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PUBLIC REASONS, COMPREHENSIVE REASONS, AND THE INTEGRITY OBJECTION

by

STEPHEN HERMAN

Under the Direction of Christie Hartley

ABSTRACT

In this paper, I defend Rawlsian Political Liberalism from the integrity objection. Integrity objectors claim that political liberals unjustifiably exclude certain religious citizens from making use of their religious values when voting upon basic principles of justice and constitutional essentials. I argue, first, that the integrity objection does not apply to political liberalism. Second I claim that there is a place in the public, political culture for citizens to make use of their comprehensive values. Third, I argue that attempts to reformulate political liberalism to avoid the integrity objection are ultimately unsuccessful.

INDEX WORDS: Public Reason, Integrity Objection, Political Liberalism

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by

STEPHEN HERMAN

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by

STEPHEN HERMAN

Committee Chair: Christie Hartley

Committee: Andrew Altman

Andrew J. Cohen

Electronic Version Approved:

Office of Graduate Studies

College of Arts and Sciences

Georgia State University

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1 OVERVIEW

Some critics of political liberalism claim that the view unjustifiably coerces religious citizens into giving public reasons for their political positions. This is known as the integrity objection. These critics claim that, because religious beliefs can comprise the totality of a religious person's life, to exclude these beliefs from playing a justificatory role in public political debate is unjustifiable. Interestingly enough, oftentimes those who raise this objection claim that they accept political liberalism as a theory. They merely think that it needs to be revised so as to avoid this objection. My core aim in this thesis is to both dispute the objection itself, and likewise dispute those liberals who seek to alter political liberalism.

In my first section, I explain Kevin Vallier's formulation of the integrity objection. Political liberals require that when voting on basic principles of justice and constitutional essentials, legislators appeal solely to shared political values to justify those principles. However, by nature, religious values are not political values. This is due to the fact that religious values are not shared by all members of society. Vallier claims that this exclusion of religious justifications from public political debate violates religious citizens' freedom of conscience, and is unjustifiable. In response to this I argue that because religious citizens in a politically liberal society are reasonable – that is, because they accept that other people reasonably hold different beliefs than they do, and because they seek fair terms of cooperation with their fellow citizens – they accept that appealing to their own comprehensive doctrines as justification for basic principles of justice and constitutional essentials is unjustifiable. Further, political liberals provide places in the public political forum for citizens to make use of their comprehensive doctrines. Here, the role of a comprehensive doctrine is explanatory rather than justificatory. For these reasons, the integrity objection does not apply to political liberalism.

In the second section I then turn to one attempt to alter political liberalism so as to avoid the integrity objection. In their paper “The Roles of Religious Conviction in a Publicly Justified Polity,” Gerald Gaus and Kevin Vallier highlight all the features of political liberalism that they think make it vulnerable to the integrity objection. They claim that political liberals err in their development of the theory but that properly revised the view can survive criticism. I, however, deny that such errors actually exist. I do this by showing that Gaus and Vallier’s critiques are themselves based on errors in understanding the core commitments of political liberalism. Once we understand these commitments, we will see that these alleged errors are non-existent.

It is important to note that I will only defend one version of political liberalism in this thesis: Rawlsian political liberalism. This means that it is possible – and perhaps likely – that there are conceptions of political liberalism which are prone to both the integrity objection and the errors of explication. My aim is solely to show that if there is a version of political liberalism which is not prone to the integrity objection, then it is *prime facie* preferable. Likewise, if there is a version of political liberalism which is not subject to the errors of explication, then there is no reason why political liberals ought to feel the need to alter political liberalism to account for these errors.

2 THE WIDE VIEW OF PUBLIC REASON AS A RESPONSE TO THE INTEGRITY OBJECTION

2.1 Introduction

John Rawls claims that the long-term stability of democratic liberal societies depends on guaranteeing the legitimacy- read acceptability- of basic principles of justice and constitutional essentials. He develops *political* liberalism to offer an account of how this kind of stability is possible. In his theory, he couches the justification for basic principles of justice in public

reasons that appeal only to political values that all members of society can share. Some critics object that Rawls's idea of public reason is problematic because it is unjustifiable to certain religious citizens. On Rawls's view, citizens are prohibited from justifying basic principles on the grounds of their own comprehensive doctrines: yet some religious citizens, it is claimed, will want to make use of their comprehensive doctrines in the public political sphere.¹ This criticism is known as the integrity objection. In this section, I deny that the integrity objection is a problem for Rawlsian political liberals. I do this by showing that the integrity objection - in what I take to be its strongest version² - ignores the wide view of public political culture. I first argue that, because those who raise the integrity objection seek to attack liberalism "on its own terms," the religious citizens it purports to speak for will be reasonable. Due to this, they accept that offering reasons based upon comprehensive doctrines as justification for basic principles of justice would violate the criterion of reciprocity, which they endorse. I next argue that while it is true that the use of reasons based upon comprehensive doctrines to justify basic principles of justice would violate the criterion of reciprocity it would be incorrect to view public reasoning as the only aspect of public political discussion. A proper understanding of the wide view will offer an account of political liberalism that will answer the integrity objection.

2.2 Political Liberalism

There are two impetuses that move Rawls to develop his version of political liberalism. First, Rawls's goal is to develop a theory in which a liberal democratic society is stable, not merely as a *modus vivendi* but stable "for the right reasons." Here he means that citizens hold a

¹ Rawls does think that citizens can make use of their comprehensive doctrines in the public political sphere, but only when proper public reasons are forthcoming. He calls this the proviso.

² I think Kevin Vallier offers the best statement of the integrity objection. See his "Liberalism, Religion, and Integrity," *Australasian Journal of Philosophy* 90 (2012): 149-165.

“firm allegiance” to the basic principles of justice and principles of society.³ In order to attain this, public political discussion must produce legitimate basic principles of justice and constitutional essentials⁴. Thus, in order to achieve long-term stability, Rawls focuses on the justification for legitimate law.

Second, Rawls believes he must account for the “fact of reasonable pluralism”: a society with free institutions will contain a plurality of *reasonable* comprehensive doctrines that conflict with one another.⁵ People who possess “similar powers of thought and judgment” and who are given the same evidence about a particular subject will come to different conclusions about that subject based on facts about their individual psychologies. Those facts which cause this divergence Rawls terms the burdens of judgment.⁶ Rawls does not see reasonable pluralism as a problem for liberals, but he thinks this fact has important implications for theorizing about liberalism.

Rawls thinks that “reciprocity of justification”⁷ is central to political legitimacy and his account of public reason shows how it is possible for his criterion of reciprocity to be met given the fact of reasonable pluralism. If society is to be stable for the right reasons, then the basic principles of justice must be legitimate. However, due to the fact of reasonable pluralism citizens must limit the types of justifications that can be given. If the burdens of judgment did not exist, we might think that there is one right value, or one right set of values, and beliefs which people ought to hold. We would only need to offer justifications based upon those values and beliefs, and reasonable people would accept that those were right. However, given the burdens of

³ John Rawls, “The Idea of Public Reason Revisited,” in *John Rawls: Collected Papers*, ed. Samuel Freeman (Cambridge, MA: Harvard University Press, 1999), 589.

