
ROBERTA SALA

Università Vita-Salute San Raffaele, Milano

sala.roberta@univr.it

REASONABLE VALUES AND THE VALUE OF REASONABLENESS. REFLECTIONS ON JOHN RAWLS' POLITICAL LIBERALISM

abstract

This paper aims to question the idea of reasonableness in Rawls' account of political liberalism. My point is that reasonableness as the moral basis of the liberal society provides restrictions for differences – be they philosophical, moral, religious, cultural – to be included in the liberal society. Notwithstanding Rawls' attempt to expand political boundaries and to include those people who do not share moral liberal justification to justice as fairness, reasonableness selects “values holders” and assigns to the so-called “reasonable” a place in the political debate. The others, the “unreasonable”, are expected to become reasonable; alternatively, they would be paid control or even coercion in all the circumstances in which they should represent a risk for political stability. I believe that Rawls gives an incomplete account of unreasonableness: there may well be persons who are not “reasonable” in Rawlsian terms but who do not necessarily represent a danger for the just society. By the fact that they do not endorse values as freedom and equality in which fair cooperation is grounded, we cannot infer that they will necessarily try to violate the terms around which cooperation is structured by imposing their values on others. I proceed as follows: a) I detail the Rawlsian political turn in defending justice as fairness; b) I focus on the idea of reasonableness as the core of political liberalism; c) I defend the thesis that political liberalism needs to revise the idea of unreasonableness if it aims to deal with pluralism as a social and political fact.

keywords

Legitimacy, toleration, political justification, agreement, pluralism

This paper aims to question the idea of reasonableness in Rawls' account of political liberalism. My point is that reasonableness as the moral basis of the liberal society provides restrictions for differences – be they philosophical, moral, religious, cultural – to be included in the liberal society. Notwithstanding Rawls' attempt to expand political boundaries and to include those people who do not share moral liberal justification to *justice as fairness*, reasonableness selects “values holders” and assigns to the so-called “reasonable” a place in the political debate. The others, the so called “unreasonable”, are expected to become reasonable; alternatively, they would be paid control or even coercion in all the circumstances in which they should represent a risk for political stability. I believe that Rawls gives an incomplete account of unreasonableness: there may well be persons who are not “reasonable” in Rawlsian terms but who do not necessarily represent a danger for the just society. By the fact that they do not endorse values as freedom and equality in which fair cooperation is grounded, we cannot infer that they will necessarily try to violate the terms around which cooperation is structured by imposing their values on others. I proceed as follows: a) I detail the Rawlsian political turn in defending *justice as fairness*; b) I focus on the idea of reasonableness as the core civic value of political liberalism; c) I defend the thesis that political liberalism needs to revise the idea of unreasonableness if it aims to deal with pluralism as a social and political fact.

1. **The Political Turn of Justice as Fairness** I start by recapitulating the “political turn” from *A Theory of Justice* (Rawls 2003) to *Political Liberalism* (Rawls 2005). *Political Liberalism* may be seen as a remedy to the problem of motivating people to endorse the principles of justice and to behave accordingly. Rawls says:

To understand the nature and extent of the differences [between Political Liberalism and A Theory of Justice] one must see them as arising from trying to resolve a serious problem internal to justice as fairness, namely from the fact that the account of stability in Part III of Theory is not consistent with the view as a whole. I believe all differences are consequences of removing that inconsistency (Rawls 2005, xv-xvi).

In the III Part of *Theory* the problem of motivation is faced and apparently

resolved by adopting the argument of congruence. Rawls believes that people may sustain justice insofar as justice is part of their good. Specifically, Rawls assumes that people in a fair society have an independent sense of justice and aspire to do what is right for its own sake. This does not mean that justice is always the best thing for them to do; indeed it may require of them to give up any of their specific purposes¹. Thus, the question is what kind of assurance one does have that it is realistically possible for people to affirm justice as fairness as part of their good. The congruence argument purports to show that under ideal conditions the judgements that would be made from the private perspective (judgements regarding a person's good) and the public ones (judgements of justice) will cohere. In sustaining this position Rawls refers to a complicated argument grounding in the Aristotelian principle: the main idea here is that the sense of justice is among human higher capacities and involves an ability to understand, apply and act on and from requirements of justice (Rawls 2003, 372-379).

