

**AN EXPOSÉ OF THE “IDEA OF PUBLIC REASON”
IN JOHN RAWLS' *POLITICAL LIBERALISM***

CHUKWUJEKWU STEPHEN CHIJIJOKE (PhD)

&

ANOWAI EUGENE CHUKWUELOKA (PROF.)

Department of Philosophy
Chukwuemeka Odumegwu Ojukwu University (COOU)
Anambra State, Nigeria.

ABSTRACT

In his Political Liberalism (1993), John Rawls attempts to deal with the problem of political power in a modern democratic society with his idea of public reason, which provides a systematic answer to the question: What moral (not legal) limits does civility impose on public political debates and discussions by the citizens of a modern pluralist democracy? At the heart of the problem is that citizens in a modern democratic society, such as Nigeria, do not hold one but different and often conflicting comprehensive conceptions of the good (life) which they cherish and want to espouse. A central proposition of Rawls' thought in resolving the problem is that respect for others as free and equal citizens of a democracy entails that we accept a principle of equal liberty that allows each conception of the good life to thrive in the society. This paper exposed and interrogated Rawls' propositions and claims in order to see the relevance of this thought in today's modern democratic society. Through the use of historical and analytic methods, this paper found that, based on the fact of pluralism, it is reasonable for Rawls to suggest that to achieve social and political stability in a democratic society, there are certain types of reasons that citizens may and may not adduce to defend their points of view in public political debates, i.e., political discussions must be based on values that other citizens can reasonably be expected to accept and endorsed. The conclusion is that Rawls' idea of public reason is a commendable effort towards ensuring social justice, political stability and peaceful co-existence of citizens in a modern liberal constitutional democratic regime.

Keywords: Political liberalism, public reason, modern democracy, citizens, pluralism, society, public debates, free and equal.

Introduction

In his book, *Political Liberalism* (1993), as well as in a number of published articles that preceded its publication, John Rawls focuses on the problem which the make-up of modern societies possess for a liberal theory. Rawls' previous understanding of the problem was formulated based on the classical social contract theories and augmented by David Hume's account of the “circumstances of justice.” He now significantly understands this problem as compounded by what he calls “the fact of pluralism,” or “the fact of reasonable pluralism.” In the light of the fact of pluralism, the problem is no longer simply to articulate principles that might serve as a basis for equitable social cooperation among individuals in a society who otherwise share roughly the same moral standpoint. It is now, rather, to do so in a society whose members adhere to a plurality of different and sometimes incommensurable

“reasonable comprehensive conceptions of the good.” Thus, in this new understanding of the problem (of modern society) given the fact of (reasonable) pluralism, Rawls' states the problem which “political liberalism,” both as a theory and a book, will tackle as follows: “How is it possible that there may exist over time a stable society for free and equal citizens profoundly divided by reasonable though incompatible religious, philosophical and moral doctrines?” (Rawls, 1993, p. xviii). Rawls (1993) appreciates the traditional liberal response to the above question, but rejects it all the same in these words: “Sometimes one hears reference made to the so-called Enlightenment project of finding a philosophical secular doctrine, one founded on reason and yet comprehensive. It would then be suitable to the modern world, so it thought, now that the religious authority and the faith of ages were alleged no longer dominant” (p. xviii).

Furthermore, the fact of (reasonable) pluralism which Rawls is insistent upon implies a rejection of the convergence hypothesis, such as the 'reflexive equilibrium' theory. For, Rawls as early as 1974 was already claiming in one of his articles that even should everyone attain wide reflective equilibrium, individuals in a society may still hold many contrary moral conceptions. Thus, fundamental moral disagreement is no longer seen as the manifestation of obstacles blocking the full, unfettered manifestation of reason. Rather, according to Rawls (1993), it is seen as “the normal result of the exercise of human reason within the free institutions of a constitutional democratic regime” (p. xvi). In other word, there can no longer be any expectation that imposing the rigors of reflective equilibrium upon citizens, and particularly restricting them to their “considered convictions,” will yield convergence sufficient for the task of construction of a theory on the basis of shared premises.

Put differently, observes Weinstock (1994), “practical reason, according to the fact of pluralism, speaks with many voices” (p. 174). The search for shared convictions must start elsewhere. Rawls (1993) suggests strongly that we look to our shared public political culture as a repository of settled, specifically political values and judgments, such as “the belief in religious toleration and the rejection of slavery” (p. 8). From this perspective, Rawls (1993) pin-points and expatiates further the problem that political liberalism seeks to solve in these words: “The problem of political liberalism is to work out a conception of political justice for a constitutional democratic regime that the plurality of reasonable doctrines –always a feature of the culture of a free democratic regime –might endorse” (p. xviii). Of course, a liberal conception of justice is the one that includes a principle of equal liberty, that assigns protection of equal basic liberty priority over other social values, and that includes a principle requiring that each citizen has adequate material means to exercise his basic liberty. Thus, as de Marneffe (1994) rightly observes, a central proposition of Rawls' thought in his political liberalism is that “respect for others as free and equal citizens of a democracy entails that we accept a principle of equal basic liberty” (p. 232).

