

A Reassessment of Public Reason
in the Context of the Neutrality-Perfectionist Debate

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Abstract

The aim of the thesis is to offer a refinement of Rawls's conception of public reason. For this, one of the central discussions within the neutrality-perfectionist debate is utilized. In particular, it is claimed that public reason can be effectively analyzed when placed into the solution for the incoherence charge of the asymmetry objection, which emphasizes the alleged difference of attitudes towards the issue of justice and the issue of the good by political liberals. The thesis proposes a two-staged argument. First, it claims that the differentiation argument, that is the idea that it is possible to defend political liberalism against the incoherence charge by arguing that the issue of the good can be at least partially deliberated and agreed on. This argument says that there are two levels at which the goods can be considered – individual and societal, and it is at the latter level when the goods can be effectively debated on. For this, the argument goes on, it is necessary to rely on public reason. However, it is problematic to apply public reason in the form Rawls presents it. Consequently, second, the macroanalysis of public reason is offered and several vital changes are promoted. There are two groups of the changes. The primary change concerns two elements of Rawls's public reason: the kind of issues (fundamental political questions) and the basic principles (political conceptions of justice). Both of these elements are broadened to a degree it seems desirable and appropriate for the purposes of the differentiation argument's strategy. The secondary (or reactionary) change concerns the changes of the further two elements of public reason that are affected by the primary change. These are the kind of practices (political advocacy and voting) and a condition for cooperative behavior (a criterion of reciprocity). It is concluded that the idea of public reason broadened in this way can be a more effective framework for the deliberation process on the issue of the good, and potentially for other issues that Rawls put aside in his own conception of it.

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Introduction

The idea of public reason as formulated by John Rawls is at the core of his broader neutralist project of political liberalism. Consequently, similar to Rawls's bigger project, public reason aims to create such conditions that would eliminate the influence of any comprehensive doctrine on the deliberation process in a constitutional democracy. A perfectionist claim that there are certain important goods that any state should support by its political actions would thus be in that group of comprehensive views that liberals who rely on public reason as a deliberating instrument seek to replace with neutralist kind of reasoning, a reasoning that is, which free and equal citizens could accept. As Raz says, "perfectionism is merely a term used to indicate that there is no fundamental principled inhibition on governments acting for any valid moral reason" (Raz, 1989, p. 1230).

Based on this, it seems that public reason (as one of the main tools of political liberalism) and perfectionism (as a comprehensive doctrine, at least, according to Rawls) are incompatible and, so, it would not be a promising endeavor to analyze them together. This thesis, however, sees a potential for fruitful ideas that could appear due to this combination, especially for the issue of reassessing the concept of public reason and the way it is supposed to function in a democratic society. So, the research question of this work will be: *how can perfectionist criticism (in the form of the asymmetry objection) of political liberalism improve the idea of public reason?*

a) Public Reason and Neutrality-Perfectionist Debates

This work will build up its argument by focusing on two main debates: (1) a defense and criticism of Rawls's idea of public reason, and (2) the asymmetry objection of the neutrality-perfectionist debate. First, I will briefly present the main positions from the first and the second

debate, focusing on those arguments that will be useful for working out my own position. Second, I will demonstrate how these two groups of works can be combined for the purpose of my thesis.

The first debate is devoted to public reason and is significantly influenced by Rawls's formulation of this concept. It is paradoxical, however, that although public reason is often recognized as one of the central concepts in his political thought (Larmore, 2002; Quong, 2014), he did not devote much space in describing it. Rawls began working on his idea of public reason during the period of revising his theory of justice. Thus, for example, he talks about it in his paper "Justice as Fairness: Political not Metaphysical" in 1985. However, Rawls presented his idea of public reason in a more developed form in 1993 in his book *Political Liberalism* (especially in Lecture VI). It was then partially reconsidered in his 1997 article "The Idea of Public Reason Revisited." Finally, in his book *The Law of Peoples* (1999), Rawls provided a raw account of global public reason. Howsoever sketched Rawls's representation of this concept was, it became one of the finest exemplars of a framework for deliberation that many classic political philosophers also tried to develop, including Hobbes, Rousseau, and Kant. The space constraint does not allow exploring this literature here. However, for discussion of public reason by Hobbes, see his *Leviathan* (1998), but also Ridge (1998); by Rousseau – his *Social Contract* (2003), but also James (2011); and by Kant – his *Political Writings* (1991), but also O'Neill (1986). On the general review of public reason use by classic political thinkers, see Ivison (1997) and Chambers (2009).

However, Rawls's account of public reason is a more limited and demanding one in comparison to its predecessors. In the broadest sense, he defines it as "citizens' reasoning in the public forum about constitutional essentials and basic questions of justice" (Rawls, 2005b, p. 10). Public reason is supposed to be used predominantly for deciding on fundamental political questions and mainly within the discourses of judges, government officials, and candidates for

public office (Rawls, 1999, p. 133). In order to see the use of political power legitimate, the citizens are supposed to follow the moral duty of civility, that is “to be able to explain to one another on those fundamental political questions how the principles and policies they advocate and vote can be supported by the political values of public reason” (Rawls, 2005a, p. 217).

It is possible to single out two main lines of criticism of Rawls’s idea of public reason. The first line of argumentation claims that this concept is too narrow and so it should be extended in a certain respect. Political philosophers usually take one of public reason’s elements that they consider the most important and offer their modification to it (see, for instance, Shue, 2002; Digeser, 2009; Brown, 2010; Morgan-Olsen, 2010; Vallier, 2011; Porter, 2012; Sala, 2013). The second line of reasoning goes in the direction of narrowing down the concept of public reason even more than Rawls does. The focus of this kind of works is mainly on limiting the range of participants involved in the deliberation process or reformulating the kind of justifications that should or should not be taken into consideration during public reasoning (see, Neufeld, 2005; Bonotti, 2015; Bagg, 2015).

In this thesis, I am going to work within the first line of public reason’s critique, because my position is that some of the limitations of public reason’s implementation in a democratic society lies in the fact that Rawls’s formulation of this concept leaves out too many elements that public reason potentially could adopt without destroying its main deliberating function. In particular, I will focus on the set of works that deal with the so-called asymmetry objection. This is due to the two reasons: (1) it can help to propose a possible solution to this objection by widening Rawls’s idea of public reason, and (2) it takes on board a perfectionist idea of the good that this objection discusses connected to public reason.

The asymmetry objection – the second debate I am focusing on in this thesis – centers on the claim that there is a certain asymmetry in the way political liberals see the nature of disagreement over the principles of justice and disagreement over the good life. For them, reasonable citizens are able to agree on their main principles of justice and so the state can be based on them. However, it is presupposed that citizens cannot agree on what kind of good(s) should and should not be promoted by their state, if any, and so the latter should be neutral in relation to those goods (Quong, 2011, pp. 192-220). As Fowler and Stemplowska (2015) explained:

According to the objection, both justice and human flourishing are subject to reasonable disagreement and there is no principled way to allow legitimate state action in pursuit of justice but not in pursuit of the good. If accurate, this objection shows that political liberalism is either incoherent or sets an implausibly high bar for legitimate state action (2015, p. 133).

This kind of objection directed against political liberalism (and, so, on public reason as its constitutive part) was raised by many political philosophers such as Caney (1995), Sandel (1998), Gaus (1999), and Chan (2000). A more recent literature that seeks to defend political liberalism against this objection, when discussing public justification, argues that any “intelligible reason” can be included into public deliberation even private one so long as it would be in agreement with “minimal epistemic and moral conditions” (Vallier, 2015).