⁴ I shall use basic principle of justice as shorthand for this.

⁵ *Ibid.*, 573–574.

⁶ Rawls provides a comprehensive account of these facts in Lecture II §2 of *Political Liberalism*. This account includes the fact that evidence is often difficult to evaluate, and determining which and to what extent considerations are important is likewise difficult. John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), 56–57.

⁷ Samuel Richard Freeman, *Rawls* (London; New York: Routledge, 2007), 375.

judgment, reasonable citizens acknowledge that reasonable people can disagree about what is of value and how the world is. In other words, persons disagree about the values and beliefs for part or the whole of life.

At this stage, Rawls introduces the criterion of reciprocity: “Our exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions –were we to state them as government officials – are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons.”⁸ The criterion of reciprocity is central for legitimacy: if the criterion is satisfied, then basic principles of justice will be legitimate. Given the fact of reasonable pluralism, Rawls thinks that in order to satisfy this criterion, public justifications must be based upon values that all citizens can share as citizens. These values will include the freedom and equality that all citizens possess and other political values.⁹ When a person gives a justification for a basic principle of justice that is based on “a certain ordering”¹⁰ of shared political values that he reasonably believes other people can accept as reasonable, he is giving a public reason.¹¹

Rawls makes a distinction between public reason for officials in government and for ordinary citizens. Judges, legislators, and political candidates have a legal duty to provide only public reasons in the public political forum.¹² Rawls thinks a duty of public reason also applies to citizens. They must “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

⁸ Rawls, “The Idea of Public Reason Revisited,” 578.

⁹ For Rawls’s account of political freedom see: Rawls, *Political Liberalism*, 19; For Rawls’s account of political equality see Rawls, *Political Liberalism*, 34; For Rawls’s account of other political values see Rawls, *Political Liberalism*, 376.

¹⁰ Ordering refers to the importance that one ascribes to each political value. Although all persons have the same political values, the way they interpret the demandingness of those values can differ.

¹¹ Rawls thinks that any reason that satisfies the criterion of reciprocity is a public reason. However because of the fact of reasonable pluralism the only reasons that can meet the criterion of reciprocity are those supported by shared political values.

¹² For the explication of the different duties imposed on each of these three groups see Rawls, “The Idea of Public Reason Revisited,” 575.

most reasonable to enact.”¹³ He calls this the duty of civility and labels it an “intrinsically moral duty.”¹⁴ Importantly, Rawls does not think that the duty of civility requires citizens to never introduce their comprehensive doctrines into public political discussion. He introduces the proviso which allows citizens to “introduce into political discussion at any time” their specific comprehensive doctrine “provided that, in due course, [they] give properly public reasons to support the principles and policies [their] comprehensive doctrine is said to support”¹⁵

Importantly, Rawls thinks that not every person who engages in public reasoning will adopt the same public reasons, or endorse the same principles of justice. Rather, they will argue for those principles of justice and adopt those public reasons which seem to them the most reasonable.¹⁶ Rawls defines the list of all the principles of justice and constitutional essentials one reasonably supports and the public reasons that one offers as justification for those basic principles of justice as that person’s “political conception of justice.”¹⁷ Rawls thinks there are a myriad of political conceptions of justice that are reasonable. His preferred model is justice as fairness, although he argues that conceptions such as Habermas’ discourse model will also be reasonable.¹⁸

Rawls argues that any reasonable political conception of justice will have certain features.¹⁹ Due to the fact that reasonable political conceptions must be able to *fully determine* the principles of justice one ought to support, they must contain a list of the “basic rights, liberties, and opportunities” that all citizens have access to.²⁰ Likewise they must assign a certain ordering to those values and contain “measures ensuring for all citizens adequate all-purpose

¹³ Ibid., 576.

¹⁴ Ibid., 577.

¹⁵ Ibid., 584.

¹⁶ Ibid., 577.

¹⁷ Ibid., 581.

¹⁸ Ibid., 582.

¹⁹ Rawls uses the term ‘conception’ as shorthand for political conceptions of justice and ‘doctrine’ as shorthand for comprehensive doctrines. I shall do the same. Ibid., 573n.

²⁰ Ibid., 581.

means to make effective use of their freedoms.”²¹ In addition to the requirements for the content of political conceptions of justice, Rawls adds three other conditions. (1) Political conceptions of justice specify only the basic principles of justice, and social institutions- constitutional essentials- that one ought to support. (2) They can be worked out from shared political values alone. (3) They can be presented without reference to any comprehensive doctrine.²² So long as these criteria are met, a citizen has a proper political conception of justice. Rawls states that: “when, on a constitutional essential or matter of basic justice, all appropriate government officials act from and follow public reason, and when all reasonable citizens think of themselves ideally as if they were legislators following public reasons, the legal enactment expressing the opinion of the majority is legitimate law.”²³ Stability of society is achieved when (1) a society is governed by the most reasonable political conceptions of justice or by a “reasonable family of such conceptions”; (2) those political conceptions are supported by political values; and (3) public reasons are offered for basic principles of justice.²⁴

2.3 The Integrity Objection

Political liberalism is concerned with securing the stability of society for the right reasons, by ensuring the legitimacy of basic principles of justice which requires the satisfaction of the criterion of reciprocity. Kevin Vallier claims that by requiring that only public reasons count as justification for basic principles of justice, Rawls’ account of public reasons violates the criterion of reciprocity by unjustifiably abridging the integrity of certain citizens.²⁵ Vallier takes the term integrity to mean that one has fidelity to his/her projects.²⁶ A project is defined as those goals that a person has that persist for extended periods of time, can explain the actions that

²¹ Ibid., 581.

²² Ibid., 584.

²³ Ibid., 578.

²⁴ Rawls, *Political Liberalism*, 391.

²⁵ I use integrity as a technical term in this paper.

²⁶ Vallier, “Liberalism, Religion, and Integrity,” 155.

he/she takes, and structure his/her “reasons and plans.”²⁷ At least for some people, comprehensive doctrines – or aspects thereof - can be considered projects. For example, a fervent Catholic may structure his/her life faithfully in accordance with what the Catholic Church teaches. Also, importantly, political liberals think that integrity is important. As Vallier argues, “public reason liberalism aims to treat citizens as free and equal under conditions of reasonable pluralism, thereby allowing citizens with different conceptions of the good the liberty to act on their projects and plans. Thus, a commitment to public justification implies a commitment to respecting the integrity of citizens.”²⁸ A violation of any citizen’s integrity will be *prima facie* worrisome to liberals.²⁹

When the idea of public reason is adopted by a society, a religious citizen may feel marginalized because he is asked to “privatize” his beliefs.³⁰ This occurs when he is asked to give a public justification for whatever political action he votes for. As Vallier describes it, a public justification can only come from a pool of public reasons which are acceptable by consensus.³¹ Because, for the religious citizen, his comprehensive doctrine is a project, he wishes to use it as the basis for his decisions in all aspects of his life, including the public political sphere. It has a primacy that pervades all aspects of his life, not merely non-political parts. Privatization will require him to “split” his identity between who he is in his political life and who he is in his non-political life.³² Unless justified, the splitting of identities can be considered wrong, because of the commitments that liberals possess to integrity. Thus the integrity objection becomes a demand to justify the privatization of personal doctrines to those with fidelity to their comprehensive

²⁷ *Ibid.*, 156

²⁸ *Ibid.*, 161.