The principle of equal basic liberty that Rawls (1993) proposes is that each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all (p. 5). The basic liberties which Rawls (1971) has in mind are the same as those found in his earlier work, *A Theory of Justice*, and his other writings and the works of other political writers: freedom of political speech, assembly and participation; freedom of thought and conscience; freedom of association; freedom of the person; freedom from arbitrary arrest and seizure as associated with the rule of law (p. 66). However, these liberties are quite abstract, and so disagreement is bound to arise among

citizens about their precise scope—even among citizens who are fully committed to equal basic liberty in principle. Disagreement may inevitably arise, for instance, about whether hate speech and pornography are protected by freedom of speech and thought. Again, some people argue that religious reasons should be excluded from public debate; others yet argue for the exclusion of statements that degrade people on the basis of their religions, race or ethnicity. Other people still contend that in a public debate, an ideal of political morality should mirror the freedom of expression: all viewpoints should contend in a marketplace of ideas. Thus, it becomes necessary to identify principles to guide public debate over the scope of basic liberty. It is primarily to identify such principles that Rawls (1993) develops in *Political Liberalism* his idea of “Public Reason” (pp. 212-254).

Rawls' Central Proposition and Claim

As Bruce Ackerman rightly observes, *Political Liberalism* is not merely the name of a book by John Rawls. It is rather a distinctive approach to the problem of political power. One can certainly find possible answers in Rawls' book. Following de Marneffe (1994), “a central proposition of Rawls' thought is that respect for others as free and equal citizens of a democracy entails that we accept a principle of equal liberty” (p. 232). The principle of equal liberty that Rawls (1993) proposes is as follows: “Each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme, the equal political liberties, and only those liberties, are to be guaranteed their fair value” (p. 5). Now the central claim of Rawls' idea of public reason is that when the exercise of political power is in question, citizens should take only those positions on the scope of basic liberty (and other matters of basic justice) that are supported by some liberal political conception of justice, using modes of inquiry and methods of inference that are widely understood and endorsed.

This is crucial since, according to Rawls, the content of public reason is formulated by a “political conception of justice” which he assumes to be “broadly liberal in character.” Rawls (1993) explains what he means that the content of public reason is formulated by a political conception of justice that is broadly liberal in character: “By this I mean three things: first, it specifies certain basic rights, liberties, and opportunities (of the kind familiar from constitutional regimes); second, it assigns a special priority to these rights, liberties, and opportunities, especially with respect to claims of the general good and perfectionist values; and third, it affirms measures assuring all citizens adequate all-purpose means to make effective use of their basic liberties and opportunities” (p. 223). Furthermore, says Rawls (1993): “In saying a conception of justice is political, I also mean ... that it is framed to apply solely to the basic structure of society, its main political, social, and economic institutions as a unified scheme of social cooperation; that it is presented independently of any wider comprehensive religious or philosophical doctrine; and that it is elaborated in terms of fundamental political ideas viewed as implicit in the public political culture of a democratic society” (p. 223).

One has to underline that Rawls' own two principles of justice constitute only one liberal conception of justice. There are equally others. Thus, the central claim of Rawls' idea of public reason is not that we should take only those positions that are supported by Rawls' own “justice as fairness” (JAF). Rather, the central claim is that we should take only those positions on the scope of basic liberty that are supported by some conceptions of justice that is both liberal and political. Based on this line of thought, Rawls (1993) expresses the point of his idea of public reason as follows:

The point of the ideal of public reason is that citizens are to conduct their fundamental discussions within the framework of what each regards as a political conception of justice based on values that others can reasonably be expected to endorse and each is, in good faith, prepared to defend that conception so understood. This means that each of us must have, and be ready to explain, a criterion of what principle and guidelines we think other citizens (who are free and equal) may reasonably be expected to endorse along with us” (p. 223).