Quong, on the other hand, attempts to demonstrate that political liberalism can be protected against the asymmetry objection, because although there is a reasonable disagreement about the principles of justice, it is possible to justify the justice-centered state action, in contrast to the good-centered one that is unacceptable for him (Quong, 2011). Fowler and Stemplowska (2015) question the strength of Quong’s defense of political liberalism against the objection, however, and argue that he does not succeed in showing that the issue of the good should not be a state policy’s agenda.

It is the aim of this thesis, therefore, to evaluate the prospects of a reassessment project of public reason within the context of this neutrality-perfectionist debate that deals specifically with the asymmetry objection.

b) The Questions

This thesis seeks to answer one main question and one sub question in order to formulate the position to the research question stated above. In the first chapter, it will be explained how the main question and the sub question are to be combined in a single line of argumentation. But before that I will state here these two questions and briefly comment on their content.

The main question is *how to extend Rawls's idea of public reason so that it would satisfy the criterion of desirability?* This question contains a methodological tool that I will use to answer it, I will discuss it in the next section devoted to the methodology of the thesis. Here it is important to note that it is my initial assumption that narrowness of some of its elements is one of the main flaws of public reason as proposed by Rawls. The major challenge in talking about this issue, however, is how to save the core of public reason, while at the same time, to be able to change some of its problematic features. Hence, I think the method of desirability evaluation is necessary to take on board in relation to this question.

The sub question is *what kind of response to the asymmetry objection in defense of political liberalism can fruitfully contribute to the reassessment of public reason?* This sub question is needed to connect a debate internal to the literature devoted predominantly to the idea of public reason with the neutrality-perfectionist debate, which also has its say about the asymmetry objection. It should be noted here, however, that the search for a possible solution for the objection is a means, which is seen here as a potentially useful source for improving public reason.

c) Methods

In order to answer these questions, two methods will be used: (1) conceptual analysis, and (2) desirability evaluation. First, since the thesis has the central concept – public reason – it is crucial to present it in a clearest way possible to be able to work with it effectively. Conceptual analysis will help to single out the main constituent parts of public reason as formulated by Rawls in his works; beside this, I will try to understand whether it is possible to build up a hierarchy of its main elements. The latter process will be useful in order to realize what parts of public reason are more vital to the concept and thus more sensitive to any changes, and what parts could be more flexible in this sense. I will rely on List and Valentini's approach (2014) of conducting conceptual analysis, which they divided into three main steps. According to them, first, it is necessary to single out the concept's domain of application, i.e. "the set of objects of which it is meaningful to ask whether they fall under the given concept or not" (List and Valentini, 2014, p. 6). Second, we need to pick up the concept's defining conditions, since they "determine, for any object in the concept's domain, whether that object falls under the concept ('satisfies it') or not" (ibid, p. 7). Third, an extension need to be considered that will identify the particular space within which the concept is to be analyzed (ibid).

Second, as was briefly mentioned in the previous section, in order to answer the first question about the prospects of reassessing public reason and saving its functionality, desirability evaluation needs to be utilized. For this, I will rely on Pasquali (2012) who summarizes this approach based on works of contemporary political philosophers, importantly of all, Rawls's ones. According to her, desirability is a normative criterion which "concerns the adequacy of principles and models (ibid., p. 41). This criterion is vital for preserving the concept, predominantly focusing on abstract/ideational level, that is on the ideal of public reason. This thesis will seek to consider

this criterion as an important one during the proposition of changes to different elements of public reason.

d) Thesis Structure

There will be five main parts in the thesis. In the first chapter, I will summarize my central argument of the thesis, so that it would be possible to see what is the purpose of each chapter and how they are in help of constructing my position.

In the second chapter, the concept of public reason will be described by relying on List and Valentini's conceptual analysis. The aim of this analysis is to list and evaluate the position of the main elements of public reason as proposed by Rawls, in order to be able to rank them from the most to the least important ones. This highly theoretical and hypothetical endeavor will be later used when changes to the concept of public reason will be formulated.

In the third chapter, I will deal with one of the two main charges of the asymmetry objection, which claims that if this objection is right then political liberalism is incoherent. For this, I will propose the so-called *differentiation argument* that states that if it is possible to single out some of the perfectionist issues about the good, which can be discussed under the revised (broader) public reason, then the incoherence charge against political liberalism should be dismissed.

In the fourth chapter, the content of the two previous chapters will be combined. That is, in this section, an attempt will be made to formulate what contribution the analysis provided above on the asymmetry objection's incoherence charge can make to the development of the concept of public reason. At this stage, the criterion of desirability will assist in evaluating the proposed

changes to public reason. It is expected that the proposed changes to some of the elements of public reason will not only help political liberalism to stand against the asymmetry objection but also will make public reason a more effective concept in general so that it could be applied in other issues as well.

Finally, in the conclusion, I will present the revised kind of public reason in a compressed form and briefly talk about the prospects of it as part of a political liberalism project in general.

Chapter 1: The Two-staged Argument

The argument of this thesis will consist of two interrelated parts. The first part deals with one of the conclusions of the asymmetry objection that if this objection is right then political liberalism as presented by Rawls is incoherent (as formulated in Fowler and Steplowska, 2015). I will claim that it is possible to avoid this incoherence charge by demonstrating that some of the perfectionist issues related to the good can be partially deliberated on by relying on public reason. I will call it *the differentiation argument*.

The second part of the argument deals with the revision of Rawls's idea of public reason. In connection to the first part of the argument, I will claim that public reason should be changed by broadening some of its elements so that it could play its part in saving political liberalism from the incoherence charge of the asymmetry objection. In this part, I will propose the hierarchy of the key elements of Rawls's public reason and then will look at what elements on its bottom are flexible enough to be broadened for the purposes of the first part of the argument. I will call it *the macroanalysis of public reason*, because – contrary to the widespread tactic in the literature where public reason is defended or criticized by focusing on one of its elements (which can be called a microanalysis) – I will attempt to work with several elements of this concept simultaneously.

Based on this two-part argument, I will then make a more general statement that the resulted broadened public reason can and indeed should be used in other situations that traditionally were excluded from the Rawlsian literature about political discussions under the framework of public reason. Although, of course, this general statement will need further research and a more nuanced set of justifications on its own that goes outside of the limited scope of this

thesis. What I will do instead is to offer a certain contour in its defense, hoping that it may look as a promising endeavor for further work in the future.

a) The Differentiation Argument

To defend the first part of my argument, I will look at possible solutions for the incoherence charge of the asymmetry objection and then propose my solution. In the next chapter, I will talk about the possible solutions extensively in order to show the range of options. Here I will briefly explain the context and set up the contour of the solution I offer.

So, political liberalism stands for a neutral state, in which power is considered legitimate when citizens agree on the principles of justice that serve as a basis of their society and where the good is not the matter of public reasoning as such (Rawls, 2005b). The asymmetry objection asks why political liberals treat disagreements about justice different from disagreement about the good. One of the conclusions of this objection is that if it is a fair criticism then political liberalism should be seen incoherent (Fowler and Stemplowska, 2015). This is so because it is assumed by the asymmetry objection proponents that one of the possible ways to defend political liberalism is to say that the latter is actually able to reach certain agreement about the good. Such a strategy could of course seem paradoxical at first glance. It is an initial statement of political liberals that public reason should not be used for deliberation about the good and, consequently, it should not serve as a basis for the legitimate state action (Fowler and Stemplowska, 2015). This is so because the good is a matter of reasonable disagreement among citizens, in which comprehensive doctrines are used as a basis for justification.

In this thesis, it is my goal to demonstrate that it is indeed possible to defend public reason against the asymmetry objection so that it would remain a coherent concept. Briefly stated, my

position is the following: if political liberalism can formulate such a refined concept of public reason that could be used as a framework, which will help to agree (partially, at least) on certain issues related to the good, then public reason should be considered as a coherent project.

