THE VIABILITY OF THE CONCEPT OF POLITICAL LIBERALISM

by

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SUMMARY

This thesis examines the viability of the concept of political liberalism. Since its emergence, the idea of a purely political liberalism has been the subject of a voluminous amount of discourse and debate. The concept of political liberalism has been presented as both a solution to the problems of justice and political stability troubling liberal democracies and an exemplar of all that is wrong with contemporary political philosophy; it has, quite literally, altered the landscape and the vernacular of contemporary political theory.

Herein it is argued that, despite the significant amount of literature that has been devoted to the analysis of the idea of a purely political liberalism, the idea itself has yet to be subjected to the type of critique that is required if one is to assess its viability effectively. Though there have been a number of contemporary political theorists who have developed conceptions of political liberalism which they believe differ in important ways from those of their doctrinal colleagues, detailed analyses of the concept of political liberalism have and remain focussed almost exclusively on a single formulation: namely, Rawlsian political liberalism. This singular focus has precluded the completion of a comprehensive assessment of the viability of the concept (as opposed to a single conception) of political liberalism as represented both by Rawlsian and non-Rawlsian models.

This thesis confronts this problem by expanding the scope of investigation to include a fulsome examination of other prominent paradigmatic conceptions of political liberalism—namely, those developed by Charles Larmore and Judith Shklar—and in so doing provides a more inclusive and, subsequently, thorough critique than has previously been offered. Adopting such an
approach reveals that, despite protestations to the contrary, the prominent paradigmatic conceptions of political liberalism are sufficiently similar in all important respects to enable their conflation for the purpose of analysis; and when subjected to a thorough analysis, the idea of a purely political liberalism proves itself to be untenable.

**Key Terms:** political liberalism; political stability; justice; reasonable disagreement; reasonableness; equal respect; pluralism; neutrality; political power; overlapping consensus
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CHAPTER ONE: POLITICAL LIBERALISM AND THE PROBLEM OF POLITICAL STABILITY

I. Introduction

The history of Western political philosophy is in many respects a chronicle of the search for political stability. Indeed, it has been argued that the "problem" of political stability—that is, the dilemma of how to secure and sustain the conditions needed to ensure "the smooth functioning of [public] decision-making mechanisms and [the] absence of large-scale, extra-legal opposition [to the existing political system]" (Klosko 2000: 7)—"is fundamental to political philosophy" (Rawls 1993: xvii). Certainly, as a topic of analysis the problem of political stability has exercised the energies and talents of a vast number of political theorists. From the dialogical investigations of Socrates in Plato's Republic to the dialogical liberalisms of Bruce Ackerman and Jürgen Habermas, many of the most celebrated theorists have devoted a great deal of thought to trying to clarify and resolve the problem of political stability.

Political philosophy's fascination and concern with the problem of political stability has been especially evident—indeed, prominent—in liberal political theory. Liberalism was born out of a desire to escape from and avoid a recurrence of the seemingly intractable religious civil wars and subsequent political instability that plagued much of sixteenth and seventeenth-century Europe; it was a philosophical attempt to confront and effectively address the problems of stability generated by religious pluralism, and thereby establish the basis for a stable (and just) society. For Thomas Hobbes, the individual whom is often identified as the progenitor of liberal theory, the
need for political stability was paramount: without it, there could be no security for either life or liberty, and thus man’s existence could never be anything more than a chaotic, violent and bloody struggle for power—“a condition of Warre of every man against every man” (Hobbes 1968: 196). Since its initial articulation by Hobbes, variants of this theme have commonly served as the foundation for liberals’ theorising.

In the latter part of the twentieth century, a number of political theorists began to argue that existing liberal responses to the difficulties generated by religious, moral, and philosophical pluralism were insufficient to address the problems of justice and stability facing contemporary liberal democracies. Certain of these theorists suggested that securing political stability under such conditions would require redrawing the boundaries of liberal concern so as to distinguish between matters of public and private interest—between the political and the nonpolitical—and embracing a conception of justice that seeks consensus on a framework for regulating only the former (e.g., Rawls 1993; Larmore 1987; Shklar 1989). The school of thought associated with this line of argument has come to be known as political liberalism.

