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**Half-time seminar manuscript for the Engaging Vulnerability seminar**

**2019-02-08**

### **Note to the Reader**

This is the manuscript for the half-time seminar on a doctoral dissertation in theoretical philosophy. As such, it will contain many passages where further work is needed. Passages where I have identified the need for further work, along with my suggestions about this, will be within brackets. These passages will be marked in alphabetical order to facilitate questions during the seminar. References are not at the standard of a final manuscript, and neither is the ironing out of language issues.

At the end of this manuscript, a plan for the further progression of work on this dissertation is provided.

### **Preamble: The last gasps of liberalism?**

More and more, debates about liberalism concerns its end. “Are we still liberal?”, asks editor Rainer Hank in one of the German pillars of the liberal press. Political correspondent Ben Wright of the BBC finds it timely to ask whether Western liberalism has now collapsed. Wright registers a “sense of melancholy and foreboding” after the British election on leaving the European Union.<sup>1</sup> Hank shares Wright’s impressions of decisive changes in the mood of the times, not to be underestimated.<sup>2</sup> In 2007, political scientist Ivan Krastev described what he thinks are alarmist feelings about the times, a “Weimar interpretation”: “The growing tensions between democracy and liberalism, the rise of ‘organized intolerance,’ increasing demands for direct democracy, and the proliferation of charismatic leaders capable of mobilizing public anger make it almost impossible to avoid drawing parallels between the current political turmoil in Central Europe and the crisis of democracy in Europe between the World Wars.”<sup>3</sup>

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<sup>1</sup> Wright 2016.

<sup>2</sup> Hank 2018.

<sup>3</sup> Krastev 2007 57.

Krastev argues against such alarmism, but finds it widespread enough to merit such an argument. In his 2017 Lipset lecture on Democracy in the World, William Galston (a former advisor to US president Bill Clinton) provides a catalogue of reasons for worry:

[T]he Brexit vote; the 2016 U.S. election; the doubling of support for France's National Front; the rise of the antiestablishment Five Star Movement in Italy; the entrance of the far-right Alternative for Germany into the Bundestag; moves by traditional right-leaning parties toward the policies of the far-right in order to secure victories in the March 2017 Dutch and October 2017 Austrian parliamentary elections; the outright victory of the populist ANO party in the Czech Republic's October 2017 parliamentary elections; and most troubling, the entrenchment in Hungary of Prime Minister Viktor Orbán's self-styled 'illiberal democracy,' which seems to be emerging as a template for Poland's governing Law and Justice party and – some scholars believe – for insurgent parties in Western Europe as well.<sup>4</sup>

All of the authors above are worried about changes from a liberal consensus to an uncertain political future. Wright asks the reader to remember a time when politics “was rather dull”, and “across the West the electoral pendulum swung reliably between parties of the centre left and the centre right”.<sup>5</sup> Krastev locates the break at the end of Central European politics of transition from Communist rule. Accessing the European Union was according to Krastev the main reason for a liberal consensus in the region.<sup>6</sup>

A sense of foreboding is not the only thing common to all of the articles and editorials above. There is no obvious answer to how liberalism should deal with anti-pluralist forces in any of them. William Galston suggests what emerges as a suspicion: there might be something about the ideas and politics of liberalism that makes it hard to meet challengers like those in his survey. Galston concludes:

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<sup>4</sup> Galston 2018 7.

<sup>5</sup> Wright 2016.

<sup>6</sup> Krastev 2007 60-61.

The appeal of populism [...] is deeply rooted in the enduring incompleteness of life in liberal societies. This vulnerability helps explain why, in just twenty-five years, the partisans of liberal democracy have moved from triumphalism to fear and despair. But neither sentiment is warranted. Liberal democracy is not the end of history; nothing is. Everything human beings make is subject to erosion and contingency. Liberal democracy is fragile, constantly threatened, always in need of repair.<sup>7</sup>

Since liberalism concerns many aspects of political life, the exact issue at stake will decide much of what subsequently should be asked about this. What is the enduring vulnerability of liberalism that Galston understands to be at the root of contemporary populism?

Rainer Hank argues that successes of economic liberalism are what is at stake. Even so, he includes what he calls “cultural values” in the liberal promise now in danger: autonomy, praise of individuality and freedom of choice.<sup>8</sup> The pluralism of what Hank calls liberal culture is also noted as under threat by Wright. Quoting controversial think-tank founder Claire Fox, Wright considers the argument that illiberal politics is a legitimate reaction to a consensus imposed by well-to-do elites. Still, Wright continues, “[t]he flipside seems to be the growing intolerance of pluralism and difference”.<sup>9</sup> Krastev takes a similar view of the possible positives of the illiberal reaction to a Central European liberal hegemony. Quoting Philippe Schmitter, there might, for Krastev, be something to a shaking up of “sclerotic partisan loyalties” and the opening up of “collusive party systems”.<sup>10</sup> However, Krastev is also troubled by a crisis for pluralism. Earlier populists of the 1968 generation, he writes, were “educationalists” – they wanted to “empower the people as they believed the people should be”, driven by “a passion for ‘the other’, for those who are not like us. The populists of today have passion for their own community, for those who are just like us.”<sup>11</sup> Populism for Krastev is the word for a conflict between democracy, the electing of popular representatives, and liberalism, the embracing of a pluralist accord between members of the same polity with very different convictions.

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<sup>7</sup> Galston 2018 18.

<sup>8</sup> Hank 2018.

<sup>9</sup> Wright 2016.

<sup>10</sup> Krastev 2007 59.

<sup>11</sup> Ibid. 61.

Pluralism as a problem of liberal politics goes right to the heart of defining struggles of liberalism. Freedom to think, publish and assemble means that freedom to form and advance a political conviction must be one of the unassailable goals of any recognizably liberal society. Given such freedom, polity members will come to hold very different views. They will not only think differently about everyday politics, but also about the fabric of society. Can liberalism allow and maybe even foster illiberal politics? A vulnerability of the liberal idea of society is condensed into this question. Since the first rumblings of opposition towards the censorship and monopolized power of the old autocratic regimes, this problem has accompanied liberal thought. Contemporary populism is, as pointed out by Galston and others, a threat to liberalism because it questions liberal pluralism. Just as there are contemporary challenges to pluralism, there are contemporary attempts at countering them. Recent philosophical thinking can illuminate the stakes and the debates about this by drawing on what is by now a rich philosophy on liberalism.

### **1. The vulnerability question**

There is abundant unease about the future of liberalism. Thinkers have in fact worried about freedom and popular rule for a very long time, at different stages of what is today a large body of liberal thought. Some earlier thinking is important to the contemporary problem and therefore examined below. Examples like the ones brought up above can of course be met with many counter-examples. Still, there is a very good reason to take William Galston's particular intuition seriously. If liberalism is fragile so that it is vulnerable to dismantling its own gains, particularly its crucial pluralism, then such a vulnerability needs to be brought to the fore. Again, there are many possible ways of doing so, each with its own merits. Further explanations of the road taken here will follow. For now, a very basic question has to suffice. The question is formulated on the level of conceptual direction. As such, it excludes many possibly relevant and important approaches to a philosophical problem. At the same time, it states the minimum positive expectations of which answers might be found.

The initial question, then, prompted by the outline above, is this: *How is the vulnerability of liberalism, such that it risks dismantling its pluralism, to be understood?*

## **2. Introduction**

Serious thinking on liberalism shall reflect the author's notion of what the concept means. It is used (and abused) for many political purposes, but also debated as a current of thought, where a connection to politics is implied but not always clear-cut. Like other political concepts, it has a political history, in part about contestations of its meaning. It is not always obvious how to distinguish what is liberal from what is not. To talk about liberalism with some precision, the problem of pluralism must be made explicit as a problem about liberalism.

I will here lay the general groundwork for my detailed philosophical investigation of the vulnerability question. This introduction presents the background to the dissertation. Firstly, the kind of philosophical ambition and work guiding the arguments will be explained. To do that, an outline of what is meant with liberalism is needed. Secondly, an orientation in philosophical thought of importance to the goals of this dissertation will be provided.

### **2.1 Liberalism as Thought and Practice**

As a variety of political goals, and ways to achieve them, liberalism is an important part of everyday politics in Western parliamentary systems. Parties include the concept in their programs and argue for liberal solutions to political problems. Liberalism in this sense is practical politics. Suggestions for new and improved political practices will not be provided here. Instead, the attempt is to unravel something about the ideas driving and reflecting political arguments and actions. Liberalism in practice refers to and argues about liberal ideas, and those cover a complicated territory. Arguments about what is good and right for common human affairs are made. Included are questions and answers about what, then, is common and what is human. Happiness is another important concept intimately related to liberal politics, famously enshrined together with life and liberty in the United States constitution.<sup>12</sup> Yet another is democracy.

Every imaginable concept included in liberal thought will of course not be covered here. These philosophically controversial concepts mark the difference and the

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<sup>12</sup> Rakove 2009 7-22.

relation between liberal politics and philosophy. The latter asks what the concepts important to liberal politics means, and what the consequences of different meanings are. In a current division of academic labor, thought on politics as it is pictured here might seem forced to extend across many faculties and fields. Surely psychology can be involved, since it concerns perceptions of and feelings about political actors. Sociology is another obvious field of interest, since it aims to describe ordered human action. So does anthropology. Political science takes account of political goals and outcomes. The fanning out of possible inquires raises the question of what distinctive possibilities is given by philosophy. A philosophical analysis and argument about a liberal order can reach for understandings of politics before and after political practice. Such analysis debates the meaning of political goals and problems as they might or might not cash out politically. Philosophy about politics bypasses empirical explanation in favor of presumptions and consequences built into the ideas of importance.

Liberalism here accordingly does not mean the practice of liberal politics, something which requires a different set of questions and skills than those that will be employed in what follows. Instead, it means some concepts and ideas in constant and sometimes subterranean relations to liberal politics.

## **2.2 Pluralism and Freedom**

Liberal pluralism will be the concept of interest, as already indicated by the preamble. Pluralism is seen as resulting from political freedom, both practically and by philosophical principle. There is accordingly a chain of concepts entailing each other, leading to the point where the inquiry starts. The chain goes from the general to the particular. Freedom of thought and expression is the most general of those. Following from that is freedom of *political* thought and expression. It includes the freedom to think about political ends, and choosing the means to realize such ends. Included is also the freedom to consider and choose any political end as possible to realize, that is, not only to express any political point but express it with the intent of making it the end of political action.

Following in turn from freedom of thought and corresponding political action is the inevitable conflict between different political means and ends, that is, a state of pluralism. Here, some way along the chain, is where the main arguments in this

dissertation is located. Last in the chain, a particular interest will be taken in the resulting problem of the freedom to express and act upon political goals that limit pluralism.

The above does not mean that any preceding conceptual link is not worth considering. Freedom of political expression might, for example, very well be considered necessarily including principal and substantial limits. In other words, such freedom might be thought of as not requiring the freedom to be a non-pluralist. If that is the case, the important questions to answer will be about which limitations to freedom are acceptable and justified.

Another link in the conceptual chain is the later one between freedom of thought and expression, and pluralism as resulting from that. It is very much possible to argue that liberal freedoms does not set people in a liberal polity free, in body, mind or anything else. A rich tradition of philosophy, where Marxism, including Critical Theory, and the work of Michel Foucault should be mentioned, criticizes liberal thought on this. All of these questionings of the premises of liberal freedoms fundamentally changes any idea about pluralism resulting from freedom. A decision to start interrogating liberal pluralism as presumed to result from liberal freedoms was made as a point of departure for this dissertation. There are several reasons for this. The most important one is suggested by William Galston in the opening quote about inherent vulnerabilities of liberalism above. Philosophy can examine what is meant by liberal pluralism, and accordingly, liberal answers to questions about human coexistence. In doing so, this dissertation looks for liberal answers, in attempts to give a liberal meaning to freedom and pluralism. Philosophy about liberal thinking is here intended to capture something inherent to liberalism, operating as meanings of concepts that can be argued. The vulnerability of liberalism might be it's own insistence on freedom and pluralism as answers to what human political existence is and should be. Rather than asking if liberalism omits or neglects something that philosophy can articulate, the question is how liberal answers should be understood.

It can of course be argued that the critical projects mentioned earlier also does something similar. However, Marxism includes not only an indictment of liberal pluralism. It also details a philosophical anthropology, political economy, aesthetics and philosophy of history. Critical theory follows on from there to include, among many other ideas, a refinement of the Hegelian anthropological concept of

dialectics.<sup>13</sup> Similarly, the critical force of the works of Foucault consists not only of his hermeneutics of suspicion about liberal freedom, but from what some of his interpreters calls the analytics of power, truth and the body.<sup>14</sup> All the fundamentals of these projects are of course very different from the liberal idea of freedom. These differences result to a decisive degree from attempts to supersede liberalism. They are therefore not only, and not even at their core, attempts to ask what liberal thought might mean and intend when talking about freedom. Rather, they introduce a wealth of resources – from a history of class struggle to a genealogy of the subject – to deploy in search for a non-liberal future for political humanity. This dissertation will not make use of ideas of that kind. Instead, it will ask what in liberal ideas of free pluralism can be understood as signs of a vulnerable way of political existence.

The second reason to start with pluralism resulting from freedom is the possibility of elucidating liberal thinking as attempts to understand recent events. Looking back at Galston's catalogue of worrying contemporary developments, they are examples of political use of freedoms to think and act. In 2013, the government of prime minister Viktor Orbán changed the Hungarian constitution. Changes include requiring election campaigning to be exclusively done in state media and a "preference" for heterosexual family relationships.<sup>15</sup> Some of the *Alternative für Deutschland* party program headlines are about restrictions to any pluralism comprehensible as such: "declared loyalty" (*Bekennntnis*) to the "traditional family", Islam "not belonging" in Germany and an end to the financing of gender studies.<sup>16</sup> These and other political developments of the kind that Galston lists are carried out or proposed under prevailing conditions of political freedom. They are also set to change prevailing conditions of pluralism, drawing their political attraction from those changes. They are what prompts the question of what a liberal response to them can be. So what does liberalism really mean, when pluralism is seen as a crucial part of it? Philosophy here has work set out for it.

At this point, I might emerge as politically suspect. What I want to do is not necessarily to solve some problems in the philosophy of liberalism. Instead I want to suggest possibly more vulnerabilities than those already in need of fixing, and those

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<sup>13</sup> See Adorno 2003, Horkheimer 1992 and many others.

<sup>14</sup> See for example Dreyfus and Rabinow 1982 184-188.

<sup>15</sup> BBC 2013 [FIX THIS REFERENCE]

<sup>16</sup> AfD 2016 2-3.

that might be on their way to somehow getting fixed by philosophers of liberalism. Am I opposing or advancing liberalism, as some sort of combined intellectual and political struggle? Political philosophy often includes spoken or unspoken agreement or disagreement about political views. I think a certain fairness to readers are often (intentionally or unintentionally) the result of such positioning. Can a reader expect me to advance a political position using the rhetoric and supposed authority of philosophy? Which conclusions will I never make because of my political convictions? Such questions are more easily answered if the political philosopher is clearly declaring some political allegiance. No such declarations can really be demanded of anyone outside of politics. However, I still appreciate when the extending of politics into philosophy happens in daylight.

My philosophical attitude to liberalism is skeptical. Even so, I am of course aware of the attempted successors to liberalism in Europe, when liberalism is viewed broadly, and their catastrophic totalitarianism. I think philosophy has a work to do in putting liberalism through some stern tests. I do this by catching what liberalism might demand, enable or disable. What appears in liberalism when it is put under political or philosophical strain is not only a lack, but opportunities, in both the terrible and promising senses of the word.