I am insisting on motivation as motivation for justice is an indispensable condition of stability: a social order is hardly stable if people incline to pursue their particular good in place of the right for all. To be motivated for justice is the first assurance of stability. Stability is the central issue of the Rawlsian theory: it is here meant as an indicator of the feasibility of any political theory. "We checked to see [...] if justice as fairness is a feasible conception [...]; this forced us to raise the question of stability" (Rawls 2003, p. 508). A theory of justice should be feasible to be desirable: a theory that cannot be applicable is undesirable². A conception of justice is stable when its realization by the social system tends to bring about the corresponding sense of justice that induces citizens "to develop a desire to act in accordance with these principles and to do their part in institutions that exemplify them" (Rawls 2003, 119).

In *Political Liberalism* the issue of feasibility becomes more relevant. Rawls gradually became dissatisfied with the account of the just society as depicted in *Theory*. He finds the just society as designed in *Theory* to be *unrealistic*: it is quite unrealistic to maintain that people have the same reasons to support it and that they similarly view their good as congruent with the right. When the veil of ignorance is raised, citizens may realize that justice does not correspond to their ideas of good. That means to recognize the "fact of reasonable pluralism": under "the political and social conditions secured by

1 See Weithman (2010, ch. 7).

2 I may just mention the huge problem concerning ideal theory and its role to guide actions. On this point see Pasquali (2009) and Zuolo (2012).

basic rights and liberties of free institutions, a diversity of conflicting and irreconcilable – and what's more reasonable – comprehensive doctrines will come about and persist” (Rawls 2005, 36). He adds that pluralism “is not a mere historical condition that may soon pass away; it is a permanent feature of the public culture of democracy” (*ibid.*). This clarification may be put in other words: pluralism is not an *external* constraint but it is a *fact about* liberalism and part of any ideal society. Liberal democracies promote pluralism as a consequence of reasoning under their institutions³.

On the premise of the fact of pluralism, the stability of the theory is now evaluated with regard to its appropriateness in constituting the focus of an overlapping consensus among different and conflicting comprehensive doctrines endorsed by reasonable citizens. For this stability to be realistically possible all the reasonable comprehensive doctrines affirmed by reasonable citizens must accept and endorse its political conception of justice in an overlapping consensus. When such an overlapping consensus exists, then all free and equal citizens endorsing reasonable comprehensive doctrines agree on the political conception of justice on the basis of their own particular comprehensive reasons. The matter of motivation is here resolved by assuming a freestanding political conception of justice that citizens may share. They come to defend this political conception as a common moral ground they can agree upon in spite of the diversity of their moral justifications⁴. It means that citizens may adhere to the principles of justice backed by their specific reasons: these principles may be adopted as a module that fits into and can be supported by various reasonable comprehensive doctrines that endure in the society regulated by it (Rawls 2005, 12-13). The principles of justice are worked up from certain “fundamental intuitive ideas” that are implicit in the public culture of a democratic society (Rawls 2005, 192). That explains why people may abide by them on the basis of different and even divergent views. They may be said however to converge on justice for “right reasons” (i.e. moral reasons), not for prudential reasons like opportunity or fear. Rawls stresses this point by declaring that the overlapping consensus on justice must not be confused with a *modus vivendi*. The *modus vivendi* is exactly a precarious equilibrium of forces that depends on “circumstances remaining such as not to upset the fortunate convergence of interests” (Rawls 2005, 147). Thus, the question of stability cannot be addressed by a *modus vivendi*; it can only be addressed by

³ On this point see Quong (2011).

⁴ By common moral ground Rawls means a political morality, not a comprehensive one, that is, a set of political moral values which may be subscribed by several comprehensive doctrines. See Rawls (1995).

striving to realize an overlapping consensus on moral political values such that “stability is secured by sufficient motivation of the appropriate kind acquired under just institutions” (Rawls 2005, 142-143).

To sum up: in *Political Liberalism* Rawls starts by acknowledging the fact of pluralism as the result of living under liberal institutions. Pluralism is indeed the consequence of the exercise of the practical reason under free conditions. Given the fact of pluralism, the moral justification for justice as held in *Theory* turns out to be unrealistic: it is unrealistic that people agree on the same justification of justice. Instead, *justice as fairness* defended in *Theory* may be sustained by each person as a political conception, independently from their specific reason for endorsing it. The following point is how people may converge on this political conception: convergence may be assured once they adopt a *method of avoidance* according to which divisive issues are systematically excluded from the political agenda (Rawls 1985). If the project of justification in *Political Liberalism* is similar to *Theory*, now Rawls avoids relying on controversial moral positions and counts instead on ideas and reasons that are widely shared in democratic culture: the method of avoidance means to avoid claiming to truth to defend one's own political position. Truth is irreconcilably divisive for Rawls: truth and politics must part company if justice (the theory and the practice of justice) wants to gain stability. Indeed, the so-called “political turn” consists in justifying justice by renouncing to defend one's own moral justification as both exclusive and exclusively true⁵. Truth is to be replaced by reasonableness when political constitutionals are at stake. Reasonableness and not truth is the political standard of correctness: the objectivity of judgements about justice is characterized without reference to the notion of truth (Rawls 2005, 127). Lastly, avoidance of truth is not to be conflated with scepticism: to avoid claiming to one's truth does not mean to deny it. It means only that we are allowed to use our deepest convictions in the construction of the political conception within certain limits, being those limits based on what people could reasonably accept (see Maffettone 2010, 269).

