
LIBERALISM IN PRACTICE

THE PSYCHOLOGY AND PEDAGOGY
OF PUBLIC REASON



OLIVIA NEWMAN

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The Psychology and Pedagogy of Public Reason

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This book is dedicated to:

My father, who taught me the value of hard work

My mother, who has always believed in me

Andy, whose unconditional love keeps me going

Liam, whose joyous, boundless energy makes every day a good one

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Preface

Whatever issue may come before me as President—on birth control, divorce, censorship, gambling or any other subject—I will make my decision in accordance with these views, in accordance with what my conscience tells me to be the national interest, and without regard to outside religious pressures or dictates.

—John F. Kennedy (“Address to the Greater Houston Ministerial Association,” 1960)

It is difficult to see how the state can forbid, as contrary to public morality, a practice [contraception] that numerous religious leaders approve as morally right. The stand taken by these religious groups may be lamentable from the Catholic moral point of view. But it is decisive from the point of view of law and jurisprudence, for which the norm of “generally accepted standards” is controlling ... [Catholics understand] the distinction between morality and law and between public and private morality, and out of their understanding of religious freedom, Catholics repudiate in principle a resort to the coercive instrument of law to enforce upon the whole community moral standards the community itself does not accept.

—Father John Courtney Murray (“Memo to Cardinal Cushing on Contraception Legislation,” 1965)

The Catholic who holds political office in a pluralistic democracy—who is elected to serve Jews and Muslims, atheists and Protestants, as well as Catholics—bears special responsibility. He or she undertakes to help create conditions under which we can all live with a maximum of dignity and with a reasonable degree of freedom; where everyone who chooses may hold beliefs different from specifically Catholic ones—sometimes contradictory to them; where the laws protect people’s right to divorce, to use birth control and even to choose abortion. ... The values derived from religious belief will not—and should not—be accepted as part of the public morality unless they are shared by a pluralistic community at large, by consensus. ... For me life or fetal life in the womb should be protected. ... But not everyone in our society agrees with me.

—Mario Cuomo (“Religious Belief and Public Morality: A Catholic Governor’s Perspective” [Address at Notre Dame University], 1965)

My religion defines who I am. And I've been a practicing Catholic my whole life. ... With regard to abortion, I accept my church's position that life begins at conception. That's the church's judgment. I accept it in my personal life. But I refuse to impose it on equally devout Christians and Muslims and Jews and—I just refuse to impose that on others.

—Joe Biden (“On Abortion,” Vice Presidential Debate, 2012)

The politicians John F. Kennedy, Mario Cuomo, and Joe Biden, as well as the Jesuit priest John Courtney Murray, represent a tradition in American Catholic thought that wholeheartedly embraces the separation of church and state: “Two there are,” as Murray (1960) famously declared. Each of these men asserts, in his own way, that the law ought not to be dictated by their Catholic faith, but rather by a more general set of principles that is shared by Catholics and non-Catholics alike. Catholics may not “love what others do with their freedom,” Cuomo (1984) admits. But “whether we like it or not,” observes Murray (1943), “we are living in a religiously pluralist society.” It is more realistic, they say, to accept difference and forge compromise around suitably general and widely shared principles. Not only is this approach realistic, it also the fairest, as it promises that no one will be forced to live under laws they cannot accept. Murray, in particular, was sensitive to the coercive power of the state and the right of individuals to live under laws of their own choosing.

Other Catholics have approached the tension between private morality and law in different ways. Some modern Catholics simply reject some articles of the Church's teaching. It is not unusual, for instance, to find Catholics, including politicians like Nancy Pelosi or John Kerry, who disagree with Church doctrine on contraception and divorce, and even abortion. For them, the divide between private and public is less troubling because their private commitments do not come up against public values and the law.

Still other Catholics appeal to natural law as a unifying source of morality that is available to Catholics and non-Catholics alike. John Finnis (2007), for example, argues that anyone can apply natural law reasoning to arrive at the immorality of homosexuality and nonmarital sex. Similarly, Robert George strives to demonstrate that the impermissibility of stem cell research can be derived from nonreligious, natural law origins (see Greenawalt 2002). These efforts to arrive at Catholic conclusions via nonreligious, natural law reasoning, however, can fall on deaf ears, as non-Catholics will often find the reasoning unpersuasive.¹

These advocates of the New Natural Law (Kirkpatrick 2009) believe that natural law can provide “public reasons” that are persuasive to citizens from a wide range of religious and philosophical backgrounds. They make an appeal to legitimacy that runs parallel to the account of legitimacy that John Rawls outlines in his theory of political liberalism, which argues that citizens should offer one another mutually meaningful reasons (*public* as opposed to divisive, sectarian, *private* reasons) for supporting particular principles of justice or political outcomes. Natural law theorists posit a similar aim, but identify substantively different “public” reasons. Kent Greenawalt (2002, 531) puts the question sharply: “Are natural law arguments exemplars of public reason or not?” Greenawalt defers to “degrees of publicness,” but I shall take a firmer stand, in the negative. While public reason and natural law are vulnerable to a similar criticism, namely, that what they call “public” or “natural” is in fact quite sectarian and controversial, public reason has notably different aims and premises which grant it a much greater claim to “publicness” and, hence, legitimacy. This book is, in part, a defense of public reason on these grounds.

But this book is also about the particular mindset that is exemplified by JFK, Murray, Cuomo, and Biden. This mindset raises serious concerns for some Catholic faithful, among others. As one commentator puts it, “Perhaps the most cognitively dissonant trend that Kennedy set in motion was his self-styled dualism, a vice of mind now ubiquitous among Catholic politicians” (Staley-Joyce 2010). Clearly it is not ubiquitous, however, as Catholic vice presidential candidate Paul Ryan (2012) echoed this concern in a 2012 vice presidential debate: “I don’t see how a person can separate their public life from their private life or from their faith.” This book explores the cognitive dissonance at the center of this critique, not just for Catholics like Biden and Cuomo, but for citizens of any faith or creed that divides them from their fellow citizens, whether they are Pentecostal, Muslim, secular humanist, or Marxist. Every time a citizen appeals to public reasons in public, political discourse rather than the reasons that guide their private judgments, they are exploiting precisely this kind of cognitive dissonance, in hopes of finding mutually satisfying and hence more *just* political arrangements.

I do not find this cognitive dissonance to be hypocritical or unstable, as evidenced by the fact that through most of this book I refer to it not as cognitive dissonance but instead as *domain-differentiation*. I believe that one can

sincerely accept, for instance, their church's prohibition on abortion while still sincerely and in good conscience rejecting a legal ban on abortion. But this is only an example, and I do not mean to insist that permissive abortion laws be the benchmark of a good liberal society. My point is that individuals can and often do host conflicting commitments, genuinely and in good faith, even when there is no way to reconcile these commitments doctrinally, from either a private or a public perspective. This can be an effective division of moral labor, from which we can draw important lessons.

As I argue in the following pages, the legitimacy of political outcomes in pluralist liberal democracies today depends upon citizens who approach political deliberations with certain democratic dispositions and commitments, such as tolerance, a recognition of equality among citizens, good faith in political argumentation, an appreciation for compromise, and a willingness to offer reasons they believe will be meaningful to fellow citizens. Many citizens, particularly but not only citizens in some traditional faith communities, find it difficult to adopt such dispositions, if doing so requires them to abandon other aspects of their worldviews. But JFK, Murray, Cuomo, and Biden demonstrate that it is possible to maintain sincerely held personal beliefs even when they contravene support for public values and the law. We can and often do hold contending commitments in different domains of our lives, lending us the moral and cognitive agility to thrive in a wide variety of domains that may each give us different kinds of satisfaction and meaning. So much the better, as I will argue. This asymmetry is defensible and perhaps even demanded by the normative project of establishing legitimacy in pluralistic liberal democracies.

This book is inspired by these exemplars of public reason, and in it I will try to do justice to their perspective. Were we to have more citizens like these—more citizens, that is, who easily differentiate their private and public commitments—securing this legitimacy would be a much easier task. This book considers how we might encourage more citizens to follow their path, while also explaining why we should want to do so.

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My thinking on these issues has continued to grow and change since my time as a graduate student. I presented versions of several chapters at annual meetings of the Southern Political Science Association, the Midwestern Political Science Association, and the International Conference on Civic Education. I am thankful for the constructive feedback and probing questions I received from discussants, fellow panelists, and audience members. I am also fortunate to have had so many serious students eager to discuss my work at Smith College, the University of Pittsburgh, and Harvard College. I have never taught a class that didn't teach me, too. Parts of chapter 6 first appeared in my article "No Child Is an Island: Character Development

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The thinking in this book is clearer and the writing is much better thanks to the thoughtful advice and provocative challenges of those I have mentioned above as well as some I have undoubtedly forgotten to mention. Of course the remaining weaknesses are all my own. I know several of my commenters will continue to take issue with the claims in these pages. I look forward to a lively debate!

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Introduction

In spite of its limitations, liberalism continues to inform much theorizing regarding how the legitimacy of political regimes might be established. At the core of liberal theory is the idea that the consent of the governed is a key component of establishing legitimacy. This requirement stems from the liberal recognition that we are born free and that the only laws that can legitimately abridge our freedom are those laws we agree (or could ideally agree) to live under. This basic assumption is central to liberal theory as well as adjacent accounts of democratic deliberation and the like. For early social contract thinkers, tacit consent sufficed; staying within a territory implied consent for its government (Hobbes [1649] 1996; Locke [1698] 1988). But acquiescence has long been regarded as insufficient for establishing consent, as real citizens may have few real options for opting out, and, more importantly, they may in fact consent to a regime for the “wrong reasons,” that is, they may consent to their own oppression or the oppression of others. Contract theory has since moved away from actual, tacit consent, toward some kind of hypothetical consent in an idealized choice situation (Kant [1799] 1993; Rawls 1996, 1999; D’Agostino and Gaus 1998).

Public justification: The liberal conundrum

While the abstract concept of consent is widely regarded as attractive, it is much more difficult to settle upon a specific, workable conception of consent. Most obviously, there is a large gulf between those whose conception of consent revolves around empirical consent among real citizens and those who promote hypothetical consent among idealized, rational agents. Fred D’Agostino (2008) refers to this as the distinction between

empirical and normative public justification. *Empirical public justification* refers to what real people actually want and think; accordingly, a regime is legitimate when citizens agree that it is legitimate. Of course, people often make errors in judgment, and they may endorse a regime that does not protect their long-term interests, or the interests of others. *Normative public justification*, on the other hand, refers to what idealized agents would agree to under some sort of special-choice situation, taking into account their rational or reasonable long-term interests, or the interests of others.