## **2.3 Thematic Reading**

To clarify the question guiding this dissertation, a review of some earlier liberal thought about the problem of pluralism will be provided.<sup>17</sup> Since the aim is to illuminate the question chosen for this work, some liberties are taken in the interpretation of these works. What is quoted can be, and are, objects of sophisticated philosophical disputes. Generous but not philologically faithful readings are made here. I am simply assuming that prior arguments about pluralism have been made that are relevant, in the way that I understand them, for the ones forthcoming. As such, the review is intended to service the reader with further clarifications. A secondary aim is to show that arguments about pluralism has a history in philosophical liberalism.

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<sup>17</sup> Throughout this chapter, I am indebted to Svante Nycander's history of first and foremostly European liberal ideas, cf. Nycander 2013.

[A. I am not sure whether I have to further elaborate some principles of how I read here. I have written some reflections on the typical “philosopher’s readings” of earlier texts. Philosophers often appropriate earlier works at the convenience of their own ends. Care for putting arguments in their historical contexts are for example not taken, at least to any decisive degree. It will become clear from what follows that what I am really doing is exactly such “philosopher readings”. A question for the seminar would be if I need to motivate this further.]

## **2.4 James Madison: The fire of faction**

When James Madison argues in *The Federalist* for a federation of states as the best kind of government for the United States, he does so by summoning the specter of factionalism. Madison thinks that popular democracies always risk degenerating into embittered battles between factions. By faction, he understands “[...] a minority or majority of the whole who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.”<sup>18</sup>

Passions and interests can not, to Madison, be somehow built out of popular democracies. Madison suggests and rejects two such solutions. The first is “[...] destroying the liberty which is essential to its existence”. The following maxim has travelled widely: “Liberty is to faction what air is to fire”. Abolishing liberty would be like wishing away air because fire burns. His other rejected solution is peculiarly put as “giving to every citizen the same opinions, the same passions, and the same interests”. It is not clear what Madison might mean with “giving” here. In any case, Madison rejects this solution since he subscribes to a particular view of how humans come to think the way they do. There is a regrettable but inevitable connection between reason and passions. This means that opinions and passions will influence each other. Madison expresses this as opinions being objects to which passions attach themselves. Opinions are always likely to be corrupted by, or even cave in to, passions. This holds for Madison even if every citizen in a republic could somehow come to think the same about political issues at some point in time.

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<sup>18</sup> Madison 2001 43.

Madison also points out that if the state wants to protect differences in acquired property between citizens, it will also have to deal with differences in interests. Madison explains differences in property by differences in faculties, that is, the ability to acquire it. Interests then arise from having different amounts of property.

Passions will, then, always attach themselves to opinions, and interests will always result from differences in ability. Madison accordingly grounds politics in what today might be called a philosophical anthropology of political convictions – a philosophical account of how people come to think what they think.<sup>19</sup> The question about the best kinds of politics can then begin to be asked, with what is known about human convictions as points of departure.

Madison does this by going on to argue for control of the effects of factionalism, since it is impossible to do anything about its causes. Given a liberal society with freedom of opinion and ownership of property, human passions and abilities will result in factions. There is one main point of importance for this dissertation in Madison's writing. It is not his proposed institutional solution to the problem of factionalism, his famous federal republicanism. Neither is it the details of what Judith Shklar calls his psychology, his early modern system of passions and reason as animating human souls. It is instead what he thinks needs to be done to understand the problem of liberal freedom: theorize how political convictions arise in conditions of liberal freedom, and account for the consequences thereof. Shklar commends Madison's attention to "the logic of collective action even when on the surface there seemed to be nothing but random irrationality and partisan wrangling."<sup>20</sup> Already in 1787, Madison was concerned about what he, as a Calvinist, saw as the vices of the political system of the nascent United States. The list is comprehensive. Chief among them is, however, the vices of the people themselves:

Is it to be imagined that an ordinary citizen or even an assembly-man of R. Island in estimating the policy of paper money, ever considered or cared in what light the measure would be viewed in France or Holland; or even in Massts or Connect.? It was a sufficient temptation to both that it was for their interest: it was

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<sup>19</sup> Ibid. 42.

<sup>20</sup> Shklar 1991 6.

a sufficient sanction to the latter that it was popular in the State; to the former that it was so in the neighbourhood.<sup>21</sup>

Madison is (among many other things) engaged in what Jack Rakove rightly calls the epistemology of political reasoning.<sup>22</sup> Political theory must think about how citizens comes to consider or care about something, their temptations and sanctions upon themselves and others, to paraphrase something of Madison's language and intellectual attitude.

## **2.5 John Stuart Mill: Truth and Popular Rule**

For Mill, his times were the latest stage in a very long history of waxing and waning individual liberties. The ancients, says Mill, conceived of rulers in a necessary opposition to the ruled. The dangerous power of the rulers was necessary to defend communities against threats from the outside. It was also used against the ruled, and kept ancient societies in constant tension.<sup>23</sup> Later in this history, liberty came to mean limitations on the exercise of power by the sovereigns. Such limitations were achieved, according to Mill, in two ways: by institutionalized rights, and by constitutional checks. Rights meant that rebellion was seen as legitimate if the limits of the rights were stepped over by the ruler. Constitutional checks is the development that inaugurates the political problems of liberty that Mill wants to address. By these constitutional checks, "consent of the community, or a body of some sort, supposed to represent its interests, was made a necessary condition to some of the more important acts of the governing power."<sup>24</sup>

Thus far in his short comparative political history of what Mill regards as the important nations and their developing polities, an embryonic form of the question of consensus can already be found. If the "community, or a body of some sort" should consent to acts of governing power, how should they arrive at such a consensus?

Mill's history continues with the time, closer to his day, when the ruling government is no longer thought of as necessarily opposed to it's subjects. If functionaries and

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<sup>21</sup> Madison 1975 345-358.

<sup>22</sup> Rakove 2013 14.

<sup>23</sup> Mill 1977 217.

<sup>24</sup> Ibid. 218.

executives of the state are revocable by election, then security from the power of the rulers is at last considered achieved. Demands for, and the later installation of, elected, temporary rulers carries with it, according to Mill, that concerns about limitations to ruling power are not as important to the minds of the generation of liberals before him:

What was now wanted was, that the rulers should be identified with the people; that their interest and will should be the interest and will of the nation. The nation did not need to be protected against its own will. There was no fear of its tyrannizing over itself. Let the rulers be effectually responsible to it, promptly removable by it, and it could afford to trust them with power of which it could itself dictate the use to be made. Their power was but the nation's own power, concentrated, and in a form convenient for exercise.<sup>25</sup>

Again a question about consensus is waiting to be asked. If the will of the temporary rulers is identified with the will of the nation, then how is this will decided?

The French revolution demonstrated to Mill that it is not enough just to entrust some notion of the people with ruling the state. The events in and after 1789 are to Mill in their worst moments "the work of an usurping few". The majority, it turned out, is quite ready to oppress a minority. The question of limits to power lost nothing of its importance. For Mill, the "tyranny of the majority" is the major political problem of a polity which is supposed to function under popular rule.<sup>26</sup> In *On Liberty*, Mill advances a principle of how power should be limited, even in what we today call democratic polities:

That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to

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25 Ibid. 218.

26 Ibid. 219.

do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right.<sup>27</sup>

The principle of non-interference with individual liberty except in cases of preventing harm is the overriding corrective of Mill's since then canonized 1859 text on liberty. An entry point into what interests me is located right at the end of Mill's principle: Even if someone thinks that it is right for others to do something, the will of this other must always override such beliefs, as they concern any member of a polity. Mill thinks that there are many severe problems with what people think is right as it comes to the making of political decisions. Since there is for Mill, at the time of writing, no generally recognized principle for the limitation of government power, he describes decision-making as in a shambolic state. "[M]en", says Mill, "range themselves on one or the other side in any particular case, according to this general direction of their sentiments; or according to the degree of interest which they feel in the particular thing which it is proposed that the government should do, or according to the belief they entertain that the government would, or would not, do it in the manner they prefer; but very rarely on any account of any opinion to which they consistently adhere, as to what things are fit to be done by a government". Such haphazardly formed opinions is according to Mill dangerous when combined with a tendency towards increased interference by governments in the lives of citizens. Mill identifies such tendencies in his own time.<sup>28</sup>

To counter these problems, Mill gives an account of how polity members that respect individual non-interventionist liberty in general, and consequently freedom of thought in particular, should form and view their political opinions. The principle of non-intervention is restated as the illegitimacy of any form of coercion of opinion. Even if a government acts exactly according to what it thinks is the voice of the people, it has as little right to silence a single person as it has to silence all of mankind. The peculiar evil of suppression of opinion and thought, according to Mill, is that it makes mankind a double disservice. If the dissenter is right, then the polity loses a chance at correcting it's opinions. If the dissenter is wrong, the polity loses

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27 Ibid. 222-223.

28 Ibid. 227.

another chance at “what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error”.<sup>29</sup>

This mutual service of free exchanges of opinions is repeated through Mill’s argument for the freedom of thought. It is founded on a presumed fallibility of human epistemology. The silencer of opinions, says Mill, “assume that their certainty is the same as absolute certainty”. Such absolute certainty can never be reached. Unfortunately for many people, Mill continues, “the fact of their fallibility is far from carrying the weight in their practical judgment, which is always allowed to it in theory; for while every one well knows himself to be fallible, few think it necessary to take any precautions against their own fallibility, or admit the supposition that any opinion, of which they feel very certain, may be one of the examples of the error to which they acknowledge themselves to be liable.”<sup>30</sup> Mill sees this argument as an often repeated truism, but it is to him “not the worse for being common”.<sup>31</sup>

The fallibility at work here is in fact, according to Mill, the basis for any statement of truth. It is only by virtue of an ability to correct error by the exchange of contradiction that any reasonable claim to truth is made. If there is, on balance, a prevailing rationality among humans, which Mill thinks it is, it must be because of a quality of the human mind: “that his errors are corrigible”.<sup>32</sup> A judgment worth trusting is so because the one making it has “kept his mind open to criticism of his opinions and conduct”. After pointing out that even the Roman Catholic Church has devil’s advocates, Mill arrives at this composition of what truth in a liberal polity is and how it is attained through reason:

The beliefs which we have most warrant for, have no safeguard to rest on, but a standing invitation to the whole world to prove them unfounded. If the challenge is not accepted, or is accepted and the attempt fails, we are far enough from certainty still; but we have done the best that the existing state of human reason admits of; we have neglected nothing that could give the truth a chance of reaching us: if the lists are kept open, we may hope that if there be a better truth, it will be found when the human mind is capable of receiving it; and in the

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29 Ibid. 229.

30 Ibid. 229-30.

31 Ibid. 229.

32 Ibid. 231.

meantime we may rely on having attained such approach to truth, as is possible in our own day. This is the amount of certainty attainable by a fallible being, and this is the sole way of attaining it.<sup>33</sup>

What interests me here is what truth does to and in politics. In liberal popular government, the opinions of the people shall result in power never staying permanently in the hands of tyrants. If the elected rulers does not act according to the will of the nation, they should be elected out of their offices. A problem arises when the will of a large enough part of the population agrees that the liberal limit of governance should be exceeded.

Mill's argument against such an illiberal polity has two parts. The first is epistemological. The fallibility of human beliefs in truth should be a corrective principle whenever claims to truth are advanced in public, that is, among other things, in politics. The reason for such a corrective is that convictions of the truth of a matter are constitutively uncertain. Mill brings up examples from history to underscore his point. We must assume, says Mill, that the killers of Socrates acted from convictions that the accusations leveled against Socrates were true: "Of these charges the tribunal, there is every ground for believing, honestly found him guilty, and condemned the man who probably of all then born had deserved the best of mankind, to be put to death as a criminal."<sup>34</sup> The persecution and trial of Jesus is a similar case of human fallibility. Most people now alive who mourn the murder of Christ would according to Mill have acted just like most people did at the time, welcoming the execution of a sectarian troublemaker.<sup>35</sup> The fact of fallibility is also, importantly, at least in theory clear to "most people", as quoted above. Mill's epistemological argument is intended to work as a reminder of fallibility to those who are too convinced of the truth of their own beliefs. The reminder points to fallibility as a fact of life with knowledge, and thereby also political convictions.

The critical and political second part of Mill's argument is a development and consequence of his reminder of epistemological fallibility. In public reasoning, the utility of argument for a polity is greatest when the fallibility corrective is honored. The liberal polity, when deciding on its opinions, benefits greatly from the recognition of

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33 Ibid. 232.

34 Ibid. 235.

35 Ibid. 236.

fallibility in and by its members. The free exchange of opinions demands that each member of the polity admits the fact of fallibility and the possibility for improvement of opinion that this enables. There is thus a normative political utility in the argument from fallibility. A recognition of epistemological fallibility is also expected from polity members, in the interest of protection from future tyranny. When every polity member recognizes its own fallibility, some protection from the tyranny of the majority can be achieved, even with an elected government. The will of the people should, through recognition of epistemological fallibility, abstain from the temptation of political ambition from conviction.

As Gerald Gaus points out, Mill advances “a basic liberal theme: given freedom of thought, speech and inquiry, our common human reason leads us towards increasing agreement on truths and rejection of falsehoods. [...] The exercise of our reason, then, leads us to agree. Mill — and here he speaks for much of the liberal tradition — was thus convinced that one aspect of social progress was convergence on an increasing body of truths.”<sup>36</sup>

Gerald Gaus contrasts Mill’s view of polities converging on truth with what he calls post-enlightenment liberalism. There is little hope, in the age of deep pluralism, for citizens to converge on much in the way of common truths:

Post-Enlightenment liberals do not suppose that there is a moral truth that reason uncovers; indeed, to striking extent they are uncertain that moral truth can be appealed to in politics at all. [...] The task of Post-Enlightenment liberalism is to show that our reason does not always lead us to disagree. Although rational disagreement is pervasive, it is bounded by a public reason justifying a political order based on freedom.

By ‘Post-Enlightenment’ liberalism, then, I do not mean a liberalism that rejects the Enlightenment, but one that accepts many of the challenges to the Enlightenment View, yet argues that the main conclusion of Enlightenment liberalism is correct: reason can lead us to converge on public principles securing human freedom.<sup>37</sup>

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36 Gaus 2003 2.

37 Ibid. 19.

The public political reasoning of John Stuart Mill has reaching acceptable conclusions, and hoping for them to be truths, as its target. Mill, and even more so late liberal theory as referenced by Gaus, tempers any further expectations about reason. It is the foundation for hoping for as good conclusions as possible. Decisions made might not have anything to do with truth itself, if there is such a thing, but people equipped with reason will see the reasonable in getting somewhere.