Now I will discuss in what way the issue of the good can be divided into those questions that could be deliberated on by public reasoning and those that could not. For this, I need to differentiate societal and individual levels of values, where the former means such a level that consists of values important for the society as a whole, while the latter includes values crucial for a particular citizen that s/he sees as important for himself or herself but not necessarily for the society in general. Note that it is not a differentiation of values *per se*, but a differentiation of levels; one and the same values can be present on both levels, but for my purposes their position will have completely different weight, since I am interested in the societal level as a space where values can be deliberated on by relying on public reason.

This distinction is based on the intuition that it is possible to imagine that a citizen who is free and equal (as all his or her other fellow citizens), may want that certain values s/he does not need for himself or herself would still be perceived important the society s/he lives in. This is so because s/he thinks that if this society would have those values unobtrusively supported by the state, the society as a whole will gain more with these values than without them. That is the society would become better in some *really* significant way: being more inclusive, complex, diverse, etc. For the justification of this inclusion of certain values under the frame of the legitimate state action, I claim, a refined public reason is needed that would be able to set the ground for such public discussions.

By using public reason, this process of formulating a hierarchy of values on the societal level could be agreed on by free and equal citizens, where the most obvious and necessary values for the society would be found and accepted by all reasonable participants of the deliberation. It is important to note that the state itself need not see those values as true or essential; its main function here is just to follow a collective belief of its citizens that certain values would make their society better in some way. So, the state should see its role as a companion of the people rather than as a patriarch that promotes values it considers vital for its citizens.

The idea of the collective belief should be clarified here. This is the kind of belief that is coming from the people as such after the deliberation in which public reason was used as its framework. So, there is a certain filter in the kinds of beliefs that will be considered as the ones that must be promoted by the state. It should be expected therefore that such a process will help to avoid situations when citizens would seek to promote the good that is dangerous or discriminative in any ways for some of their fellow citizens. But, at the same time, even if there will be the case that citizens will decide to promote some good defective in that way, I claim that it should be up to them (not up to the state) to fix this defect during the next set of deliberation on the goods the state must support. This is possible because as I said earlier, it is the job of the citizens to continuously reflect on the current political environment in the society so that to continue or change their collective belief on what good(s) should or should not be the subject of the state action at each particular period of time.

b) Macroanalysis of Public Reason

The second part of the argument is closely connected to the first one through the necessity of introducing a broader version of public reason in order to present my solution to the incoherence

charge of the asymmetry objection in a completed way. For proposing this new version, I will conduct a macroanalysis of public reason. As I mentioned earlier, I understand by it such an analysis, which works with several elements of the concept rather than focusing just on one of them. This kind of research is particularly useful for dealing with public reason, because this concept needs a deeper change than current literature offers by its reliance on changing one particular element of public reason. By the latter strategy, it seems to me, the interconnection of the concept's elements is underseen – it is obvious that different elements of public reason have various relations toward each other, so it can be assumed that a change in one of them will to a different extent affect other elements as well. My task in this thesis is to reveal those connections and adjust them when certain refinements are introduced to public reason for the purposes connected to the first part of the argument.

I will base my macroanalysis of public reason on its seven defining conditions that Rawls deals with while describing this concept. Although he does not list these defining conditions explicitly the way I am going to present them here, I claim that this is a more or less accurate depiction of the skeleton of this concept as Rawls intends to propose it in his writings. These seven defining conditions of public reason are: a well-ordered constitutional democratic society, reasonable and rational citizens, political advocacy and voting, fundamental political questions (constitutional essentials and questions of basic justice), political conceptions of justice, a liberal principle of legitimacy, and a criterion of reciprocity. In the next chapter, I will define and describe them in detail.

Chapter 2: Conceptual Analysis of Public Reason

In this chapter, the concept of public reason as developed by John Rawls will be presented, its strengths and limitations will be discussed, and an approach for dealing with the concept's flaws will be offered. This will be done by relying on List and Valentini's conceptual analysis, which consists of three steps that help to deconstruct public reason so that it would be possible to work with it in a more effective way. This chapter is one of the two building blocks (in pair with the next chapter where the differentiation argument against the asymmetry objection will be defended) and so it should be considered as a preliminary part. That is it is a part where public reason is just prepared for the final refinement in the fourth chapter, while the purpose of public reason's change will be justified in the third chapter. Thus, this chapter can be seen as a general discussion of Rawls's concept of public reason and its deconstruction here can be effectively used for the purposes of its defense or criticism in the other context as well.

Now I will start describing Rawls's idea of public reason through the methodological approach of List and Valentini as taken from their paper "The methodology of political theory" (2016). In that work, they devote one section to the clarification of what concept is and how its exact content can be revealed. For them, political theorists "use concepts to categorize or classify objects" (List and Valentini, 2016, p. 531). For example, by knowing what public reason is and how to define it, we can distinguish it from nonpublic kind of reasons or from other forms of justification of legitimate state use of power. List and Valentini emphasize the fundamental role of such concepts of political theory as democracy, justice, and freedom, and claim that there is always various ways of defining them depending on the particular purposes (List and Valentini, 2016, pp. 531-432). Despite the possibility of such differences in the content, List and Valentini claim that any decent concept in political philosophy needs to have at least three identifiable

features: a domain of application, defining conditions, and an extension (ibid.). I will follow this way of conceptual analysis and will attempt to describe the concept of public reason (as it was proposed by Rawls throughout his works) by relying on these three features.

a) A Domain of Application

The first aspect of conceptual analysis List and Valentini mention is a domain of application. They define it as “the set of objects of which it is meaningful to ask whether they fall under the given concept or not” (List and Valentini, 2016, p. 531). That is “for any object in that set... we can meaningfully ask whether” it is public reason or not (ibid.).

To understand public reason’s domain of application, it is necessary to look at how Rawls himself talks about this concept in his writings. To start, he famously begins his description of public reason by saying that it is one of the ways “of formulating plans, of putting [society’s] ends in an order of priority and of making its decisions accordingly” (Rawls, 2005b, p.212). He also emphasizes that apart from public reason, there are nonpublic reasons as well that include reasons of different civil society associations (Rawls, 2005b, p. 213). Rawls then introduces two limits of what List and Valentini would call public reason’s domain of application. First, public reason should be applied only to fundamental political questions, which include constitutional essentials and questions of basic justice (Rawls, 2005b, p. 214). Second, personal beliefs and opinions on political questions or justifications of the representatives of civil society associations are not applied to public reason but instead considered as part of the background culture.

To the contrary, public reason as an ideal

does hold for citizens when they engage in political advocacy in the public forum, and thus for members of political parties and for candidates in their campaigns and for other groups who support them. It holds equally for how citizens are to vote in elections when constitutional essentials and matters of basic justice are at stake (Rawls, 2005b, p. 215).

He concludes that public reason presented in this way should be seen not only as the concept that deals with the public discourse in connection to elections but also with the way citizens are voting afterwards.

Based on these points that Rawls makes about public reason, it is possible now to define the domain of application for public reason. To note, I agree with List and Valentini that depending on the aims of the conceptual analysis, it is possible to offer various such domains, but it seems that for the purposes of this thesis the following definition of the domain would be the most appropriate one. Thus, in this work, under public reason's domain of application I will understand *a set of public justifications for legitimate state actions*. This initial broad definition should be understood within the context of what Rawls mentions about it, that is that it focuses on fundamental political questions (i.e. constitutional essentials and matters of basic justice) that are deliberated on in the public forum. Two interrelated features of public reason's domain of application defined in this way are evident from Rawls's works: its argument framing nature ("a set of public justifications") and its orientation towards reaching a political agreement ("for legitimate state actions").

b) Defining Conditions

The second aspect of List and Valentini's conceptual analysis focuses on defining conditions. According to the authors, these conditions "determine, for any object in the concept's domain, whether that object falls under the concept ("satisfies it") or not" (List and Valentini, 2016, p. 531). These defining conditions should help to understand whether certain public justification for legitimate state actions could be considered as public reason or not. Rawls discusses several such conditions, although he never lists them in a coherent way, but rather present and define them throughout his description of the way public reason must and must not function. Defining conditions, as can be understood from List and Valentini's definition above, are in some sense empty boxes. They themselves does not specify the content of the concept of public reason, but are only the "containers" which are necessary to fill in with a specific ideas so that public reason could acquire the form that Rawls proposes for it.