Either brand of public justification is problematic on its own (Gaus 1997). In practical terms, empirical public justification seems difficult if not impossible to secure, for the simple reason that different people want and believe different things. Even if such an agreement could be reached, how could we know if the agreed-to principles are in fact good? For example, if we have no recourse to normative principles, we have no way of adjudicating between a society which agrees in the goodness of civil rights for all and another which agrees, at least by majority, in the goodness of racial segregation and inequality.

Normative public justification responds to this difficulty by promising to help us identify those principles which citizens would agree to if they were more rational, reasonable, clear-sighted, virtuous, et cetera than most people are. With this strategy, we no longer have to worry about majorities establishing regimes that discriminate against or terrorize minorities, such as Nazism. But normative public justification raises its own problems, as it implies that citizens, and perhaps even large numbers of them, may be forced to live under regimes that they do not support, ostensibly for their own good. Even if a regime were indeed very good, it is difficult to recommend it whole-heartedly if its own citizens chafe under it. This casts a long shadow over any claim to legitimacy. Moreover, if a perfectly “good” regime is viewed as illegitimate by many of its own citizens, even if they are wrong in their judgments, we have reason to worry about the stability and long-term prospects of this regime, not to mention the specter of “moral authoritarianism” (Gaus 2011, 548).

These quandaries suggest that neither empirical nor normative public justification is sufficient on its own; it would seem that we require something of both. That is to say, a legitimate regime is one that is “good” (a question to which I will return in chapter 1), and one that people largely agree is good. Of course, this brings us back to the pluralism problem: How

can a diverse polity secure agreement regarding the legitimacy of a regime? As we shall see in the first chapter, some thinkers believe that a significant majority of us can, as an empirical matter of fact, agree about basic principles of justice in spite of our differences. Critics are right, I believe, to regard this as overly sanguine. Disagreement runs deep in a liberal democratic polity such as the United States today, and many citizens do not value agreement, consensus, compromise, or public justification. In short, they disagree in fundamental ways and see no point in seeking agreement.

Such citizens would require significant training in order to become the kind of consensus-seeking citizens who could establish empirical public justification. It is difficult to reconcile this need for training with the typical, Millian understanding of liberalism, which seeks to protect our liberty of thought, including the liberty to hold illiberal views. And so we are stuck between the liberal right to be illiberal and liberalism's urgent need to establish legitimacy among real and diverse citizens. It does not seem that liberalism can live up to all of its promises.

The promise of domain-differentiation

According to the liberal conundrum that I have described, liberalism faces two options, each of which are self-defeating in one way or another. If we decide that liberty of thought and the resultant liberty to be illiberal deserve our foremost protection, we will be unable to seek empirical public justification. Accordingly, some segment of the population, perhaps quite a significant segment, will simply regard the regime as illegitimate. Accordingly, liberalism has failed to secure the consent of the governed.

If, on the other hand, we decide that securing this consent should be our main concern, we will need to “nudge” citizens toward this agreement. As I have suggested, this will require us to provide some kind of training—some interference in citizens' preference formation. Here we may succeed in establishing empirical public justification, but it will come at the expense of the freedom of individuals to identify their own aims and beliefs, independent of interference and state efforts to shape their character and preferences, a process I refer to as *soulcraft*. Accordingly, liberalism has failed to protect our liberty. To put it sharply, we are either free or we agree, but we simply cannot expect free people to agree. And since liberalism depends upon both freedom and agreement, it must fail.

This is true so long as liberal theory relies upon the assumption of a unified self. As long as we imagine individuals to be unified around a singular set of goals, beliefs, attitudes, and aptitudes, it is indeed impossible to promote our freedom while nudging us toward agreement. But I do not believe that we are unified in this way, as I will attempt to show in the following pages. Instead, we are complex creatures whose dispositions and traits develop quite differently in different domains of our lives—I call this the *domain-differentiation* of character. This is the picture emerging today from a large swath of social, cognitive, moral, and developmental psychology, as we shall later see (Youniss 1987; Lave 1988; Ross and Nisbett 1991; Fogel 1993; Wertsch, Del Rio, and Alvarez 1995; Cervone and Shoda 1999; Briggs 1998).

This research points toward a view of human character as fundamentally social and pluralistic. Accordingly, we develop skills, commitments, and character traits in the context of particular experiences, interactions, and relationships, and character development is a consequence of our interactions with the world around us. This fundamentally social aspect of development has been captured in the phrase, the “sustaining social contribution to character” (Merritt 2000). There is good reason to believe that our character cannot be isolated from this ongoing social contribution—we are not “atomic” and radically separated beings (Taylor 1992). Hence, character comprises a plurality of domain-specific traits: everything from traditional character traits (like honesty) to cognitive functions (like algebra) to personality traits (like shyness) varies significantly across domains. For example, one might be a devoted daughter, a loyal friend, and an unreliable employee—such domain-differentiation is not unusual, but rather the norm.

The domain-differentiation of character offers some hope for the prospects of liberal theory, suggesting how we might reconcile the tension between individual liberties and the demands of empirical public justification. It suggests that we may be able to put these contending liberal principles to work in different domains of our lives and in relation to different aspects of our characters. Put another way, it means that we can and should be free to pursue our own projects and beliefs in many domains of our lives, supported by a state that protects our liberty of thought and action, while at the same time, the state trains us to become the kinds of citizens who can establish legitimacy through empirical public justification in other domains. I will have a great deal more to say about what kinds of citizens these are in chapter 1, but for now I will say that such citizens are committed to deliberative

norms bearing a strong resemblance to John Rawls's public reason. These citizens find that when they engage one another in a certain way, they generate a deeper and wider agreement regarding the legitimacy of the political process and its outcomes. Domain-differentiation suggests that we can be habituated to public reason in those domains of our lives in which we engage our fellow citizens, while remaining equally committed to other and even contending beliefs and projects in other domains of our lives.

Some will find my endorsement of domain-differentiation to be discomfiting. They may see the domain-differentiated character as inconsistent, fragmented, compromised, morally dubious, or even schizophrenic. They may concede that domain-differentiation is common—even universal—but they will insist that it is a flaw that ought to be overcome or minimized to the greatest extent possible. Accordingly, one's moral and ethical commitments ought to be deliberately integrated into a coherent whole. This "integralist" claim (Quinn 2001) could be made from the standpoint of any number of religious or ethical perspectives, based upon the idea that we should rethink or discipline those aspects of our character that do not support our overriding moral and ethical commitments.

There is nothing wrong with efforts to achieve consistency in at least some aspects of our lives; indeed, there are many occasions when such efforts are admirable. We rightly resist hypocrisy in many spheres of our lives. But I will make the case that consistency is not always a virtue; there are times when we ought to welcome domain-differentiation. Practical and normative considerations inform this claim. Practically, research suggests that efforts to achieve consistency will always be impartial and imperfect. We often overestimate our own internal consistency, failing to recognize those aspects of our character that would challenge this sense of consistency. Psychologists call this a *confirmation bias*, whereby we inadvertently grant more credence to evidence that confirms rather than challenges our beliefs. We like to think of ourselves as possessing coherent, unified characters, and our confirmation bias encourages us to recognize those aspects of our character that seem consistent. Such a view accords with the lived experience of consciousness and memory, even if it doesn't match our actual set of beliefs and commitments across the range of domains we move in and out of.

But coherence may vary significantly between different individuals: some will be devoted to aligning different aspects of their lives, while others will be much less concerned with such an intentional crafting of character.

Either way, efforts to integrate will never succeed completely. From the integralist perspective, this may simply signal the imperfection and weakness of the human character. But I want to argue that some differentiation of character is of great ethical value. It is only because character is pluralistic and varied that we can engage in meaningful discourse across religious and ethical difference. If individuals were completely unified and completely different, they could find no overlapping commitments through which to communicate and create mutual understanding. But if instead individuals host a variety of commitments in different configurations, as I believe they do, their chances for such understanding increase exponentially. Allowing at least some pluralism of character to remain is a precondition of moral and political discourse—and hence justice, peace, and stability—in pluralistic liberal democracies.

My depiction of domain-differentiation may also invite the charge of “bifurcation.” Rawls and the liberal project more generally have been accused more than once of depending upon a bifurcation of character—a split that is unsustainable and, more importantly, morally troubling (Weithman 2001; Wolterstorff 1997; Murphy 2001). Rawls denies that public reason requires such a split; he believes that public reason could be a component part of many if not most worldviews. As I hope to show, Rawls need not shy away from the charge of bifurcation. For many citizens, particularly those of faith, public reason will require a bifurcation—let’s call it a *differentiation*—of character: a public self that is habituated to public reason and a private self whose convictions may not necessarily support public reasoning. Such a split ought not be envisioned as a rupture, but instead as an effective division of moral labor. We need different kinds of moral commitments in different domains of our lives. The commitments we develop to engage our coreligionists need not and ought not be the same commitments we develop to engage our neighbors and fellow citizens. Liberals shouldn’t apologize for recognizing this.

What is, and what ought to be, the relation between *is* and *ought*?

In this book I hope to lay out a way of thinking about liberalism that remains true to the twin goals of protecting individual liberties and promoting empirical public justification. Like many others (Benhabib 1991; D’Agostino and Gaus 1998), I will argue that such justification hinges upon

certain deliberative norms, of which Rawls's public reason is the preeminent example. But Rawls's psychology is inadequate to his task; he cannot explain how or why citizens would ever become committed to public reason. To do this, we must explore the nature of domain-differentiation, which I call the psychology of public reason, and we must consider how this domain-differentiation can be exploited in order to support public reason in public domains. I call this the pedagogy of public reason. As we shall see, the pedagogy of public reason requires educational efforts that train citizens for public reason without overwriting their entire characters.