## **2.6 L T Hobhouse: Victorious liberalism**

Like James Madison and John Stuart Mill (and, as will be shown later, John Rawls), L T Hobhouse uses a philosophical history to state his problem. Madison painstakingly studied an impressive amount of historical republics. In short and pointed notes, the failures of each of them is duly recorded.<sup>38</sup> Madison was led to agree with Alexander Hamilton's assessment in *The Federalist*:

It is impossible to read the history of the petty republics of Greece and Italy without feeling sensations of horror and disgust at the distractions with which they were continually agitated, and at the rapid succession of revolutions, by which they were kept perpetually vibrating between the extremes of tyranny and anarchy.<sup>39</sup>

Hobhouse similarly is not impressed with the republics of the ancients. The Greek city-states was plagued by "disputes of faction." Hobhouse thinks this was "probably" due "in part [...] [to] a legacy from the old clan organization, in part a consequence of the growth of wealth and the newer distinction of classes." The attempted solution of the Roman empire to the problem of factions is to Hobhouse the ever wider extending of citizenship. More and more people became Roman citizens, in an attempt to grant them a stake in the future of the empire. Roman citizenship should then successfully compete with other local loyalties. Though granting other advantageous rights, a citizenship so expanded became politically useless. Roman citizens could not, if not for anything else than simple practicality, "meet in the Forum of Rome or the Plain of Mars to elect consuls and pass laws [...]". Even though the

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38 REF Madison papers [FIX THIS REFERENCE]

39 Hamilton 2001 37.

Roman empire maintained the political rights of citizenship, the fact was that “an emperor could be made elsewhere than at Rome [...]”. Legions, not citizenships, became the decisive political units.<sup>40</sup>

Hobhouse reads ancient history to illuminate later conditions for the rise of liberalism. After Rome, European society took feudal forms. Authority had to be established. Every man should have his master: “The serf held of his lord, who held of a great seigneur, who held of the king. The king in the completer theory held of the emperor, who was crowned by the Pope, who held of St Peter.”<sup>41</sup> Developments undermining feudal authority starts Europe on the way towards liberalism. Hobhouse thinks that the centres of commerce was where men “[learned] anew the lessons of association for united defence and the regulation of common interests, obtained charters from seigneur and king, and on the Continent even succeeded in establishing complete independence.”<sup>42</sup> Reaction in the form of absolutism succeeded momentarily in keeping the feudal order intact. By the end of the *ancién regimes*, they had tried to cast larger and larger states in the feudal mold.<sup>43</sup>

So far, Hobhouse has a common understanding of European political developments. As a narrative of events in the history of the continent, his condensed account can surely be questioned at many points. He clearly, however, captures a familiar liberal philosophical understanding of history. Waxing and waning liberties are mapped out on to historical turning points. As such, the interesting part comes right at the end of the story. “The modern State”, says Hobhouse, “accordingly starts from the basis of an authoritarian order [...]”, and “a protest religious, political, economic, social and ethical [...]” against that very order. Right there, as a protest meaningful against a backdrop of paternalism, liberalism to Hobhouse can find its beginnings.

Hobhouse comes into his own in his interpretation of which tasks liberal philosophy has historically carried out in the struggle against feudal authority:

Thus liberalism appears first as a criticism, sometimes even a destructive and revolutionary criticism. Its negative aspect is for centuries foremost. Its business

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40 Hobhouse 1994 6.

41 Ibid. 7.

42 Ibid. 6.

43 Ibid. 7-8.

seems to be not so much to build up as to pull down, to remove obstacles which block human progress, rather than to point the positive goal of endeavour or fashioning the fabric of civilization. It finds humanity oppressed, and would set it free.<sup>44</sup>

Hobhouse makes an important conceptual point about the philosophy of liberalism. His political history in outline is there to show what to his mind is the conceptual logic of the liberal question. For a long time, this logic is negative. Justifications of, and proof of how, the removal of political barriers to human progress is what liberal philosophy is supposed to deliver.

A state of nature, and what such a state entails, is a classical rendition of negative liberal logic. John Locke postulates that prior to any association, humans live free lives. By entering into what is today called social contracts, their original freedom is restricted and thereby diminished.<sup>45</sup> Read through Hobhouse, what Locke does is establishing the burden of proof. Anyone wanting to argue any kind of involuntary association will have to argue against a natural state of freedom from intervention by others in individual life. The state of nature can be held up against any restrictions of individual freedom. Lockean liberalism here lays the philosophical groundwork for opposing any obstacles to free expression, free trade and free association. Old authorities from the feudal era can thereby be philosophically discredited.

The philosophy of liberalism has been widely understood as working towards accounts of maximized individual freedom. I can only point out some of them here, to further show the relevance of Hobhouse's observation.

[B. Here some further examples about the negative logic might be provided: Robert Nozick and Friedrich von Hayek.]

Hobhouse writes a conceptual logic, and attempts to keep it in time with an interpretation of the history of liberal politics. What began as a perceived need for thinking about removing obstacles to human freedom becomes, according to Hobhouse, a need for another question after the political victories of liberal political movements. Acknowledging, in 1911, that a lot of time has passed since the original

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44 Ibid. 8.

45 Locke, Second Treatise [FIX THIS REFERENCE]

need to justify the end of absolutism, he asks: “Is [liberalism] doing as much for the reconstruction that will be necessary when the demolition is complete?”

Hobhouse’s question becomes even more interesting in the light of another of his historical interpretations. He sets out to record the “historical progress of the liberalizing movement”. Liberals can look back on responsibility for sweeping changes. Civil liberties concern the legal relationships between citizens and states, philosophically expressed as freedom from arbitrary rule.<sup>46</sup> Fiscal liberty means the restraint of executive powers of government on trade. Hobhouse makes an extensive list, but his summary of personal liberties are the most interesting here. Liberty of thought means “[...] freedom from inquisition into opinions that a man forms in his own mind [...]”. Since thought to Hobhouse mainly is a “social product”, liberty of speech, writing, printing and “peaceable discussion” necessarily follows from liberty of thought. The extent to which liberalism has changed Western societies leads Hobhouse to say that by virtue of historical victories, it has become “coextensive with life”:

It is concerned with the individual, the family, the State. It touches industry, law, religion, ethics. It would not be difficult, if space allowed, to illustrate its influence in literature and art, to describe the war with convention, insincerity, and patronage, and the struggle for free self-expression, for reality, for the artist’s soul. Liberalism is an all-penetrating element of the life-structure of the modern world.<sup>47</sup>

Acknowledging the victories of political liberalism is, I think, a very good reason for also accepting Hobhouse’s change from a negative to a positive logic of liberty. When liberty, as it sits in the core of philosophical liberalism, is understood as the now indispensable idea of Western societies, then what is its positive meaning? When asking questions about liberal pluralist freedoms, their positive contents will be examined here, not justifications for their expansion. Given that the idea of pluralist liberty has become, for reasons of political history, fundamental to contemporary life, arguments against the diminishing of liberty are not as interesting as those about what it means.

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46 Hobhouse 1994 10-12.

47 Ibid. 22.

Of course, choosing between positive and negative liberty is a major question in the philosophy of liberalism. Isaiah Berlin, whom I will return to shortly, left it as one of his many legacies. Anyone thinking that a choice between positive and negative liberty is the major question to be answered might also think that I have definitely taken a stand on the positive side of that fence. Stephen Mulhall and Adam Swift notes in passing that the liberalism of L.T. Hobhouse wears communitarian credentials on it's sleeve.<sup>48</sup> I have some problems understanding this label as it would stick to Hobhouse. However, what is important is the extent of what I am taking from Hobhouse as a premise. It is not his writing on the future of liberalism, as positive about liberty as that may be.<sup>49</sup> Rather, it is this: Given liberal victories in the Transatlantic societies of my concern, a philosophy of liberalism has something urgent to contribute to the meaning and state of those victories. Such a philosophy should not argue the expansion of liberty against any remaining obstacles to it, but rather examine what liberalism might be able to erect to sustain itself, and still be liberal.

## **2.7 Isaiah Berlin: A Warning about Reason**

As the Transatlantic societies entered the age after the Second World War, liberty took on new meanings. Isaiah Berlin authored a celebrated restatement of the concept, delivered for the first time as a lecture in 1958, and published as *Two Concepts of Liberty*. Berlin thinks his essay is important to understand what is at stake in the Cold War, himself feeling the gravity of post-war developments. So many human beings, Berlin says, “have had their notions, and indeed their lives, so deeply altered, and in some cases violently upset, by fanatically held social and political doctrines.”<sup>50</sup> Political urgency in relentless cold war struggles should raise suspicions in later readers.<sup>51</sup> Berlin has also been roundly and rightly criticized for his judgement on anticolonialism. Struggles for liberation by colonized peoples are often to Berlin more like “pagan self-assertion” than anything about liberty.<sup>52</sup> Despite this, I still think

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48 Mulhall and Swift 2003 461.

49 Hobhouse 1994 103ff.

50 Berlin 2002 167.

51 Berlin has also been critically read as a cold war liberal. See for example Tully 2013 and Müller 2008.

52 See for example Hesse 2014.

Berlin's arguments are valuable for my premises. However, it is not the points about negative and positive liberty, or the post-colony, I am reaching for.

Berlin starts off by asking questions about authority and obedience.<sup>53</sup> Before that (literally, in the order of the essay) comes discord.<sup>54</sup> Berlin's lecture (and his appointment to a chair at Oxford that occasions it) is for him meaningful because people disagree about the right ways to live together.<sup>55</sup> Berlin has this in mind throughout the essay. Berlin targets a happy rationality. John Stuart Mill's idea about liberal persons is the initial problem. To avoid the mediocrity of conformity, while adhering to principles of epistemological fallibility, Mill endorses some character traits. Berlin summarizes this Millian character as critical, original, imaginative, independent, and non-conforming to the point of eccentricity.<sup>56</sup> A familiar argument then follows: Democracy is not a necessary condition for the development and flourishing of liberal virtues, such as Mill thinks about them. Berlin then moves on to what is more relevant here. What is the meaning of autonomy and freedom for liberal persons, if it is not exactly what Mill had in mind? Berlin pulls out many concepts that he ties together in what he calls a metaphor of self-mastery:

I wish to be a subject, not an object; to be moved by reasons, by conscious purposes, which are my own, not by causes which affect me, as it were, from outside. I wish to be somebody; not nobody; a doer – deciding, not being decided for [...].<sup>57</sup>

All of this is for Berlin "at least part of what I mean when I say that I am rational [...]". Such a rational person conceives goals and policies, and realizes them.<sup>58</sup>

Berlin continues with what he thinks is the "momentum" that rational self-mastery as an idea about persons has acquired in some philosophy. If rationality is self-mastery, and, I might add, if rationality is a political concept enabling free people to rule themselves, then there must be something to master. Here another set of

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53 Berlin 2002 168.

54 Ibid. 166.

55 Ibid. 166.

56 Ibid. 173-76.

57 Ibid. 178.

58 Ibid. 178.

Berlin's descriptions follow. There is a rational self which dominates, and something internal to rational persons that is "brought to heel":

This dominant self is then variously identified with reason, with my 'higher nature', with the self which calculates and aims at what will satisfy it in the long run, with my 'real' or 'ideal', or 'autonomous' self, or with my self 'at its best'; which is then contrasted with irrational impulse, uncontrolled desires, my 'lower' nature, the pursuit of immediate pleasures, my 'empirical' or 'heteronomous' self, swept by every gust of desire and passion, needing to be rigidly disciplined if it is ever to rise to the full height of its 'real' nature.<sup>59</sup>

For Berlin, the metaphor of self-mastery all too easily turns into a hierarchy of value. Rationality becomes a cherished set of abilities opposed to other, lower human expressions of will. In the dungeons of humans, there are trolls that has to be locked away. From here, the next step is obvious: There are people that fails to be rational. They do not master all of the self.

So far, nothing of this is of obvious and urgent importance for problems about liberal pluralism. It is easy to imagine a view like the one above cashing out as a stale political recommendation of rationality: If only most people in liberal societies are at least minimally rational, many problems will go away. It is also easy to imagine a far darker version: Some people just are irrational, and they need to be shepherded by those who are.

Berlin takes another step into what is an important cautioning about rationality for any idea of liberal pluralism. Suppose, says Berlin in so many words, that we shall not think that some people just are irrational, but, that everyone *can be* just as rational as everybody else. Then it is also tempting to "conceive of myself as coercing others for their own sake, in their, not my interest. I am then claiming that I know what they truly need better than they know it themselves. What, at most, this entails is that they would not resist me if they were as rational and wise as I and understood their interests as I do."<sup>60</sup>

Berlin of course ties his account to what he thinks is the dangerous positive conception of liberty. If there are some positive interests that makes all rational

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59 Ibid. 179.

60 Ibid. 179-80.

people free, and if all people can be rational, then it seems permissible to advance such interests even in the face of others who are not (yet) so rational.<sup>61</sup> I read this not as arguments in a debate about different kinds of liberties, but with liberal pluralism in mind. In this I at least sympathize with intentions in readings by George Crowder and Melissa A. Orlie. I do not, however, take exegetical sides in a more comprehensive debate about Berlin's intentions, as they do.<sup>62</sup>

Importantly to me, Berlin pushes the question of liberal rationality to the point where it has to have some philosophical content. His view of the dangers of rationality is interesting against a backdrop of a philosophical commitment to pluralism. Rationality, given that it works the way Berlin thinks it does, can lead rational people to act politically in authoritarian ways. His account turns on rationality, for it to do the supposed liberating and enlightening work that it should, needing some idea about what is not rational. Irrationality is then just a short step away from being mapped out on to a plural polity, according to what criteria there are for what is rational. Berlin's warning about this is in itself important as a premise to me. In condensed form, my premise then is this: If rationality is entrusted with a major role in an epistemology of liberal pluralism, watch out for what it condemns.

Equally important to me is the way Berlin questions rationality. As already indicated, he takes the step from acknowledging the political importance of rationality to giving a philosophical account of how it might work. Rationality to Berlin is obviously important to the question of how free people conduct their political affairs. Already at this stage he disregards any eventual separation of philosophical epistemology and anthropology from political thinking. As has been indicated earlier, I also premise this dissertation on the fruitfulness of not separating these areas of inquiry. The philosophical points about rationality, then, follow from an implicit recognition that rationality needs to be detailed, spelled out with as much clarity as possible, if it is important for politics.

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61 Ibid. 181.

62 Crowder 2013, Orlie 2013.

## 2.8 Walter Lippmann: The reality that humans built

Introducing his study of public opinion, Lippmann asks us to imagine an island. It is isolated from Europe, only receiving the major newspapers of the day via British mail steamer once every sixty days. Nonetheless, the island is inhabited by Germans, Frenchmen and others of unquestionably European nationality. Flocking at the quay to greet the mail steamer, they expect the latest details about a scandalous trial involving high society. A grisly, but scintillating (and unmistakably French) story. Instead, they get to know that they are at war with each other. It is September 1914. "For six strange weeks they have acted as if they were friends, when in fact they were enemies".<sup>63</sup>

Lippmann's story might seem spurious, an extreme case. Yet, he says, the uncannily disruptive situation is not unlike those facing many people at the outbreak of the war that did not end all wars. "All over the world as late as July 25<sup>th</sup> men were making goods that they would not be able to ship, buying goods they would not be able to import, careers were being planned, enterprises contemplated, hopes and expectations entertained, all in the belief that the world as known was the world as it was".<sup>64</sup>

Lippmann tells this story to set up the point running through his work. It is, as I read it, a piece of philosophical anthropology:

Looking back we can see how indirectly we know the environment in which nevertheless we live. We can see that news of it comes to us now fast, now slowly; but that whatever we believe to be a true picture, we treat as if it were the environment itself. It is harder to remember that about the beliefs upon which we are now acting, but in respect to other peoples and other ages we flatter ourselves that it is easy to see when they were in deadly earnest about ludicrous pictures of the world. [...] We can see, too, that while they governed and fought, traded and reformed in the world as they imagined it to be, they produced results, or failed to produce any, in the world as it was. They started for the Indies and found America. They diagnosed evil and hanged old women. They thought they could

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63 Lippmann 1998 3.