²⁹ It is important to note here that Vallier takes the integrity objection only to be an attack on the duty of civility. He does not think anyone will see it as a problem that judges must be held to only using public reasons to render a verdict. *Ibid.*, 157.

³⁰ *Ibid.*, 149.

³¹ *Ibid.*, 151–152.

³² *Ibid.*, 157.

doctrines or to abandon public reasons altogether. Vallier sees only one way that political liberals can avoid the integrity objection: they must deny that there is really a conflict between integrity and public reason.³³

2.4 Problems with the Formulation of the Integrity Objection

There are two ways that commentators have tried to argue that there is no conflict between integrity and public reasoning. The first is to claim that political liberalism must be altered in some way so as to avoid the integrity objection. One way to do this is by changing the criterion of reciprocity into a less stringent intelligibility requirement.³⁴ The second is to claim that denying religious reasons from counting as public reasons is justifiable.³⁵ I aim to defend a third option: One can exclude comprehensive doctrines from public reasoning while still affording them a place in the public political sphere of society. A proper account of Rawls's wide view of public political discussion will show how (1) citizens can express their comprehensive doctrine in the public, political sphere at any time (but not as justifications for basic principles of justice), and (2) there is a fundamental connection between a person's comprehensive doctrine and his political conception of justice that structures how he engages in political discussion. In this way, public reasons can still satisfy the criterion of reciprocity. At the same time this option allows a primary role for doctrines in the public political sphere for those with fidelity to those doctrines. Thus it satisfies the integrity objection.

The apparent dichotomy for the religious citizen between the prescription for public reasons and his religious reasons is not nearly as clear-cut as it appears at first glance. According

³³ Ibid., 161.

³⁴ See Vallier, "Liberalism, Religion, and Integrity"; Gerald F. Gaus and Kevin Vallier, "The Roles of Religious Conviction in a Publicly Justified Polity: The Implications of Convergence, Asymmetry and Political Institutions," *Philosophy & Social Criticism* 35 (2009): 51–76.

³⁵ See Rawls, "The Idea of Public Reason Revisited"; Christie Hartley and Lori Watson, "Feminism, Religion, and Shared Reasons: A Defense of Exclusive Public Reason," *Law and Philosophy* 28 (2009): 493–536.

to the conditions of the integrity objection, the religious citizens in question are still reasonable.³⁶ For Rawls, there are two basic criteria required for a citizen to be reasonable.³⁷ The first is a “willingness” to propose and abide by fair terms of cooperation “provided others do.”³⁸ The second is “the willingness to recognize the burdens of judgment and accept their consequences.”³⁹ A reasonable citizen, then, is one who already has substantial commitments to the workings of the public political sphere of society. The criterion of reciprocity requires that persons offer fair terms of cooperation that other reasonable citizens can reasonably accept.⁴⁰ A person who searches for fair terms of cooperation will endorse the criterion of reciprocity. Second, because this citizen recognizes the burdens of judgment, he understands that he cannot offer his reasons based upon comprehensive doctrines as justifications for basic principles of justice, because he cannot reasonably expect others to accept his controversial reasons. Thus, in seeking to confront political liberalism on its own terms and claiming that even reasonable citizens will find public reasoning problematic, integrity objectors have already ceded the fact that reasonable religious citizens find public reasoning the best way to meet the criterion of reciprocity. Those who raise the integrity objection either explicitly or implicitly accept political liberalism’s criterion of reciprocity and its ultimate goal of stability for the right reasons.

Insofar as the religious citizen in question is reasonable he is committed to the criterion of reciprocity. He likewise realizes that other citizens hold different views from him and are still reasonable. From these two facts he cannot possibly conclude that it would be acceptable for him to offer his views based on his own comprehensive doctrine as justification for the basic

³⁶ This follows from the fact that the integrity objection seeks to confront political liberalism on its own terms.

³⁷ Rawls and others think that there is more to being reasonable than meeting these two criteria. However there is no consensus among political liberals about what the precise definition of reasonableness is. Therefore I will use these two criteria so that anybody whose definition of reasonableness contains them will agree with my interpretation.

³⁸ Rawls, *Political Liberalism*, 54.

³⁹ *Ibid.*, 54.

⁴⁰ Rawls, “The Idea of Public Reason Revisited,” 578.

principles of justice of society. This leads him to one of two options: the first is to accept that the exclusion of justifications of basic principles of justice based upon comprehensive doctrines is reasonable based upon a commitment to reciprocity. The second is to reject the criterion of reciprocity on these grounds.

Some may dispute that this is a false dichotomy. It may be possible that a reasonable person legitimately questions why public reasons are the best way to gain stability. Yet it should be noted that those objectors' problems with political liberalism begin far before the stage of public reasoning. Rawls makes it clear that "those who reject constitutional democracy with its criterion of reciprocity will of course reject the very idea of public reason."⁴¹ Vallier likewise agrees that the integrity objection is worrisome because it "violates political liberalism on its own terms."⁴²

It is possible to make the argument that it is wrong to expect persons to pick the commitment to public reasons over the rejection of reciprocity. A reasonable religious citizen may agree with the criterion of reciprocity and the burdens of judgment but think that reciprocity is self-defeating. Integrity is important for this citizen, and part of the appeal of political liberalism is that the criterion of reciprocity is supposed to help secure integrity. If it turns out that certain features of public reasoning hinder the integrity of certain citizens unjustifiably, then this presents a serious problem for political liberals. Thus, the question that political liberals should be focused upon is not whether a reasonable religious citizen has sufficient reasons to accept a principle of justice justified by a public reason, for she most assuredly does, but whether political liberals unjustifiably keep her from making use of his doctrine in the public political

⁴¹ Ibid., 574.

⁴² Vallier, "Liberalism, Religion, and Integrity," 150.

sphere. Unjustifiable exclusion of reasons based upon comprehensive doctrines would violate the criterion of reciprocity and make the basic principles of justice of a society illegitimate.

2.5 The Wide View of Public Political Culture as a Framework

To repeat the base claim of integrity objectors: exclusion of reasons based upon comprehensive doctrines from the public political sphere of society is unjustifiable to those with fidelity to their comprehensive doctrines. However it is not immediately clear that having integrity in the public political sphere of society requires the ability to express one's own comprehensive doctrines as a justification for basic principles of justice. Rawls does not restrict the public political sphere only to public reasoning. He offers an additional account of public discourse which he calls "the wide view of public political culture."⁴³ This distinction is important in Rawls' work because although his account of public reasoning spells out how the criterion of reciprocity is met given the fact of reasonable pluralism, the wide view offers ways in which the stability of society can be strengthened without violating the criterion of reciprocity. The wide view likewise provides a way to respond to the integrity objection.