Rawls' Arguments for the above Claim

In making the above claim, Rawls argues that a free and equal person who is reasonable and rational could not accept any position on the scope of basic liberty that is not fully compatible with his equal basic liberty. So, respect for others as free and equal citizens requires that we take only those positions on the scope of basic liberty that are supported by a liberal conception of justice. Again, a free and equal person who is reasonable and rational could not accept any position on the scope of basic liberty that is defensible in terms of some comprehensive religious or philosophical doctrine that he rejects. So, respect for others as free and equal citizens requires that we take only those positions on the scope of basic liberty that are supported by a liberal conception of justice. Also, a free and equal person who is reasonable and rational could not accept any position on the scope of basic liberty that is supported by modes of inquiry and methods of inference that he cannot understand or endorse. So then, respect for others as free and equal citizens requires that we take only those positions on the scope of basic liberty that are supported by modes of inquiry and methods of inference that are widely understood and endorsed.

Thus, an ideal of public reason provides a systematic answer to the question: What moral (not legal) limits does civility impose on public political debate and discussion by the citizens of a modern pluralist democracy? Solum asserts that in *Political Liberalism*, Rawls refines his idea of public reason and argues for an “inclusive public reason.” Based on his assertion, Solum (1994) lists out three main features of Rawlsian ideal of public reason as follows:

- (1) Public reasons include (a) the general features of all reason, such as rules of inference and evidence; and
- (2) The ideal applies (but not necessarily limited) to deliberations and discussion concerning the basic structure and the constitutional essentials.
- (3) The ideal applies (a) to both citizens and public political debate, (b) to citizens when they vote, and (c) to public action –so long as the debate, vote or action concerns the subjects specifies in (2). (pp. 217-218)

As Peter de Marneffe explains, the general idea of Rawls' notion of public reason is that we should take only those positions on the scope of basic liberty that can be adequately defended solely in terms of values that every reasonable citizen could endorse. Rawls (1993) identifies those liberal political values as “the values of equal political and civil liberty; equality of opportunity; the values of social equality and economic reciprocity; and let us add also the values of the common good ... the values of public reason –fall under the guidelines for public inquiry, which makes that inquiry free and public” (p. 224). However, this does not mean to imply that only these are the liberal political values there are.

Major Aim of the Idea of Public Reason

Bruce Ackerman is one of those philosophers who find Rawls' treatment of the idea of public reason very enlightening. As he rightly observes, Rawls in his *Political Liberalism* makes one of his most important breaks with his earlier work, *A Theory of Justice*, by renouncing his claim that 'the theory of justice is part of the theory of rational decision.' In his own words, Rawls (1993) says: "Here I correct a remark in theory, p. 16, where it is said that the theory of justice is part of the theory of rational decision. From what we have just said, this is simply incorrect" (p. 53). Ackerman (1994) underlines that Rawls' new aim now is "to express reasonable grounds for cooperation among parties who differ as to the meaning of the good life" (p. 366). An important question suggests itself in the light of Rawls' idea of public reason, namely what is it to be reasonable when citizens differ or disagree on so much? Put differently, what is really the aim of public reason? Ackerman observes that Rawls' answer provides one of the high points of his *Political Liberalism*. In Rawls' (1993) words: "What public reason asks is that citizens be able to explain their votes to one another in terms of reasonable balance of public political values, it being understood by everyone that of course the plurality of reasonable comprehensive doctrines held by citizens is thought by them to provide further and often transcendent backing for those values" (p. 243). Rawls (1993) further insists that in the light of public reason and the idea of democratic citizenship, citizens must display as a matter of duty "a willingness to listen to others and a fair mindedness in deciding when accommodation to their views should reasonably be made" (p. 217).

As Ackerman rightly observes, the overriding commitment to public dialogue leads Rawls in a direction beyond principles already established in Western political practice. Thus, as far as public dialogue is concerned, Rawls challenges the way Americans and others understand the electoral process. This is because, in actual fact, when most people step into the voting booth, they believe that they have a right to cast their ballot any way they like –maybe I am voting for "A" because he is of African origin, or because he did my relation a favour, but this is nobody's business but mine. Rawls finds this attitude no more acceptable. Hence, Rawls (1993) affirms, "... the ideal of public reason not only governs the public discourse of elections ..., but also how citizens are to cast their votes Otherwise, public discourse runs the risk of being hypocritical: citizens talk before one another one way and vote another" (p. 215). Rawls underlines that the ideal of public reason does not apply to ordinary citizens and various officers of the government in the same manner. According to him, it applies to government officers, the legislators, in their official capacities. As Rawls (1993) puts it: "It applies in official forums and so to legislators when they speak on the floor of parliament, and to the executive in its public acts and pronouncements" (p. 216).