This project proceeds from the premise that we cannot develop adequate political or moral theories independent of basic facts about how individuals operate in moral and political realms. Accordingly, I follow the dictates of the philosopher of the mind Owen Flanagan's Principle of Minimal Psychological Realism:

Make sure when constructing a moral theory or projecting a moral idea that the character, decision processing, and behavior prescribed are possible, or are perceived to be possible, for creatures like us. (Flanagan 1991, 32)

This is closely related to Rawls's own ambition to develop an "an ideal conception of citizenship for a constitutional democratic regime ... [describing] what is possible and can be, yet may never be, though no less fundamental for that" (Rawls 1996, 213). Rawls (2001, 11) later tells us, "Political philosophy is realistically utopian when it extends what are ordinarily thought to be the limits of practicable political possibility." Psychological realism, the ideal conception of citizenship and the concept of a realistic utopia all advise the moral and political philosopher to ensure that norms are within the scope of what is possible for "creatures like us," while at the same time striving to extend that scope. Following this cue, I strive to develop a theory of liberal justification that is or could be possible for "creatures like us." This puts me squarely in the contentious field of naturalized ethics.

When Lawrence Kohlberg (1981) first published a controversial piece called, "From *is* to *ought*: How to commit the naturalistic fallacy and get away with it in the study of moral development," he made a risky, controversial, and often misunderstood contribution to the longstanding debate regarding the proper relationship between facts and norms. According to G. E. Moore, we commit a naturalistic fallacy when we conflate descriptive and normative accounts of human behavior, believing that we have revealed "what we ought to do" when we have in actuality only described "what we

do do" (quoted in May, Friedman, and Clark 1996). Much effort has gone into avoiding this problem. Walls have been erected with the natural sciences on one side, and moral philosophy, ethics, and normative political theory on the other. Those on the side of philosophy in particular have been determined to maintain their independence; what is morally right or good should be so in principle, they insist, regardless of the vagaries of science and "facts" (Carr 2007; Held 1996; Nagel 1986). They worry that a rampant "scientism" threatens to replace moral philosophy with a moral psychology that merely explains moral beliefs without inquiring into their validity.

And then comes Kohlberg, who seems to suggest that the naturalistic fallacy may not be so bad, that there may be some productive relationship between *is* and *ought*. As it turns out, Kohlberg's provocative claim is probably not as radical as some of his critics believe; Kohlberg never asserts that norms can be derived from facts. Rather, he asserts that normative claims must be compatible with empirical facts, lest the facts cast doubt on the norms (Boyd 1985).

This claim is both obvious and controversial. Of course a normative claim must not depend upon counterfactual premises. Just as certainly, however, empirical facts underdetermine norms; the fact that something is possible doesn't make it good. However, something can only be good if it is possible. Appreciating the force of this statement is at the heart of naturalized ethics, which seeks to align norms for human behavior with findings in the human sciences, including not just psychology, but also, for example, biology, neuroscience, sociology, and anthropology (Appiah 2010; Flanagan 1996). As one naturalist explains, "The descriptive claims of the naturalist come to acquire their normative force [because] descriptions underwrite norms" (McKinnon 2005, 57). It is my hope that by exploring whether public reason and public justification are really possible "for creatures like us," I will also contribute to the growing field of naturalized ethics.

But what does it really mean to say that norms must be possible for "creatures like us?" For every American? Every person in the world today? In history? For saints and moral exemplars? For people living in circumstances that nowhere exist, but are conceivable? Later I briefly consider whether the psychological evidence I survey uncovers universal psychological features or if it instead describes psychological attributes that are limited to a certain time and place. While I believe it may be the former, we need not settle the question in order to recognize that most of the relevant

psychological research under consideration is part of the same social, political, and historical milieu of which liberalism is a part. Consequently, I am concerned with whether public reason is possible for the citizens of present day liberal democracies.

Even with this delimitation, it is still difficult to determine what is possible—to know what could be, if it currently isn't. Given the inherent difficulties in this exercise, it is no surprise that the prospects for public reason are disputed. As I hope to show, however, empirical psychology sheds light on these questions. Psychological realism is not a mere “chapter of psychology” (Flanagan 1996, 23), but it does offer the possibility of placing norms on firmer ground by demonstrating the possibility of their realization.

Kohlberg's naturalistic fallacy and Flanagan's psychological realism may strike the reader as underwhelming and obvious—surely we shouldn't advance norms that are beyond what is humanly possible. But the consequences of this premise are more far-reaching than it may seem. Consider again Rawls's conception of realistic utopia:

The idea of realistic utopia ... establishes that such a world can exist somewhere and at some time, but not that it must be, or will be. ... By showing how the social world may realize the features of a realistic utopia, political philosophy provides a long-term goal of political endeavor, and in working toward it gives meaning to what we can do today. (Rawls 2001, 128)

Clearly, psychological realism sets an outer limit for moral and political philosophy, and it helps ground norms by illustrating how they might be embodied or manifested. But this is not its only contribution. Psychological realism gives us the tools to imagine realistic utopias. It reigns in utopianism and gives political theory practical ambitions, without succumbing to mere description or explanation. It helps us set our sights high, but not too high. And it gives us clues as to how we might nudge human character closer to our aspirations, by suggesting, in this case, what kind of pedagogy can capitalize upon our best understanding of human psychology in order to make public reason a widespread political disposition.

Overview by chapter

According to the premise of liberalism, political arrangements are only legitimate when citizens consent to them, in one way or another. In chapter 1, I elaborate on this theory of public justification and explain the

centrality of discursive norms such as public reason; when citizens engage one another in a certain way, stability and legitimacy are both enhanced. In spite of this promise, public reason faces several serious challenges, most notably regarding the exclusion of religious “true believers” who are unable or unwilling to engage in the kind of political discourse that public reason requires.¹ Rawls defines away these true believers as “unreasonable” and hence unworthy of inclusion in the process of public justification, but I insist that more can and should be done to incorporate these political outliers, for the sake of stability, legitimacy, and fairness.

A stronger commitment to inclusion requires us to provide a motivational account of why citizens (and especially true believers) might exercise public reason when doing so is difficult for them and may offer few immediate rewards. Rawls’s “political not metaphysical” conception of the person is too thin to help us develop this motivational account; for this we need psychology, as I argue in chapter 2. This psychological dimension also allows us to develop a reformulated version of public justification, following Onora O’Neill’s lead (1989), whereby we avoid the trappings of both normative and empirical accounts by instead employing the standard of the *possible public reasoning of actual agents*. Accordingly, legitimacy is established by showing that a large swath of citizens (the more, the better) possesses the psychological wherewithal to exercise public reason.

In the third chapter, I provide this psychological account and survey research in social, cognitive, moral, and developmental psychology that suggests character is not constituted by global character traits that inform behavior over a wide variety of situations. Instead, traits are much more local and specific, and situations shape behavior at least as much as traits do. Human character appears to be situated and social, resulting in differentiation by sphere; domain-differentiation may be a fundamental feature of moral character. This is the psychology of public reason.

The moral and ethical implications of domain-differentiation are striking. Because human character is pluralistic, I argue in chapter 4, we are well equipped to engage those whose worldviews differ significantly from our own, communicating across significant difference and seeking common ground in political discourse. This is in contrast to the claims of Alasdair MacIntyre (1984), who suggests that genuine moral dialogue across difference is futile. But MacIntyre greatly exaggerates the potential for unity in our moral lives, failing to appreciate how our domain-differentiation

enables us to fruitfully engage the Other. Indeed, we should regard our differentiation of moral character as enabling us to achieve an effective division of moral labor in a pluralistic moral universe. This means individuals are psychologically equipped to hold different commitments and beliefs in different domains of their lives. More germane to the project of liberal public justification, it means that individuals can develop a habitual disposition toward public reason in the sphere of public, political discourse even when their personal convictions provide no doctrinal reasons for doing so. As I argue, we should exploit this possibility of developing such a habitual disposition in spite of the concerns it may raise, as doing so is the only way to ensure the inclusion of many true believers in the process of public justification. Even so, we still need to explain how this process might happen. This argument leads me to promote the pedagogy of public reason, which I explore in chapters 5 and 6.

Chapter 5 suggests that students are most likely to acquire a dispositional commitment to public reason when they have opportunities to think about, talk about, and collectively tackle controversial collective problems, in the context of at least some ideological diversity. I consider a number of educational practices that might offer such opportunities, ranging from open classroom discussion of current affairs to efforts to involve students in municipal governance. As we shall see, the pedagogy of public reason is flexible and open to innovation in the field; there are many ways to satisfy its imperatives. This suggests that the pedagogy of public reason is scalable. I substantiate this account by surveying the available literature on civic education and its efficacy, while paying special attention to how a dispositional commitment to public reason might carry from school to polity without steamrolling other and possibly contending commitments in other domains.

In the last chapter I consider the institutional dimensions of the pedagogy of public reason, first in terms of the rights of parents, children, and the state and then in terms of how we might encourage the pedagogy of public reason across a range of educational institutions. As a case study, I carefully consider several complaints that Protestant fundamentalist parents might level against the pedagogy of public reason. While many of these complaints warrant consideration in principle, none of them can be successfully directed against the actual practices promoted by the pedagogy of public reason, as I show. Parental rights cannot override the legitimate interests of children and the state to ensure that children receive sufficient training to participate

in democratic political processes, including political deliberation and public justification. The second part of the chapter looks at the kinds of policies and initiatives that might encourage public schools to better align their practices with the pedagogy of public reason, including federal competitive grants, intra-state data collection on best practices, and civic-school collaborations. I then consider what kinds of incentives might induce more private and homeschooled students to participate in the pedagogy of public reason, giving these privately educated students more opportunities to think about, talk about, and collectively address urgent collective problems.

Ultimately, I argue that the pedagogy of public reason need not undermine students' other moral and religious commitments, as domain-differentiation suggests that students can hold different commitments in different domains. Students can develop a habitual but no less genuine commitment to public reason in public, political spheres, without becoming liberals through and through. To this end, the liberal state can and should exploit our domain-differentiation. Only then can liberalism remain equally true to its central but often competing principles of liberty and public justification. This suggests that public schooling and the pedagogy of public reason are more than important to liberal theory; they are essential if liberalism is to live up to its promises.

The psychology and pedagogy of public reason move us beyond Rawls's strictly political liberalism toward what I call *practical* liberalism. Practical liberalism begins with the premise of public justification, as any procedural theory of liberalism must. But it provides a different standard for public justification: one that is neither purely normative nor entirely empirical. Instead, practical liberalism appeals to the possible public reasoning of actual agents, thereby directing our attention not just to institutions but also to the psychological wherewithal of actual agents to effectively exercise public reason. Hence we must delve into the psychological requirements of public reason as well as the pedagogical practices that might make it more widespread.