64 Ibid. 4.

grow rich by always selling and never buying. A caliph, obeying what he conceived to be the Will of Allah, burned the library of Alexandria.<sup>65</sup>

Thus far, the point is straightforward. Perceptions about the world sometimes do not match both how the world turns out to be, and how others see it. My interest in Lippmann is that he take the problem in its modern political appearance seriously. Developing the consequences of developments in increasing availability of information and disinformation, Lippmann thinks that humans insert a pseudo-environment between themselves and the environment they live in. The First World War provides Lippmann with an ample amount of concepts to use in describing this: “the casual fact, the creative imagination, the will to believe, [...]”. For Lippmann, humans react as intensively, and violently, to the pseudo-environment as to anything else.<sup>66</sup> Drawing a line between lies, composing the pseudo-environment, and truths, composing the real environment, is for Lippmann getting away way too easily. The pseudo-environment is “a representation [...] which is in lesser or greater degree made by man himself”. A wide range of epistemic activities erect the pseudo-environment, and many of them are necessary for anything resembling a view of reality. All the way from hallucination, to scientists consciously and scrupulously using a reductive model, to the confusion in the American congress about the fake news of American Marines landing on the Dalmatian coast in 1919, the pseudo-environment ensues.<sup>67</sup>

Essential to Lippmann’s distinction between environments is the difference between direct acquaintance with an important event and the many complicated representations of it. It is impossible to have direct acquaintance with very many events of importance. A pseudo-environment of some kind is for Lippmann necessary when dealing with the world as it has turned out to be, where politics is made in a national and global domain. Lippmann at least initially plays down both pessimism and optimism about the epistemic situation of humanity, considering instead the pseudo-environment as a matter of necessary thinking:

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65 Ibid. 5-6.

66 Ibid. 14-15.

67 Ibid. 15-16.

A work of fiction may have almost any degree of fidelity, and so long as the degree of fidelity can be taken into account, fiction is not misleading. In fact, human culture is very largely the selection, the rearrangement, the tracing of patterns upon, and the stylizing of, what William James called “the random irradiations and resettlements of our ideas.” The alternative to the use of fictions is direct exposure to the ebb and flow of sensation. That is not a real alternative, for however refreshing it is to see at times with a perfectly innocent eye, innocence itself is not wisdom, though a source and corrective of wisdom.

For the real environment is altogether too big, too complex, and too fleeting for direct acquaintance. We are not equipped to deal with so much subtlety, so much variety, so many permutations and combinations. And although we have to act in that environment, we have to reconstruct it on a simpler model before we can manage with it. To traverse the world men must have maps of the world. Their persistent difficulty is to secure maps on which their own need, or someone else’s need, has not sketched in the coast of Bohemia.<sup>68</sup>

Keeping my intention to let the reading of Lippmann and others be premises for my inquiry into liberalism, I seem to have made many epistemological commitments by including this quote. Even before the quote, it might seem like Lippmann and I both subscribe to Bertrand Russell’s view of knowledge by acquaintance or description. According to Russell, humans have knowledge by acquaintance of objects that are brought before the mind. Objects are thus related to subjects by acquaintance when there is a presenting relation between them.<sup>69</sup> For Russell, the “first and most obvious example” of what kinds of objects humans are acquainted with are sense-data.<sup>70</sup> Most of what is usually said to be knowledge, then, is indirect, since sense-data are often not connected to the presence of something outside of the mind. “Common words”, as Russell puts it, are most often really descriptions. What people think can generally only be made explicit by treating thoughts as descriptions. Requirements for such descriptions to be in some sense successful varies, as long as the objects described remain constant. Descriptions, then, makes no necessary difference to the truth or falsehood of describing propositions. Russell, like Lippmann,

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68 Ibid. 16.

69 Russell 1910 108.

70 Ibid. 109.

uses an example from foreign politics. Highly politicized descriptions of the German chancellor Bismarck were common in Russell's time, so it is easy to understand why he uses this particular example. Almost none of his contemporary readers of British newspapers has any sense-data of Bismarck, but many still say that they know something about him. A description of knowledge by acquaintance of Bismarck, for Russell, is a description of sense-data connected to the body of Bismarck. Which sense-data those are is a matter of chance – who happened to be there at some point in time, and what sense-data there were to turn into descriptive propositions when transmitted through, typically, writing.<sup>71</sup> Judgements on Bismarck from descriptions, then, are for Russell made from “some more or less vague mass of historical knowledge – far more, in most cases, than is needed to identify him.” When anyone says that Bismarck was an astute diplomatist, it is a descriptive proposition that the speaker would like to affirm, but cannot. Affirmation in these cases involve nothing more, or less, than testimony, “heard or read”.<sup>72</sup>

Russell's view seems compatible with Lippmann's, as I have given it here. The people on the island needs descriptions of the world. These descriptions are useful, and as long as they do not lose sight of their objects, they are not fictitious to any catastrophic degree. Relying on knowledge by description, the islanders puts together a pseudo-environment, in Lippmann's terms. Then the mail steamer arrives. On the strength of testimony from reporters that are, they implicitly insist, acquainted with sense-data of the outbreak of war, life on the island will never be the same again.

It may be argued that Lippmann's pseudo-environments have something to do with what Russell calls “the intrusion of the idea between the mind and the object.” Russell's rejection of “some mental existent which may be called the ‘idea’ of something outside the mind [...], constituent[...] of the mind of the person judging” can conceivably be used to argue against a reading of Lippmann as in agreement with Russell.<sup>73</sup> As I will show in my summary of what premises I have taken from Lippmann, this question is not necessary for me to answer. Here I want to point to the first of several epistemological commitments I might and might not make, and now move on to the next.

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71 Ibid. 114.

72 Ibid. 115.

73 Ibid. 119.

Another major consequence of premising anything on Lippmann is his insistence on a difference in scale and intensity between human cognition and the world humans inhabit. Lippmann believes that the world extends beyond any human ability to entirely comprehend it. This holds for individuals as well as for neighborhoods, political parties, corporations and any other groups. The real environment is “too big, too complex and too fleeting” for anyone to grasp it without resorting to some, conscious or unconscious, reduction of it. Lippmann’s contention here is very similar to Max Weber’s configuration of humans in an extensively and intensively infinite world. Weber writes about the relation between humans and the world that surrounds them in his essay about the objectivity of the social sciences. For a social scientist, it is of course very important to ground observations in some kind of theory about them. Considerable care should, and is, taken in choosing a method that enables a relevant analysis of gathered data. Social scientists are, when addressing problems of method, relating themselves to the world in ways that are quite different to what usually goes on in political life. However, I think this principle of Weber’s is true also of anyone trying to form and maintain a political conviction:

Nun bietet uns das Leben, sobald wir uns auf die Art, in der es uns unmittelbar entgegentritt, zu besinnen suchen, eine schlechthin unendliche Mannigfaltigkeit von nach- und nebeneinander auftauchenden und vergehenden Vorgängen, “in” uns und “außer” uns. Und die absolute Unendlichkeit dieser Mannigfaltigkeit bleibt intensiv durchaus ungemindert auch dann bestehen, wenn wir ein einzelnes “Objekt” – etwa einen konkreten Tauschakt – isoliert ins Auge fassen, – sobald wir nämlich ernstlich versuchen wollen, dies “Einzelne” erschöpfend in allen seinen individuellen Bestandteilen auch nur zu beschreiben, geschweige denn es in seiner kausalen Bedingtheit zu erfassen.<sup>74</sup>

As soon as we are trying to reflect upon life as we immediately comes up against it, we face an infinite manifold of events and phenomena. It is true for both sides of any divide between “inner” and “outer” life. Even when we try to describe particular objects, the absolute infinity to Weber remains, but in a form he calls “intensive”.

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<sup>74</sup> Weber 1973 174. I am grateful to Erik Jansson Boström for introducing me to the intricacies of Weber’s thought on truth.

Both Lippmann's and Weber's points, as I agree with them, is that every view of the world is by necessity some kind of reduction. As such, this point is not very controversial. It is valuable to me when Lippmann takes the political consequences of it seriously. It can never be assumed that political convictions are traceable to some common view of the world. As people in a polity understands the world they might, as it were, cut out different slices of the infinity of phenomena. The story of the islanders is even more complicated than it seems, and by extension also the basic configuration of the people in the plurality assumed by the concept of pluralism. The epistemic problem of pluralism is, then, not only that different views of the world and consequently of politics, depends on different depictions of it. Pluralism also means the constant possibility of political convictions being formed and maintained in relation to different epistemic material.

Out of the two premises, the reductive necessity of world views and the necessary pseudo-environment of the same, I am committed to the first but needs to qualify the second.

Weber and Lippmann are right when placing humans in a necessarily reductive relationship to the world around them. There is always more there to be understood. Why they are right is of course a very complicated question, one which can not be answered here. The intent here is not to smuggle in any epistemological framework apart from what I have shown above. For example, there are clear Kantian leanings to Weber's account. Those are not intended to follow through to the present work by any necessity, at this stage of the inquiry. One point is, though, carried over from Weber and Lippmann: The impossibility of any kind of perfect or perfectible account of any state of affairs that is politically important. Included in the premise of a reductive relation to the world is that there can not be any political convictions grounded on descriptions that are totally adequate for all purposes at hand. Hopefully, this premise is uncontroversial enough to do only its intended work: keeping epistemic questions honest.

Lippmann is right about the pseudo-environment, but it is present here as a premise only in a very rough form: People free to gather and process information about the world does so to form descriptions of it – and these descriptions does not always match up to the world in the intended way, when tested. Still, some ideas about what is thought to be the state of the world is necessary to even begin acting and reacting in life. Lippmann of course goes on to a sophisticated account of the

consequences of the pseudo-environments, and why and how they are put together. Nothing of Lippmann's further elaborations of the concept of pseudo-environment is carried over to this inquiry. Neither is any commitments to the Russell-like epistemology seemingly implied by Lippmann's choice of words. No specifics of a Russellian view of the difference between acquaintance and description are here taken for granted. The difference in question that I find useful is only roughly that between reported reality and reality close at hand.

Lippmann's premises, the reductiveness of accounts and the belief in them as accounts only, are important because they help spelling out the question in the problem of pluralism – how views of the world as the basis of political convictions can be so different. They are also present throughout this work as correctives, a principal standpoint against tendencies to ideas about epistemic perfectibility as mitigating any difficulties about pluralism.

[C. As an addition to these premises, I am considering writing about communitarianism and why I will not pick up anything from that view.

As I stand now, I simply cannot extract a communitarian philosophical point of view. Charles Taylor invokes Hegel and Gadamer to talk about the formation of identities (and has of late turned to writing about secularism). Alasdair MacIntyre invokes Aristotle to talk about the virtuous life. Michael Sandel invokes a philosophy of the subject, referencing French tradition, if only obliquely, to attack Rawls specifically. Michael Walzer is talking about rights. They all at some point denies kinship with each other and feel that they have been wrongly lumped together. My conclusion will be that as philosophical arguments, there is no single point to be made out of this supposed movement of thought. I will reference Mulhall and Swift, the Oxford critical bibliography of communitarianism, Kelvin Knight on MacIntyre and Hamitai Etzioni to reinforce this point.

Debates about communitarianism seems to me mostly to have ebbed out, and I am not convinced that I have to position myself relative to some communitarians. Any suggestions about this is very welcome.]

[D. Another relevant issue here is justification. In academic philosophy of liberalism today, justification is a common problem, and indeed a common way of thinking about liberalism in general.

The idea about justification is that philosophy should find the best justifications for the exercise of political power. Justification in the particular case of liberal pluralism, then, seems to me often to be about how restrictions on non-liberal political phenomena can best be justified, in the interest of the survival of liberal regimes (or “managing diversity” as this is, to my mind correctly, called by John Dryzek and Simon Niemeyer).<sup>75</sup>

I think there are deep problems with the justificatory approach. For a start, I wonder how justification is justified. Why and how would a justification of the exercise of power over non-pluralists, to restrict them from political achievements, be what any non-pluralist thinks is what makes pluralism take precedence in politics?

Thomas Nagel has written a paper where he spells out the problems of liberalism having to rely on at least two different sets of political values, where one of them justifies the exercise of power (over non-liberals) and the other (for example freedom of political opinion and organization) does not.<sup>76</sup> I included an approving discussion about Nagel’s article in an earlier version of this manuscript, but cut it out. It seems clear to me that I am not writing about justification, but perhaps I need to state this, and the problem, more clearly. The downside would be, I imagine, that explicitly rejecting the approach of many philosophers in this field as a premise of my work might require more than just accepting a view from Thomas Nagel. I am grateful for any suggestions about this.]

## **2.9 Summary of the Introduction**

I will now summarize my overarching question and the premises leading up to it. I intended in this chapter not only to formulate my problem, but also to address some basic questions important to that problem, and to thought on liberalism. This summary is an overview of these intentions.

What liberal freedom, the liberty at the root of the concept, might mean is not self-evident. None the less, liberty is what much of liberalism is about. Here, the freedoms

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<sup>75</sup> Dryzek & Niemeyer 2006.

<sup>76</sup> Nagel 1987.

to think about, express and try to realize political convictions is seen as vital for the very idea of liberalism. It is liberalism as thought about politics and society that is at issue here, not the practices of liberal politics. However, liberal politics constantly refers to concepts like freedom.

A plurality of political convictions results from freedoms of thought and expression. Philosophically, pluralism is a fundamental good of liberalism. Liberal freedom loses its meaning without pluralism. As a result of political history, pluralism is also a condition. In societies where liberal politics has a decisive influence, there is a practice of pluralism: A wide range of political convictions are in opposition to each other. Philosophy about liberalism should, then, account for pluralism as the consequences of freedoms of thought and expression.

Disagreements follows from pluralism, at least as a constant possibility. This is also part of what liberal freedom of thought means. A freedom to disagree is included in freedoms of thought. Contemporary politics in liberal societies is often defined by the lack of any consensus, and questions about if a consensus on anything is even possible. If the polities in these societies are supposed to have anything of political relevance in common, then pluralism as I understand it is not only a necessary good and a necessary consequence of that good, but also a serious problem.

Questions about liberal freedom and pluralism are raised with particular urgency by the freedom to hold and advance non-pluralist political convictions. It seems philosophically (and practically) very difficult to water down freedoms of thought and expression to stop non-pluralists in pluralist societies. Examples of such non-pluralist politics is becoming more and more common in the transatlantic West. Liberalism is vulnerable to the use of pluralist political freedoms to undermine its own political and cultural pluralism. My question is how this vulnerability should be philosophically understood.

Even with the question of the vulnerability of liberalism and its necessary pluralism set out, it is still as a philosophical question not very well put. What kind of question is it? Is it about looking for a set of values that every citizen must embrace for liberalism to work? Is it about the right motives for restricting some liberties, at some points? Many other avenues of inquiry are possible. To further clarify what is going on here, I look to earlier thought on liberalism. From there, I retain some ideas as premises.

James Madison's problem is (among others) how free citizens think about their own political convictions. It is enough, in the example, for a representative to ground

convictions in what a small constituency thinks. It might even be the correctly democratic thing to do. To understand the issues he is confronted with, Madison asks how citizens form and maintain their convictions. Then Madison draws conclusions about liberal society, where liberal politics is made. To me, this is a philosophical anthropology of life with what citizens think is true and politically important about themselves and the world, as cashing out in politics. Under conditions of liberal pluralism, the question then is whether such pluralism implies, entails or demands something of what citizens in such a society think is true and right. Since the plurality has to engage with each other in politics, and they all think very differently, is there something about how they form and maintain their convictions that is key to insight about the vulnerability of liberal pluralism? Truth, and reasoning about truth, are key concepts to interrogate. I consequently brand my inquiry as a philosophical anthropology of the epistemic conditions of liberal pluralism.