Rawls's section on the wide view of public political culture is very different than other parts of the "The Idea of Public Reason Revisited." In the first sections of the paper, Rawls attempts to show how legitimate basic principles of justice can be legislated and, indirectly, how this strengthens stability for the right reasons. With the wide view, Rawls shifts his focus to a concern with comprehensive doctrines in the public political sphere. Specifically, it seems as if he is grappling with some form of the integrity objection. Rawls wants to make space in his theory for "a positive ground for introducing such doctrines, which is not merely a defensive

⁴³ Rawls, "The Idea of Public Reason Revisited," 591.

ground, as if their intrusion into public discussion were inevitable in any case.”⁴⁴ He ultimately grounds this in a stability claim: without violating the criterion of reciprocity, the introduction of comprehensive doctrines into the public political sphere of society strengthens the stability of that society for the right reasons. Rawls shows this by means of the proviso, and by means of the fundamental connection between comprehensive doctrines and political conceptions of justice. Rawls’ inclusion of the proviso in his theory is confusing, as given his language, he does not intend the proviso to be an alternate means of justifying a basic principle of justice.⁴⁵ Rather, he states quite clearly: “It is important also to observe that the introduction into public political culture of religious and secular doctrines, provided the proviso is met, does not change the nature and content of justification in public reason itself. This justification is still given in terms of a family of reasonable political conceptions of justice.”⁴⁶ Given this, the nature of the proviso seems to be this: when debating about a basic principle of justice, so long as there is a public reason forthcoming that I support, I can offer my own comprehensive doctrine as a reason I support that basic principle of justice.

Rawls thinks that the proviso positively impacts the stability of society for the right reasons: “when these doctrines accept the proviso and only then come into political debate, the commitment to constitutional democracy is publicly manifested.”⁴⁷ Implicitly, Rawls seems to understand that certain citizens will want to make use of their comprehensive doctrines in public political discussion, and this will be important for the stability of society. However, since political liberalism rejects the use of comprehensive doctrines as justifications, there must be a

⁴⁴ Ibid., 593.

⁴⁵ Rawls could make the claim that the proviso serves as a stand-in for before a majority of citizens possess reasonable conceptions of the good. However this sort of argument belies the fact that Rawls is working in ideal theory where citizens are already reasonable.

⁴⁶ Ibid., 592.

⁴⁷ Ibid., 592.

positive space for these doctrines. By providing this space political liberalism strengthens these citizens' allegiance to democratic society, and does not harm legitimacy.

When discussing the wide view, Rawls makes a fairly distinctive remark about the nature of political conceptions of justice: political conceptions of justice are themselves supported by reasonable comprehensive doctrines.⁴⁸⁴⁹ This requires that citizens to be able to reconcile their political conception of justice with their comprehensive doctrine. It is only when citizens recognize that they can, at the very least, make their comprehensive doctrine consistent with their political conception of justice that their allegiance to their political conception is assured. The relationship between comprehensive doctrines and political conceptions is not something minor for Rawls. Rather, it is necessary: "we may think of the reasonable comprehensive doctrines that support society's reasonable political conceptions as those conceptions' vital social basis, giving them enduring strength and vigor."⁵⁰ When a citizen shows to others the connection between his or her political conception of justice, she is doing something positive: citizens understand that their fellow citizens' "allegiance to their political conceptions lie in their respective comprehensive doctrines" and stability for the right reasons is increased.⁵¹

Citizens are actively encouraged to explain why it is they support the specific political conception of justice that they support. If other citizens are concerned about their fellow citizens' allegiance to the political conception of justice that they hold they can ask for an explanation. The mere fact that a person can show that she believes that the most reasonable conception of

⁴⁸ A reasonable comprehensive doctrine is just one held by a reasonable citizen. See, Rawls, *Political Liberalism*, 36.

⁴⁹ Rawls, "The Idea of Public Reason Revisited," 592.

⁵⁰ *Ibid.*, 592.

⁵¹ *Ibid.*, 592.

justice for her, based upon her comprehensive doctrine, is enough to assure other citizens that she has met her duty of civility.⁵²

The proviso and the fundamental connection between comprehensive doctrines and political conceptions provide two different ways to promote stability without violating the criterion of reciprocity. The proviso allows citizens who recognize the importance of public reasoning to introduce their comprehensive doctrine into public debate. This provides a place for them to express their comprehensive doctrine in the public political sphere which increases their allegiance to political liberalism. The connection between comprehensive doctrines and political conceptions shows citizens that political liberalism does not require that people renounce their comprehensive doctrines in public reasoning. Rather, it makes clear that the only reasons which a citizen can give as public reasons are those that do not contradict his comprehensive doctrine. We can think of the fundamental connection and the proviso as applying to two separate areas of public reasoning. The fundamental connection is in effect when a citizen is deciding which political conception of justice she supports. The proviso is in effect when a citizen is actively deciding on basic principles of justice. These two aspects of the wide view of public political discussion promote allegiance to the basic principles of justice of society and stability for the right reasons.

It is important to note that the criterion of reciprocity is violated neither by the reliance of political conceptions of justice upon comprehensive doctrines nor by the use of the proviso. Because the justification for specific political conceptions of justice rests solely upon shared political values, the fact that a person's comprehensive doctrine is consistent with his political conception of justice does not affect its reasonableness. In fact we may wish to make the stronger

⁵² Rawls does not require that this explanation abide by any sort of logical, rational, or evidential standards. He only argues that whatever grounds they give have to be convincing for them. *Ibid.*, 592.

claim that it is unreasonable to expect that a person can hold a political conception of justice that directly contradicts his comprehensive doctrine.⁵³ Likewise the proviso does not violate the criterion of reciprocity, because political liberals do not claim it to be an alternate criterion of justification. Its role is merely to be explanatory, and to provide assurance to others that one is arguing in “good faith.” This will have two separate components. The first is to show that one understands that what justifies the conception is a specific ordering of shared political values. The second is to show that part of what makes the conception reasonable is that it is consistent with one’s own comprehensive doctrine. Thus far from violating the criterion of reciprocity, both of these aspects of the wide view of public political culture strengthen the legitimacy of basic principles of justice and the stability of society for the right reasons.

2.6 Defeating the Integrity Objection

Although Rawls does not specifically do so, it is possible to defeat the integrity objection by means of the proviso. When citizens are debating in the public political forum, they can appeal to their comprehensive doctrine, and do so in a way that does not violate the criterion of reciprocity. The proviso allows for a person to at any time introduce his or her comprehensive doctrine into the public political forum. This allows for a person to show others why he supports the specific political conception of justice that he does, and why he thinks it is the most reasonable conception for him to adopt. A citizen with integrity does not need to feel that his comprehensive doctrine is being excluded from the public political sphere of society. Likewise, the ability to discuss with others the way in which the political conception of justice one holds is fundamentally connected with the comprehensive doctrine that one holds is essential to

⁵³ There is an important difference between what a political conception and a comprehensive doctrine prescribe. For example, a Catholic may believe that homosexual marriage is wrong according to her comprehensive doctrine but that, according to her political conception, the state should not discriminate between homosexual and heterosexual couples when it comes to marriage. These are not inconsistent insofar as she thinks the state and her religion have different roles.

responding to integrity objectors. It shows them that religious citizens can have integrity and at the same time abide by the criterion of reciprocity. Thus the proviso and the fundamental connection between comprehensive doctrines and political conceptions of justice carry not only with them the benefit of strengthening the legitimacy of the basic principles of justice, but also ensure that the criterion of reciprocity is not violated by public reasons.