Practical liberalism, concerned with inclusion and practical implementation, also moves us beyond ideal theory and Rawls's realistic utopia, toward an account of liberalism that we can conceivably put into action, on the ground, today. It offers a clear blueprint for meeting liberalism's twin goals of liberty and consent while ensuring the broadest inclusion possible. The test, of course, is whether too much is lost in this transition to practical liberalism. I believe that the gains outweigh the costs. I hope the reader will come to the same conclusion.

I Legitimacy and Pluralism

1 Public Reason and the Value of (Searching for) Shared Values

It is not often that people with deeply held and completely opposing viewpoints actually risk sitting down and listening to one another. We see this failure to listen and learn in our government, in our communities and in our own families. Dan Cathy and I would, together, try to do better than each of us had experienced before.

Now it is all about the future, one defined, let's hope, by continued mutual respect. I will not change my views, and Dan will likely not change his, but we can continue to listen, learn and appreciate "the blessing of growth" that happens when we know each other better. I hope that our nation's political leaders and campus leaders might do the same.

—Shane Windmeyer, gay rights activist, on his newly forged friendship with Dan Cathy, Chick-fil-A CEO and opponent of gay marriage (*Windmeyer, Huffington Post*, 2013)

According to the liberal principle of consent of the governed, citizens must agree to the laws which govern them. As I argued in the introduction, I believe that this agreement cannot be purely hypothetical and must include some kind of empirical component. It is often argued that this agreement should be primarily concerned with the basic principles of justice and constitutional essentials (Rawls 1999). Such laws and principles determine how legitimate decisions will be made (e.g., voting and election procedures) and establish what kinds of issues are beyond the reach of democratic politics (e.g., civil rights and liberties). Once these rules of the game have been established, the outcomes of daily political contests are assumed to be binding, provided they remain within the proper procedural bounds.

In liberal democratic polities such as the United States, the assumption is that citizens will accept political outcomes, even when they disagree with them, because they accept the basic principle of majority rule. If this

minimalist account of legitimacy were sufficient, then establishing empirical public justification would seem to be much easier than I suggested in the introduction. After all, most Americans agree to the basic principles laid out in the Constitution, even if they differ in their interpretation of some of its finer points. But as I will explain in this chapter, I do not believe that this consensus around majority rule or very basic principles of justice is sufficient for establishing legitimacy. The problem is that while most people agree to basic principles such as majority rule, some citizens' commitment to these principles will waver when they produce political outcomes they find to be particularly objectionable. As this discontent slowly erodes citizens' commitment to the system as a whole, both stability and legitimacy are threatened.

Of course, citizens will never agree about political outcomes. If this were a requirement of legitimacy, it would be impossible. But many liberals and deliberative democrats suggest, and I agree, that legitimacy can be established and bolstered not through agreement, but rather through a particular kind of democratic deliberation that helps citizens seek common ground while also registering discontent and incorporating political losers. Accordingly, when citizens speak to one another in a certain way, they develop a better understanding of fellow citizens and themselves. For instance, imagine a radical feminist and a traditional homemaker who discover that their conflicting views about state-sponsored daycare both stem from ideas about the dignity of women. While this will not eliminate their political differences, it is likely to render them less hostile to each other's positions and more amenable to compromise. Citizens open to similar mutual awareness may also be better able to reconcile themselves to political losses and to view these losses as legitimate. A discourse that gives shared values pride of place might also be creative in ways that adversarial discourse and agonistic politics are not, if parties can together imagine and settle upon policies that are wholly different than the initial preferences of any of the parties involved.

Such political talk is often referred to as public reason. While public reason has many defenders (see D'Agostino and Gaus 1998; Gaus 2011), it is most famously articulated by John Rawls (1996). This chapter will explore the role of public reason in establishing public justification, arguing that public reason is essential for establishing legitimacy in liberal democracies such as the United States. Nevertheless, public reason has many critics who worry that some citizens whose worldviews do not value compromise and

toleration will be left out in the cold. In this chapter and in chapter 2, I will offer an account of public reason that responds to these critiques while also addressing some of the shortcomings in Rawls's particular articulation of public reason.

Deliberative dysfunction and public reason

I want to begin by contrasting a view of political discourse devoid of public reason, which is all too familiar, with a view of public reason in action. Recent years have seen a rise in political discourse that is widely regarded as uncivil and vitriolic.¹ Recall the debates over Obama's health care reform. During the legislative recess of August 2009, senators and representatives around the country hosted town hall meetings with their constituents to discuss the proposed reform. As readers are likely to remember, agitated citizens protesting or challenging their legislators' positions disrupted many of these town hall meetings. Across the country, citizens shouted over one another, refusing to let their political opponents be heard. Outside of Tampa, for instance, scores of citizens who were shut out of an at-capacity town hall meeting refused to allow the meeting to continue in peace, shoving one another, yelling, and pounding on the doors, demanding to be let in ("Crowd Clashes" 2009). An unidentified man in Maryland hung a cardboard effigy of his congressman outside the representative's district office, in protest of his position on health care reform (Rucker and Eggen 2009). At a town hall meeting hosted by the Massachusetts congressman Barney Frank, a woman asked Frank how he could support a "Nazi policy." This woman held a sign depicting President Obama with a mustache reminiscent of Hitler. Frank responded by categorizing the woman's views as "vile and contemptible," wanting to know, "on what planet do you spend most of your time?" As the woman continued to press Frank to respond to her allegations that the proposed health care reform was akin to the Final Solution, Frank ultimately responded, "M'am, trying to have a conversation with you would be like trying to argue with a dining room table; I have no interest in doing it" ("Barney Frank" 2009).

This episode garnered significant attention in the media. Frank's willingness to engage in this kind of vitriolic discourse may be unusual for politicians, but the general tone of this exchange is not unusual; it is, rather, representative of much political talk today. Partisans rely upon exaggerated

and provocative imagery to promote their causes, portraying opponents as unconscionable villains, like Hitler, or as complete idiots, like dining room tables. We accuse one another of hidden agendas and denigrate the sincerity of opponents' claims, as Representative Joe Wilson did when he yelled, "You lie!" in the middle of a presidential address by Barack Obama (Hulse 2009). Ultimately, we establish absolutist positions that can admit no compromise. This is the case, in spite of the fact that 95 percent of Americans believe that civility is important for democracy (Shea and Steadman 2010) and a majority of those polled admitted to being ashamed of politicians' behavior during the health care debate (Kovacs and Shea 2010). We can witness similar dismay regarding the tenor of political discourse in the widespread censure Rush Limbaugh received after suggesting that a woman arguing in favor of mandating contraceptive coverage in health insurance policies is therefore a "slut" and "prostitute" (Weisman 2012).

Exaggeration and vilification are tempting political strategies when the stakes are high. If someone believes herself to be protecting an absolute value, it is easy to see how she might come to see anything short of total victory as a total failure, driving her to resort to any means necessary to prevail. This temptation is exacerbated by a political climate in which nuance is interpreted as weakness—recall how John Kerry's 2004 presidential bid was damaged by the widespread claim that his positions on important issues "flip-flop." Indeed, these kinds of accusations are common in political campaigns, in which candidates respond to media and voter pressure to appear confident, consistent, and sure (as proxies of strength and efficacy), even at the expense of expressing a more realistic response to complicated policy questions.² It is much easier to navigate politics when there are clear sides in every debate.

Some worldviews reject compromise as a matter of principle. Recall the response to Barack Obama's discussion of abortion at the 2008 Saddleback Civil Forum on the Presidency, when Rick Warren interviewed presidential candidates Obama and John McCain. Obama began by explaining and defending his pro-choice views, which he knew would be troubling for members of the Saddleback Church and for Evangelicals more generally. But he then invited Warren, McCain, and pro-life America to find common ground among their differences: Can't we work together, he asked, to reduce the number of abortions in this country? Isn't that something we all want? (Obama and McCain interviewed by Warren 2008).

Not surprisingly, the response of many religious commentators was measured; they could not promote a “legal but rare” approach to abortion if doing so meant a symbolic capitulation to the pro-choice movement or if it came at the expense of efforts to overturn *Roe v. Wade* (Allen Jr. 2008).³ According to this perspective, any compromise on abortion would signal a failure to live up to the absolute value of life. Of course, abortion is a particularly intractable problem in American politics, but Obama’s invitation opened up some possibility, however small, for achieving outcomes that could be widely regarded as progress. But many religious (and secular) doctrines reject the value of compromise, finding encouragement in a political culture that rewards unwavering certainty.

When political discourse tends toward exaggeration, vilification, and a refusal to compromise, the health of our liberal democracy suffers. It is not just that it is uncivil or unpleasant—the threat runs deeper. This kind of discourse reinforces the common view of democracy as an aggregative exercise in which preferences are absolute and immovable. Accordingly, the aim of politics is to count up these inflexible preferences and pronounce the winner—politics becomes a simple, zero-sum game. But even when citizens agree to the premise of majority rule, their devotion may falter when they find themselves—and their absolute, “true” views—on the losing side. And when citizens feel that political outcomes violate their most fundamental beliefs, their commitment to the system may be weak and could dissolve completely if the balance of power were to shift. The outcome, then, is violence. This is indeed what happened when pro-life activist Scott Roeder murdered third-term abortion provider George Tiller in 2009. According to Roeder, his actions are justified, because politics-as-usual fails to uphold what he regards as the fundamental value of unborn life (Lohr 2010).

Violence may erupt even in matters that do not involve life or death, as happened in the summer of 2012 amid the widespread uproar over Chick-fil-A president Dan Cathy’s support of anti-gay marriage initiatives. While gay rights activists staged “kiss-ins” and boycotts, Mike Huckabee, Rick Santorum, and other conservative leaders urged followers to patronize the fast-food chain in support of its president’s stance on “biblical marriage” (Severson 2012). This might have remained just another skirmish in the culture wars, had Floyd Corkins not then walked into conservative Family Research Council’s headquarters and shot a security guard, uttering “words to the effect of ‘I don’t like your politics’” (Emery and Schmidt 2012).

Corkins, a volunteer at a community center for gays and lesbians, made the political nature of his actions explicit by carrying with him a backpack full of Chick-fil-A sandwiches.