L T Hobhouse provides a philosophical history of transatlantic liberalism whose implications I accept. The task of liberal philosophy was for a long time to justify a negative logic of freedom. Against paternalism, negative freedom means that any decrease in liberty can be questioned on philosophical grounds. Hobhouse asks whether it is time for thought on liberalism to instead account for a positive content of its ideas. I agree, and view my inquiry as in that time and of that subject matter, and particularly about the concepts of freedom and pluralism.

John Stuart Mill, as I read him, provides an elaboration of the concerns raised to James Madison. From a philosophical history similar to Hobhouse's, Mill concludes that the issue (among others) is consensus. Mill strongly links the possibility of consensus to epistemic temperance about truth and goods. His arguments are about the fragility of any beliefs about the true and the good. I do not simply accept his conclusions, but I retain his grounding of the problem of consensus in epistemic difference.

Thus far, the set of premises has been mainly about the political problem of truth. Isaiah Berlin makes reason an important problem for liberalism, in what I think is the right way. Berlin does so by explaining some possible consequences of an understanding of reason as hierarchical self-control. He opposes reason as a way of using, a supposed higher, set of abilities of thought to reign in another set of, supposed lower, motives from emotions and drives. For Berlin, such a hierarchy is all too easily mapped out across a polity. Reasonable people, then, are justified in ruling

unreasonable people. Such a justification risks only getting strengthened by ideas about the potential reasonableness of every citizen. A class of reasonable people are then almost obliged to guide the future reasonable class, until they achieve reasonableness. In addition to a warning about this possible politics of reasonableness, Berlin's angle of attacking the concept of reason is also important to me. Berlin implicitly realizes that any role played by reason in thought on politics needs to include an account of what reason is supposed to achieve, in relation to politics.

Lastly, Walter Lippmann makes two basic points about fundamentals of epistemic questions about pluralism. The first is that relevant features of the world can always extend further than any attempts to describe them. The second is that attempts to describe the world in very many cases results in views composed less of direct and scrupulous experience, and more of testimonies, unsubstantiated propositions, conjectures and the like. Taken together, such a quilt of epistemic work becomes what Lippmann calls the pseudo-environment that people live in. There is most of the time no other available. Lippmann (and Max Weber) is present mainly as a corrective premise against any faith in neatly organized shared knowledge that only needs to be referenced to solve any problem of political pluralism. Put in other words, Lippmann and Weber makes it necessary to deal with pluralism both of political convictions and epistemic conditions for such convictions.

### **3.1 Rawls and the Reasonable Polity**

To understand why John Rawls is important to work on pluralism, a good starting point is his understanding of the European religious wars of the 16<sup>th</sup> century. There was then, says Rawls, no consensus on the principle of toleration: "At the time, both faiths held that it was the duty of the ruler to uphold the true religion and to repress the spread of heresy and false doctrine".<sup>77</sup> Democracy, in Rawls' view, emerges out of the establishment of toleration after the reformation in Europe, the growth of constitutional democracies, and the establishment of industrialized markets.<sup>78</sup> In a late interview, Rawls makes it clear that his problem, given the political history of the

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<sup>77</sup> Rawls 1987 433.

<sup>78</sup> Ibid. 424.

Western world, is one of “the survival, historically, of constitutional democracy”.<sup>79</sup> His philosophical political history thus moves from religious toleration to how a democratic society can cope with deep divisions between different convictions held by its members.

Deep divisions originate with and in what Rawls call comprehensive doctrines, which can be religious as well as secular. These are views on life that cover most of what is valuable and good, as well as what is evil or wrong. Rawls counts the philosophical schools of utilitarianism, perfectionism and idealism, and Marxism, as examples of such comprehensive doctrines.<sup>80</sup> The existence of such systems of thought are for Rawls a consequence of practical reason being able to do its work freely in Western democracies after the establishment of toleration and free speech.<sup>81</sup> This is what Rawls calls the fact of pluralism.<sup>82</sup>

Comprehensive doctrines are for Rawls not just divisive. The fact of pluralism marks the end of what he sees as the classical project in political philosophy: To determine the nature and content of the “one reasonable and rational conception of the good”.<sup>83</sup> It is impossible, according to Rawls, to reach consensus on the truth of any comprehensive doctrine. Many of our most important judgments are made under conditions where reasonable people will not reach the same conclusions.<sup>84</sup> Even “workable agreements” are “practically impossible” to reach when making judgments on the truths of comprehensive doctrines. Rawls considers what he understands as centuries of political, religious and philosophical conflict as evidence of this.<sup>85</sup>

Thinking as he does about the fact of pluralism as an inescapable condition, Rawls becomes very interesting for the problem of vulnerable liberalism. By making the stability of liberal pluralism a more important problem than the classical idea of the good and the right, Rawls puts some very heavy weight on to the question. Rawls, however, became a star of academic philosophy by writing about a different set of problems. In 1999, Burton Dreben lectured on Rawls and made a case against the relative obscurity of *Political Liberalism*, Rawls’ last major work.<sup>86</sup> Dreben then

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79 Rawls 1998 616.

80 Ibid. 424.

81 Rawls 2005 144.

82 Ibid. xvii.

83 Ibid. 135.

84 Ibid. 58.

85 Ibid. 63.

86 Dreben 2003 316.

addressed an audience well versed in the debates around *A Theory of Justice*, the 1975 work that launched Rawls as a major philosopher of liberalism. Pluralism as a problem takes the center stage of Rawls' work in *Political Liberalism* as a result of a change in direction from the earlier book. Consequently, I will address *Political Liberalism* here. Rawls' own reasons for this change are worth quoting at length:

[...][I]n my summary of the aims of [A] *Theory [of Justice]*, the social contract tradition is seen as a part of moral philosophy and no distinction is drawn between moral and political philosophy. In *Theory* a moral doctrine of justice general in scope is not distinguished from a strictly political conception of justice. Nothing is made of the contrast between comprehensive moral and philosophical doctrines and conceptions limited to the domain of the political. In [...] this volume, these distinctions and related ideas are fundamental.

[...] To explain: the serious problem I have in mind concerns the unrealistic idea of a well-ordered society as it appears in *Theory*. An essential feature of a well-ordered society associated with justice as fairness is that all its citizens endorse this conception on the basis of what I now call a comprehensive philosophical doctrine. [...]

Now the serious problem is this. A modern democratic society is characterized not simply by a pluralism of comprehensive religious, philosophical, and moral doctrines but by a pluralism of incompatible yet reasonable comprehensive doctrines. No one of these doctrines is affirmed by citizens generally. Nor should one expect that in the foreseeable future one of them [...] will ever be affirmed by all, or nearly all, citizens. [...] Of course, a society may also contain unreasonable and irrational, and even mad, comprehensive doctrines. In their case the problem is to contain them so that they do not undermine the unity and justice of society.<sup>87</sup>

A difference between reasonable and unreasonable, and the work reason does to distinguish between these qualities, is clearly crucial for Rawls. There is not only a pluralism of what he calls reasonable doctrines, but also a persistent presence in society of unreasonable doctrines that needs to be contained somehow.

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87 Rawls 2005 xv-xvii.

Reason, in the eyes of Rawls, is what enables a political structure that can preempt and withstand civil strife. This begins with an insight Rawls thinks is reasonable in itself, such that it can be accepted by anyone doing the work of reason: Reasonable people seek cooperation with others in fair terms that everybody can accept.<sup>88</sup> Since a pluralism of comprehensive doctrines is a fact, this results in a further conclusion: It is reasonable not to take repressive action against others who adhere to other doctrines than myself.<sup>89</sup> Reason is in this subsequent stage used to make a conclusion from a goal: If I desire fair cooperation, I cannot use political power to suppress what others think is true and important. The limits of politics are drawn up in a last conclusion from reason: A reasonable politics can neither deny nor affirm any truths originating in any comprehensive doctrine. Reason makes me conclude that the truths of my world view should stay private. Since making claims on the truth can, according to Rawls, allow anyone to make any kind of political and moral claim, such claims should be avoided when it comes to politics.<sup>90</sup> If there is something at all that is not accepted by everyone in a polity, it has no place in politics. Claims on truth about the world are of a kind that it is not possible to reach agreement on them.

Now the very important work that reason shall achieve, in Rawls' theory, is stated clearly. Reason trumps truth. It is, for the reasonable person, always possible to override the importance of moral or political truth. Reason informs reasonable people that this is desirable. A reasonable person, in Rawls' view, is one who is able to achieve a relation between reason and truth such that reason always finds a way to interrupt claims on truth, when they are in any way politically controversial.

Rawls accuses himself of advocating a liberalism that demands insincerity about the most important things in life. He answers by saying that he does not. As long as overriding weight is given to what Rawls calls his political conception of reasonable liberalism, among other claims, truths from comprehensive doctrines are allowed to enter the public, political, domain.<sup>91</sup> To make sense of this answer, how he qualifies the exclusion of comprehensive doctrines from politics must be considered.

The exercise of political power in Rawls' view is proper only when it can reasonably be expected to be endorsed by all people sharing a common reason.<sup>92</sup> Political

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88 Ibid. 50.

89 Ibid. 60.

90 Ibid. 51.

91 Ibid. 240.

92 Ibid. 137.

questions shall, as outlined above, be decided by a strictly political conception of society that overrides other beliefs. That conception originates in reason, and Rawls calls it political to mark its difference from liberalism as a comprehensive doctrine. Other values that are not reducible to this political conception is, however, a fact of life, as in the fact of pluralism. It is not always necessary, says Rawls, to entirely negate the truths of comprehensive doctrines.<sup>93</sup> But how, then, as Rawls asks, “can we affirm our comprehensive doctrine and yet hold that it would not be reasonable to use state power to gain everyone’s allegiance to it?”<sup>94</sup> Rawls begins by expressing his trust in that his reasonable conception of the political can, as itself, gain the loyalty and trust of citizens. However, since Rawls assumes that citizens always have at least two systems of beliefs, of which one should be the reasonable conception of politics, he feels the need to say something further about relations between his political conception and other beliefs.<sup>95</sup>

The problem of stability, a stable and enduring pluralism, is here coming into its own. A way needs to be found to address “each citizen’s reason, as explained within its own framework”.<sup>96</sup> Rawls is looking for what he calls an overlapping consensus. When achieved, views other than the reasonable political conception can gain as much traction in what polity members believe as possible, without subjecting anyone to the claims on truth of another. An overlapping consensus reached in a society governed by reason should as far as possible be endorsed by whatever is contained in the disparate comprehensive views held by a plurality of citizens.<sup>97</sup> Overlapping consensus on the political conception of liberalism should allow each and every reasonable citizen to endorse it, starting out from their own grounds and motives: “The fact that people affirm the same political conception on these grounds does not make their affirming any less religious, philosophical or moral, as the case may be, since the grounds sincerely held determine the nature of their affirmation”.<sup>98</sup> Rawls hopes “to make it possible for all to accept the political conception as true and reasonable from the standpoint of their own comprehensive view, whatever it may be”.<sup>99</sup> The idea is something like this: A presbyterian, a utilitarian, a catholic, a muslim

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93 Ibid. 138.

94 Ibid. 139.

95 Ibid. 140.

96 Ibid. 143.

97 Ibid. 136.

98 Ibid. 148.

99 Ibid. 150.

and a socialist should, if they are reasonable, be able to endorse the reasonable political conception of liberalism, and thereby not make any claims that anyone else will not agree on, from each of their own set of views about the world. Another way of putting this is to imagine a set of concentric circles. Whatever is contained in the views of the world that citizens in a given polity hold is in the circles. In the center, where the circles intersect, is the reasonable conception of politics, that all reasonable people adhere to, and other beliefs that everyone agrees on. The center of the circles is the whole extent of politics in the Rawlsian polity.

A relation between reason and whichever world view a citizen in a Rawlsian polity has is again very important. As long as any other political conviction supports the fundamental rule of acceptance of his political liberalism, it is allowed to influence judgments on common issues. Reason must discriminate between what can be reasonably accepted by everyone, and what can not. In the idea of an overlapping consensus, what work reason does in relation to what Rawls call “the background culture” is further specified. This background culture is “the culture of the social, not the political. It is the culture of daily life, of its many associations: churches and universities, learned and scientific societies, and clubs and teams, to mention a few”.<sup>100</sup> Here, in the background culture, reason works on comprehensive doctrines and truths. When these truths emerges into the foreground of public reason, reason has very different work to do. It must identify and remove claims on truth.

I will continue reading Rawls with the intent of evaluating the relationships between truth and reason in his theory.

### **3.2 Rejecting Truth**

Appeals to reason seems to imply epistemic conditions for its satisfaction. If political convictions are only properly so when others can not reasonably reject them, citizens of Rawlsian polities must look for a way to determine whether others are reasonable. Otherwise, there is no motive for any attempts at making anything a common affair. Without such a motive, there is no ground for a political community. An epistemic satisfaction of this is indeed implicit in Rawls’ theory. The acceptance of my reasonable proposition by someone else is, in itself, the satisfaction of the quality of

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100 Ibid. 14.

reasonableness in others. When others accept my reasonable proposition, I can count them among the reasonable, but not before.

From the perspective of a member of a Rawlsian polity, a series of checks made by reason has to be done. These checks should be made on eventual truth in political propositions. Both what I myself thinks is true and what others think is true should be avoided when making public political propositions. “Indeed, even true doctrines are inadmissible unless they are acceptable to all reasonable citizens without contradicting any of the wide range of reasonable moral and philosophical worldviews likely to persist in a just and open society”, as David Estlund puts it.<sup>101</sup>

I think there is an ideal case for the judgment of reasonableness here. That case begins with whether other members of the polity have accepted the rule of reason in political matters. If I know that others agree not to advance anything that goes against what I think is true about the world, then my own acceptance of the same rule of reason means that me and the whole polity makes exclusively reasonable decisions. Judgments on reasonableness needs to be further confirmed by my reasonable proposals being accepted. The confirmation of the reasonableness of others happens when experience tells me that others accept reasonable proposals made by me, when I have made the correct judgments resulting in such propositions. Public debates about political propositions, say, could indicate something about whether the polity consists of reasonable members.

The above might seem like an inconsequential result of the intent of Rawls and some epistemological splitting of hairs. A second look shows that it is not so. The propositions I make show which judgments I have made. They must do so, if I have to prove my reasonableness to others. I have, in a reasonable proposition, avoided anything that others might disagree with. This means that I have understood whatever others think is true and is very important to them, what Rawls call the truths in their comprehensive doctrines. This necessitates making a host of judgments. I need to show that I understand what it is that others hold true, possibly or even preferably including why they do so.

An overlapping consensus require that I make further judgments of the above kind. It is not strictly necessary for me to attempt to reach an overlapping consensus. I might try to identify only when my own truths are under attack, and reject such

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101 Estlund 1998 252-53.

proposals. If I do so I will never be able to make any positive proposals to the polity. The goal of an overlapping consensus strongly suggest that I understand, make judgements on, and exhibit judgments on the doctrinary truths of others with as comprehensive content as possible. This is in the interest of stability through overlapping inclusion of doctrines. If I do not make an effort to include as much as I can of the doctrines of others, Rawlsian theory can only minimally hope that I am good enough at rejecting the truths of others when they are different from mine. My judgments need to be made such that not only my own claims on truth are discarded, but also those of others that possibly result in disagreement.