I imagine that those who raise the integrity objection will find this response initially unappealing. They may object that although this accounts for a role for comprehensive doctrines in the public political sphere, it hardly accounts for the primacy that those with integrity think those doctrines deserve. The only way that this primacy could be accounted for is by allowing the reasons based upon comprehensive doctrines to serve as the basis of justification for basic principles of justice. I, however, dispute that this is the case. It is not the case that integrity requires that every action is dictated by one's comprehensive doctrine. From Vallier, integrity requires that comprehensive doctrines can explain actions and structure "reasons and plans."⁵⁴ Integrity objectors do not require that integrity be expressed in whatever way a person desires without question. For example, a person may have integrity to a doctrine that requires him to harm others. Political liberals do not see limiting his integrity as a problem. Thus limiting integrity is not bad per se, but rather only bad when done unjustifiably. The fact that political liberals limit integrity so as not to allow reasons based upon comprehensive doctrines to act as public reasons is not itself bad if justifiable.

It is clear, further, that integrity is not completely restricted in the public political sphere. Due to the proviso, any citizen can offer his comprehensive doctrine as an explanation for why he supports a particular political conception of justice so long as the conception is reasonable. Likewise the fundamental connection between a political conception of justice and a personal

⁵⁴ Vallier, "Liberalism, Religion, and Integrity," 156.

comprehensive doctrine promotes the duty of civility. Only when a personal comprehensive doctrine supports a reasonable political conception of justice can the duty of civility be achieved. In an important way one's comprehensive doctrine does structure one's public reasons. It is wrong then to say that comprehensive doctrines lack the primacy they deserve in the public political sphere. It is an open question whether he would hold the same political conception of justice if he held a different comprehensive doctrine. The comprehensive doctrine, then, does play an important role in his public reasoning.

It should be noted here that my account of the wide view of public political culture is not uncontroversial among political liberals. Hartley and Watson, for example, believe that, in order to satisfy the criterion of reciprocity, comprehensive reasons must be excluded entirely from the public political forum *as* justifications. The thrust of their argument is that if reasons are to count as public, they must be shareable among all members of the public political forum. However, if we are to take the fact of reasonable pluralism seriously, then by their nature comprehensive reasons will not satisfy the criterion of reciprocity and will not count as public.⁵⁵ Thus, they say, comprehensive reasons can serve as explanations, and certainly they may be important as explanations. However, they cannot be public reasons.⁵⁶

I do not think that my argument is subject to the criticism of exclusionary political liberalism, however. In fact, I take the version of political liberalism I defend to be an exclusionary account. I, like Hartley and Watson, believe that public reasons must be based solely on political values. The fundamental connection between a person's comprehensive doctrine and his political conception of justice is purely explanatory. Its existence provides no justification for adopting a specific political conception of justice. The idea that a person should

⁵⁵ Hartley and Watson, "Feminism, Religion, and Shared Reasons: A Defense of Exclusive Public Reason," 510.

⁵⁶ *Ibid.*

have the ability to describe how her comprehensive doctrine can support or, at least not contradict her political values is entirely consistent with Hartley and Watson's explanatory account of comprehensive values. The argument that I take Rawls to be making, and that I agree with, is that the public affirmation of this connection will be positive, enhancing each citizen's allegiance to the basic principles of society. Likewise, it eliminates the feelings of alienation that integrity objectors worry about. Thus, this connection should not be a problem for even exclusionary political liberals.

It is possible that there may be some concern that citizens will support certain political conceptions of justice merely because those conceptions are consistent with their comprehensive doctrine. This would mean that citizens do not actually have allegiance to the basic principles of society but rather see them only as a *modus vivendi*. However, this should not be a substantial worry for political liberals. In a well-ordered society citizens *do* share political values and are reasonable. This reasonableness will compel them to seek fair terms of cooperation and abide by the criterion of reciprocity. If this is the case, then this worry is unnecessary: citizens will support a political conception because that conception is reasonable.

If there is to be an objection to my account of the role of comprehensive values in the public political sphere, it must be to my interpretation of Rawls's proviso. Again, however, I insist that the proviso is not a principle of justification. Rather, it is a principle of explanation. When confronted with an issue of basic justice, a citizen has the ability to explain why he supports a certain side based on his comprehensive doctrine, so long as there is a proper political reason – that he possesses – which also enables him to support that side. It enables him to show others that his comprehensive doctrine is not an obstacle that must be overcome in order for him to enter the public political sphere; rather it is an important part of his decision making within it.

Neither of these enables a citizen to make justifications on the basis of her comprehensive doctrine. Therefore neither one of them is inconsistent with Hartley and Watson's account.

2.7 Conclusion

The question of whether the exclusion of comprehensive doctrines in the public political sphere is justifiable seems to be misplaced. If there is no exclusion, then it is a moot question. Certainly political liberals place restrictions upon the ways in which a comprehensive doctrine can be expressed in the public political sphere. However these restrictions originate in the criterion of reciprocity and the fact of reasonable pluralism. Asking how these restrictions can be justified to a reasonable citizen who recognizes these two conditions, seems to be missing the point of what it means to be a reasonable citizen. Of course, certain objectors may think that this view of reasonableness begs the question. By assuming that citizens are already reasonable, I have made it so that they will find the exclusion of reasons based on comprehensive doctrines consistent with the criterion of reciprocity. However in assuming reasonableness I merely follow Vallier who thinks that the true potency of the integrity objection rests on its claim that public reasoning and reciprocity are inconsistent and Rawls who thinks that persons who do not find reciprocity appealing will not find public reasoning appealing. By the point someone has raised the integrity objection, they have already assented to some version of reciprocity. Thus, those who raise the integrity objection may still have problems with political liberalism. Yet, the integrity objection cannot be one of them.

3 CRITIQUING VALLIER AND GAUS' REFORMULATION OF POLITICAL LIBERALISM

3.1 Introduction

Due to the integrity objection, several political liberals have attempted to rework political liberalism. Of these, the most notable are Gaus and Vallier in their paper "The Roles of Religious Conviction in a Publicly Justified Polity."⁵⁷ In that paper, Gaus and Vallier claim (1) that the integrity objection is a valid criticism of political liberalism, and (2) that political liberalism is confused due to three errors in its "core ideas."⁵⁸ The first error is the "Error of Consensus" which is the idea that public reasons must be "shareable,;" The second is the "Error of Symmetry," or the idea that a public reason which rejects a principle of justice or constitutional essential must be subject to the same requirements of reciprocity that its affirmative counterpart is subject to. The third error is the "Error of Deliberation as Constitutive of Justification." This is the idea that deliberative democracy is the best form of governance for public reasoning. Gaus and Vallier think that these three errors are separable into two distinct categories. Recognizing the first two errors will give us reason to believe political liberals "are committed to far more permissive principles of restraint" than they currently are. Recognizing the third error will destroy "the attraction of any principle of restraint."⁵⁹ Since the third error is an attack on the very idea that public reasoning should take place within a deliberative democracy I take it as a very different criticism than the first. This is an attack on political liberalism itself and not a response to the integrity objection. Thus, I shall leave aside the third error and focus solely on the first and second. I show that the alleged error of consensus results from a belief that the

⁵⁷ Gaus and Vallier, "Religious Conviction in a Publicly Justified Polity: The Implications of Convergence, Assymetry, and Political Institutions," *Philosophy & Social Criticism* (2009): 51-76.