2. Reasonableness and Unreasonableness

Let me now articulate the meanings of reasonableness⁶. So far I mentioned the notion of reasonableness as if it were a sort of “device” to connect comprehensive doctrines and the question of stability through the idea of an overlapping consensus. Such an overlapping consensus among comprehensive doctrines may be achieved only among that class of comprehensive doctrines

5 On the “political turn” in the Rawlsian thought about justice see Weithman (2010).

6 For a larger discussion on this point see Sala (2013).

that are reasonable, meaning that reasonableness qualifies the group of comprehensive doctrines that can find common ground within a liberal-democratic regime. In so doing, these doctrines may coexist albeit they diverge on truth. Then, reasonableness instead of truth may respond to the central question of *Political Liberalism*: “how is it possible for there to exist over time a just and stable society of free and equal citizens who still remain profoundly divided by reasonable religious, philosophical and moral doctrines?” (Rawls 2005, 47). Reasonableness responds to this initial problem of reconciling stability with pluralism: the stability of a fair society is secured by citizens’ ability to mediate between their competing comprehensive claims. This citizens’ ability is rooted in their reasonableness.

I now add further remarks on reasonableness. I firstly remind that according to Rawls a person is reasonable when she is willing to propose and honour fair terms of cooperation (Rawls 2005, xlii). Reasonableness indicates reasonable persons’ ethical-political ability to share public reasons in a regime of reciprocity. Reasonableness may be here defined as the political virtue of citizens who show to be reasonable as they take others to be politically free and equal, and equally deserving of fair terms of social cooperation. Secondly, to be reasonable implies also to acknowledge the fact that, when freedom of thought and conscience is granted, people adopt reasonable yet incompatible comprehensive doctrines. In other words: to be reasonable involves to recognize the fact of reasonable pluralism. People are reasonable insofar as they support freedom of thought and conscience and recognize the consequence of this freedom in terms of reasonable pluralism⁷.

In summary: reasonableness implies two aspects – the willingness to propose and honour fair terms of cooperation and the willingness to recognize the fact of pluralism as the result of the free exercise of practical reasons – that substantiate what being reasonable means.

Having said that, reasonableness explains also how and why citizens come to distance themselves from their comprehensive doctrines: as they are reasonable, they may avoid to assert the truth of their beliefs and try to reach an overlapping consensus on liberal values. This capacity of avoidance plays as the evidence of their being reasonable. I said that reasonableness is a political virtue: it is in the political domain that reasonableness takes the place of truth. Indeed, the notion of reasonableness is strictly political: that is, it does

⁷ On reasonableness in Rawls: Boettcher (2004); Mandle (1999); Archard (2001); Rasmussen (2004).

not have to do with the contents of beliefs and with philosophical, moral or religious positions. On the contrary, it does have to do only with the attitude to tolerate others' positions as they are acknowledged as legitimate albeit different from ones' own positions. I conclude by saying that reasonableness is somehow the winner of a virtual game among values: it is *the* common value, it may be called the *common currency* of a society that vindicates its fairness.

Having recapitulated the meanings of reasonableness, what about those who do not “subscribe” to it? It seems a platitude to state that people who do not share the virtue of reasonableness are “unreasonable”. Rather, what Rawls means by “unreasonable” can be equated with planning to engage in cooperative schemes for the “wrong reasons” (Rawls 2005, 55). Unreasonable people are unwilling to honour, or even to propose, any general principles for specifying fair terms of cooperation. They may adhere to order not being properly motivated to support institutions: any adherence to them equates to a *modus vivendi* given that the reasons for adherence are prudential and not moral reasons. For Rawls, those people are to be kept under control as they would impose their beliefs on others: they are considered unreasonable not because their belief is thought to be false, but because they are ready to impose it on others⁸. In such cases, says Rawls, “the problem is to contain them so that they do not undermine the unity and justice of society” (Rawls 2005, xvi-xvii). Reasonable institutions have “the practical task of containing them – like war and disease – so that they do not overturn political justice” (Rawls 2005, 64, n. 19). Notwithstanding the fact that unreasonable people are a *fact* of any liberal democracy, Rawls trusts liberal institutions in their capacity to educate unreasonable people to cultivate in themselves a sense of justice. The fair society has a kind of educational or transformative role: the “unreasonable” are likely to become reasonable, because of the strong positive effects of living under liberal institutions.