I argue that in order to understand the concept of public reason properly and to differentiate it from other kinds of public justification for legitimate state action, seven defining conditions should be filled in with a proper content: issues, society, participants, practices, basic principles, a power constraint, and a condition for cooperative behavior. Once these defining conditions are specified, the concept of public reason will acquire the form in the way Rawls presented it in his works. Besides, any other kind of public justification for legitimate state action in order to be a coherent concept needs to clarify these same defining conditions. This is so because any such concept that serves as a framework for public deliberation about political questions needs to formulate limits about what issues should be discussed within it, who should talk about it, in what kind of broader social and political environment, during what kind of procedures, what main rules should it focus on, how to make a deliberation based on this particular concept can help to limit

state's use of power, and, finally, how to convince people to rely on certain kind of public justification so that they could see it as a cooperative means that works both for the society and for each of its citizens.

c) An Extension

The last aspect of conceptual analysis that List and Valentini talk about is an extension, which is “the subset of the domain consisting of precisely those objects that fall under the concept (“that satisfies it”)” (List and Valentini, 2016, p. 531). According to them, the concept's defining conditions determine the extension (ibid). That is while in the previous section defining conditions were just empty constructions, an extension gives them a necessary content that is characteristic to public reason in the way Rawls proposes it.

First, Rawls is very concrete about the kind of issues that should be discussed during public reasoning. He emphasizes that his idea of public reason deals only with the most fundamental political questions, such as constitutional essentials and matters of basic justice. Constitutional essentials are questions about the content of a constitution, what political rights and liberties it should comprise (Rawls, 1999, p. 133). Matters of basic justice “relate to the basic structure of society and so would concern questions of basic economic and social justice and other things not covered by a constitution” (ibid, p. 133).

Second, the kind of society within which public reason could be effectively used is significantly limited to only one type of political system. For public reason to be applied properly, it must be used as a framework within the context of “a well-ordered constitutional democratic society” (Rawls, 1999, p. 131). This condition is necessary because Rawls believes that only in such kind of society the fact of reasonable pluralism – “the fact that a plurality of conflicting

reasonable comprehensive doctrines, religious, philosophical, and moral, is the normal result of its culture of free institutions” – will be respected (ibid). Rawls states that those citizens who reject constitutional democracy as a necessary political system within which public reasoning should operate will reject the very concept of public reason as well (Rawls, 1999, p. 132). Thus, despite the variety of democracies in different countries, it is aiming to find an appropriate idea of public reason for each of their political context is what unite them all together (ibid.).

The third defining condition that Rawls often talks about when he discusses his idea of public reason is the kind of participants of public deliberation that should and should not be included in the process. For him, it is reasonable and rational citizens who can use public reason in a proper and effective way in the constitutional democratic society. Reasonable citizens are those who are able to propose to each other fair terms of social cooperation and to stand for those terms even when it is at expense of their own interests, expecting others will do likewise (Rawls, 2005b, p. xlii). Rational citizens are those who can defend the views that correspond to their own interests (ibid, p. 50).

Besides, contrary to comprehensive doctrines that citizens can rely on in the civic society and the background culture, public reason can only be used in the public forum. More specifically, it should deal only with two kind of practices: political advocacy – when government officials and their supporters argue for political values to serve as a basis for laws and policies; and voting at elections – when all citizens give their votes for political values they think are the most reasonable ones. In addition, citizens who are not running for office also should participate in political advocacy proposing their opinions “as if they were legislators” (Rawls, 1999, p. 135).

Another defining condition without which it would be impossible to categorize whether a certain kind of justification is public reason or not is what Rawls calls “a political conception of justice” (Rawls, 2005, p. 223). A political conception of justice, which he considers as broadly liberal, is the subject of public reason, that is it is the ultimate aim of political deliberation of reasonable and rational citizens to work out their own conception of justice that they would all agree on as a basis for their democratic society. Rawls says that every society should choose such kind of a political conception of justice that could serve as a basis for formulating political values (seen as an alternative to the focus on truth or right by comprehensive doctrines) (Rawls, 2005b, p. 223; Rawls, 1999, p. 132). While these conceptions of justice may vary in different democratic societies, Rawls claims that each of those conceptions should have three common features. First, it should be applied only to the main political, social, and economic institutions; second, it should have a freestanding view in relation to religious or philosophical mindsets; and, third, it should rely on fundamental political ideas, which are characteristic to democratic political culture (Rawls, 2005b, p. 223). The aim of a political conception of justice is, first, to clarify basic rights, liberties, and opportunities; and, second, to propose guidelines of inquiry that would include principles of reasoning and rules of evidence (ibid, p. 224). A political conception that reasonable and rational citizens will choose for their democratic society will significantly influence the content of public reason, and therefore, it should be considered as one of its defining conditions. It is important to add also that in his revised description of public reason, Rawls introduces the so-called proviso. He claims that comprehensive doctrines may sometimes be included into the public deliberation in particularly difficult cases, in which it is impossible to reach a reasonable agreement by relying just on political values that are coming from a chosen political conception of justice (Rawls, 1999, p. 144). It is acceptable, however, only if in due time citizens will present reasonable

argumentation on the same view. In that way, he demonstrated that the role of the chosen political conception should not always invariably limit public discussions.

A further defining condition of public reason is a liberal principle of legitimacy. According to Rawls, this principle states that political power can be considered as properly used only when it is based on a constitution, the content on which every citizen of a democratic society “may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational” (Rawls, 2005, p. 217). This defining condition is particularly important for distinguishing public and nonpublic kind of reason, because it is one of public reason’s justification for its existence as such to provide a kind of public justification that would be accepted by all reasonable and rational citizens as a basis for the legitimate use of (coercive) power by the state. This principle is an essential defining condition not only to public reason specifically but to the political liberalism project as such.

The last defining condition that I think is important to mention in this list is a criterion of reciprocity. According to this criterion, every citizen should have a possibility to get benefits together with others (Rawls, 2005b, p. 50). Rawls explains it in the following way: “all who are engaged in cooperation and who do their part as the rules and procedure require, are to benefit in an appropriate way as assessed by a suitable benchmark of comparison” (Rawls, 2005b, p. 16). This defining condition seems fair and logical, since as Rawls claims citizens are not only reasonable but also rational. So, they should care about their benefits from accepting and using public reason during political deliberation about fundamental political questions and from complying with the laws and policies that are agreed on by them and their co-citizens after those kind of debates.

c) The justification of public reason

After presenting the conceptual analysis of Rawls's idea of public reason by relying on List and Valentini's method, the next step should be to explain what is behind the rationale of defending the use of this concept *per se*. It is possible to single out three main reasons for the existence of the idea of public reason as one of the central vehicles of Rawls's political liberalism project: political autonomy, civic friendship, and stability. In this subsection, I will briefly explain how these three concepts serve as the justification for supporting Rawls's idea of public reason.