⁵⁸ *Ibid.*, 52.

⁵⁹ *Ibid.*, 65-66.

integrity objection is a substantive objection to political liberalism, which I deny, and from a flawed understanding of what consensus actually requires. Likewise I argue that Gaus and Vallier do not sufficiently take into account the circumstances of political liberalism when positing the error of symmetry. Keeping a law from being passed due solely to reasons based on a comprehensive doctrine still requires imposing one's comprehensive view on another and thus must be avoided when voting on basic principles of justice and constitutional essentials. Thus, I argue neither of these criticisms are actually errors but important features of political liberalism.

3.2 The Errors of Political Liberalism

Gaus and Vallier take the integrity objection to be a problem for political liberalism. Many religious citizens endorse liberal values; however they do not affirm political liberalism due to the fact that it restricts the kinds of reasons that can count as justifications for the basic principles of justice. Gaus and Vallier do not believe that this is a problem with political liberalism per se. Rather they believe that: “a commitment to public justification [public reasoning] provides no grounds for excluding religious reasons from politics.”(Gaus and Vallier 52) The fact that political liberals do exclude religious reasons from politics is an “error of explication” rather than an error in theory.⁶⁰ Gaus and Vallier posit two substantial problems in the explication of political liberalism that cause the unjustified exclusion of religious reasons.

The first problem that Gaus and Vallier raise is the error of consensus. The error of consensus is caused by political liberalism's “shareability requirement” for public reason.⁶¹ Shareability, here, means “that we all affirm the same justifying reasons as conclusive” when deciding on basic principles of justice and constitutional essentials.⁶² “If R is a conclusive reason

⁶⁰ Ibid., 51.

⁶¹ Ibid., 57 .

⁶² Ibid., 57.

(or part of one) for Alf accepting L, shareability requires that it also be such a reason for Betty.”⁶³ Gaus and Vallier claim that Rawls’s criterion of reciprocity is one such shareability requirement. Yet, the problem with a shareability requirement is that it seems “hostile to any genuinely pluralistic reasoning in public justification.”⁶⁴ As Gaus and Vallier point out, in order for everyone to have the same reasons, they must all reason in the same way. However, according to Rawls, the fact of reasonable pluralism means persons will never reason identically. Thus, Gaus and Vallier think that shareability reduces public reasoning from “a problem of choice among people who disagree” to “a choice by one person.”⁶⁵ If true, then in order for the standard account of political liberalism to function, it must deny the fact of reasonable pluralism. However, political liberals see public reasoning as a response to the problems posed by the fact of reasonable pluralism. Thus, the requirement of consensus must be an error.

In the place of shareability, Gaus and Vallier introduce a “convergence conception of public justification.”⁶⁶ In order for a reason to meet a convergence requirement, citizens must be able to see their fellow citizens’ reasons for endorsing a specific principle of justice as reasons. If A is to see B as having a public reason, then “he must think, or at least have reason to suppose, that Betty really does have reason to endorse the law.”⁶⁷ Suppose A is an atheist, B is a Christian, and C makes all of his decisions based on what he hears from woodland animals. Within this conception of political liberalism, A, B, and C can all introduce their comprehensive reasons for why they support or reject a specific principle of justice. A and B will be able to accept each other’s reasons as public because even though they disagree, they still find those reasons intelligible. However neither A nor B will be able to recognize C’s justification as a reason to

⁶³ Ibid., 58.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid., 58

⁶⁷ Ibid., 57.

support a principle of justice. Therefore, A's and B's justifications will be public reasons, but C's justification will not. For the reasons listed in their argument against the "error of consensus" Gaus and Vallier find a convergence requirement for public reasons preferable to a consensus requirement.

The second error of explication in political liberalism is the error of symmetry. Gaus and Vallier claim that, even if political liberals were to find the error of consensus argument wrong, they would still be inappropriately weighing the importance of religious reasons in a politically liberal society. This is because these standard political liberals reject that religious beliefs can perform the "defeater role" in public reasoning.⁶⁸ According to Gaus and Vallier, political liberals are committed both to integrity and non-domination.⁶⁹ In this context, non-domination refers to the fact that although citizens have every right to be faithful to their comprehensive doctrines, this fidelity does not extend to "coerc[ing] others to live by one's own light."⁷⁰ However, if the criterion of reciprocity requires that support and opposition to principles of justice and constitutional essentials must be justified solely with shared political values then requiring public reasons may violate the principle of non-domination. Vallier and Gaus consider the example of the debate on public education. In our current educational system, there are debates that occur between those who think that education should promote "shared democratic values" and those who think that promoting democratic values violates "the religious commitments of some citizens about the way they are to raise their children."⁷¹ In a politically liberal society, citizens will debate the role of education in the public political forum, and will be obligated to offer only public reasons as justification for their positions. Thus, although a public

⁶⁸ Ibid., 63.

⁶⁹ Ibid.

⁷⁰ Ibid., 62-63.

⁷¹ Ibid. 63.

justification can readily be offered for an educational system that promotes shared democratic values, there may be no public justification for those religious persons who desire their freedom of conscience. Yet, this violation of the principle of non-domination is exactly what liberals seek to avoid. Thus, according to Gaus and Vallier, “even if a secular rationale is necessary in our society for a publicly justified law, it can be defeated by a reasonable religious conviction without any secular backing.”⁷²

3.3 Disputing Shareability

The first problem with the “error of consensus” critique of political liberalism, is that it misrepresents the claims of political liberals. Gaus and Vallier claim that in order for something to count as a public reason, all citizens must see that reason “as conclusive.”⁷³ Thus if I were to attempt to justify a principle of justice by means of reason A, every other citizen must see A as a reason *for them* to adopt that principle of justice in order for A to count as a public reason.⁷⁴ Yet there is no requirement in political liberalism that there can only be one public reason for any principle of justice or constitutional essential. Rawls’s own discussion on issues such as abortion indicate that for any given principle of justice there can be multiple public reasons given to support or reject that principle.⁷⁵

However, Gaus and Vallier’s argument is not that political liberals do not provide nominal support for there being diversity in public reasons among different citizens of a well-ordered society. Rather they argue that shareability will inevitably lead to there actually being only one set of public reasons that will hold in society. This leads to the second problem with the

⁷² Ibid., 63.

