enable the realization of the preconditions of democratic procedures and institutions.

I have been arguing that the deployment of nonrational political symbols in a liberal framework and via democratic procedures may make it morally acceptable (or less unacceptable). In making this argument, I have been tacitly interpreting *democracy* broadly as that form of governance in which the will of the people determines the decisions of the state, and *democratic institutions or procedures* as those institutions or procedures that reach decisions by processes that give everyone equal opportunity to influence those decisions.[46] There are, of course, different views about what constitutes the will of the people in the sense relevant to democracy: for example, there are disagreements about whether the will of the people entails that the people must make the decisions directly themselves;[47] whether it is sufficient that people make decisions through representatives acting on their behalf;[48] whether it is enough that the decision-making procedures aggregate the unreflective views of the people[49] or whether something more is required in the decision-making process such as the explicit articulation of the justifying reasons behind those views and public debate among them.[50] For my purposes, I want to abstract from these important questions in democratic theory. That is, whatever it takes for a political decision to count as the will of the citizens and as giving everyone an equal opportunity to influence it, I shall assume that it is required in order for a state or policy to be democratic.

Our question is why democratic procedures (public discussion, consent, acceptability, transparency) in the run-up to the state decision to mobilize political symbolism to build and sustain commitment to liberal values make the decision more legitimate and compatible with respecting autonomy.[51] I shall now argue that if we can justify state coercion when it is imposed through democratic procedures (and I will briefly rehearse standard arguments for why we can), then a fortiori we can justify the state's deployment of nonrational political symbols.

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[46]Compare Pettit, *On the People's Terms*.

[47]Carole Pateman, *Participation and Democratic Theory* (Cambridge: Cambridge University Press, 1970).

[48]Nadia Urbinati, *Representative Democracy: Principles and Genealogy* (Chicago: University of Chicago Press, 2006).

[49]Robert Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989).

[50]Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, Mass.: Harvard University Press, 1996); John Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (Oxford: Oxford University Press, 2000).

[51]Democracy might also have certain problematic aspects, such as the tyranny of the majority. For my purposes, I set these aspects to the side.

One possibility is that the fact that democratic procedures resulted in the decision to use a particular nonrational political symbol X is *evidence* that enacting X is, all things considered, in the interests of the citizenry as a whole. Here, we might compare this idea to the idea that consent is an indicator that the coercive force is, all things considered, in the interests of the target (though, of course, it is possible that people might be mistaken as to what really is in their interest).

A second possibility is that the fact that democratic procedures resulted in the decision to use a particular nonrational political symbol X suggests that we (the people) are the ones *choosing* to impose on ourselves the loss (of autonomy? of rational agency?) associated with the use of X, perhaps in the service of our overall interests. Here, we might compare this idea to the idea that by giving consent, the target volunteers for the "burdens" of coercive force.

A third possibility is that by following democratic procedures, the nature of the intended effect of the nonrational political symbol X is transformed, such that it no longer involves a loss of autonomy or rational agency on the part of its targets. Here, we might compare this idea to the idea that by giving consent, the target changes the nature of the coercive force so it is no longer a "burden."[52]

The second or third possibilities might draw some support from the following thought: when political symbols are a result of democratic procedures being followed, the use of political symbols to sustain commitment to liberal values might be seen as the collective analogue to the practice of self-manipulation or self-binding in the individual case. In our individual lives, we sometimes play tricks on ourselves to overcome temptations, weakness of will, addictions, and other defects in our decision-making. Addicts may put their cigarettes where it is hard to get them. Easily distracted writers sometimes disable their Wi-Fi connection to prevent themselves from going on the Internet. Similarly, the point of monuments and memorials might, in addition to expressing our commitment to the ideal of free and equal citizenship, be seen as a consciously and rationally decided-upon collective stratagem to ensure our continued collective commitment to the ideals at the heart of liberal democracy.

In general, what we want is to be able to understand the state's mobilization of symbolic resources as an expression of the people's commitment to liberal values—as something the people believe in or want, as something they do to themselves as opposed to something they are made to

[52]Arthur Ripstein defends the idea that consent makes force permissible because if one consents, then the force does not violate one's independence. (One is independent insofar as one decides the purposes one pursues.) See *Force and Freedom* (Cambridge, Mass.: Harvard University Press, 2009), pp. 45-47.

believe in or to want, or something done to them. Whether state deployment of symbols counts as expressing the commitments of the citizenry depends on whether certain democratic procedures were followed in the run-up to the use of the political symbol. When democratic procedures are followed and certain liberal institutions surround the state's exercise of symbolic power—that is, when there is transparency about the motives and reasons behind the state's use of political symbols, when there is public discussion and public justification offered in the electoral or legislative process leading up to the decision to deploy the political symbols, and when the public justification is acceptable to the citizens in that it actually coheres with their deepest moral, religious, or philosophical beliefs—then the symbols deployed by the state can be seen as an expression of the people's commitment to the liberal values promoted. To the extent that the state's use of nonrational symbolic resources constitutes an expression of the people's commitment in this sense, it seems compatible with respecting autonomy, and so compatible with legitimacy.

By contrast, it is hard to see the state's deployment of symbolic resources in regimes like Soviet Communism and North Korea (for example, state propaganda used to unify and mobilize the population) as an expression of the people's will and ideals. Precisely because the state's deployment of symbolic resources is not a result of democratic procedures and not surrounded by institutions that ensure transparency and publicity, it rather seems as if the state is imposing ideals on the people through the exercise of its symbolic power. Thus, it is difficult to see how individual autonomy is respected in these nonliberal regimes, and how their use of symbolic power can be legitimate.[53]

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[53]Earlier versions of this article were presented at the Australian National University (MSPT Seminar), the University of Connecticut (Dominating Speech Conference), Charles Sturt University in Canberra (CAPPE Seminar), and Tulane University (Philosophy Colloquium). I am grateful to the audiences at each of these events for their feedback. For helpful discussion or written comments, my thanks to Peter Balint, Brian Berkey, David Estlund, Cecile Fabre, Pablo Gilabert, Daniel Gregory, Ten-Herng Lai, Seth Lazar, Philip Pettit, Alex Prescott-Couch, Massimo Renzo, Nicholas Southwood, Lachlan Umbers, and Gerard Vong. I would also like to thank two anonymous referees for their comments.