The string of judgments made here includes and exhibits my supposed understanding of what others think is true. When I enter public reasoning, the confirmation of reasonableness in others is needed for me to keep making these judgements, and be judged in the same way by others. What the acceptance of my proposals confirms is that I have made the chain of judgments earlier on the truths held dear by others, and that I have made them correctly. This goes above and beyond mere willingness to accept the Rawlsian principle of reason — that no truths should be advanced — as deciding what is properly political. Others will see me as reasonable when I have discarded mine, and their, truths from my politics. They will do the same when I correctly judge what I think is true in order to include as much of it as I can in a proposed overlapping consensus. Truth is included in politics as discarded, but exhibited.

My point here is that the use of reason, in what I understand to be Rawls' theory, implies a distinct grouping of reasonable people. There will be a plurality of reasonable and unreasonable beliefs about the world. Among these there will be some citizens who understand how to be reasonable. They also have ways of making sure to each other that they are, what I call the discarding but exhibiting of truths above. They show each other that they can use reason in the liberally pluralist way.

### **3.3 Summary: Reason in Rawls**

Let me summarize my reading of John Rawls up to this point. Rawls wants to write what he at first called a theory of justice, and later the foundations of political liberalism. The later theory in my understanding of it details how political life in liberal democracies should maintain itself, crucially including and conditioned by pluralism

about political convictions. The theory tries to achieve that by thinking about reason and truth, as they both figure in political life.

Rawls starts out from the reasonable in seeking cooperation with others on fair terms. The next step is the conclusion that since I do not want others to make me give up what I believe in, I should not wield political power to infringe on what others believe. Given the history of repression and sectarian violence in the Western world, Rawls concludes that the reasonable thing to do is avoid making any claims on truth in political matters. Whichever beliefs members of a polity have, they must submit to this reasonable conclusion. This is the rule of politics that grounds Rawls' concept of political liberalism.

If I want to be reasonable and thereby included in the polity, my political proposals must pass a number of checks. I need to make sure that I do not advance anything that might turn out to be a use of political power to oppress anyone. This is understood by Rawls as only proposing that which others cannot reasonably reject. I must know what claims I cannot make, those that will be rejected. This entails knowing what other polity members holds as true, to avoid infringing on their beliefs. Checks on allowed proposals are checks that require me to find out what others think is true. This requires knowledge and understanding of such beliefs.

The second necessary check on my attempts at political participation is whether other polity members are reasonable. If they are, they are legitimately included in the making of decisions. Since the propositions I am politically allowed to make are ones that others cannot reasonably reject, the affirmative outcome of this check is when others accept my correctly made proposals. I must make my way towards both not intruding on and not affirming any controversial truths that is held by others. The acceptance of my proposals is also the confirmation that others make similar judgments on truth and the limits of politics as those I have made myself. These others are therefore included in the polity along with me.

Rawls intends the checks on what he calls moral truths to be accepted by anyone accepting reason as the framework of common affairs. The motive is his conclusion from reason that the checks makes a fair and just political order possible and sustainable by excluding divisive claims on truth. These checks include an epistemic practice of being reasonable, where polity members need to demonstrate to each other that they have understood the truths originating in what Rawls calls background culture. This is especially important to achieve the overlapping consensus between

different comprehensive views. This consensus should include as much of these views as possible, while not surrendering to public claims on truth.

The Rawlsian theory of political liberalism takes some ideas very seriously. These ideas are sometimes similar to other thought on liberal pluralism. At times, though, Rawls has quite different ideas from what is ordinarily understood as liberal pluralism.

Rawls carefully abstains from advocating almost any ontology of the political person or subject. Apart from presuming an ability to tell claims on truth from other kinds of propositions, his political liberalism goes out of the way to avoid any idea of human nature. Rawls does not want to start out from such a theory and derive the just polity from there. This corresponds to an agnosticism about kinds of people that is recognizably pluralist, and also sometimes referenced in liberal politics. Human value and political agency should in this agnosticism be granted to humans as humans, not as members of say a class, race or creed. The reasoning done by people in an ontologically agnostic polity must, then, be able to indicate when political claims are ontological about humans, and subsequently reject them.

Another point where neither Rawls nor widespread current liberal thought will want to compromise is the exclusion of private morality from politics. Rawls goes further in this than many versions of liberalism. Still, the idea that a liberal democracy should be able to accommodate, but not necessarily affirm, as many different personal moral and political convictions as possible would, I think, be met with widespread approval among liberals. That the way to achieve this is to keep private morality largely out of public politics is as far as I can see also a common liberal commitment. Reason shall here be used to adopt an impersonal view of the right and the good. The reasonable seeking of cooperation on other grounds than personal belief, as Rawls puts it, should be recognizable to anyone adhering to such a view of proper politics.

A third idea of Rawls' that resonates with commonly held political views, and is closely related to the other two, is his sharp distinction between private and public, political, reason. Truth arrived at by reasoning is intuitively seen as changing its status considerably when supposed to hold for others as well as for myself. A claim about what I should do elicits different expectations of it when I add that others should also do it. A limited role for public institutions, and a defense of a supposed sanctity of private life, are widely held tenets of liberals.

I read Rawls as thinking that if truth is kept out of public reasoning, the above goals of liberalism will be achieved. I do not want to contend whether that is or would be the

case. I would rather like to question what the removal of truths about the ontology of people, about what is believed to be true in private life and about what is morally right from political life, really does entail. This is the original contribution of John Rawls to the specific problem of liberal pluralism. The polity is made up of people that all holds different truths about these things. That much is acknowledged by Rawls when he divides the polity into political decision-making in the foreground, and a background culture. To make political decisions, this polity must achieve a common removal of such truths from their decisions. Reading Rawls alongside with Mill is instructive to set the problem in the form I address it. Neither Rawls nor Mill wants to admit truth into politics, at least not exactly as truth is understood in other walks of life. Mill's argument seems to turn on truth having a different quality as it pertains to politics. His usage of the word opinion indicates that fallibility of truth is an ordinary aspect of knowledge that is to be upheld and cultivated in politics. Claims in politics then becomes opinions, a shift which indicates a due respect for such fallibility. The normative statement of Mill is then an admonishing of care for human epistemological fallibility. Rawls does not make any such claims on any general epistemic features of polity members, like Mill does about fallibility. It would be inadmissible by way of the requirement on agnosticism regarding human nature. Instead, he leaves the many conflicting accounts of truth as they appear in a polity epistemologically as they are. The political part of his theory is an appeal to reason to carry through a work on not recognizing these as parts of politics.

What I would like to ask is what kind of demands that liberal pluralism must or should make on belief that something is true, and what such demands entail. It seems to me from the reading of Mill and Rawls that such beliefs must be carried over to a political context. In this transfer, they at least cannot, for a polity member, retain the same grip on belief about what the world is like that they used to. To understand this, the moral truths that reason is supposed to work with and against needs to be interrogated.

After detailing the use of reason, the question turns to the other part of Rawls' equation, truth.

### 3.4 Moral Truths

Already in the preface to *Political Liberalism*, Rawls distinguishes his political conception of liberalism from other points of view. He does so by stating the impartiality of the political conception, as opposed to the truth of moral judgements:

For one thing, political liberalism does not attack or criticize any reasonable view. As part of this, it does not criticize, much less reject, any particular theory of the truth of moral judgments. In this regard, it simply supposes that judgments of such truth are made from the point of view of some comprehensive moral doctrine. These doctrines render a judgment, all things considered [...]. Which moral judgments are true [...] is not a matter for political liberalism [...].<sup>102</sup>

Here, Rawls explains what he thinks is one of the fundamental advantages of his political conception. Comprehensive doctrines render judgments on moral truth. Political liberalism, on the other hand, maintains political consensus by demarcating substantial moral judgements, true or not, from politics. Much of the traction of Rawls' conception of politics, and thereby his entire theory, is to be found in his distinction between moral truths and politically admissible claims. It then becomes important to examine what Rawls means with moral truths.

From the distinction above, a question about a hallowed distinction in philosophy poses itself: The difference between truth and values, or morals. The notion of moral truth seems to somehow conflate the two. In modern English-speaking philosophy, a paradigmatic use of this distinction refers to David Hume. The debate on what Hume really meant with his distinction is extensive. Notably, Norman Kemp Smith points out similarities between Hume's idea of judgments of facts and of moral judgements, despite the difference that Hume seems to speak for.<sup>103</sup> The distinction between facts and values as such has also been questioned, for example by Hilary Putnam.<sup>104</sup> I do not intend to take a position on Hume's complicated philosophical psychology and epistemology here. The point is rather just to exemplify the distinction between fact

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102 Rawls 2005 xix-xx.

103 Kemp Smith 1941.

104 Putnam 2004.

and values in philosophical terms. To set the stage of my problem, here is an elegant summary of Hume's distinction by D. G. C. MacNabb:

Judgements of fact, like judgements concerning relations of ideas, can be true or false. Judgements of taste and morals cannot. On the strength of this distinction, Hume introduced a definition of "reason" as "the discovery of truth or falsehood", a definition according to which moral distinctions cannot be "the offspring of reason". Judgements of fact, like judgements concerning relations of ideas, are "inactive". They can never by themselves produce or prevent any action. Judgements of value can do so. Judgements of value form a class that is logically isolated from relations of ideas and matters of fact, as the latter two classes are logically isolated from one another. No probable or demonstrative inference can be made from a relation of ideas to a matter of fact, from either to a judgement of value, from a value judgement to a relation of ideas or to a matter of fact to a relation of ideas.<sup>105</sup>

The Humean distinction has a common sense appeal when thinking about politics. Only because something about society and politics is true does not also make it right. A large amount of our abilities of reflection and judgement seems to fall by the wayside with the acceptance that truth also makes right. The Humean distinction, as I read it here, captures that when it says that judgements of value entails or prevents action. Judgements of fact, in the distinction, only states what is the case.

[E. From here on, I am aware of a possible problem in relying too much on two works on the history of Rawls' thought by only two authors. On the other hand, I am not aware of anyone else engaging with Rawls' written but mostly unpublished legacy in a thorough way. I would be happy for any suggestions about other sources.

I might need to refer more to the actual archival papers themselves, which are located at the universities of Princeton, Cornell and, principally, Harvard.]

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105 MacNabb 1967 85.

### 3.5 A History of Disagreement

To understand the puzzling use that Rawls makes of the term moral truth, I will examine the history of his thought on the matter. Recent research on the history and influences of Rawls' thinking exhibits a continuity of argument and thought. Extensive archival collections makes it possible to track the development of many ideas at the core of both his earlier and later theories.<sup>106</sup> Among them is a defining interest in moral agreement and disagreement, spanning his entire career.

Andris Gališanka finds the origins of Rawls' thought on agreement in his undergraduate years in the 1940s. Rawls wrote his undergraduate thesis on liberal protestant theology in 1942. Engaging in debates around the then-new German theology, Rawls came to understand the Bible as a record of Christian experience. The Bible was not a standard of truth, as in various strands of orthodoxy. Instead, it was universally valid by virtue of the experiences recorded in it. Anyone analyzing their experiences of God should agree on them being recorded in the Bible — if that person is a Christian. Agreement here is a case of having the same experiences, given the same faith.<sup>107</sup>

Like many other young people of his generation, Rawls came back thoroughly changed from wartime service. Hilary Putnam writes in a biographical memoir that Rawls lost his faith on the Pacific front.<sup>108</sup> He no longer wrote on Christian themes, instead embracing logical positivism when returning to graduate studies.<sup>109</sup> Is shared experience then for Rawls somehow necessarily unable to be the basis for agreement that Rawls is looking for, since he abandoned this line of thinking? It is hard to tell only from available research. According to Putnam, Rawls turn away from Christian thinking had to do with reasons of personal faith. It is still tempting to speculate about a philosophically important implication here: With loss of faith comes loss of a given community of shared experiences. When thinking about agreement and disagreement, the implication would be that such communities are too brittle to serve as bases of agreement. Faith can demonstrably be lost, and communities in agreement about what the world is like perishes with it.

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106 Bevir 2017 255-58.

107 Gališanka 2013 25.

108 Putnam 2005 114.

109 Gališanka 2013 27-29.

A version of the positivist program, applied to thinking about morals, replaced Christian thought for Rawls. Influenced by Curt John Ducasse, Rawls started to think about scientific methods as possibly applicable to morals, but in a particular way. Ducasse thought that axioms of ethics can be deduced from actual moral judgments, as they are made by persons who has not done any prior philosophical analysis. Given the condition that the empirical material, moral judgments, are those made with the greatest confidence, the material should access the most basic features of moral belief. Philosophy then, to Ducasse, can deduce a core of axioms underlying all moral judgments. Philosophy can also detail the connections between moral judgments, as they are made, and the core axioms.<sup>110</sup>

Around this time, in the late 1940s, the reasonable man appears in Rawls' philosophy. As far as I can understand from Andris Gališanka, the reasonable man here is the one agreeing in moral judgments with most of his fellow citizens. The role of reason is to ascertain both common axioms and the compliance of judgments with those axioms. It seems to follow that the reasonable man is the one agreeing in judgment with others, all exhibiting some connection to a common core of axioms.<sup>111</sup> The task of moral theory here is to find a system "of initial propositions, axioms, and definitions which, when fed into the reasoning machine, will produce theorems coinciding with the rules of practical morals", as Rawls put it at the time.<sup>112</sup> When, for example, one judgment results in favor of affirmative action and another does not, there might still be some implicit agreement in both judgments. Analysis might uncover that both parties share reasons, goals or other important elements of their judgments. If, for example, an opponent of affirmative action also believes in equality of opportunity, there might be agreement with a proponent, on one salient point. Analysis of judgments might succeed in uncovering such agreement. More sophisticated analysis, involving proper rules of inference, proper extensions of arguments, stringent definitions of concepts, and other philosophical tools, might succeed in uncovering what other agreements might be there to find.

My main interest in this is that Rawls from very early on looks for explanations for moral agreement. At this point, Rawls has abandoned his initial interest, shared Christian experience. The positivist doctrine of experience as equally accessible to

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110 Ibid. 38-39.

111 Ibid. 40.

112 Ibid. 41.

everyone leads Rawls to try out another kind of agreement. Given the working out of correct procedure, all, or as many as possible, the most basic moral judgments will be deduced to a shared set of axioms. The result is, according to Gališanka, “the idea [...] to show that a sufficiently high proportion of ‘normal observers’ agreed in judgments such as ‘x is just’. Achieving this would provide the subject matter for a scientific ethical theory”.<sup>113</sup>

### 3.6 Towards Language as Practice

Meeting Norman Malcolm, and others associated with the philosophy of Ludwig Wittgenstein, was to prove crucial for Rawls’ next step, away from the hard core of positivism.<sup>114</sup> Gališanka shows how the appearance of the Wittgensteinians came at a time when Rawls had already ran into difficulties. There were, in the reading of Gališanka, three dilemmas arising out of positivist commitments. I am interested in the one he calls “the fact of apparent disagreement”.<sup>115</sup> Despite the best efforts of positivist thoroughness, it was not clear that disagreement would end by providing the best possible set of axioms and deductions. It seemed that disagreement was a deeply entrenched feature of morals and politics.<sup>116</sup> Early encounters with Norman Malcolm proved fruitful, but it was the British philosopher Stephen Toulmin that was to have the greatest influence on Rawls.<sup>117</sup> Scrapping the positivist idea of moral judgments as data for the deduction of axioms, Rawls turned to the Wittgensteinian view of language as a practice.

What Gališanka calls “linguistic philosophy” at the time came, and comes today, in many quite different guises.<sup>118</sup> Linguistic practices, as Gališanka puts it, are seen as “governed by roughly shared rules”.<sup>119</sup> The exact way such rules are followed, shared and applied is the subject of much disagreement. For Stephen Toulmin, moral reasoning was, according to Gališanka, a practice that had, like other linguistic practices, it’s own rules. For Toulmin, it follows that there are better and worse rules

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113 Ibid. 43.