⁷³ Ibid., 57.

⁷⁴ It is unclear from this paper whether Gaus and Vallier believe that more than one set of reasons would be used in a justifying reason in standard political liberalism. For example I may see A as a conclusive reason to support a basic principle of justice. Yet it is possible that some consideration B is more important to me than A. Thus when presented with a choice between A and B I will choose B.

⁷⁵ Rawls, “The Idea of Public Reason Revisited,” 601-602n.

error of consensus. Here, it is useful to consider how the fact of reasonable pluralism is accounted for by political liberals. There are two distinct ways this is done. The first way is obvious. Political liberals require that only public reasons based on shared political values can be appealed to in the public political sphere. This is what Gaus and Vallier are attacking. However the second way is just as important as the first. Although citizens offer public reasons based upon shared political values, these reasons will be invariably different from one another. As Rawls says, “since [political values] can be interpreted in various ways, we get different formulations of the principles of justice and different contents of public reasons.”⁷⁶ Due to the burdens of judgment citizens will ascribe different weights to these different values. For example, one citizen may weigh freedom of religion over freedom of movement. This will cause him to favor principles which he believes give appropriate weight to his freedom of religion. Yet it is possible, and likely, one or many other citizens will disagree with his ordering of political values.

This leads us to two separate conclusions. First, it is not the case that there will only be one set of public reasons. If we truly respect the fact of reasonable pluralism, there is no way this could be the case. Denying this would be as egregious as insisting on a conception of public justification that “assumes we reason identically.”⁷⁷ The second conclusion is, that if people can disagree with each other’s public reasons, then the shareability requirement of political liberalism cannot be as stringent as Gaus and Vallier claim it is.

Rawls presents a less troubling shareability requirement. In formulating political liberalism, Rawls is particularly interested in how a political decision maker can “justify his or

⁷⁶ *Ibid.*, 582.

⁷⁷ Gaus and Vallier, “Religious Conviction in a Publicly Justified Polity,” 58.

her political decisions to everyone.”⁷⁸ Rawls thinks that he solves this with his principle of legitimacy:

Citizens are reasonable when, viewing one another as free and equal in a system of social cooperation over generations, they are prepared to offer one another fair terms of cooperation according to what they consider the most reasonable conception of political justice; and when they agree to act on those terms, even at the cost of their own interests in particular situations, provided that other citizens also accept those terms. The criterion of reciprocity requires that when those terms are proposed as the most reasonable terms of fair cooperation, those proposing them must also think it at least reasonable for others to accept them, as free and equal citizens . . . Citizens will of course differ as to which conceptions of justice they think the most reasonable, but they will agree that all are reasonable, even if barely so.⁷⁹

Thus, Rawls does not require that public reasons be shareable in the sense specified by Gaus and Vallier. Presumably this is for the same reason that those two point out: a shareability requirement would deny the fact of reasonable pluralism. Rawls requires that citizens, because they accept the burdens of judgment, offer only those reasons which they believe other citizens can accept. This means offering public reasons based on their political conceptions of justice. People must argue for their political conceptions of justice solely on the basis of their shared political values, without attempting to smuggle in any comprehensive doctrine. Other citizens accept these public reasons as reasonable, not because they actually share the reasons, but because they are formulated in this way.

The only shareability requirement that Rawls has, then, is that citizens must actually be reasonable. However if being reasonable means acknowledging the burdens of judgment, how

⁷⁸ Rawls, “The Idea of Public Reason Revisited,” 582.

⁷⁹ *Ibid.*, 578.

could it ever be the case that there would be only one set of public reasons? This would violate the burdens of judgment.

If Gaus and Vallier are denying that citizens in an ideal society actually share basic liberal principles, they may actually have a criticism for political liberalism. Yet, first, the argument given is not sufficient to show this point; and, second, this does not entitle them to make the claim that they are merely reformulating political liberalism rather than disregarding it.

3.4 Problems with a Convergence Conception of Public Justification

Thus far, I have denied that there is an error of consensus in Rawlsian political liberalism. However, this is not yet enough to show that a convergence conception of public justification is inherently flawed. It may be the case that both Rawls's and Gaus and Vallier's models are workable formulations of political liberalism. If this is true, then people can decide between the two models, when determining which formulation of political liberalism to aim for. However, I think there are at least some flaws to consider when evaluating convergence conceptions of political liberalism.

In their account of a convergence conception of political liberalism, Gaus and Vallier give an example of how their intelligibility requirement will work. Citizens will give comprehensive reasons for why they support basic principles of justice. In turn other citizens will decide whether they accept the reasons given as public based upon whether they can understand them as reasons. So a Christian can accept an atheist's reasons as public reasons and vice versa. Yet neither an atheist nor a Christian can accept the reasons of one who figures out what he will do based on what the woodland creatures tell him. Christian and atheist views are reasonable

because other citizens can see them as reasons. The views of a person who listens to woodland creatures are not reasonable because others cannot see them as reasons.⁸⁰

Yet this raises an interesting question. Why is it the case that an atheist will find the views of a Christian reasonable? Imagine that a Christian is attempting to provide a justification for why a society should restrict abortion. He states that, due to his religious beliefs, he believes that every life is sacred and inviolable. Further, life begins at conception. Thus abortion should be impermissible. An atheist may rightly respond: “Your justification depends upon a theistic belief which I do not share with you. Why should I accept what you have to say?” The problem is accentuated in this case because not only is the atheist dubious about the Christian’s justification, he also disagrees with his conclusion. Gaus and Vallier may counter that even though the atheist does not share the Christian’s beliefs, he can see how if a Christian believed that life is sacred, it would lead him to believe that abortion should be impermissible. Yet, even this is problematic. For if this is what Gaus and Vallier are arguing for, then there should be no reason to restrict the views of the man who listens to animals as unreasonable. If a man actually did believe that animals tell him to have liberal values, then he would have every reason to argue for liberal principles of justice and constitutional essentials.

Gaus and Vallier apparently foresee this dilemma. When discussing the kinds of values which are intelligible, they claim that because citizens recognize the fact of reasonable pluralism, “all accept that reasoning on the basis of these different values is within the range of the intelligible use of human reason on these difficult matters.”⁸¹ Specifically there is a range of “reasonably pluralistic considerations” that citizens draw upon when making decisions. Thus Gaus and Vallier believe that the person who listens to animals will fall outside of the sphere of

⁸⁰ Gaus and Vallier, “Religious Conviction in a Publicly Justified Polity,” 57.

⁸¹ *Ibid.*, 57.

these reasonably pluralistic considerations and therefore will not be reasonable. However, “many religious considerations” will not fall outside of these consideration, thus these beliefs will be reasonable. Therefore there is a principled difference between religious beliefs which are intelligible and idiosyncratic beliefs which are not. Yet, Gaus and Vallier do not define what a reasonable range of pluralistic considerations would look like. Nor do they give criteria for determining what these are in any given society.