First, the value of public reason is fulfilled in the idea that it helps promoting political autonomy. Rawls distinguishes between rational and full autonomy and claims that the latter is political (in a specific Rawlsian sense). By full autonomy Rawls means that kind of autonomy, which "is realized by citizens when they act from principles of justice that specify the fair terms of cooperation they would give to themselves when fairly represented as free and equal persons" (Rawls, 2005b, p. 77). He understands political autonomy as the one that is limited to the concerns about "the political principles of justice" and "the basic rights and liberties" as realized in the public sphere by free and equal citizens (Rawls, 2005b, p. 77). This kind of autonomy does not deal with the broader ethical issues, which are discussed by relying on different comprehensive doctrines (ibid, p. 78). Political autonomy is closely connected to the idea of public reason, since "citizens realize that autonomy by acting from the political conception of justice guided by its public reason, and in their pursuit of the good in public and nonpublic life" (Rawls, 2005b, p. 79).

Second, public reason is needed in a democratic society because it brings the condition of civic friendship. In *A Theory of Justice*, Rawls says that "among individuals with disparate aims and purposes a shared conception of justice establishes the bonds of civic friendship; the general

desire for justice limits the pursuit of other ends” (2005a, p. 5). Thus, public reason functions as at least one of the guarantees for this kind of relationship among citizens when common political aim – seeking for justice – unites all of them.

Third, another benefit of using public reason is the creation of stability in a democratic society. This stability is achieved by the idea of overlapping consensus of reasonable but irreconcilable comprehensive doctrines, and, besides, unreasonable comprehensive doctrines do not have a significant weight in the society to undermine essential justice (Rawls, 2005b, p. 39). The idea of stability is one of the central ones in Rawls’s project of political liberalism. The latter’s deliberative element makes it vital to rely on public reason. This is so because public reason serves as an instrument through which citizens are able to agree on when the state can use legitimate power. As Rawls emphasizes, “in a democratic society public reason of equal citizens who, as a collective body, exercise final political and coercive power over one another in enacting laws and amending their constitution” (Rawls, 2005a, p. 214). This condition assists in creating stability in a democratic society for a long period of time.

Chapter 3: The Differentiation Argument

a) Perfectionism, Paternalism, and the State

It is important to emphasize from the beginning of this chapter that I am here not interested in thinking about the moral aspect of perfectionism, rather my focus is on political perfectionism. Thus, under perfectionism I understand the view that the state should “take a stand on what is a worthwhile way of life in order to help people lead good lives” (Clarke, 2006, p. 111). That is the promotion of the good is seen here through the problem of whether and how the state should behave in connection to this.

Perfectionism looks vulnerable to the criticism of those neutralists who claim that the former leads to state paternalism that is that the state takes the function of an arbiter on the questions about what good its citizens should and should not get (Clarke, 2006). In this case, the problem of autonomy arises, when an individual is seen as the one who loses his or her personal freedom to choose that way of life and that good that he or she would prefer him- or herself without any significant external interference into the decision-making process. I agree that this state-paternalistic tendency exists in some forms of perfectionism, but I would claim that this is not a necessary element of it. I do not claim that paternalism should not be part of political perfectionism, rather I argue that it is vital to distinguish between state paternalism and society paternalism. Note that both of these kinds of paternalism are of political (not moral) nature, that is they both concern collective not individual level where this or that good is promoted. This distinction is an important part of my differentiation argument and so I will discuss it in more details here.

State paternalism is based on the idea that it is up to the state itself (i.e. its government, or ruling parties, or political leaders – depending on the political system of a particular state) to

identify and prioritize those goods, which it sees as necessary for its population. People are considered mainly as passive receivers of those particular benefits that their state chooses for them, and the state is perceived by its people as a wise patriarch that due to its status and power knows what is better for them. This kind of relations between the state and its people is mainly associated with authoritarian and totalitarian political systems, although some of the democratic states (especially the ones with socialist tendencies) partially rely on state paternalism as well. The difficulty with this kind of relations is that it is a predominantly one-sided form of interaction, where people do not have their voice in deciding what goods the state should support (and whether it should do it in the first place). People lack their full agency on this issue, while the state is the main actor who relying on its more powerful position offers its position on what goods to focus on. There is a tendency for such kind of states to say that they are acting in the name of the people and that the majority in fact supports its decisions, although often this is more a part of the political rhetoric rather than an actual empirical knowledge.

What I would like to call society paternalism is different in a significant way. This kind of paternalism is based on the idea that while the state is still the one that should promote certain goods, it is the people who decides what goods to pick up for this. That is this paternalism of the society not of the state. The state just reflects in its policies what people agreed to value and to see as the subject of the state policies and actions. This kind of state is neutral in that sense that it does not decide by itself, it does not pretend to have some higher knowledge about what its people value as their most important good(s). It only mirrors its citizens' opinion on what good(s) must be cherished by the state and why.

Here the importance of public justification appears, the one that was not present in state paternalism. According to the latter, the state does not owe any kind of public justification for

those affected by its good-focused policies. By contrast, in society paternalism, the agent – society, or the people – decides what good the state must prioritize by relying on public justification; the second participants who is the receiver – the state – does not decide on the issue of the good but only reflects what people have chosen in its policies. In this second kind of paternalism, the state-society relations are still one-sided, but the roles are changed. However, the quality of decision-making procedure is higher in the case with society paternalism because there is a public discussion of those who will be affected by these state policies directly. Some could claim that since this is still not really a two-sided kind of relations, it is not desirable option. For political liberals (whose stance I try following in this thesis), however, society paternalism seems to be one of the few (if not the only one) desirable in the framework of their political liberalism project. This is so for two main reasons. First, because the state stays genuinely neutral in this situation. That is, if to insist on the state to be involved into public deliberation about the choice of the good as in the two-sided kind of state-society relations, the state would not be neutral anymore and would become a perfectionist one, and this is unacceptable for political liberals. Second, if under state paternalism no agreement was needed and achieved on the issue of the good, then under society paternalism, reasonable agreement is needed and can be achieved, since it is based on public justification that is acceptable for the whole (or the majority) of the citizens involved into the public deliberation about the good-related state policies.

b) The Incoherence Charge of the Asymmetry Objection

To start, it is necessary to look closely at the asymmetry objection as it is formulated by Fowler and Stemplowska:

According to the objection, both justice and human flourishing are subject to reasonable disagreement and there is no principled way to allow legitimate state action in pursuit of justice but not in pursuit of the good. If accurate, this objection shows that political liberalism is either incoherent or sets an implausibly high bar for legitimate state action (2015, p. 133).

It was emphasized in the introduction of this thesis that it is not my ultimate aim to present a complete solution for the whole asymmetry objection. The purpose of this work is to offer an improvement of public reason, which I consider as requiring certain refinement in order to be a more effective concept. So, I decided to focus only on one particular aspect of the asymmetry objection that I think will help to demonstrate what changes of public reason could be offered. It is an assumption of this paper that the incoherence charge of the asymmetry objection (I am thus not dealing with the whole asymmetry objection here) is that part of this objection that can stimulate to propose such a solution to it, where the refinement of public reason would be a closely connected and complementary element of this process.

Thus, I am not going to deal with the second charge of the asymmetry objection that Fowler and Stemplowska mention in this quote, namely the charge that political liberals may have placed a too high requirement for the state action to become legitimate. I also leave out the discussion of the possibility of reasonable disagreement about justice, because I think that this is not the most controversial part of the objection. Instead, I will focus here exclusively on the possibility of reasonable disagreement about the good.