Of course, we are fortunate that here in the United States violence is a relatively rare consequence of this absolutist, winner-take-all view of democratic politics. But even when the results aren't violent, they are serious. Legitimacy itself is at stake. Aggregative democracy provides insufficient incentive for accepting political outcomes when they violate some citizens' most cherished values, regarding, for instance, the value of life or the extent of individual liberty. For political losers, aggregative, zero-sum politics feels a lot like a tyranny of the majority.

Contrast this aggregative view of democracy with a dialogic, transformative conception of deliberative democracy. According to the latter, preferences are fluid and subject to revision, and we can learn a lot from talking to each other: we gain access to the wisdom of others, and our political judgment is sharpened and improved through mutual exchange. Public reason is responsive to the legitimacy problem, and, by extension, the stability problem. Under a Rawlsian conception, democratic discourse facilitates the search for shared values by encouraging citizens to offer mutually meaningful political reasons. When citizens are willing and able to offer such reasons, legitimacy is clearly enhanced. Even more, dialogue brings citizens into the fold and gives them a sense of inclusion and efficacy.

The transformative power of deliberation can be seen in the 2010 "America Speaks: Our Budget, Our Economy" project, in which 19 communities hosted daylong deliberative exercises in which citizens across the political spectrum met in small groups to discuss ways to reduce the national debt. Liberals and conservatives moderated their views as a result of deliberation, with more liberals supporting reductions in discretionary spending and more conservatives supporting raising taxes on the wealthy and reducing military spending. Overall, 47 percent of participants reported that they personally changed their views as a result of what they learned through deliberation. Deliberation, it seems, produces something different than an aggregate of the views participants began with—it produces *considered* opinions that reflect learning, exchange and synthesis (Esterling, Fung, and Lee 2010).

But even when citizens do not find any or many shared values, legitimacy is improved when citizens talk to one another in a certain way,

recognizing the equal moral worth of one another and engaging in a genuine exchange of insight and wisdom. This is the experience that Shane Windmeyer describes in his fledgling friendship with former political foe Dan Cathy; honest conversations about differences, he tells us, lead to the “blessing of growth.” When we engage in this kind of dialogue, we learn how to frame political choices without distorting contending views, and we become more willing and better able to find compromise. This dialogue encourages us to reconcile ourselves with political losses and it rewards modesty on the part of political winners.

Public reason is not common in political discourse today. But it emerges from time to time, albeit briefly. As I have already suggested, we saw a glimmer of public reason at the Saddleback Civil Forum. This televised forum gave Americans a unique opportunity to hear candidates McCain and Obama speak at length about their moral and religious beliefs and provided an ideal format for comparing their positions on numerous issues that are important for and divisive among the citizenry, including the war in Iraq, same-sex marriage, and stem-cell research. As Warren explained in his introduction, “We believe in the separation of church and state, but we do not believe in the separation of faith and politics because faith is just a worldview and everyone has some kind of worldview and it’s important to know what they are.” Warren created a forum of civility, respect, and openness that is unusual in political discourse. He told the audience, “Both these guys are my friends. I don’t happen to agree with everything either of them teach or believe, but they both care deeply about America” (Obama and McCain int. by Warren 2008). This openness and generosity is at the heart of public reason.

The conversation that evening reminds us that public reason is possible. Obama’s treatment of abortion provides an especially useful example, as he sought to establish compromise between contending positions. If public reason were common, views regarding the legality and morality of abortion would no doubt continue to differ, but policies would be geared toward the common goal of abortion reduction. Were more Americans to take Obama’s lead, the quality of political discourse in the United States would be much improved, and we would be that much closer to establishing the empirical public justification that is, as I have described it, essential to legitimacy in the liberal democratic state.

Rawls's "torturing question"

In "The Idea of Public Reason Revisited," Rawls encapsulates the "torturing question" driving much of his work:

Can democracy and comprehensive doctrines, religious and nonreligious, be compatible? (Rawls 1997, 803)

The question seems innocent enough. The threat of "incompatibility" calls to mind an amicable divorce, obscuring a scenario that is actually quite horrible, in which religious and ethical diversity and democracy are mutually exclusive and cannot exist, at least not for long, in the same space. Rawls wants to believe, and wants us to believe, that the citizens of pluralistic liberal democracies can identify principles of justice that all or most citizens regard as legitimate, in spite of their myriad differences. But behind this hope is the fear that this is not possible—that justice (and hence peace and stability) under such circumstances is fleeting, superficial, chimerical.

Rawls attempts to show that democracy and comprehensive doctrines can indeed be compatible when citizens endeavor to offer reasons they reasonably expect might be meaningful for fellow citizens. When citizens recognize that the views of their fellow citizens are genuine (even if mistaken), they will want to frame political arguments in terms they believe their opponents can appreciate—not just to win assent, but also because, Rawls tells us, they respect their fellow citizens and want to find mutually acceptable political solutions. Citizens who act thusly exercise public reason, which, were it to become commonplace in a liberal democracy like the United States, would allow us to answer Rawls's "torturing question" in the affirmative.

As I have described it, public reason refers to a set of dispositions and commitments that induce citizens to offer mutually meaningful reasons in public, political discourse. This interpretation of public reason may appear to some imprecise and loose, but in the following pages I will offer a reading of Rawls that supports this account of public reason. The difficulty with Rawlsian interpretation lies in inconsistencies between earlier and later works, underdeveloped but key formulations, and his sometimes equivocal exposition of public reason. He is ambivalent, for instance, in his prescriptions regarding those who should exercise public reason, what issues they are to consider, and where. I will argue, in line with Rawls's

later formulations, that while public reason is required of public servants and candidates for public office, it is also generally appropriate whenever citizens engage one another on political matters.

Public reason represents a set of dispositions, values, and commitments that guide the way citizens speak with one another. It centers on the idea of reciprocity—in which citizens seek to offer reasons for their political preferences that they can reasonably expect fellow citizens to accept. The idea is that citizens recognize each other's equal moral worth and, for this reason, want to offer reasons that all can understand and accept. In addition to a commitment to reciprocity, public reason requires respect and toleration, as well a recognition of what Rawls calls the burdens of judgment, whereby citizens admit that reasonable people may come to different but equally reasonable conclusions regarding principles and policies, based upon their differential access to information, different modes of interpretation and evaluation, different life experiences, and the fundamental complexity of many issues (1996, 54–58). Warren alluded to the burdens of judgment when he said of Obama and McCain, “They both care deeply about America...and they have very different ideas on how America can be strengthened” (Obama and McCain int. by Warren 2008). This recognition—and the respect that comes with it—is the first step toward achieving public reason.⁴

The widespread exercise of public reason would alleviate many of the maladies afflicting political discourse today, especially those that arise from misunderstanding, exaggeration, vilification, misrepresentation, and bad faith. Eliminating these distractions from political discourse will likely uncover some shared values, even if they are rather minimal. Fair and accurate representation of political differences may engender a spirit of compromise rather than tit-for-tat political attacks. Furthermore, good-faith political interactions may strengthen citizens' commitments to democratic practices by allowing political losers to see that the views of political winners are considered and reasonable, even if they still believe they are wrong. In short, a discourse in the spirit of public reason would be less hostile and more open to real communication among citizens.

As I noted earlier, Rawls is somewhat ambivalent regarding whose discursive activity public reason is intended to guide, and when. He explains, first of all, that public reason is intended to identify basic principles of justice and constitutional essentials. Hence, we must ask if public reason is to be limited to founding moments, or if instead it should be extended to any political

discourse that addresses issues of fundamental political importance. Even these categories are elusive: What counts as basic, essential, or fundamental? While Rawls (1996, 215) seems to want to limit these matters to voting rights and personal liberties, he also suggests, in practically the next breath, that other questions, such as tax legislation, environmental protections, and funding for the arts may also involve fundamental matters. It seems that no political matter exceeds the range of those best addressed through public reason. As Rawls (1996, 215) tells us, "It is usually highly desirable to settle political questions by invoking the values of public reason."

But who is supposed to exercise public reason? At times Rawls seems to suggest that public reason is primarily the reason of judges, government officials, and candidates for public office, whereas citizens will only exercise public reason sporadically, when they select candidates for office and evaluate the performance of those in office. Here he suggests, "Ideally citizens are to think of themselves *as if* they were legislators and ask themselves what statutes, supported by what reasons satisfying the criterion of reciprocity, they would think it most reasonable to enact" (Rawls 1997, 769). This suggests a very limited range of situations in which citizens will exercise public reason.

Other passages suggest a much broader range of situations in which citizens will exercise public reason. Only a few pages later in the same essay, Rawls suggests that citizens ought to exercise public reason whenever they engage one another on political matters. Indeed, in *Political Liberalism* Rawls (1996, 216) tells us that limiting public reason to judges and legislators "does not go far enough." It is important to note here the distinction Rawls draws between the public realm of officials and candidates; the public, political culture where citizens engage one another politically; and the "background culture" of civil society—churches, private associations, media, and the like. It goes without saying that citizens in the background culture are not limited by the strictures of public reason and may freely refer to their comprehensive worldviews. But the public, political culture is another story. Here we can still refer to our comprehensive religious and philosophical doctrines, "provided that, in due course, we give properly public reasons to support the principles and policies our comprehensive doctrine is said to support" (1997, 776). This suggests that public reason applies not just to judges and officials and not just sporadically to citizens, but also to political discourse more generally—to the broader public,

political culture. An important condition of deliberative democracy, Rawls (1997, 772) tells us, is a desire among citizens “generally to follow public reason and realize its ideal in their political conduct.” On this interpretation, public reason has a very broad scope.

Rawls’s ambivalence regarding public reason may stem from his attempts to respond to critics who worry that public reason places unreasonable limits on the nature of discourse in civil society, that it brackets serious moral questions, and that it entails an impossible level of self-restraint (Weithman 2001; Wolterstorff 1997; Sandel 1994). Rawls’s emphasis on judges and legislators may be intended to assuage his critics. But he also sees the potential of public reason as a general disposition among the citizenry. Ultimately, Rawls wants us to view public reason as the ideal disposition for political engagement and discourse, no matter who the discursive agents are and regardless of whether their concerns are sufficiently fundamental.