114 Ibid. 47.

115 Ibid. 57.

116 Rawls was also concerned about emotivist accounts of morals. I will not address these concerns here, since they were ultimately resolved. See Ibid. 2013 60ff.

117 Ibid. 61.

118 Ibid. 62ff.

119 Ibid. 47.

of moral practice. Toulmin further argued that the function of moral reasoning in human activities is correlating feelings and behavior. Thus, moral reasoning made desires and their following aims compatible<sup>120</sup>, as far as possible.

Rawls continued his explorations of themes from Wittgenstein, reading the manuscript called the *Blue Book* as early as 1946.<sup>121</sup> He found the basic idea of Toulmin fruitful. If reasoning can be understood as analogous to a game, then there must be some rules to it. Accordingly, without rules that “govern what is to be accepted as good reason [...]”,<sup>122</sup> the game will be impossible to play, and there will be no moral reasoning.

Rawls concluded during a year at Oxford University that the task of finding such governing rules of moral reasoning is empirical. In the early 1950s he accordingly held on to the basic idea of examining the moral judgments of reasonable men to find a set of axiomatic rules for them.<sup>123</sup> But the moral philosopher is now supposed to explicate criteria used to make sense of moral judgments, rather than analyze a body of judgments to find common content. Such work promised for Rawls a new way of explaining the fundamental agreement necessary for morals. Since moral reasoning, and resulting judgments, is rule-governed, like games, there must be some rules that can be uncovered to somehow account for agreement.

As pointed out by Gališanka, Rawls’ understanding of the later works of Wittgenstein goes against the grain of many other interpretations. The thrust of Wittgenstein’s argument was, and is, often seen as away from finding very general sets of rules for language use. The argument about rule-following was, and is, understood as underscoring the particularity of rules of usage for concepts, strengthening the importance of contexts.<sup>124</sup> Bevir and Gališanka brings up the oft-cited idea of family resemblances. Wittgenstein’s argument about concepts here is that they are often not used according to sets of definable rules. They instead share family resemblances. That idea does not obviously suggest that there are widely applicable rules of reasoning about making sense, waiting to be uncovered by philosophical thinking. A family resemblance would rather be a looser form of inheriting shared directions of possible use, or rough similarities. Wittgenstein’s

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120 Ibid. 66.

121 Bevir & Gališanka.

122 Ibid.

123 Ibid. 16.

124 Gališanka dissertation [FIX THIS REFERENCE]

argument about family resemblance is present already in the *Blue Book*, and of course then known to Rawls from the 1940s.<sup>125</sup> Bevir and Gališanka suggests that “[...] Rawls wanted to combine his [positivist project with a Wittgensteinian scepticism towards agreement and commonality. Presumably, he believed that the Wittgensteinian position required only that he adopt a plurality of principles or allow principles to have plural content.”<sup>126</sup>

To me, the importance of this phase of Rawls’ thinking, in the 1940s and 50s, lies in how a plurality of moral principles and judgments comes to appear as a condition of morality. As I have shown earlier, by the time of *Political Liberalism* a plurality of moral judgments is to Rawls a fact of contemporary life. Returning from war service, Rawls kept up his interest in what shared moral judgments is, and how they work. His early empiricism led him to set aside the question of finding a binding substantial account of the right and the good, a classical problem in moral philosophy. Instead, Rawls went looking for something inherent to the moral judgments that most reasonable men agree upon. The substance of such judgments might to the early Rawls vary, but, I might add, hopefully not too much, thanks to the assumed reasonableness of most men. Under the influence of the Wittgensteinians, Rawls instead started to think that there will be no single set of principles or axioms that moral judgments can be resolved into by analysis. However, there will be many, or at least several, such sets, and, again, hopefully not too many.

Present throughout Rawls’ thinking up, through and past his readings of Wittgenstein is the idea that morals is the making of judgments that end up in the taking of substantial positions. Claims are made on what is right to do. A moral judgment is a problem of agreement for Rawls because, once made and committed to, it can always result in antagonism. For Rawls, there are implied commitments on the part of everyone that thinks they have a stake in the common good. Rawlsian people, being citizens in his explicitly political philosophy, face each other across divides, opened up by differing outcomes of moral judgments. After reading Wittgenstein and his followers, Rawls hoped that there would be some shared rules of a game of reasoning that allows for agreement in the outcomes of judgments.

The understanding of moral judgments as implicating substantial commitments, and thereby proving a problem for every group of people, and eventually for every

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125 Bevir and Gališanka 17-18.

126 Ibid. 18-19.

polity, never leaves Rawls' thinking. The problem is there from the earliest moves from positivism to Wittgensteinianism, and it persists until his last works.

### 3.7 Back to Benevolent Reduction

As Rawls continued his post-graduate career, he moved on to new pastures, from the Wittgensteinian circles of Cornell and Great Britain. Meeting Willard van Orman Quine at Harvard changed Rawls' thinking again, into what would result in *A Theory of Justice*. It is the book that made him a mainstay of political philosophy. Rawls again brought philosophical principles about knowledge and reality to bear on issues of moral judgment and agreement.

Quine's idea of replacing philosophically troubling statements with clearer, more rigorously analyzed ones resonated with Rawls. Quine thought, in some agreement with Wittgenstein, that analysis would not solve but dissolve philosophical problems. As quoted by Bevir and Gališanka, now a promise of agreement upon the work of eliminating contentious moral concepts appeared for Rawls:

I maintain that we all could agree to eliminate ethical terms in this way: that is, so to replace them (or abandon them). I'm inclined to think that this would be a good thing, and look forward to the time when all (unanalyzed) ethical talk ceases and the emotive or the rhetorical use of moral terms disappears.<sup>127</sup>

Here something important about the idea of agreement happens. Rawls earlier sought something about moral judgments that enabled agreement. In effect, the search was for something common to the substance of judgments made. All reasonable people made a core of similar judgments. Philosophy, for Rawls, was until the influence of Quine tasked with empirically finding how that was possible. At first Rawls was hoping for unifying axioms, then admitting a plurality of principles for reasoning. The divide between judgments was in some sense, to the early Rawls, only apparent. What judgments had in common was partially obscured to those making them.

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127 Ibid. 26, Rawls' own underlining.

After taking Quine seriously, Rawls' question instead becomes what has to be agreed upon to eliminate as many contentious moral judgments as possible. Given the right way of agreed-upon reasoning, that reasoning will eliminate some contested moral judgments and show some others to be obligatory. The search is no longer for what is empirically similar in moral judgments made by reasonable people. Instead it is for a set of explanations of which moral judgments has to be abandoned, no longer being valid claims to anything, given agreement on how reasoning is to be done. Such a way of reasoning is the core of what Rawls tries to supply in *A Theory of Justice*. From Rawls' choice of new basic philosophical standpoints on language and reality, it is clear that the returns on agreement from his thinking are lowering. Substantial moral differences are now so hard to reconcile that an important philosophical task is to provide a community with what it needs to know to make much fewer moral judgments, when trying to do those in common, than it usually does.

Now familiar to many academic philosophers, the device of the original position is the most obvious example of the reasoning-to-eliminate phase of Rawls' development. It is designed to remove judgments made from interest from any deliberation of what a good society should be. In these deliberations, people are asking the kinds of questions that for Rawls results in moral judgments, so hard to agree upon. No one behind the veil of ignorance knows anything about who they will turn out to be when the veil is lifted and they enter the society they have deliberated about. The crucial passage for my interests is this:

To begin with, it is clear that since the differences among the parties are unknown to them, and everyone is equally rational and similarly situated, each is convinced by the same arguments. Therefore, we can view the agreement in the original position from the standpoint of one person selected at random. If anyone after due reflection prefers a conception of justice to another, then they all do, and a unanimous agreement can be reached.<sup>128</sup>

The veil of ignorance is supposed to solve a problem of a persistent kind of substantial disagreements, those originating in interests. Once the viewpoint from

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128 Rawls 1971 120.

behind the veil is properly adopted, Rawls thinks that a very solid agreement entails.

Whatever one wants to make of the veil of ignorance, and suggestions are not lacking, I think it is clear from its crucial part in the argument of *A Theory of Justice* that at this point in time, Rawls is deeply concerned with removing moral disagreements by rules of reasoning. This line of thought originated in his interest in Quine.

Several interesting conclusions follow from the history of Rawls' thought on agreement up until the time of *A Theory of Justice*. From shared experience, Rawls moves on to Wittgensteinian rules of sense-making, and continues on to the Quine-inspired analysis of *A Theory of Justice*. I have described these developments as the diminishing returns of agreement from Rawls' views on morals.

Why is "diminishing returns" a correct labelling of what goes on here? Rawls was not always the philosopher of politics he later was perceived as. His views on moral agreement does, though, have important consequences for what politics is in his explicitly political philosophy. These consequences carries over with remarkable consistency. Agreement originally requires faith and similar experiences. Communities of faith and shared experience should then fare well in the face of deep disagreements. Agreement later requires analysis, most likely done by philosophers. In the face of worrying conflicts about the good, at this stage there are still good reasons to hope for resolutions in agreement. Any community facing serious animosity among it's members still have a chance of finding the most basic and common axioms undergirding their differences. The prospects of agreement gets a whole lot more complicated when a plurality of rules of sense-making, without empirically accessible common foundations, replaces axiomatics. Requirements of reasoning and reflective ability to pervade polities seems to increase considerably.

I will now further examine the philosophical consequences of Rawls' successive attempts at locating agreement, as they cash out in *Political Liberalism*.

### 3.8 Disagreements in Late Liberalism

Returning to my earlier condensed version of the Humean distinction, it might seem like Rawls, in *Political Liberalism*, is pointing out repeated categorical fallacies by believers in comprehensive doctrines. The adherence to such doctrines somehow results in judgements on and about moral truth. A moral truth is then a confusion between two different categories of judgements. One is the moral, in which judgements result on what is of value. Such judgements are not necessarily decided by referencing current states of the world. The other category is the ones on what is true, in which some consideration, however it is made, of the state of the world is necessary. Rawls, on the account of categorical fallacies attempted here, would be pointing out that comprehensive doctrines somehow entail mistakes about categories of judgement. Such mistakes work like this: A moral judgement is, erroneously, decided on the basis of what is true about the world.

Some support for the fallacy view of moral truth in Rawls can be drawn from his criticism of what he calls moral intuitionism. In *Political Liberalism*, one of Rawls' examples of what he intends to disallow from politics is such an intuitionism. Rawls wants to reject moral intuitionism by contrasting four features, seen by him as necessary for it, with his own political conception of liberalism.

The first feature is that moral intuitionism views moral judgements as true statements about an independent order of moral values. This order is not explained by "[...] the activity of any actual (human) minds, including the activity of reason."<sup>129</sup>

The second feature concerns moral first principles, which are known by theoretical reason. Moral knowledge, in intuitionism, is thereby for Rawls gained by "a kind of perception and intuition, as well as organized by first principles found acceptable on due reflection."<sup>130</sup> Rawls' somewhat opaque description here is made more comprehensible by his elaboration of the third principle of intuitionism, "the sparse conception of the person." Moral intuitionism, says Rawls, "does not require a fuller conception of the person and needs little more than the idea of the self as knower. This is because the content of first principles is given by the order of moral values available to perception and intuition as organized and expressed by principles acceptable on due reflection." The second and third features of intuitionism are

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129 Rawls 2005 91.

130 Ibid. 91-92.

combined into an idea of an order of moral values independent of individual humans. Moral truth is rendered from knowing the moral order and reflecting on the compliance of instances in life with that order.

Rawls' fourth feature of moral intuitionism reads like a summary of the first three. Moral intuitionism here "conceives of truth in a traditional way by viewing moral judgements as true when they are both about and accurate to the independent order of moral values."<sup>131</sup>

I will not inquire further into Rawls' actual examples of intuitionism. Rawls references treatises by Samuel Clarke and Richard Price, from 1704-5 and 1787 respectively, where the origin of the moral order is in God. Rawls notes that he uses these writers "as standard examples for purposes of contrast, not of criticism."<sup>132</sup> For my purposes, I go along with Rawls' claim that he exemplifies his own idea of intuitionism with these authors. I am not sure whether any moral intuitionists will find themselves correctly represented.

Reading Rawls' rejection of moral intuitionism, it might seem as if we should understand his concept of moral truth, and the problems with it, along the lines of repeated categorical fallacies. A moral order is what comprehensive doctrines contain and details. It is easy, for the sake of understanding Rawls' problem, to substitute the moral order of the intuitionists with those given in comprehensive doctrines. The moral order in Rawls' example is used as the arbitrator of particular judgements. A morally true judgement is one where right or wrong is decided by the moral order. Neither the existence of, nor the referencing of moral orders in judgements is to Rawls wrong in itself. The fact of pluralism makes us live with different moral orders. It is rather the categorical mistake of attaching truth or falsehood to such judgements, solely on the basis of them entailing from praiseworthy moral orders, that is the error. A Christian moral judgement will be decided by the ten commandments, or perhaps by some moral theology. A socialist moral judgement will perhaps be decided by class interests, or the future achievement of a classless society. A nationalist moral judgement will be decided by the best interests of some notion of the people. The fallacy is that a moral order is taken as something that renders truth or falsehood. It is a repeated categorical mistake.

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131 Ibid. 92.

132 Ibid. 91.

### 3.9 More Than a Mistake

As an answer to the question of what Rawls means with moral truth, “repeated categorical mistakes” sounds insufficient. On immediate reflection, the likelihood of Rawls thinking that categorical mistakes are all there is to the modern problems of political stability is low. It would imply that a philosophical solution to the problem has been available at least since David Hume. Rawls taught courses on the history of moral philosophy for decades, and those courses are impressively well thought through. In the last published versions of his lecture manuscripts, they engage with the thought of David Hume as one of four main themes.<sup>133</sup> To really understand the problem from Rawls’ point of view, there has to be more to it than a Humean mistake.

The further problem begins with the idea that attaching truth to a moral judgement also disqualifies other moral judgements. Truth here is exclusive. It is a quality only attached to some moral judgements. Such an attachment can be achieved through checks of compliance with one moral doctrine out of many, thereby making all other judgements substandard. For moral judgements to be a threat to political stability, they must be fundamentally incompatible, and thereby lead to political conflict with slight hopes of cooperative resolution.

Does adherence to a moral order in a comprehensive doctrine necessarily make anyone always believe and act according to it? No, not in Rawls’ theory, and not given a recognizable idea of what moral beliefs are. Political life will most likely be rife with problems for any such steadfast believer. Reaching political goals will quite often require compromise. Moral convictions, even those issuing from a comprehensive doctrine, might be abandoned with all hands lost. Even if moral judgments entailing from comprehensive doctrines are true, they might of course be ignored.