To revise, the asymmetry objection is puzzled by the question of why political liberalism considers the issue of justice as the one subject to reasonable agreement, while the issue of the good is marked as the one on which citizens will not be able to agree on (Fowler and Stemplowska, 2015). It is supposed by this objection that to be defended against this, political liberalism must either offer the framework where people would be able to agree both on the issues of justice and the issues of the good, or to justify why justice is an agreeable matter for political liberals while the good is not. If to follow the first path, the proponents of the asymmetry objection may reply that if political liberals would respond that it is possible to agree both about justice and the good, then political liberalism is incoherent. This is so because if they claim that it is possible to agree on the issue of the good that would serve as a basis for legitimate state action, then the state would cease to be a neutral one – a situation that would make political liberalism look incoherent. Posed in this way, this reply of the proponents of the asymmetry objection is a serious challenge for political liberalism that requires a strong counter-argument to save the Rawlsian project. To note it once more, this is not a purpose of this thesis to try to defend political liberalism against the asymmetry objection as a whole, rather I will focus just on this concrete (and quite serious in itself) incoherence charge of the objection. This charge is chosen here because it will help to work closely with the concept of public reason, since the solution that I will offer to this charge actively involves this concept into its reply.

c) Formulating the Differentiation Argument

In this subsection, I am going to combine the above two subsections in order to propose what I call the differentiation argument. The aim of this argument is to partially defend political liberalism against the asymmetry objection, in particular, it will offer the solution to one of the central charges of the proponents of the asymmetry objection, which states that if they are right in

their criticism then the project of political liberalism is incoherent. In the beginning of the chapter, I presented the distinction between state paternalism and society paternalism saying that the latter is more preferable than the former. This is so because society paternalism, although (as in the case with state paternalism) creates a one-sided kind of relations between the state and its people, opens the door for people's public deliberation used to decide on what goods the state must or must not support through its policies and action. After that, I discussed the asymmetry objection and the way it challenges political liberalism. I singled out the incoherence charge of this objection as one of the most serious for Rawlsian project as well as as the one where public reason should be used as a framework for political deliberation about the human flourishing or the good.

In this subsection, I will present at length the differentiation argument which I expect will lead to the introduction of public reason as one of its main elements. This argument is called in this way, because its main purpose is to emphasize the distinction or differentiation between two different level of values or goods: individual and societal. I will now provide definitions for these two levels, but first I would like to notice that it is not my intention here to talk about any particular goods. Following List and Valentini's work on the methods of political philosophy where they discuss conceptual analysis, which I used in the previous chapter, I am here concerned with defining conditions rather than the extension of the idea of the good as such. And it is up to the citizens to decide what goods to focus on during public deliberation.

The differentiation between individual and societal levels of the good is based on the intuition that it can be expected that any reasonable and rational citizen would like to live in a society where certain goods are cherished and encouraged by the state. This is so even though this particular person himself or herself may not want to have this specific good for him- or herself. However, at the same time, he or she is ready to accept that important good as one of the guidance

for his or her state policies because he or she is sure that this situation would make the society a better (more safe, more stable, happier, more predictable, more tolerant, etc.) place for living in a fundamental way. Apart from this, such kind of citizen may want some of the goods to be state-supported because he or she believes that if good promotion will be one of its concerns, it will make the state a qualitatively better political institution rather than if it would be a purely neutral bureaucratic machine in a Weberian sense. (Note that it is vital to have in mind that here a very limited circle of the goods are included, the ones that are fundamental for the society in question.)

These considerations about the pros of supporting the goods that are beneficial for the people at the societal level can be contrasted with the view about the promotion of the goods at the individual level by the state. Thus, if – under society paternalism, which is one of the elements of perfectionism I am dealing with here – citizens would choose to decide on what goods that each of them egoistically beneficial the state should promote, it would be very difficult if not impossible to reach a reasonable agreement on this. This is so because an intention is less justifiable, than in the case with the deliberation of the good at the societal level. Thus, if the intention to make both the society and the state better in a fundamental way by agreeing to promote certain goods – as at the societal level – then it will be easier for reasonable and rational citizens to agree on this. This is so because the focus here is the common benefit from it.

It is also important to clarify that it is not the purpose of the citizens to follow some idealized kind of society that all of them have in mind and just seek to embody it in their own society. Rather the aim is to reflect on what their specific society at this particular period of time seems to need in order to become better in some fundamental way. Some goods maybe be of benefit for a certain society today, but not in the next decade, for example. That will depend on what is happening in political and social life of the society as well as how fast and slow it develops.

Therefore, it is the task of the citizens to reflect on their society's current context while deciding on which goods to choose.

After presenting the distinction between the societal and individual levels of the good, it is now possible to describe the differentiation argument itself. This argument claims that political liberals can respond to the incoherence charge of the asymmetry objection by saying that it is actually feasible to reach a reasonable agreement on the good, at least in a partial way. Namely, reasonable and rational citizens are able to agree on the goods at the societal level that would then become a subject of the state policies and actions. This kind of agreement will be achieved based on the principles of society (rather than state) paternalism when citizens decide on the goods on that level during the process of public deliberation focusing on what would be better for them as a community. The state in this situation plays a role of a receiver of citizens' collective decision and then reflects it in its policies and actions. Apart from the good's choice and prioritization at every period of time, citizens themselves will also decide in what way in particular the state should promote the goods they believe are fundamentally important for their society.

As it has been already evident in the beginning of this chapter when society paternalism was discussed, public deliberation is a vital part of this whole process that the differentiation argument contains. In order to be acceptable for political liberals, the choice of the goods at the societal level should be conducted publicly and relying on the democratic procedure of deliberation. As was noticed in the second chapter where conceptual analysis of public reason were presented, it is possible to think about several kinds of public justification and public reason is only one of them. In the next chapter, I will argue that public reason is that kind of framework, which can be an effective part of the differentiation argument. I will argue furthermore that it is not enough just to rely on public reason as Rawls presented it in his writings. This is so due to its

significant limitations that will prevent people to decide on the goods of the societal level as subjects of the state policies and actions. After showing how this is so, I will then focus on promoting some of the changes for Rawls's idea of public reason so that to make it desirable for the purposes of the differentiation argument, that is for the partial defense of political liberalism against the incoherence charge of the asymmetry objection.

Chapter 4: Macroanalysis of Public Reason in the Context of the Differentiation Argument

a) The Role of Public Justification in the Differentiation Argument

Before introducing macroanalysis of public reason, I will first clarify in what way this concept can be useful for the differentiation argument as part of the latter's strategy to defend political liberalism against the incoherence charge of the asymmetry objection. But in this first subsection, I will briefly talk about the place that the idea of public justification in general (of which public reason is just one example) has in my differentiation argument. This is necessary to explain from the start because otherwise it would not be clear why to connect the concept of public reason with the proposing a solution for the asymmetry objection. In the next subsection, I will focus on public reason as that kind of public justification that would be the most appropriate for the needs of the differentiation argument. After clarifying this points, I will turn to the main part of this chapter where I will present macroanalysis of public reason that is the reassessment of this concept for the differentiation argument. The desirability evaluation as proposed by Francesca Pasquali in her paper (2012) will be used as a methodological tool for this.

The differentiation argument is an essentially neutralist kind of strategy of political liberalism defense. One of its main presuppositions is that the state should remain an impartial actor that needs to follow dispassionately the preferences of its citizens on the issue of the good. Furthermore, to make a deliberation process legitimate, it should be acceptable for its participants that is for all reasonable and rational citizens. In a democratic society, this is possible to achieve only by creating a precondition, when such issues as the choice of the good that would be supported by the state policies, could be openly debated on. Therefore, publicity of the decision-making process must lie at the center of it, according to political liberals.

To provide such a publicity, some kind of public justification should be relied on as a framework, of which public reason is one of many. This framework is necessary in order to give citizens clear and effective rules for conducting different kinds of deliberation about various political questions, such as the issues of the good and the role of the state in its support or promotion. Without this, political debates on such vital questions of the society would be chaotic and it would be difficult to reach such kind of agreement that would satisfy all or even majority of the citizens. Therefore, to work out these preliminary rules that would satisfy all from the start is an important step before the deliberation on the issue of the good itself.

b) The Differentiation Argument and Rawls's Idea of Public Reason

In this subsection, I will briefly discuss why public reason should be the framework that the differentiation argument needs to rely on in its defense of political liberalism against the incoherence charge of the asymmetry objection. I will then depict the main problems that Rawls's kind of public reason has and in what way they can become an obstacle for achieving the argument's aim.