According to its proponents, a purely political liberalism is animated by a “freestanding” conception of justice: that is, a conception of justice that is neither derived from nor makes any claims regarding the truth or falsity of any particular metaphysical or epistemological view. A freestanding conception of justice is void of any specifically “comprehensive” or “nonpolitical” concerns; its values are arrived at independent of nonpolitical considerations, thereby ensuring that it neither demands nor presupposes a “wider commitment to any other doctrine” (Rawls 1993: 12-13). Political liberals argue that the plurality of (reasonable) conceptions of the good that
characterises many contemporary societies precludes the possibility of achieving a voluntary public consensus on any conception of justice that seeks to regulate all political and nonpolitical behaviour according to the tenets of a single comprehensive doctrine. Given the ineliminable diversity of conflicting and irreconcilable views, attempting to enforce adherence to such a "comprehensive" conception of justice would require an unacceptable amount of coercion on the part of the state, and thereby generate an undesirable, indeed, dangerous, degree of political instability. The manner by which to avoid this problem is to develop a conception of justice that restricts its regulatory scope to uncontroversial matters—one that refrains from publicly engaging those "comprehensive" questions for which there can never be a universally acceptable answer.

In order to satisfy such a criterion, the conception of justice animating a society's regulatory framework must restrict its concern and application to matters of public import—it must, in other words, be a political conception of justice. By restricting its sphere of jurisdiction to political matters, such a conception not only removes the most contentious issues from the public agenda, but also allows for the public affirmation and pursuit of a wide diversity of conceptions of the good and remains equally respectful of all (reasonable) comprehensive doctrines. Political liberals claim that only by adopting such a "bracketed" approach can we hope to develop a conception of justice that can secure the free and willing support of the majority of the citizenry found in many contemporary societies, and in so doing obtain the political stability needed to establish and maintain a society within which all (reasonable) individuals will have the opportunity to pursue and realise a vision of the good life of their own choosing and design. In
other words, political liberalism offers the means by which to resolve the riddle of how it is possible to secure political stability in contemporary pluralistic societies.

II. Existing Analyses

Over the course of the past seventeen years, the viability and attractiveness of the concept of political liberalism has been the subject of a great deal of analysis; however, the effectiveness of the various analyses has been limited insofar as they have generally tended to focus almost exclusively (or, at least, primarily) on a single representation of political liberalism: namely, Rawlsian political liberalism. Certainly the most prevalent and commented upon analyses are those that have adopted just such an approach.

Nowhere has this myopia been more evident than in the “communitarian” critiques of the concept of political liberalism. The now “famous” liberal-communitarian debate of the 1980s (and, to a lesser extent, the 1990s) was in large part stimulated and fuelled by Rawls’ work surrounding the idea of a purely political liberalism. Many so-called (whether by personal choice or misapplied attribution) “communitarians”—individuals such as Benjamin Barber (1984), Alasdair MacIntyre (1981), Michael Sandel (1982), Charles Taylor (1985), and Michael Walzer (1983)—are among the harshest and best known critics of the concept of political liberalism as represented by Rawls’ paradigm. In essence, the principal complaint of communitarians has been that the concept of political liberalism fails to acknowledge adequately the unavoidable presence, influence and importance of constitutive attachments, such as family, religion and culture, and in so doing negates the possibility of establishing and sustaining a “true” community. According to communitarians, all individuals are, in one way or another, inextricably tied to and a product of
their communities, and this fact generates certain demands that the public conception of justice must recognise and accommodate if those subject to its conditions are to live personally fulfilling lives. Moreover, individuals are not able to, nor should they want to, ignore or suspend these commitments when making decisions about matters of justice, political or otherwise. For communitarians, the concept of political liberalism is premised upon the existence of what Sandel has referred to as an “unencumbered” self (Sandel 1982: 94)—a self free from constitutive attachments and influences—the realisation of which is neither possible nor desirable.

A number of theorists known as “perfectionist” liberals have also been prominent critics of the concept of political liberalism. Individuals such as Joseph Raz (1986), William Galston (1992), Stephen Macedo (1990), George Sher (1997), and Steven Wall (1998) have argued that the establishment and maintenance of a just and stable society, a society that will provide the opportunity for all of its citizens to realise their full potential, requires the inculcation, continued affirmation and purposeful elevation of specific virtues and values—namely, liberal virtues and values such as toleration and autonomy. This conclusion is premised upon the belief that when given little direction and left largely to their own devices (in essence, the approach attributed to political liberalism), citizens cannot be relied upon to develop naturally the personal qualities and beliefs that will impel them to support voluntarily the type of public policies and programs that are necessary to establish and sustain a just and stable society. Perfectionist liberals suggest that human behaviour is too unpredictable and mistake-ridden a basis upon which to premise such an expectation.
Accordingly, *contra* political liberalism, the public conception of justice should not seek to remain neutral in relation to judgements concerning the value and desirability of certain conceptions of the good, but rather it should publicly support, protect, and promote those conceptions of the good that affirm and assign primacy to liberal values and virtues. Perfectionist liberals contend that the government has a duty to "act with discrimination to encourage the good and the valuable [i.e., the liberal] and to discourage the worthless and the bad [i.e., the illiberal]" (Raz 1989: 785). From this perspective, political liberalism is not nearly aggressive enough in its endorsement, elevation and defence of liberal values and virtues; it is deficient to the extent that it refuses to "take ... [its] own side in an argument" (Neal 1994: 26).