In this book I will, like Rawls, assume that public reason is the ideal manner of engagement in public, political culture. Of course, it cannot be mandated. But it should be encouraged in public discourse that is intended to represent or shape political views: we should encourage politicians, candidates and those in the public spotlight, as well as our fellow citizens, to engage in civil, tolerant, reasoned discourse that is informed by the values of reciprocity and a recognition of the burdens of judgment. We should encourage one another to appreciate the value of shared values and, furthermore, to offer mutually meaningful reasons to fellow citizens.

We can ask at this point if the Saddleback Forum is really an appropriate case study for discussing public reason. After all, it took place in a church, was moderated by a pastor, and was specifically designed to explore divisive moral and religious matters. The forum offers a relevant and interesting case study for precisely these reasons. It highlights the general mode of discourse that public reason should engender—serious, civil, and open. It illustrates Rawls’s (often overlooked) insistence that citizens can indeed bring their religious and ethical convictions with them into the public square, provided that they give public reasons for their political arguments “in due course.” And in Obama’s discussion of abortion we find a clear example of a public reason—a reason he believed (perhaps too optimistically) would be meaningful to Americans on both sides of the abortion debate. The Saddleback Forum is not, perhaps, an *ideal* case of public reason. But it offers a glimmer of hope that such dispositions and commitments could gain

ground in political discourse. This book, with its emphasis on the pedagogy of public reason, aspires to nudge political discourse in this direction.

There is one final point to be made regarding the nature of public reason. Because it applies to all citizens engaging all political matters, it is crucial to recognize this discourse as ongoing. To the extent that public reason is a “consensus theory,” it is a theory of *consensus seeking* and not of establishing immutable consensus. Public reason does not suppose that any set of shared values in society would be rigid and unchanging. Like the political process itself, seeking shared values is ongoing and provisional. This is the heart of public reason; it is the process itself that improves the quality of discourse and uncovers principles for political resolutions. What counts as “shared” is always open for debate, challenge, and clarification.

This is notably similar to Gaus’s (2011, 446) account of “real public reason,” in which “the aim of moral theory is not to paint pictures of an ideal world but to show how we can achieve a real social morality that meets the test of moral acceptability of the real reason of moral agents.” The aim here is not an *ideal* moral order, but rather a *free* moral order comprised of rules that everyone has a reason to “endorse as authoritative” (322). The outcome may not be the best from any particular philosophical outlook, but it is acceptable to all, which renders it consistent with the freedom of all. The real work of identifying the “socially acceptable set” of rules is similar to the consensus seeking I have described as having no end, insofar as that socially acceptable set will change over time as group membership changes and as members themselves change.

Public reason does not promise to eliminate political conflict or solve all of our problems, but the widespread exercise of public reason would lead to a *better* politics than what we have today—better able to frame political choices without distorting contending views, better equipped to find compromise on the basis of shared values, better able to cushion political losses in light of clearer mutual understanding, and more likely to produce policies that are widely regarded as legitimate, even if some citizens still regard them as wrong.

Public reason and its critics

Skeptics will wonder if public reason and the search for mutually meaningful reasons is really so wonderful. Won’t it silence views that can’t be

easily absorbed in a consensus? Conversely, might consensus not form around deeply objectionable principles? Isn't public reason unnaturally constrained and devoid of the deep moral argumentation we need in order to resolve difficult political questions? In the following pages I elaborate on and respond to these concerns.

Public reason first faces a cluster of related concerns regarding the value of shared values. This concern can take the form of postmodern complaints against hegemony, as when Michel Foucault (1998) claims that any attempt to find shared moral values is necessarily coercive and "catastrophic." This position appreciates values pluralism, to be sure, but doubts that there can be any underlying values that are common to all or most citizens. Any attempts to find these values will, in the end, require a process of "normalization" which undermines the authentic aims of diverse groups.

Bonnie Honig lodges a similar complaint against Rawls, insisting that he is oblivious to the power, violence, and tragedy that are inevitable in any political arrangement. Rawls is, she tells us, unwilling to admit that justice as fairness will leave "remainders"—members of society who cannot be incorporated and who remain tragically outside the overlapping consensus (Honig 1993, 127). While it is worth noting that Honig bases these observations on *A Theory of Justice* and not in light of later articulations of political liberalism and public reason, there is nevertheless an issue here that must be addressed. Is public reason unacceptably exclusionary?

It is certainly true that some people will never be able to exercise public reason. For them, the value of public reason—even as a *modus vivendi*—cannot outweigh their commitment to institutionalizing their own private worldviews. For these people, their beliefs are true, and as such, ought to provide the organizing principles of society. The fact that others do not share their beliefs does not lead such true believers to mediate their political aims, but rather to intensify them. By definition, Rawls (1996, 61) tells us, this is unreasonable. In Honig's terminology, these are among the tragic remainders of public reason; since such true believers are unreasonable, they cannot participate in political discourse among the reasonable.

Similarly, Stephen Macedo argues that Rawls is not entirely candid regarding the exclusionary nature of political liberalism: Macedo's (1990; 1995) own "liberalism with a spine" insists that we accept such exclusion as a necessary feature of political life. I will take up this critique shortly. As far as "tragic remainders" go, there is no satisfactory alternative to the ongoing

search for consensus. Any other approach to politics will, by definition, be coercive for some citizens. The low-level exclusion that results from public reason is better than any alternative; if true believers had their way, the level of exclusion would be much higher (Macedo 1995, 484). The question is how much exclusion we ought to accept. As I will argue, Rawls and Macedo are both willing to accept more exclusion than necessary. We can and should do more to bring these “tragic remainders” into the fold.

Even if some low level of exclusion is acceptable, advocates of agonistic politics insist that we ought not prize consensus so much. Accordingly, efforts to find shared values come at the expense of diversity, innovation, and the possibility that we can learn and achieve more if we let conflicts play out, rather than trying to stop them at the gate. Honig’s “politics of argumentation” celebrates dissonances, fissures, and contestation as the conditions of authenticity, while insisting that consensus forecloses possibilities, “displaces politics,” and rigidly constitutes subjects.

This concern can be addressed through the recognition that public reason is consensus seeking and not consensus establishing. It need not enforce homogeneity or suppress argumentation. Indeed, consensus seeking does not foreclose “the contest”—citizens have ample opportunities to make deep, moral arguments regarding what matters most in life. But when it comes to political matters, even contests depend upon some shared values: How can the outcome of a discursive political contest ever be determined if there is no shared language of persuasion? Political contests that lack a shared language of persuasion can only lead to a revolving-door vision of politics, whereby different groups move in and out of office, depending upon their political fortunes, but mutual understanding and transformation remain beyond reach. Moreover, there is no reason to assume that political contests will ever favor “tragic remainders.” Even the most vibrant political contests can be exclusionary, enforcing and reinforcing the inability of some to enter into meaningful political activity. Some remainders might always remain.⁵

Honig’s appreciation of the contest is similar to the position of deliberative democrats who worry that public reason forestalls deep moral argumentation by focusing on a small set of shared values while ignoring a rich field of contested values, leading to an impoverished moral-political discourse ill-equipped to address the scope of many political problems. As Benhabib (1991, 147) asks, “If I am deeply committed to the belief that

the prevalent conceptions of sexual division of labor in our societies are morally wrong because they oppress women ... why should I agree not to do the best I can to make this a public issue and convince others of my point of view? As I earlier discussed, public reason does not ask citizens to forgo this kind of discourse. This morally loaded argumentation is always appropriate in civil society. It is equally consistent with public reason in the public, political culture, provided that public reasons are offered in due course. Indeed, argumentation in a pluralistic political culture can only be convincing if it refers to some set of shared, "public" reasons; for example, if certain persons are unbothered by the oppression of women, you cannot persuade them otherwise without appealing to reasons they will understand and that you presumably share with them, such as the moral worth of all people. If someone does not share the belief that all people are morally equal, then no amount of moral argumentation will be persuasive. Shared reasons are fundamental to moral persuasion.

For deliberative democrats, the persistence of moral disagreement necessitates ongoing moral conversation:

For those moral conflicts for which there is no deliberative agreement at present, ongoing deliberation can help citizens better understand the moral seriousness of the views they continue to oppose, and better cooperate with their fellow citizens who hold these views. Deliberation promotes an economy of moral disagreement in which citizens manifest mutual respect as they continue to disagree about morally important issues in politics. (Gutmann and Thompson 1996, 43)

This is notably similar to my conception of public reason as ongoing and consensus seeking rather than consensus establishing. Public reason does not forbid moral argumentation nor does it avoid political conflict. Instead, public reason welcomes moral argumentation as the basis for identifying shared values. It offers the possibility of more productive conflicts, rather than the elimination of conflict. For example, public reason won't resolve political conflicts over same-sex marriage. But if advocates on both sides of the controversy appreciate their mutual recognition of the moral worth of stable relationships, for instance, perhaps their discourse would be less vitriolic and more concerned with mutual understanding and compromise. Even if conflict is a vital, energizing element of politics, a reduction in hostility and an increase in understanding should be regarded as a gain, as it clears the way for a more productive and to-the-point conflict. As I see it, public reason is not substantially different than deliberative democracy.

Rawls (1997, 772) also makes this point, albeit in a footnote of "The Idea of Public Reason Revisited."

Consensus-based theories and public reason face another serious challenge from those who wonder if we must accept any consensus even if it is built around values that are clearly objectionable (Hampton 1989; Raz 1990). Does public reason and the search for shared values promote agreement over truth or goodness? As I discussed in the introduction, this concern emerges when we give empirical public justification priority over normative public justification. For instance, should we be equally satisfied with consensus regarding the goodness of robust civil rights or consensus regarding the goodness of Jim Crow? Joseph Raz (1990, 16), a key critic of Rawls in this regard, provides the answer when he says that a successful procedure would show itself to be true, by virtue of its wide acceptance. This is, for Raz, a significant departure from what he sees as Rawls's refusal to suggest that the content of the overlapping consensus would necessarily be true. But Rawls is not actually so far from Raz's position; he says, "It would be fatal to the idea of a political conception [of justice] to see it as skeptical about, or indifferent to, truth, much less as in conflict with it. Such skepticism or indifference would ... defeat from the outset the aim of achieving an overlapping consensus" (Rawls 1996, 150).