Rawls (1993) also notes how the idea of public reason applies to the judiciary: "It applies also in a special way to the judiciary and above all to a supreme court in a constitutional democracy with judicial review" (p. 216). This so, says Rawls, because the justices have to explain and justify their decisions as based on their understanding of the constitution and relevant statutes and precedents. One must agree that Rawls has a point in urging us to have a second look at the act of voting, and the official conducts of legislators and judges in a liberal constitutional democracy. As Ackerman rightly observes, legitimate government is not based on the unfettered act of personal will, but the collective effort by each of us to justify our political power through public dialogue. For example, the secret ballot is valuable only because it shields us from coercive efforts by others to impose their will when they have failed

to convince us through argument. However, the salient point in the light of Rawls' notion of public reason is that this valuable shield should not be transformed into a sword that allows a majority of voters to impose their will on others in a way they are not prepared to justify in public.

Critical Evaluation

Rawls' formulation of the ideal of public reason has stirred both interest and criticism. Some critics argue particularly that Rawls' formulation is "exclusive." By this, they mean to say that adherence to the Rawlsian idea of public reason would result in the exclusion of many groups in the society (especially religious groups) from full participation in public political life. In his essay entitled Rawls' Exclusively Secular Conception, Garry Leedes criticises Rawls' view that the stability of an overlapping consensus depends on the exclusion of many doctrines from the public discourse. According to him then, for example, Rawls would not approve of politically active citizens asserting the truth of any precepts identified with their particular comprehensive religious, philosophical and moral doctrines. Thus, the exclusion of religious beliefs from public debate is argued to be both unrealistic and unfair. As quoted by Solum (1994), Leedes expresses the unrealistic nature of Rawls' view in these words: "This kind of discriminatory treatment is unlikely to end the culture wars between many Americans and their adversaries including Christian fundamentalists, Islamic fundamentalists, conservative Catholics, and Orthodox Jews.

Rawls is in cloud-cuckoo land if he thinks that religious disagreements will be reduced in number by a political theory that stigmatizes devout persons whose political opinions are consistently aligned with their religious orientation" (p. 218). With reference to the charge that an exclusionary view is unfair, Leedes refers to Jürgen Habermas' conception of discourse ethics and observes that Americans (or citizens of any other modern society) conforming to Rawls' ideal of public reason must keep their religious beliefs in the closets when they enter the field of politics. He argues that this type of conformity is not in accordance with American traditions, customs and practices. According to him, this restriction violets the principle of discourse ethics that assures adversely affected religious persons full and equal participation in political debates (Solum 1994, pp. 218-219). Contrary to Leedes position, Solum believes that Rawls has an "inclusive view of public reason" –one that treats religious beliefs fairly and realistically. He argues that whatever position that Rawls himself may take, we should adhere to an ideal of public reason that is inclusive. Then, for Solum (1994), an inclusive ideal of public reason is one that requires citizens to advance public reasons in public debate on political questions, but does not require them to exclude supporting non-public reasons from such debate (p. 219). The exclusionary principle requires "that only reasons accepted by the whole public be allowed as public reason." Solum observes that this would constrict public reason to the vanishing point because there is likely at least one citizen who will deny the truth of almost every conceivable premise of political argument.

Moreover, says Solum, this constriction seems unreasonable as some citizens are products of delusion. In the end, Solum thinks that the principle of excluding non-public reasons would be chosen over every other in a political debate. This is because, given the fact of pluralism, that principle does not ensure that reasons offered in public political debate can reasonably be accepted by the public at large. Secondly, the principle of excluding non-public reasons would also be chosen over that of excluding "all-contested-reasons" (or all-contested-moral-reasons). For, as Solum observes, if all contested reasons were excluded, public debate would be severely restricted. Hence, allowing all public reasons (as defined here) would

facilitate a more robust and effective role for public debate. Thirdly, the principle of “excluding non-public reason” would be chosen over that of “excluding religious reasons”. Whereas believers could not accept the principle of (of excluding religious reasons) as fair, they could accept the principle of excluding non-public reasons as fair. This is because the exclusion of all non-public reasons puts the deep belief of both theists and atheists on the same par. In the light of this, one might be inclined to agree with Solum that we have a *prima facie* reason to accept the principle of “exclusion of non-public reason” as the best interpretation of Rawls' idea of public reason.