Further, it seems like Gaus and Vallier’s reasons for intelligibility are not necessary. The two seem to want to make it so that many recognizably reasonable comprehensive doctrines will be in a politically liberal society. Yet Rawls already accomplishes this with his account of reasonable comprehensive doctrines. A reasonable comprehensive doctrine has three requirements. First, and most importantly for this discussion, it is an “exercise of theoretical reason” which covers the “religious, philosophical, and moral aspects of human life in a more or less consistent and coherent manner.”⁸² Second, it is an exercise of practical reason in ordering the values attained from the first requirement into a coherent moral system. Third, it is reasons responsive. This means that a person, when discussing his comprehensive doctrine, is open to the possibility that there are parts of his doctrine which are incorrect and will shift his beliefs if given adequate reasons. Given this account, it seems like the person who listens to nature could not possibly have a reasonable comprehensive doctrine. For it does not seem like he is making adequate use of his theoretical reason, and his doctrine is not reasons responsive. On the other hand we can envision several Christians and atheists with reasonable comprehensive doctrines.⁸³ So it seems like Rawls already defines the realm of the reasonable in the way that Gaus and Vallier want to.

⁸² Rawls, *Political Liberalism*, 58.

⁸³ We can also envision several of both groups without reasonable comprehensive doctrines.

So, Rawls seems to think two separate things are necessary for persons to be reasonable. First they must hold a reasonable comprehensive doctrine. Second, they must offer public reasons for the principles of justice and basic constitutional essentials they support because they recognize the burdens of judgment. Gaus and Vallier seem to want to get around this requirement by stating that the only thing that is required for public justification is the first requirement. But, in doing this, they seem to be operating on a very different definition of reasonableness than most political liberals. I can accept that another person has a reasonable comprehensive doctrine, but that alone is not sufficient for me to agree to be coerced by a principle of justice which I do not agree with that he justifies with his comprehensive doctrine. Thus, there is no reason to support an intelligibility requirement.

3.5 Defending Symmetry

One part of public reasoning that is often misinterpreted is the division between reasons which are public and those which are secular. Rawls is explicit that these two sets of reasons come apart: “Such doctrines and values [secular doctrines] are much too broad to serve the purposes of public reason. Political values are not moral doctrines, however available or accessible these may be to our reason and common sense reflection.”⁸⁴ Gaus and Vallier seem to believe that “only secular beliefs can enter into public justification,” or, in other words, only secular reasons can count as public reasons⁸⁵ If this is what objectors believe, it is no wonder that they would think that public reasons automatically privilege secular comprehensive doctrines. Yet we must remember that Rawls prohibits this very thing: “[Political values] are not puppets

⁸⁴ Rawls, “Idea of Public Reason Revisited,” 583.

⁸⁵ Gaus and Vallier, “Religious Conviction in a Publicly Justified Polity,” 63.

manipulated from behind the scenes by comprehensive doctrines.”⁸⁶ This distinction is important to keep in mind for in the discussion of the error of symmetry.

The example of a parent being able to choose where she educates her children versus mandatory public schooling is an interesting one for the error of asymmetry. Gaus and Vallier present two different reasons a religious person might have for favoring choice over public schooling. First, (PR) parents have a right to choose how their children are educated.⁸⁷ This is a right that falls within the domain of public reasoning. Second, public schooling would violate their religious integrity. There are a few different versions of this second objection and Gaus and Vallier, unfortunately, do not specify which version they think the most appropriate. However, let us assume that there are two plausible versions: (1) I have a right to inculcate my children according to my religious values; public education would hinder my ability to do so. (2) Democratic values are incompatible with my comprehensive doctrine and thus I must object to the attempt to inculcate my children with those values. However, if we pay attention to the distinction between secular and public reasons made at the beginning of this section, then we must discard (2) almost immediately. The criterion of reciprocity requires that citizens share political values in order to be reasonable. If citizens do not, in fact, share those values then they are not reasonable. It is not these citizens, then, who we should care about in the public political sphere.

If Gaus and Vallier are right about the symmetry objection, they must be referring to argument (1) or a reasonable variant of this position. Yet even this position has flaws. First, it is unclear precisely how (1) is so significantly different than (PR) that one must abandon public reasoning in order to adopt it. If what is at stake is that this person clearly feels that he and others

⁸⁶ Rawls, “Idea of Public Reason Revisited,” 585.

⁸⁷ Some political liberals, such as Jonathan Quong are dubious that individual choice in education could qualify as a right in all circumstances. See, (Quong 301–305) Assume for the sake of argument that it is reasonable to argue for this right.

should have the right to educate their children how they see fit, then religion seems to have nothing to do with it. If he feels that he is entitled to a special status because of his religion, then he is merely being unreasonable. Second, a reasonable person should not see education in democratic values as something inherently wrong. This is where the distinction between secular values and political values becomes important. If it were the case that public values are really shareable secular values, then a religious person may rightly have to fear that a public education will be harmful to his desire to raise his children as he see fits. Yet an education which merely inculcates liberal values will not be prone to this critique. Granted, it will not foster comprehensive values, but as Rawls says “we must each give up forever the hope of changing the constitution so as to establish our religion’s hegemony, or of qualifying our obligations so as to ensure its influence and success.”⁸⁸

Thus, if persons are reasonable – and this is a requirement of the idealization of a well-ordered society – then they will see all public reasons as reasonable, regardless of whether the principles of justice these reasons support would violate these persons’ interests. Thus, just because some principles’ adoption would harm the interests of certain citizens does not give these citizens a reasonable right to reject to these principles. This means that a reasonable citizen’s commitments to fair terms of cooperation will let him see public reasons – so long as they are public reasons – as reasonable, and thus acceptable. Further, at least in this specific case, the means to vote against certain principles of justice based on public reasons is still present. Given this citizen’s core commitments it is quite possible, if not likely, that he will be able to provide a public reason for this position based on his political conception of justice.

⁸⁸ Rawls, “The Idea of Public Reason Revisited,” 590.

3.6 Conclusion

Gaus and Vallier's errors of explication are based on the belief that the integrity objection of political liberalism is a good objection. Thus, someone who already doubted this objection would already be predisposed to see their claims that political liberalism contains "errors of explication" as dubious. However, even if we were to assume that the integrity objection was a damning critique of political liberalism, this would still not provide sufficient evidence to agree with Gaus and Vallier. The error of consensus is based upon an overly strong reading of public reasons that they must be shareable. Public reasons need only be based on shared political values. If Gaus and Vallier's objection is that this is too demanding, then this would throw the very idea of political liberalism as a theory into doubt. Further, the idea that convergence is a plausible alternative has the unfortunate consequence of potentially ruling out otherwise reasonable persons from engaging in political activity. Holding this view also commits them to passing the buck of reasonableness from reasonable beliefs onto reasonable persons without giving a sufficient account of what it means to be a reasonable person. Finally the error of symmetry seems to be based on a lack of distinction between public and secular reasons. It is unclear why being coerced into accepting a principle of justice that you disagree with on comprehensive grounds entitles you to being able to justify your disagreement based on those grounds. The religious citizens in question are reasonable and thus accept the coercion as reasonable. Thus I find that Gaus and Vallier's critiques of standard political liberalism – or at the very least Rawlsian political liberalism – do not possess weight.

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