To justify the choice of public reason as the framework for the deliberation on the goods at societal level, one needs to look at the third part of the conceptual analysis of public reason that I conducted in the second chapter, that is on the extension of public reason's defining conditions. It is the content of the latter I claim that makes public reason an appropriate instrument for the differentiation argument. In particular, one of public reason's strengths is its constraint for the use of power, which is expressed by the liberal principle of legitimacy. This principle says that "our exercise of political power is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in

the light of principles and ideals acceptable to them as reasonable and rational” (Rawls, 2005b, p. 217). By relying on this kind of principle, public reason would be helpful in creating such a framework within which it is presupposed that power is used in their society by the state only after the appropriate public deliberation on each such situation so that all reasonable and rational citizens would accept it.

Besides, Rawls emphasizes that it is not the purpose of public reason to reach agreement on the whole truth about how the society should function and what policies the state should implement. Rather it is the matter of an agreement on certain state actions that although not necessarily desirable for everyone in the society would be considered as acceptable for them all due to some reasonable public justification. This also closely corresponds with the needs of the differentiation argument’s strategy according to which it is not the objective evaluation of what goods at the societal level this or that society must have according to some abstract principles, but it is a belief or common understanding of citizens about what goods their society needs at this particular period of time and about how it can make the state and society fundamentally better. This is expressed in public reason’s defining condition that deals with the basic principles of the society that citizens need to deliberate on by relying on public reason. For Rawls’s kind of public reason it is a set of political conceptions of justice among which reasonable and rational citizens need to choose the one they think is appropriate for their society. This kind of political conception is the opposite of the idea of the whole truth as a guidance for the state action in which case justification would be based not on public reasoning but on various religious, philosophical, and moral comprehensive doctrines.

These strengths of public reason, which show that this kind of public justification should be an important part of the differentiation argument, is coupled with the fact that it has some

problems that prevent this conception to be effectively used here. The most challenging problem comes from the kind of arguments that are allowed to be used by Rawls. Primarily, he develops his idea of public reason for reaching an agreement on the issues of justice, and in this way it is not appropriate for the deliberation on the issue of the good. This is so because the good is excluded from the agenda of public reasoning from the beginning as the one that is connected to comprehensive doctrines. Furthermore, the problem also appears in relation to another defining condition of public reason, that is on the kind of issues it should focus on. According to Rawls, it should deal only with fundamental political questions that include constitutional essentials and matters of basic justice. None of these two groups of political questions contain the issue of the good. These two problems seem to be the most challenging if to attempt to incorporate Rawls's conception of public reason with my partial solution of the asymmetry objection by means of the differentiation argument. This is not to say that other defining conditions may be problematic in some way during the refinement of public reason, but here I just wanted to show the most visible ones that require certain changes within the concept as presented by Rawls.

c) Changing Public Reason for the Differentiation Argument

i) Why macroanalysis of public reason?

Now I will turn to a brief review of the literature devoted to the notion of public reason. My goal here is purely methodological: to see how political philosophers structured their research on public reason. Based on this, I will then formulate what is missing in that approach, and how it is better to analyze public reason in the context of this chapter.

For political philosophers public reason is not a monolithic concept, but rather it is perceived as a mosaic where the general picture of the concept depends on an appropriate positioning of all its composite parts on the desk. This assumption led the majority of political

philosophers who deal with public reason to think about this concept relying on microanalysis. Under this kind of analysis, I understand a research where authors pick up one element of public reason, conceptualize it in a specific manner, and deal with its various effects on few of other elements of public reason (see, for example, Bagg, 2015; Bonotti, 2015; Doyle II, 2015; Sala, 2013; Shue, 2002). One usually follows this kind of problem description with one of the three strategies for solution: adding new details (Morgan-Olsen, 2010; Sala, 2013), sacrificing insignificant parts (Vallier, 2011; Porter, 2012), and prioritizing by emphasizing a more important unit (Digeser, 2009; Neufeld, 2005).

Such kind of analysis can be situated within the inclusive-exclusive continuum. The closer an author moves to the ‘inclusive’ side, the more s/he attempts to minimize the limits and constraints of public reason to include as many participants or types of arguments as possible (Shue, 2002; Sala, 2013; Horton, 2003; Brown, 2010; Morgan-Olsen, 2010; Vallier, 2011; Porter, 2012; Digeser, 2009). In contrast, the closer an author goes to the ‘exclusive’ side, the stricter and restricted conditions s/he seeks to introduce for public reason so that fewer actors or reasons could be included into it (Neufeld, 2005; Bonotti, 2015; Bagg, 2015). In the existing literature, the authors are usually inclined to move closer to the inclusive side of the continuum, rather than to the exclusive one.

Because of the inclination to microanalysis in the literature, public reason is usually examined under a careful and highly concentrated but too narrow view. It is a useful way to conduct a jewelry-like research that helps to avoid destroying the complex mosaic of the concept of public reason, as big ‘clumsy’ changes would do. However, no attempts are made to generalize those microanalyses that were done on the concept, and to understand which of the proposed changes could usefully coexist within the idea of public reason and which of them would need to

be rejected as uncomplimentary to other elements. For this latter type of research, an alternative macroanalysis could be used.

Macroanalysis is defined as an approach that contains a broader perspective on public reason in two ways: it deals with several elements of the concept at once, and it proposes solutions not only by taking into account dual interrelations between two elements within the idea of public reason, but also by thinking more broadly on mutual influences and interdependences of a group of public reason's elements. Therefore, this is how I want to discuss the problems for the idea of public reason described in the previous subsection.

ii) Proposing a hierarchy of public reason's defining conditions

As was described during the conceptual analysis of public reason in the second chapter, Rawls's kind of public reason can be seen as consisting of seven defining conditions with a specific extension that makes public reason the concept as it is known. I will now list those defining conditions with the appropriate content associated with Rawls's idea of public reason in a hierarchical order and then discuss how it will affect the process of refinement of public reason.

This is how I hierarchize the constituent parts of public reason that were initially listed in the second chapter:

1. reasonable and rational citizens,
2. a liberal principle of legitimacy,
3. a criterion of reciprocity,
4. political conceptions of justice,
5. a well-ordered constitutional democratic society,
6. political advocacy and voting,
7. fundamental political questions.

The more important a defining condition for public reason is, the higher it is in the list. Correspondingly, the lower a defining condition is, the more flexible to changes it should be considered during the macroanalysis. The last two defining conditions in this hierarchy can be considered as the most flexible and at the same time one of them (7) is among the two that needs to be broadened most urgently for the purpose of my defense against the incoherence charge of the asymmetry objection. I will, therefore, propose first how the issues (7) under deliberation should be refined in Rawls's conception of public reason. Another defining condition that belongs to the group of the most flexible ones is about the type of activity, that is political advocacy and voting (6). Next two defining conditions of medium degree of flexibility follow that are about the kind of society (5) and the basic principles (4) in and through which public reason is supposed to function. In this group, the basic principles (political conceptions of justice) is the second defining condition of public reason that needs to be changed in the first place. Finally, the first three defining conditions (1, 2, and 3) are considered as the most vital for public reason and so are highly sensitive to any refinements. This is so also because these particular defining conditions are most closely connected to the broader project of political liberalism. Here a condition for cooperative behavior that is a criterion of reciprocity (3) will be changed as it will be affected by the change of the defining conditions that required the refinement in the first place.