The point is this. If individuals can find within their diverse worldviews the reasons to support a conception of justice, then it has already passed their test of truthfulness or reasonableness. They can certainly be wrong in their evaluation, but so could anyone else. It may be that consensus leads to a greater certainty of veracity, since it implies that a principle has passed many tests of truthfulness and reasonableness that have used many different standards. Of course, it is possible that every worldview in question wrongly endorses an objectionable conception of justice. But under these circumstances, I fail to see how a normative account per se avoids the problem, as the philosophers who would presumably provide a better normative account might also belong to the overlapping consensus. The Nazi regime, supported as it was by many philosophers, is a case in point.

Consensus seeking may be a more reliable protection against evil than relying solely on normative accounts. As Rawls (1996, 128) says, if a consensus is endorsed by even one worldview that is "true" or "right," then the content of the consensus must itself be true: "If any of those reasonable comprehensive doctrines supports only true moral judgments, then the

political conception itself is correct, or close thereto, since it is endorsed by a true doctrine." Public reason is not a slave to agreement at the expense of "truth"—it is just as likely to aid in the search for truth as a strict reliance on normative principles, which can, in the real world, be adopted regardless of whether they are "right."

Public reason and "true believers"

Many citizens of faith object to public reason's apparent exclusion of religious reasons from political discourse, particularly in light of the important role that religious argumentation played in both the abolition of slavery and the civil rights movement, including most memorably the work of Martin Luther King Jr. Proponents of public reason appear to be stuck here between their obvious admiration for abolition and civil rights and their principled rejection of authoritative religious reasons in the public square. Rawls knows that he must address these tough cases. He assures us that:

The abolitionists and the leaders of the civil rights movement did not go against the ideal of public reason; or rather, they did not provided they thought, or on reflection would have thought (as they certainly could have thought), that the comprehensive reasons they appealed to were required to give sufficient strength to the political conception to be subsequently realized. ...The abolitionists could say, for example, that they supported political values of freedom and equality for all, but that given the comprehensive doctrines they held and the doctrines current in their day, it was necessary to invoke the comprehensive grounds on which those values were widely seen to rest. (Rawls 1996, 251)

Accordingly, it is consistent with public reason to invoke religious reasons when they might be reasonably regarded as necessary from a pragmatic or strategic point of view, even if this is not actually the rationale employed. More germane to these particular historical examples, Rawls insists that abolitionists and civil rights leaders could have easily provided public reasons for their views. This is a looser formulation of the proviso Rawls (1997, 776) later develops in "The Idea of Public Reason Revisited," in which he tells us that public reason "allows us to introduce into political discussion at any time our comprehensive doctrine, religious or nonreligious, provided that, in due course, we give properly public reasons to support the principles and policies our comprehensive doctrine is said to support." Abolitionists and civil rights leaders satisfy this proviso, he continues, because their arguments were consistent with basic constitutional principles (785).

Richards (2003–2004) makes a similar case for Martin Luther King Jr., insisting that he offered two parallel arguments in favor of civil rights: a Judeo-Christian argument and a secular, constitutional argument, thereby satisfying the requirements of public reason.⁶ I am not in a position to say whether “the existence and providence of God is the point of departure and arrival for King,” as some have insisted in an effort to show that public reason cannot accommodate the important contributions of religion in public discourse (Dyer and Stuart 2013, 161). But I can say that political liberalism is intended to accommodate people whose moral universe begins and ends with absolute values that are not necessarily shared. That is not really what is at stake here. King can be privately motivated to seek social justice for religious reasons while also offering appropriately public reasons why others should support his efforts. The constitutional thread running through his thought provides those reasons. For example, in his “Letter from Birmingham Jail,” King makes frequent references to constitutional rights, the right to vote, the First Amendment, and the Supreme Court’s decision in *Brown v. Board of Education*.

The parallel religious thread was an effective way to incite moral indignation, given historical exigencies, which Rawls allows in light of the great public good for which it aims (which could easily be defended with public reasons). MLK’s religious rhetoric inspired many people who might not have otherwise come to appreciate the civil rights movement. MLK’s religious argumentation was specifically meant to instigate change among the faithful; he is speaking a language he thinks they will understand. This is especially apparent in the “Letter from Birmingham Jail,” in which he explicitly shames white pastors for failing to live up to Christianity’s “sacrificial spirit,” warning them that, “the judgment of God is upon the church as never before” (King 1963). In any case, the proviso seems to accommodate MLK and abolitionists, and highlights the permissibility of religious discourse, provided it isn’t invoked as *the* universally authoritative reason for endorsing a rule or principle.

Of course, some critics of public reason reject the premise that legitimacy requires empirical public justification at all. Accordingly, we set our sights too high when we seek citizens’ genuine endorsement of basic principles and laws; it is enough for citizens to remain law abiding. As Weithman (2001) tells us, instrumental support for the political system “can be stabilized by habit and allegiance to institutions that are perceived to be

decent and satisfactory if suboptimal." So long as a regime is better than any immediately available alternatives, this "tacit consent" is sufficient. Similarly, Wolterstorff (1997) insists that the search for consensus is unrealistic and unnecessary, as principled citizens can surely abide by political outcomes they do not agree with, simply by committing to majority rule. Przeworski (1991) also insists that strategic calculations regarding the benefits of maintaining rather than destroying the system provide sufficient support for democratic institutions. As I have said, however, a commitment to majority rule and "suboptimal" outcomes is easily shaken when it leads to permanent minorities.

Even more strikingly, Wolterstorff (2001, 241) offers with apparent approval the argument that, "If there's a great good at stake, then a great deal of coercion is justified." He follows this by noting that Christians may sometimes only accept the liberal polity because "it's the least bad among the options which have any chance of being realized." Accordingly, a *modus vivendi* is established on the grounds that dissenters are not in a position to enforce their own preferences. Wolterstorff seems to confirm here my suspicion that a shift in the balance of power could easily lead some citizens to believe themselves justified in coercively enforcing their own preferences on other citizens. For this reason, I insist that democratic legitimacy depends upon empirical public justification and not just a commitment to majority rule. Empirical public justification, in turn, depends upon public reason.

Nevertheless, critics like Wolterstorff raise a very serious charge against public reason, insisting that it places an unacceptable burden on some citizens, particularly citizens of faith, whose worldviews deny the value of compromise in matters of religious and moral import. True believers—those who reject compromise, modesty, toleration, and reciprocity—pose the biggest challenge for public reason, not because they are religious, but because they do not recognize the value of tempering their beliefs in the political process in order to achieve political outcomes that they and their fellow citizens will find mutually satisfying. "True belief," as I have defined it here, is antithetical to public reason.

Of course, it is often overlooked but worth noting that secularism has its own true believers—those unwilling to compromise with citizens of faith whose processes of ethical judgment they regard as little more than superstition. There is no monopoly on intransigence! While critics of public reason

typically focus on the burdens imposed on citizens of faith, it seems to me that the burdens fall equally on all true believers, religious or secular. To the extent that the burden appears lesser for secular citizens, it is only due to the coincidence of their views and particular policies. Moreover, while some secular citizens resist public reason, some citizens of faith promote it. The theologian Reinhold Niebuhr tells us, "Religious faith ought ... to be a constant fount of humility; for it ought to encourage men to moderate their natural pride and to achieve some decent consciousness of the relativity of their own statement of even the most ultimate truth." Niebuhr insists that we must allow that others may be right even when we are certain that they're not. We must, moreover, make sure that "the actual fruits of other faiths be generously estimated." Niebuhr's account demonstrates how public reason can be reconciled with some articulations of faith and religious doctrine (Niebuhr 1944, 135, 137).⁷

None of this is to say that one cannot hold deep convictions while also practicing public reason. But it does require one to resist the temptation to impose one's preferences on others by somehow coercing them or circumventing or corrupting the democratic process. Public reason urges us to recognize the burdens of judgment that lead different people to hold different convictions with equal certitude, and it requires us to seek mutually satisfying outcomes to the greatest extent possible. This requires all of the dispositions and commitments I have already discussed, including toleration, a willingness to compromise, and a desire to find solutions that will be acceptable to as many people as possible.

It is true believers who Rawls disregards as unreasonable, and whom, I argue, we ought to try harder to include in the political process. These are the people most likely to challenge the stability and legitimacy of the liberal democratic regime. And they are the people for whom it will be the hardest to exercise public reason, as it seems to demand of them that they bracket their private worldviews (Sandel 1994) when they enter political discourse, relying instead upon suitably public and shared values. This is often understood as depending upon the bifurcation of moral character, whereby citizens artificially split their character into two or more separate parts. Accordingly, one part of their character operates in the public sphere, abiding by the strictures of public reason, while another part operates in the private sphere, informed by their full set of commitments and convictions. This bifurcation meets two critiques. First, some argue that it is

ontologically impossible to bifurcate the self in the way that public reason seems to require. As I will discuss in the following chapter, not only is this kind of division of moral labor possible, but it is also common. We split and compartmentalize various aspects of our characters all the time, as we shall see.

The second critique accepts that such a bifurcation is possible, but insists that it is profoundly unfair, threatening the integrity of ethical character, particularly for “persons for whom it is a matter of religious conviction that they ought to strive for a religiously integrated existence” (Wolterstorff 1997, 177). This is a serious charge, and one that Rawls is unable to address, largely because he insists that public reason is impartial among views of the good. As he tells us, “If metaphysical presuppositions are involved, perhaps they are so general that they would not distinguish between the distinctive metaphysical views” (1985, 240n). This suggests that the holder of any reasonable worldview could find, within the resources of her worldview, the justification for adopting public reason. But there is no reason to think that this is the case—some worldviews do not endorse compromise or anything like public reason. For instance, if an individual believes that revelation is the only process for arriving at truth, she will likely be unable to accept that public and secular reasoning can produce preferences worth considering.

When Rawls tells us that public reason is compatible with any reasonable worldview, he defines away as unreasonable the true believers I have described. The reasonable citizens who are left provide the justification for public reason by demonstrating how their diverse worldviews nevertheless overlap on a Rawlsian conception of justice, albeit with each worldview endorsing justice as fairness in its own way (1985, 247). Because Rawls only includes “reasonable” citizens, the congruence these people enjoy between their worldviews and “justice as fairness” is definitional; it’s built into the theory. This helps to obscure the costs that public reason exacts on both an individual and societal level. On an individual level, it defines away those whose worldviews cannot endorse public reason or justice as fairness. On a societal level, it excludes from consideration the “unreasonable,” thereby threatening stability and weakening legitimacy. In short, the emphasis on reasonable citizens implies that we needn’t justify our liberal regime to those unreasonable enough to fail to grasp its superiority over alternatives.