Both communitarians and perfectionist liberals, then, fault political liberals for, in effect, failing to acknowledge the importance and necessity of commitments, and argue (for a variety of reasons) that political liberalism offers an inadequate solution to the problems of justice and stability confronting contemporary liberal democracies. The similarity between communitarianism and perfectionism is such that the former has been identified as a version of the latter (e.g., Sher 1997: 156). Of course, communitarians and perfectionist liberals are not the only critics of the concept of political liberalism. Feminists, (neo)Marxists, and postmodernists, for example, have also been extremely critical of the concept of political liberalism.

Despite the diversity of evaluative frameworks—e.g., communitarian, perfectionist, feminist, (neo)Marxist, postmodernist—that have been employed to assess the feasibility and attractiveness of Rawlsian political liberalism, the end result of these efforts remains an unacceptably myopic assessment and understanding of the concept of political liberalism. Though
Rawls' various critics and supporters have provided a wealth of interesting and insightful analysis, and in so doing helped to further define and refine the concept of political liberalism, by concentrating overwhelmingly or solely on a single conception of political liberalism, they have failed to provide the evaluative scope required to address the idea of a purely political liberalism adequately.

Surely political liberals such as Charles Larmore, Judith Shklar, Bruce Ackerman, and J. Donald Moon—to name a few—believe that their conceptions of political liberalism differ in important respects from Rawls' paradigm; indeed, all have made such a claim (e.g., Larmore 1996; Shklar 1989; Ackerman 1994; and Moon 1993). For example, while acknowledging that his work shares “many of the aims” which animate Rawls' project, Ackerman identifies what he considers to be a number of problematic features of Rawls' conception of political liberalism. In particular, Ackerman takes issue with Rawls' model of public reason and his use of analytical devices such as the veil of ignorance and the notion of a “closed society,” and criticizes the weak egalitarianism and “parasitic” character of Rawls' conception (Ackerman 1994: 367-75).

Similarly, though there are certainly a number of obvious parallels between Shklar's political liberalism of fear and Rawlsian political liberalism, Shklar's conception distances itself from that of Rawls in a very significant way: namely, it rejects the search for or possibility of an overlapping consensus on a single conception of justice to regulate the basic structure of society. Hence, an examination, no matter how detailed, of Rawlsian political liberalism cannot be understood to represent a satisfactory analysis of the concept of political liberalism. By neglecting to include in their investigations a detailed analysis of other paradigmatic conceptions of political liberalism, or
explaining why such an analysis is unnecessary, previous commentators have, at best, offered only a partial critique.

In order to provide a satisfactory analysis of the concept of political liberalism, one must explain why all existing conceptions of political liberalism are unable (if such is the case) either to avoid or resolve the problems associated with Rawls’ paradigm. Accomplishing such a task requires that one extend the scope of his analysis beyond that of Rawls’ conception, and do so in more than merely a referential way. This is not to suggest that an effective critique of the concept of political liberalism demands that one conduct a case-by-case analysis of every existing conception of political liberalism. Rather, what is being argued is that a satisfactory analysis necessitates that one explain why all conceptions that can correctly be identified as models of political liberalism are likely to be unable to achieve their stated goal(s). It is possible to fulfill such a condition by analysing a number of paradigmatic conceptions and (reasonably) extending the findings of these analyses to all other conceptions that are premised upon the same fundamental philosophical and argumentative framework. To date, such an exercise has yet to be completed.

III. The Thesis

This thesis has as its task an analysis of the viability of the concept of political liberalism that embodies a breadth of scope sufficient to enable it to be considered “satisfactory” in the sense described above. This is a project that has engaged my interest and been the focus of my writing for a number of years. My ongoing investigation into the viability of the concept of political liberalism is recorded in a number of essays and a book (Young 2002). This thesis represents the continuing evolution and further refinement of the principal ideas and claims presented in my
previously published material. The fundamental conclusion of this thesis is that the concept of political liberalism suffers from a number of problems that prevent it from achieving its stated objective: namely, to provide a conception of justice that can resolve the problem of political stability in contemporary pluralistic democracies. While this assertion is certainly not new, it will herein be premised upon an argumentative foundation the scope of which is broader than those employed in the past and thus able to offer a more legitimate basis for passing judgement on the viability of the concept of political liberalism. This study will present an analysis that extends beyond the confines of Rawls’ texts, and treats with equal concern the work of other prominent paradigmatic political liberals. Such an approach, I would suggest, has heretofore been inexplicably neglected, or, at best, under-explored and underutilised.