Rawls hopes that in this way political stability increases and that the benefits assured by stability will eventually motivate the “unreasonable” to become reasonable (Rawls 2005, 163-168).

3. Unreasonableness Revisited

Under actual circumstances, Rawls' hope may be misplaced. There may well be persons who will not adopt public reasons to defend their positions in the political debate. However, this does not imply that they are ready to impose their beliefs on others being unreasonable in the Rawlsian terms. The fact that they do not share values as freedom and equality in which the fair cooperation

⁸ On this point see Waldron (2003).

is grounded is not a sufficient reason to say that they will necessarily try to violate the terms of cooperation itself. I think instead that there may be more than one way to be unreasonable. Besides those unreasonable persons who actually represent a risk to stability, there may be people who are neither reasonable nor unreasonable. I call them “non-reasonable”⁹. Although they do not endorse the common values that form the overlapping consensus, they are ready to support liberal institutions, albeit for reasons that are not the “right ones”. Non-reasonable persons may support the liberal democratic order for *their own* reasons, which fall outside the domain of public reason and that may not be part of the overlapping consensus.

Unlike Rawls, I believe that nothing wrong happens if liberal institutions are endorsed by people divided at the level of their fundamental values. Stability is not necessarily threatened by the fact that institutions may be supported also by people who are unable to find any “continuity” between *their* values and the common values, between their beliefs and the civic value of reasonableness, but who are nonetheless ready to engage in cooperation with the others. Such a cooperative attitude, however motivated, may provide a strong enough motive to include such non-reasonable people in the liberal-democratic citizenry and treat them as political equals. For example, non-reasonable people of this kind may recognize liberal democratic society as the place to accomplish their mission on earth. Although their reasons for cooperation are unlikely to be translated into public reasons, they may equally count in favour of their sincere participation in a fair system of social cooperation. This implies also to contradict Rawlsian thesis about the connection between reasonable doctrines and reasonableness as an attitude: people may behave “not unreasonably”, despite the fact that they hold unreasonable doctrines (in the Rawlsian sense) and are not ready to renounce them for any reason¹⁰.

My conclusive point is that actual circumstances of politics should not be neglected by appealing to an ideal overlapping consensus, by which common moral values should be shared. Non-reasonable people may in fact participate in the public debate by putting forward reasons that are neither public nor shared by other reasonable citizens. Public debate

⁹ For a more detailed assessment of non-reasonableness as alternative to both reasonableness and unreasonableness in the Rawlsian terms, see Sala (2013).

¹⁰ Rawls inclines to see as reasonable those people who hold reasonable doctrines. By contrast, not all people who hold unreasonable beliefs should be called unreasonable. See Rawls (1997). About the relationship between unreasonable doctrines and reasonable behaviour see the exchange among Kelly and McPherson (2001) and Quong (2004). A comment on it in Sala (2013).

may be opened also to those who may offer *their* reasons that are hardly public reasons: their reasons matter from their specific point of view. The fact is that in realistically plural societies several groups advocate policies for their non-sharable personal reasons. An enlarged public debate is not expected to lead necessarily to an overlapping consensus on the basic liberal values. Instead, it allows all citizens, including the “non-reasonable”, to start from their respective points of view and exhibit *their* reasons publicly (Archard 2001). These “non-reasonable” people may thus be included in an enlarged public debate, instead of being deprived of such an opportunity as it happens in the Rawlsian society. Indeed, not all citizens are reasonable in the Rawlsian sense and the problem of how to deal with the ‘non-reasonable’ is not a mere accidental matter, but is a crucial fact of politics with which the liberal theories of justice should concern themselves.

What I mean is that public justification may be conceived of as a wider practice in which the “non-reasonable” may participate by putting forward their special reasons that are unlikely to be acceptable to all. My suggestion is that although the reasons of the non-reasonable are likely to be unacceptable to reasonable people, they may nonetheless be made intelligible to them, that is, they may be exchanged in public debate (Gaus 2010). Thus, the reasons of the non-reasonable people should not be dismissed from public debate in advance of an argument simply on the grounds that reasonable people disagree with them. If a political theory aspires to be realistic it is crucial that it takes into account the actual conditions in which persons may have both moral and non-moral reasons to accept the liberal-democratic order notwithstanding the fact that they do not share its essential values¹¹.

¹¹ On realism in political theory with regard to Rawlsian tradition: Galston (2010), Mason (2010), Horton (2010), McCabe (2010).

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