Rawls dedicates considerable energy to this in his political conception of liberalism. His aim is to show that it, the political conception, is not what he calls “at bottom a mere *modus vivendi*”. Rawls brings up two examples to show what he means with such a “political stability for the wrong reasons”: Treatises between states with opposing interests, and Christians during the European wars of religion. States regularly sign treatises even though their interests are opposed. The analogy here is

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133 Rawls 2000 21ff.

of course to adherents of opposing comprehensive doctrines. It might be in the common interests of long-time political opponents to honor treaties, but in general, says Rawls, “both states are ready to pursue their goals at the expense of the other, and should conditions change they may do so.”<sup>134</sup> Continuing the analogy, believers in different comprehensive doctrines might enter into agreements of convenience, but are still ready to oppose each other on grounds of doctrine. Rawls understands the European wars of religion as Catholicism and Protestantism both maintaining that it is the duty of a ruler to repress heresy. “In such a case”, Rawls continues, “the acceptance of toleration would indeed be a mere *modus vivendi*, because if either faith becomes dominant, the principle of toleration would no longer be followed.”<sup>135</sup>

What Rawls is looking for here is expressed by a conceptual difference between a *modus vivendi* and a consensus. The contingency of a *modus vivendi* makes it unsuitable as the kind of stable foundation for politics that Rawls is looking for. A consensus, on the other hand, implies agreement and, crucially, endorsement, not mere convenience. In an overlapping consensus, believers in opposing doctrines find something that they can agree about that is contained in their differing comprehensive doctrines. Rawls suggests that his political conception of liberalism is itself such an overlapping consensus. Its limits on what is properly reasonable is something that everyone in a stable liberal polity must accept.

Since agreement to Rawls means not just contingent peace on practical matters, but instead the coinciding of otherwise opposing beliefs, the task of being reasonable is the task of finding agreement with others, in the face of deep disagreement. Citizens adhering to moral orders, comprehensive doctrines in Rawls’ language, that includes the categorical mistake of attaching truth to judgements entailing from them, is thus not the only, or even the hardest, problem for Rawlsian liberals to solve. Anyone with a political goal that can not find agreement with the beliefs of others, to a sufficiently large extent, will be an even bigger problem. Given the right circumstances, adherents to moral orders can find some *modus vivendi*. Sooner or later, though, they must, according to Rawls, try to enter into agreement. Then the problem becomes one of people at best recognizing some of each others’ beliefs. What will be agreed upon then will be a fraction of what anyone thinks is right, and thereby of their political goals.

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134 Rawls 2005 147.  
135 Ibid. 147.

An important idea to catch here is that there is no conceptual, anthropological or otherwise immanently clear difference between morals and politics in a Rawlsian society. In a passage in *Political Liberalism* discussing reason, he glosses over any such eventual difference with a parenthesis, saying that political convictions are “of course” also moral convictions.<sup>136</sup> The radical pluralism seen as conditioning modern society is, I think, to be understood as pluralism also about differences between morals and politics. There will exist a number of different conceptions of such differences. Citizens in a Rawlsian polity tends to think that the good is free to be thought of as possible to realize in politics. Political claims are to Rawls extensions of what is seen as good. Rawls’ whole theory is to a large extent intended to answer any problems arising from attempts at realizing conflicting ideas of the good in and through political claims. To citizens in the Rawlsian polity, there is an immediate connection between what is good and what should be done in politics. Rawls’ theory steps in to draw the line where some beliefs should only be held in private.

The problem of the moral orders was one about truth attaching to moral judgement. The further problem, about overlapping beliefs, is up to this point about cutting down moral beliefs to a common and reasonable size. There is here, as in the earlier problem, a need of clarification. What is impossible for the liberal polity, as Rawls imagines it, to accept?

### **3.10 Persons Authentic**

There seems to be a decisive role played by the concept of truth here. Early on in *Political Liberalism*, Rawls tries to explain fundamental ideas about persons, implied by his political conception. Persons are free, and also very aware of their own freedom. Citizens “regard themselves as self-authenticating sources of valid claims. That is, they regard themselves as being entitled to make claims on their institutions so as to advance their conceptions of the good (provided these conceptions fall within the range permitted by the public conception of justice).”<sup>137</sup> The self-authentication of citizens also, for Rawls, extends to the foundations of what becomes political claims. Those foundations are moral ideas, different ideas about the good: “Claims that citizens regard as founded on duties and obligations based on

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<sup>136</sup> Ibid. 119.

<sup>137</sup> Ibid. 32.

their conception of the good and the moral doctrine they affirm in their own life are also, for our purposes here, to be counted as self-authenticating.”<sup>138</sup>

Making political claims like Rawls details above, both in the moral background and in the political foreground, involves validating them. The political conception of the person, fundamental to the political conception of liberalism, is a person validating her own claims. This idea of the person is easy to understand, given that it is understood as validating claims about facts. Rawls, however, here talks about political claims, and their moral origins.

The self-authenticating person underscores my extended problem of what must be excluded from Rawlsian politics. Every citizen validates and authenticates their own political claims. A plurality of validations and authentications will then be brought to politics. The interesting part to me is what is meant by validation and authentication. These terms suggest some relation between moral and political claims and truth, since truth is often understood as a matter of validation. I suggest that Rawls is talking about a fact of pluralism, the fact of citizens having, for them, reasons for their political claims that are very hard to dislodge. He talks about the many ways in which citizens in radically plural societies consider themselves the holders of moral views that are validated and authenticated. There is, to Rawls, something in the holding of beliefs in this way that is similar to believing that something is true.

A further suggestion to what “moral truth” means is found later, when Rawls discusses what is reasonable. Here, truth is a quality of certain beliefs:

Of course, those who insist on their beliefs also insist that their beliefs alone are true: they impose their beliefs because, they say, their beliefs are true and not because they are their beliefs. But this is a claim that all equally could make; it is also a claim that cannot be made good by anyone to citizens generally. So, when we make such claims others, who are themselves reasonable, must count us unreasonable.<sup>139</sup>

The gist of the above passage is that insisting on a belief is insisting on the truth of it. Doing that is also what makes such an insisting unreasonable to Rawls. Anything unreasonable is out of Rawlsian politics. In an early edition of *Political Liberalism*,

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138 Ibid. 32.

139 Ibid. 61.

Rawls quoted the French catholic bishop and theologian Jacques-Bénigne Bossuet. The quote simply said “I have the right to persecute you, because I am right and you are wrong.” In the final edition, Rawls removed the quote since it turned out not to be by Bossuet, but from a later intellectual historian.<sup>140</sup> The quote is still relevant. To Rawls, insisting on the truth in moral and political matters is analogous to insisting on the right, and vice versa. That is why he pulls up the terrible non-quote by Bossuet. There is a meaning of “moral truth” that goes beyond the categorial mistake of attaching truth to moral judgements. This further sense of the concept is one that Rawls also wants to reject. The insistence on moral beliefs being right is to Rawls somehow also to insist on them being true.

A final piece in the puzzling usage of “moral truth” in Rawls is his summary of what conditions hold in an ideal end state of his political liberalism. This equilibrium is reached by Joshua Cohen, and quoted by Rawls approvingly, when there is “an overlapping consensus of all the reasonable comprehensive doctrines (all agreeing on the political conception) and [...] there are no other doctrines in society.”:

A. In appealing to reasons based on the political conception, citizens are appealing not only to what is publicly seen to be reasonable, but also to what all see as the correct moral reasons from within their own comprehensive view.

B. In accepting the political conception as the basis of public reason on fundamental political questions, and so appealing to only a part of the truth - that part expressed in the political conception - citizens are not simply acknowledging the political power of others. They are also recognizing that another’s comprehensive views are reasonable, even when they think them mistaken.

C. In recognizing others’ views as reasonable, citizens also recognize that to insist on their own comprehensive view must be seen by the rest as their simply insisting on their own beliefs [...]. This is because, while people can recognize everyone else’s comprehensive views as reasonable, they cannot recognize them all as true, and there is no shared public basis to distinguish the true beliefs from the false.<sup>141</sup>

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140 Ibid. 61.

141 Ibid. 127-28.

Since there is no generally accepted way of separating moral truth from falsehood, the important distinction becomes between who can, and can not, accept that only parts of their moral truth will remain in politics after public reason.

### **3.11 Summary: Two Moral Truths**

In summary, there are two senses of moral truth in *Political Liberalism*.

The first sense is the doctrinary. Doctrinary citizens make moral judgements led to conclusions by the doctrines they believe in. In modern society, there are and will be many such doctrines, containing positions and reasoning applicable to questions about right and wrong, including those resulting in political claims. A moral judgement is true when it issues from the deployment of the correct doctrine. The error in this according to Rawls is thinking that the judgement is true because it issues from a doctrine thought to be in the right.

The other more interesting sense of “moral truth” is that which is unfit for public reasoning. The making of an overlapping consensus require some beliefs to be only partly advanced as political claims. For example, a free-market liberal wants to end all or most regulations of trade. Trade unionists, his political opponents, does not accept the claim of the good of the free market in it’s entirety, and in all of it’s consequences. Perhaps they think that labor in other countries might price them out of that free market. The free market liberal can accept that only some regulations are scaled back, most likely in reasoned exchange for some concessions to the trade unionists. The example free market liberal can then accept the resulting consensus on trade, resulting from public political reason. The consensus enacts enough of his own beliefs for him to endorse it, along with the endorsement of the trade unionists.

The free market liberal in the example above can not realize his entire conception of a good society. If he insists on more than what others can accept, he is, to a Rawlsian polity, unreasonable. There is the point of the second sense of “moral truth”. From the point of view of a Rawlsian reasonable polity, there is no reason to insist on any political claim that is rejected by anyone else. The only reason, from the vantage point of public reason, is some mistaken notion of “the whole truth” of an idea about the good. Rawls therefore consistently describes unreasonable people and claims as being about truth. The entirety of an idea about what is right is analogous to what is entirely true. The opposites on Rawls’ mind are ideas about the

good that are supposed to be valid as they are, in their entirety, and ideas about the good that can be broken down into parts that are agreeable to a consensus.

The first sense of “moral truth” is not so hard to understand. A doctrinary relation to the good is easy to criticize. It seems likely that any set of moral judgements justified by the truth of complying with a doctrine will face some hard questions, at least from secularists.

The second sense is harder to grasp. Requiring an overlapping consensus seems to require a difference between political convictions, their validation and grounds, and reasoned agreement, as I have tried to spell it out here, that has some deep consequences for how citizens in such polities has to view themselves and the world around them.

[F. Here, I need to spell out my evaluation of Rawls on pluralism. Given a polity that works like Rawls thinks it can and should, I do not think much of politics is recognizable as such. Any agreements, exclusively on what everyone can agree, will turn out to be about very little of substance. Politics will first and foremost be experienced as that arena where elaborate and important substantial ideas are rejected in favor of minimal compromises (as anyone observing recent Swedish political events can surely recognize). Politics is, then, where ideas about the world turns into disappointments.

A further problem with Rawls is the epistemic work required to even be admitted into politics. As I can surely elaborate but has already suggested, the work of reason is also the work of confirming who is reasonable and who is not. Reason is public performance of allegiance to the meta-political idea of reason. Isaiah Berlin can, I think, be very helpful in spelling this out.]

## **Further Research**

In this section I will indicate the main questions that I see before me about the further work that will comprise the final parts of this dissertation. I am very grateful for suggestions and comments from the seminar about this. There are two main directions I see as possible to pursue, and there might of course be more. These different directions might not be mutually exclusive.

## **Epistemic Conditions**

As I see the current stand of this text, an analysis of the epistemological problems posed by the history of John Rawls' thinking is a natural continuation of the project.

In my reading of Rawls, he tries out some philosophical frameworks of relating humans to the world, reason and language, with the intent of uncovering conditions for agreement and disagreement if they are accepted and thought through.

Agreement, in my view, becomes harder and harder to achieve in Rawls' thinking as he moves from positivism to Wittgensteinian linguistic philosophy to Quinian analysis, and lastly to one rule of reason.

I suggest here that looking for what a political conviction must be, in each of the epistemic cases above, will yield an idea about an epistemic status for political convictions that makes such convictions escape possible agreement. In other words, what is it, epistemically, that would force us to close the book on politics in liberalism with disagreements so deep that they require the one rule of reason to end politics (at least as we know it)? What, epistemically, makes political convictions so stubbornly impervious to almost any argument, statement of fact or other epistemic item produced by a dissenter? In a way I will, if I follow this track, reverse-engineer Rawls' progression (or regression): What can positivism tell us about what political convictions are? What is a political conviction given a Wittgensteinian view of language games? And so on.

I want to achieve a description of an epistemic status of political convictions that is made possible in liberalism through its philosophical positions on freedom, truth and reason. This possibility, arrived at through examining Rawls and others closely, is the vulnerability of liberalism, as it is pluralist. Thinking that liberalism is vulnerable because there is nothing in common in a plural polity is not a new idea. What I want

to get at by following this track are the epistemic specifics of this. Rawls and others leads me on to such specifics.

## **The Fragility of Conviction**

Another possible track leads to finding the problem in a combination of the history of liberal philosophy and current conditions of freedom.

Already in the premises, I inherit from earlier philosophy a strong emphasis on the fragility of convictions. James Madison, John Stuart Mill and Walter Lippmann all talk about views of the world as in some sense necessarily flawed. Madison, Mill and Lippmann all think differently about this. Not only do they come to different conclusions about what knowledge is, but they also employ different modes of inquiry. Madison relies on early modern psychology. John Stuart Mill makes a demand from utility on polity members, in the interests of a liberal polity itself. Walter Lippmann tries to make sense of the large array of possible depictions of the world available to people in the mediatized age.

With Rawls, the reverse is the case. Polity members, in conditions of radical pluralism, hold political convictions in such ways that they will not doubt them, no matter whether that would be on psychological, utilitarian or otherwise epistemological grounds.

Madison, Mill, Rawls (and very many other canonized philosophers of liberalism) are Protestants. As I think Quentin Skinner (and others) shows, a wide-ranging license to individually understand the world, and a concurrent emphasis on the sinful ignorance of man, are two central tenets of Lutheranism. The license to individual knowledge is touched upon by Rawls when he thinks about modern polity members as self-authenticating. Such an epistemic status of humans in relation to the world they all inhabit means that they are all independently engaged in validating their views, including their political convictions. Mill admonishes polity members to remember the necessary fallibility of what they think they know, when they validate their claims. Madison can probably be seen as taking such a fallibility for granted, entrusting the protestant faith with shaping the beliefs of citizens towards humility and graciousness. Lippmann makes the construction of knowledge about the world

dependent on what is at least unverified claims, and by extension there should be limits to how convinced citizens should be about their political claims.

In other words, Madison, Mill and Lippmann all take not only the license to individual validation of knowledge, but also the ignorance of humans into account when thinking about the politics of pluralism. Both sides of the protestant equation are accounted for, if not necessarily in terms of faith and redemption. Rawls does not do so. Citizens in a Rawlsian polity are so convinced about their political views that they have to exclude most of them from politics, to enable a minimal common decision-making. They validate their own claims, without having to share such validations with others and without any necessary inclination towards epistemic temperance. They then stick to them through thick and thin.

Here something of an amnesia in the philosophy of liberalism appears. What began as a protestant-inspired political balancing act between freedom and the necessary fragility of the truths the individual uncovers turns out, in Rawls, to be only freedom, until our truths does us part.

The question is where to take this rough sketch further. Mill and Madison, in particular, illustrate the connection between Protestantism and liberalism. There are surely other examples, for example in the political writings of Kant. Is, then, this amnesia about what liberal societies requires of the fragility of its citizens world views the vulnerability of a liberal pluralism? In other words, is a recognition of the fragility of political convictions a kind of recipe for a truly plural polity, without the problems that Rawls has reason to solve in a radical fashion? I am not so sure, and I will have to think about this.

## **Anti-pluralism**

I have not yet addressed the problem of anti-pluralist politics, as I intend to do. I will let my final position on anti-pluralism depend on which analysis I do of current and suggested future material. The main question, I think, is whether and how anti-pluralism exploits some philosophical vulnerabilities of liberalism. Such an account is dependent on what those vulnerabilities turn out to be in my final analysis.

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