As was mentioned earlier, the kind of issues (fundamental political questions (7)) and the subject of public reason (political conceptions of justice (4)) are the most problematic defining conditions of public reason that make this concept difficult to implement for the differentiation argument. Therefore, I will start my reassessment of public reason from these two defining conditions. I will call it *the primary change*. After this, I will look at how the proposed changes for them affect other defining conditions' extension of public reason. In particular, these concerns

political advocacy and voting (6) and a criterion of reciprocity (3). The ultimate aim of this kind of analysis is an attempt to balance the proposed changes within the concept so that it would save its initial capacity to be an effective framework for public deliberation on political questions. I will call it *the secondary (or reactionary) change*.

iii) Introducing the changes for public reason

In this subsection, I will present the changes to the concept of public reason so that it could be effectively used for the defense of political liberalism by the differentiation argument. In order to conduct such kind of macroanalysis, I will rely on the criterion of desirability as presented by Pasquali (2012).

The first defining condition that I mentioned as one of the most problematic when the extension of Rawls's public reason is added to it is the one that describes what kind of issues this conception should focus on during the deliberation process. According to Rawls, these are fundamental political questions that include constitutional essentials and matters of basic justice (Rawls, 2005b). This limitation is one of the reasons why political liberalism may look like a project that asymmetrically presuppose reasonable agreement only on the issue of justice both within and outside of constitution, while such issues as the good is excluded from public reasoning as part of the background culture rather than that of the public forum.

It is possible to imagine, however, that if the discussion of the good as a basis for some state policies can make better the state and society in a fundamental way, then such issue can be seen desirable to be debated on publicly at the public forum as well. This is so because the goods of the societal (contrary to individual) level can be considered as part of fundamental political questions. Thus, while serving a still pretty high bar of the kind of issues that public reason can

help to deliberate on, it is normatively justifiable to include the societal level's goods as one of the most essential questions for the society to decide. By this kind of change the principle of focusing on a very limited range of political questions is respected. I do not propose to use public reason for all political questions as such. Rather it is my claim that deliberation on the good at societal level is as important of two other questions that Rawls initially included into this defining condition of public reason. Thus, it is the first change of public reason that I offer here and which I think satisfies the criteria of desirability: the kind of issues that public reason can focus on should be fundamental political questions that include constitutional essentials, matter of basic justice, and the issue of the good at the societal level.

The second main problem of public reason in the way Rawls presents it concerns another defining condition that deals with the basic principles of the society. For public reason, the extension for it is filled by the idea of a political conception of justice. As was discussed during the conceptual analysis of public reason, this conception is needed in order to serve as a basis of the democratic society so that relying on it, reasonable and rational citizens would be able to formulate political values. The difficulty with this defining condition in the context of the differentiation argument's strategy is that any such political conception will deal with the issue of justice as the basis for the fair functioning of the society. The most problematic feature of this kind of conception is that it is supposed to have a freestanding view on philosophical, religious, and moral comprehensive doctrines. In the differentiation argument, the idea is that referring to comprehensive doctrines can be acceptable if they help to justify state's support of certain goods at the societal rather than individual level. That is as it was already claimed it is the intension (not content) that makes the differentiation between these two levels where good is considered so important. If some of the comprehensive doctrines can be justified by citizens for their compatriots

as acceptable ones on the ground that this or that good would make their society better in some fundamental way then such doctrines can be included as a form of argumentation. Rawls's political conception of justice would not allow this, however, due to its freestanding position.

Thus, I propose to deny the absolute importance of the freestanding view as one of the features of a political conception of justice. Instead, it should be acceptable to refer to comprehensive doctrines for the deliberation on the issues of the good – but exclusively the one at societal level. This is significant because otherwise it would be impossible for citizens to discuss what goods can be a basis for state policies, since the good is a matter that is closely connected to the citizens' philosophical, religious, and moral comprehensive doctrines. I propose therefore to consider a political conception of justice as having a partially (rather than absolutely) freestanding view. This change can be seen as desirable because it seeks to soften such kind of limitation that does not necessarily require full compliance under each and every circumstances, rather it seems justifiable to change it a bit if it does not threaten the concept of public reason fundamentally. This is so in this case, because the inclusion of comprehensive doctrines into the deliberation process devoted to the choice of the goods at societal level is justified by the idea that this public debate is intended to make the state and society in question better than it is now in some fundamental way. This change is furthermore acceptable since it specifies very clearly and narrowly when and under which circumstances comprehensive doctrines are allowed to be used.

The last issue that I will talk about in this subsection is how the above changes of the two defining conditions of public reason may affect its other defining conditions and what changes in connection to this may be required to save the coherence of public reason as a framework for deliberation on the issue of the good.

Both of the changed defining conditions of public reason will affect two more defining conditions – the kind of practices and a condition for cooperative behavior. The first of them – the kind of practices that public reason is supposed to cover according to Rawls – includes political advocacy and voting. Due to the inclusion of the good as one of the three kinds of fundamental political questions, it seems that one more practice needs to be included, which is directly connects the goods chosen under deliberation with very specific policies that are supposed to narrowly focus on promotion or encouraging those goods.

The second such affected defining condition of public reason is a condition for cooperative behavior, which for Rawls's conception of public reason is a criterion of reciprocity. This is so because this criterion is based on the idea that reasonable and rational citizens should provide justifications about why certain principles they try to defend about fundamental political questions can satisfy political values that are agreed on during public reasoning. Since I included the issues of the good of the societal level as one of the fundamental political questions, and since the deliberation on it will inevitably contain some arguments based on comprehensive doctrines, then this criterion of reciprocity needs to include, in addition to orientation to political values, also some level of toleration towards beliefs based on different philosophical, religious, or moral views. This level of toleration should be confined by the idea that the use of these comprehensive doctrines are intended for making the state and society better off, rather than for some personal benefits of individuals.

iv) Connecting the refined public reason with the differentiation argument

The concept of public reason refined in this way can now become an integral part of the defense of political liberalism against the asymmetry objection as proposed by the differentiation argument. After broadening or clarifying the ways the changed defining conditions of public

reason may work, it can be used as a framework for the deliberation about the goods at the societal level. When the good is considered as one of the few fundamental issues, adjusting this situation to other affected defining conditions helps to create a coherent conception of public reason. At the same time, the main principles that political liberals consider important still present and are in line with the refined public reason. Thus, for example, the idea that the state should be a neutral one remains satisfied, because the state does not participate in public deliberation about the choice of the good that it needs to promote. The choice of the goods at the societal level is decided on openly through public deliberation and so it satisfies the idea of publicity that is so vital for political liberalism.

Conclusion

In this thesis, I attempted to demonstrate that public reason is in need of reassessment due to its initial inability to become a framework for the deliberation about the issue of the good. I looked at this problem through the length of the asymmetry objection against political liberalism. I proposed a partial solution to one of the charges of this objection that can be called an incoherence charge. This partial solution was expressed through what I named the differentiation argument, which claimed that the incoherence charge of the asymmetry objection is not fair to political liberalism because latter actually can create a possibility of a reasonable agreement on the goods similar to the issue of justice.

For this, public reason can be used as a framework within which such an agreement can be reached. However, the concept of public reason in the way Rawls presented it has several problems that seemed to prevent the smooth use of this concept as part of the solution of the differentiation argument. Therefore, several changes were necessary to make in connection to the four defining conditions of public reason that helped to incorporate the possibility of deliberation about the issue of the good by relying on this concept. It was claimed that the concept of public reason reassessed in this way can be seen as more effective kind of public justification that can be now used for the differentiation argument. These changes, at the same time, demonstrated that it is both desirable and feasible to refine some of the defining conditions of public reason in order to make from it such a concept that could be applied to broader issues than Rawls initially meant it to be.

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