Though the unquestionable importance and architectonic character of Rawls’ work necessitates and justifies that it occupy a prominent place in any analysis of the concept of political liberalism, a thorough critique requires that other conceptions also be examined in more than a cursory or referential manner, and this has yet to be done satisfactorily. The majority of arguments attacking the viability or attractiveness of the concept of political liberalism have generally tended to use analyses of Rawls’ conception of political liberalism as the sole or primary basis for their conclusions. Among other problems, this myopic approach leaves many previous analyses susceptible to being credibly labelled a fallacy of composition or a fallacy of hasty generalisation.

The goal of this study is both to redress the above noted deficiency and simultaneously reveal certain of the significant problems that undermine the very idea of a purely political
liberalism. This will be done by presenting and critiquing a conception of political liberalism that represents a synthesis of the models developed by three of its principal and most influential proponents: namely, John Rawls, Charles Larmore and Judith Shklar, theorists who have articulated what are arguably exemplary conceptions of political liberalism. Adopting this approach will provide the type of evaluative scope needed to overcome the myopic perspective and related problems that have troubled previous analyses. The synthesised conception employed in this study will not attempt to incorporate every aspect of each "component" conception; rather, it will concentrate on generically detailing and analysing the essential features of said conceptions. It is believed that if it can be shown that such a synthetic conception is itself fundamentally flawed, then it can reasonably and justifiably be argued that the concept (and not simply different individual conceptions) of political liberalism is untenable.

The thesis will accomplish the above task by directly and indirectly engaging the following questions: What, if anything, distinguishes political liberalism from, and makes it superior to, other forms of liberalism? (Answering this question reveals the rationale behind the development of a purely political liberalism, and thereby helps to explain its potential importance and its value as a subject of inquiry.) What are the obvious and underlying noteworthy similarities and differences between the prominent paradigmatic conceptions of political liberalism? What is the significance (if any) of these similarities and differences? How, if at all, does the success or failure of the synthesised conception under examination affect the viability of the concept of political liberalism? And, finally, can the concept of political liberalism, either as it has thus far been presented or in
some modified version thereof, provide the means by which to resolve the problem of political stability in contemporary pluralistic societies?

IV. The Importance of the Thesis

In confronting the above questions, this study will consolidate and analyse the principal arguments contained in much of the primary and secondary literature related to the concept of political liberalism; in so doing, it will offer a comprehensive exploration and critique of one of the most interesting, provocative and influential contributions to modern political philosophy. Relative to the existing literature, this inquiry will be unique in that it will embody a substantive examination of a number of different conceptions of political liberalism in order to offer a detailed analysis of the viability of the concept of political liberalism, as opposed to critiquing only a single formulation of it, as has thus far been the norm. Though the question of the viability of the concept of political liberalism has for years been the topic of extended discourse and debate, there has yet to surface an analysis that directly and fully addresses the feasibility and attractiveness of the idea of a purely political conception of liberalism as represented both by Rawlsian and non-Rawlsian paradigms. Such an analysis is an essential prerequisite to securing a complete understanding of the possibilities offered by political liberalism.

Of course, completing the type of comparative analysis here being proposed will not eliminate the need for further study. Indeed, it would be arrogant and foolish to suggest that the project of analysing the viability and attractiveness of the concept of political liberalism will ever be "finished," either within the confines of this study or elsewhere. Nevertheless, an analysis that encompasses the type of scope that is being suggested is useful insofar as it incorporates in a
significant way previously ignored or under-examined material, and necessary inasmuch as the legitimacy of any critique of the concept of political liberalism is a measure of the breadth and depth of the associated examination.