But this is a narrow kind of justification, indeed, if those least persuaded by the liberal regime are permanently excluded from the process of

justification. For the sake of both stability and legitimacy, we must do a better job of including these “unreasonable” and “illiberal” true believers. As I will endeavor to show in the remainder of this book, it is possible for individual true believers to develop a commitment to public reason that exists alongside their other and likely contending (that is, illiberal) worldviews. This means that citizens can develop a habitual, dispositional commitment to public reason in the public sphere even when their worldviews provide no doctrinal reasons to support public reason. *Public reason provides its own reasons, independent of one’s worldview, for adopting the habits of public reason in the public sphere.* Bringing these claims to life requires adopting a psychological perspective that Rawls largely eschews, as I will discuss in chapter 2.

First, however, it may be useful to put Rawls in a larger context of democratic political theory. Notably, Jürgen Habermas and William Connolly are also interested in the problem of public justification in pluralistic democracies. Their proposed solutions to this problem are susceptible to the same critique as Rawls; neither of them provides an adequate response to the problem of exclusion. This suggests that Rawls’s inability to incorporate true believers is not a personal failing, but, rather, a serious and perhaps intractable problem in pluralist liberal democracies. The following section demonstrates how serious the problem is. Chapter 2, if I am successful, will give us some hope that it is not entirely intractable.

A foot in both worlds? Habermas and Connolly

Habermas (2006, 9) is impressed by the magnitude of the challenges posed by pluralism in liberal societies, particularly the “undue mental and psychological burden” that liberal politics imposes on citizens of faith. Upon his interpretation, public reason unnecessarily exacerbates this burden by demanding that citizens offer mutually meaningful reasons in political discourse. It can be argued that Habermas fails to appreciate the extent to which Rawls allows religious reasons in discourse, provided that, *in due course*, secular, public reasons are given. Even if he does appreciate Rawls’s way of thinking, he nevertheless objects to the requirement that religious citizens eventually offer secular reasons; he insists that religious citizens must be permitted to offer religious reasons, *until the very end*. Habermas (2006, 5, 10) offers two explanations for why religious reasons must be included in discourse. First, as a matter of principle, it is unfair to exclude

them. Second, religious perspectives may offer valuable insights that are unavailable to secular worldviews and their exclusion could “cut [dialogue] off from key resources for the creation of meaning and identity.”

While Habermas is committed to the inclusion of the faithful in political discourse, he also knows that only secular, public reasons can be ultimately decisive in politics. Echoing Rawls, he says, “A rule that cannot be justified in an impartial manner is illegitimate as it reflects the fact that one party *forces* its will on another” (Habermas 2006, 10). Ultimately, if religious reasons are to have any influence on political outcomes, they must first be translated into secular reasons. This is where it gets interesting. Habermas tells us that the burden of translating religious reasons into secular reasons ought not fall exclusively on religious citizens. Instead, their fellow citizens should do so on behalf of religious citizens who are unable or unwilling to do so themselves. Habermas calls this the *institutional translation proviso*:

Every citizen must know and accept that only secular reasons count beyond the institutional threshold that divides the informal public sphere from parliaments, courts, ministries and administrations. But all that is required here is the epistemic ability to consider one’s own faith reflexively from the outside and to relate it to secular views. Religious citizens can well recognize this ‘institutional translation proviso’ without having to split their identity into a public and a private part the moment they participate in public discourses.... Given that they may only express themselves in a religious idiom under the condition that they recognize the institutional translation proviso, they can, trusting that their fellow citizens will cooperate for accomplishing a translation. (Habermas 2006, 9–10)

When Habermas tells us, “All that is required here is the epistemic ability to consider one’s own faith reflexively from the outside,” he seems to suggest that this is less demanding than public reason. But once an individual has acquired this ability, she has already taken a critical step toward public reason. Moreover, this citizen must be open to the possibility of other citizens providing translations on her behalf. Implicitly, she must accept that her political relevance will be contingent upon the good-faith efforts of other citizens to make secular sense of her religious claims.

Practically, this is a difficult concession. Why should she trust someone else to do something that she herself is unwilling or unable to do? If she is unable to provide such a translation—that is to say, she cannot conceive of any possible way that her religious views could be translated—then she will have no criteria for determining whether the translations of others are fair or accurate. (Furthermore, we have no reason to believe such a translation

is even possible if those with the most “insider” information are unable to provide it.) If she is unwilling to provide the translation, then she will have no reason to accept a translation provided by others, since she rejects the very premise of translation.

So the proviso seems problematic from the perspective of citizens of faith. But what about the secular citizens upon whom it falls to accomplish this translation? What incentives do they have? What will prepare them for this challenging task? Imagine a secular citizen who must somehow translate a religious citizen’s advocacy of traditional gender roles. How to secularize the claim that “a woman’s place is in the home”? What would convince secular citizens to even bother? Even if their cooperation could be ensured, we are left with citizens of faith who must accept not just the premise of translation but also the particular outcome of any given translation. Habermas tells us that his account frees citizens of faith from the risk of bifurcation, but I fail to see how a citizen of faith, unable or unwilling to translate her own views, could find satisfaction in Habermas’s proposal without something akin to a bifurcation of her views into a comprehensive, private doctrine, on the one hand, and an openness to the translated, public, and secular version, on the other. The only burden that Habermas’s *institutional translation proviso* relieves these citizens of is the burden of having to do the translation themselves. But the psychic burden of accepting such a translation remains.

Connolly offers a parallel account of democratic politics, which he calls the *bicameral orientation to citizenship*. Accordingly, “tolerance of negotiation, mutual adjustment, reciprocal folding in, and relational modesty” shape exchanges in the public sphere, presumably even when these dispositions are not central to the internal practices of diverse religious and philosophical outlooks (Connolly 2005, 67). Connolly’s description of the bicameral orientation to citizenship is also worth quoting at length, in order to appreciate the parallels between this account, Habermas’s institutional translation proviso, and Rawls’s public reason:

There is, first, the faith, doctrine, creed, ideology or philosophy ... that you adopt as an engaged partisan of the world. Marxism, say. Or a branch of Christianity. Or a particular version of science. Or Hinduism, Islam, [O]rthodox Judaism, Kantianism, Rawlsianism, neoconservatism, or pragmatism. There is, second, the engrained sense that you should exercise presumptive receptivity toward others when drawing that faith, creed, or philosophy into the public realm. You love your creed; you seldom

leave it entirely in the closet when you enter politics. But you appreciate how it appears opaque and profoundly contestable to many who do not participate in it; and you struggle against the tendency to resent this very state of affairs. Pluralists adopt a bicameral orientation to political life...It is not necessary to be either an effete intellectual or a hero to adopt a bicameral orientation in politics. A decent respect for the persistent diversity of the human condition suffices. (Connolly 2005, 4)

Like Rawls and Habermas, Connolly takes as his starting point the certitude with which many individuals regard their worldviews. He is aware that the views we hold with absolute certainty may make little sense to others, just as Rawls's recognition of the burdens of judgment suggests, and he points to the "presumptive receptivity" with which we should engage one another. Such an orientation toward citizenship, he tells us, must rest on our mutual acceptance that none of us can be the "authoritative embodiment" of the culture (Connolly 1999, 6).

The bicameral orientation to citizenship is certainly more straightforward than Habermas's institutional translation proviso. But does it escape the larger challenges that face other versions of public reason? Connolly tells us that this account doesn't require heroes; he insists his ideal is accessible to anyone who respects diversity. But here Connolly is susceptible to the same critique as Rawls, namely, that he defines away those without an adequate respect for diversity, while they are in fact those most in need of inclusion. It is precisely those who don't care about diversity per se who believe they ought to be the "authoritative embodiment" of culture. When someone is certain they are right, they believe they are doing other people a favor by forcing their views upon them.

Connolly (2005, 67) describes the bicameral orientation as keeping "a foot in two worlds"—the private world in which we enjoy our worldviews with certitude, and the public, political world whereby we moderate our certitude in order to negotiate with one another. This metaphor only highlights what the modifier "bicameral" already suggests: Connolly's version of public reason is as dependent upon bifurcation as any other. While at times Connolly (2005, 65) seems to recognize this, at others he suggests, like Rawls, that the holders of most worldviews could find internal reasons for behaving thusly, suggesting that these political commitments "are already operative to some degree in many, perhaps most, faith practices." But Connolly is overly optimistic about the prospects of homegrown bicameralism. As we know, some worldviews do not endorse a spirit of compromise and

generosity toward contending views and some citizens do not care to establish empirical consent among fellow citizens, preferring to devote their energies to pursuing policies and regimes that reflect their own “true” views. These true believers will not be moved by public reason, the institutional translation proviso, or the bicameral orientation to politics.

Rawls, Habermas, and Connolly cannot escape the fact that public reason seems to leave a significant number of true believers on the horns of a dilemma: they can either maintain their true beliefs and risk permanent exclusion from democratic politics or they can bracket these true beliefs, bifurcating their moral character in a way that seems to trivialize their beliefs. Indeed, these seem like the only options so long as we begin with an assumption that moral character is generally unified and consistent. But a psychological perspective shows a way between the horns, by embracing and exploiting the differentiation of moral character that is in fact the norm. It is, as I have suggested, possible to develop a habitual, dispositional commitment to public reason in public, political spheres, while maintaining other and even contending commitments in other domains.

As I argue in chapter 4, this is the least bad option. When faced with intransigent illiberal citizens who are unwilling to compromise in matters of politics, there are only three options available in modern liberal democratic polities. First, we can allow them to undermine liberal institutions in their efforts to institutionalize their own worldviews. A liberal polity must protect its institutions and guiding principles, particularly toleration and liberty for all, and hence cannot turn a blind eye to such efforts. Second, we can forcibly “liberalize” illiberal citizens, through strict educational practices and by refusing to support any articulation of their illiberal views. This violates the liberal commitment to liberty and the freedom to hold illiberal views, as I discussed in the introduction. Finally, we can exploit our differentiation of character, encouraging such citizens to exercise public reason in political discourse while remaining agnostic toward their other and even contending views in other domains. If this is unfair, it is the least unfair option among those that are compatible with a liberal democratic polity. We should, for this reason, prefer it.

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