However, Solum believes strongly that the ideal of public reason might be specified by “principle of inclusion.” According to him, the most promising inclusive principle is the one that requires the “inclusion of public reasons.” This would allow for robust debate but would not be unfair to those with religious views. Unlike the principle of “excluding non-public reasons,” the principle of including public reasons would allow citizens to advance non-public reasons in public debates. But non-public reasons would only be allowed if sufficient public reasons were also given. Both the exclusive and inclusive versions will result in the giving of sufficient public reasons, but the “inclusive version” will allow a specified role for non-public reason as well. Like the principle of excluding non-public reason, the principle of including public reasons would foster civility and the civic virtue of tolerance. According to Solum, it would do this in two ways. First, by requiring citizens to give a public reason, the principle of inclusion assures that no citizen will call for the coercion of another citizen without giving a reason the other citizen views as reasonable. Second, by requiring citizens to exclude non-public reasons, the principle of inclusion assures that no citizen will call for the coercion of another citizen on the basis of grounds the other would view as wholly unreasonable.

It seems, finally, that we have to believe that the principle of including public reason might do a better job of fostering civility and tolerance than would the exclusionary principle. In his *Political Liberalism*, Rawls recognizes the distinction between the “exclusive view” of public reason and the “inclusive view.” According to Rawls (1993), the exclusive view forbids, and the inclusive view allows, the presentation by citizens of “what they regard as the basis of political values rooted in their comprehensive doctrine” (p. 247). Rawls (1993) prefers the “inclusive view” of public reason, as he sees it to be the correct one “which view best encourages citizens to honour the ideal of public reason and secures its social conditions in the longer run in a well-ordered society” (p. 248). For, surely, giving some circumstances, the giving of non-public reasons (which are not shared) that are the foundations of public reasons (which are shared) will foster a sense of political solidarity and tolerance. This is so because, observes Rawls (1993), if I see that I agree about fundamental public values, despite our disagreement about the moral foundations of those values, I may come to see your fundamental views as reasonable – despite my unwillingness to accept them as true “(p. 249). Similarly, if I see that you treat my comprehensive view as reasonable, despite your disagreement with aspects of my view, then I may be more likely to treat your view with tolerance and respect”.

Conclusion

Rawls is right to assert that the fact of (reasonable) pluralism has compounded more of modern societies. The problem is no longer simply to articulate principles that might serve as a basis for equitable social cooperation among citizens who otherwise roughly share the same moral point of view as obtained in the medieval time. The problem is now rather to articulate such

principles in a society whose members adhere to a plurality of different and sometimes irreconcilable “reasonable comprehensive conceptions of the good.” Thus, given the broad range of comprehensive conceptions of the good life that both do and that might come to coexist in a democratic society, and given the concomitant broad range of debates and disagreements that might emerge, it seems unwise, once fundamental constitutional principles and basic rights have been settled, to prejudge the type of issues about which people can legitimately debate and disagree in the political arena. It is rather more likely that what citizens will come to require is not a more fully marked out theory, but an agreed set of rules on the basis of which they might manage their political debates. It seems to many that Rawls comes close to providing us with just such a conception of public dialogue with the idea of public reason to which he devotes Lecture VI in his book, *Political Liberalism*. On the whole, Rawls' idea of public reason is a commendable effort towards ensuring stability and peaceful co-existence of individual citizens in a modern liberal constitutional democratic regime.

REFERENCES

- Ackerman, B. (1994). Political liberalism. *The Journal of Philosophy*. 91(7), 364-386.
- Ackerman, B. (1980). *Social Justice in the Liberal State*. New Haven: Yale University Press.
- Daniels, N. (Ed.). (1989). *Reading Rawls: A critical study on Rawls' theory of justice*. Stanford, California: Stanford University Press.
- De Marneffe, P. (1994). Rawls' idea of public reason. *Pacific Philosophical Quarterly*. 75(3 & 4), 212-254.
- Edward, P. (Ed.). (1987). *Encyclopedia of Philosophy*. New York and London: MacMillan and Collier.
- Habermas, J. (1995). Reconciliation through the public use of reason: Remarks on John Rawls' political liberalism. *The Journal of Philosophy*. 92(3), 109-180.
- Hampton, J. (1994). The Common Faith of Liberalism. *Pacific Philosophical Quarterly*. 75(3 & 4), 66-216.
- Rawls, J. (1995). Reply to Habermas. *The Journal of Philosophy*. 92(3), 109- 180.
- Rawls, J. (1971). *A theory of justice*. Oxford: Oxford University Press.
- Rawls, J. (1993). *Political liberalism*. Cambridge, MA: Harvard University Press.
- Rousseau, J. J. (1993). *the social contract and discourses*. Everyman: J. M. Dent Orion Publishing Group.
- Solum, L. B. (1994). Inclusive Public Reason. *Pacific Philosophical Quarterly*. 75(3 & 4), 217-218.
- Weinstock, D. M. (1994). The justification of political liberalism. *Pacific Philosophical Quarterly*. 74 (3 & 4), 65-187.