In addition, the topic itself is important for a number of other more "practical" reasons. Aside from usefully expanding the scope of the ongoing debate surrounding the viability and potential value of the concept of political liberalism, the text also directly addresses the issue of political stability, a concern that for centuries has been at the forefront of political philosophy, and one that seems to become more prominent and its resolution more urgent with each passing day. Evidence to support this last assertion is, unfortunately, all too plentiful. Indeed, with frightening regularity the daily news heralds the eruption of new or re-emergent ethnic, cultural and religious quarrels. Gradually but continuously, it seems, an ever-greater percentage of the globe is being consumed by sociopolitical unrest and upheaval and armed conflict. As Ted Gurr and Barbara Harff have noted:

In 1993, two years after the Cold War ended, twenty-two 'hot' wars were still being fought around the world. Communal rivalries and ethnic challenges to states contributed to conflict in all but five of these episodes.... The United Nations had thirteen peacekeeping operations underway, the most ever in its fifty-year history, and seven of these were aimed at separating the protagonists in communal conflicts (Gurr and Harff 1994: xiii).

Rather than facilitating a better understanding and greater acceptance of the ethnocultural, religious and moral diversity that characterises humanity, the realisation of the "global village" and the increased socioeconomic-political interaction generated by it seem to have further provoked and intensified the desire to establish, promote and zealously defend personal, cultural, political, and geographical boundaries. As a result, the age-old struggle for power—especially economic
and political power—and all of the horrors and miseries that accompany it, remains a key feature of contemporary life.

Given the potential consequences of a failure to effectively address the increasing sociopolitical tension, conflict, and subsequent political instability generated by the ever-expanding diversity that characterises contemporary societies, it does not seem unreasonable to suggest that the principal concern of political philosophers—to mention only one group—should be the development of a viable regulatory framework which holds the promise (or at least the possibility) of being able to engender and facilitate the peaceful establishment and maintenance of widespread, enduring political stability both in and amongst the plurality of societies that presently inhabit the world. If such a framework cannot be developed, it seems increasingly unlikely that the world, at least as we currently know it, will survive to witness the end of the new millennium. To suggest that this is a melodramatic prediction is, I believe, to bury one's head in the sand and wait in blissful ignorance for the inevitable calamity. To fail to acknowledge the urgent need to address the problems of stability produced by the increasing fragmentation and polarisation of humanity is to leave a festering infection untreated and suffer the consequences of this neglect. With this divination in mind, the value of the project of political liberalism (and efforts to analyse its viability) is clear.

V. Development of Subject Matter

The general outline of the remainder of the thesis will be as follows. Chapter two will present a brief review of the central characteristics of the liberal outlook. (The chapter will not, however, attempt or pretend to offer a detailed description of the evolution of liberalism and its numerous
formulations; such an undertaking is both beyond the scope of this study and unnecessary for its purposes.) The purpose of this review is to provide the framework and context for the development of the concept of political liberalism; this information will later make it easier to recognise and explain the distinctive traits of the concept of political liberalism.

Chapter three will briefly explore the relationship between political stability, justice, and liberalism. The insights generated by this exploration will help to make clear the rationale behind developing a purely political liberalism, and in so doing provide essential background for subsequent chapters.

Chapter four will identify the fundamental features of, and principal claims associated with, the concept of political liberalism, as expounded by some of its leading proponents. As previously noted, the conception of political liberalism presented will represent a synthesis of a number of existing paradigmatic conceptions of political liberalism. Such an approach better enables one to critique the concept, as opposed to a single conception, of political liberalism. In describing the quintessential characteristics of the concept of political liberalism, the chapter will also reveal the ways in which political liberalism is said to differ significantly from its spiritual kin, and highlight certain of the proposed distinctions between the “component” conceptions used to develop the synthetic model under examination.

Chapter five will examine the notion of reasonableness as it manifests itself in the concept of political liberalism. The belief that reason and not religious doctrine or some other subjectively chosen universal moral code should guide people’s decisions is one of the foundational tenets and distinguishing characteristics of liberalism. In turn, the notion of reasonableness—i.e., acting in a
manner that would be acceptable to all "reasonable" people—has been an essential component of all forms of liberalism,\textsuperscript{15} and is especially important to the idea of a purely political liberalism. The concept of political liberalism places special demands upon citizens in relation to their capacity to act in a reasonable manner. In particular, the obligation that individuals separate the political from the nonpolitical, increases the requirement for reasonability. Citizens must not only be able to distinguish the reasonable from the unreasonable, they must also be able to reason correctly as to the "proper" demarcation line between the political and the nonpolitical. Given the broad definition of "reasonable" that is commonly employed by political liberals, this additional demand forces political liberalism to be more reliant upon the presence and appropriate application of reasonableness than is the case with other forms of liberalism.

Chapter six will discuss the significance of the presence and absence of reference to political power in the concept of political liberalism, and the importance of this characteristic to the viability of the idea of a purely political conception of justice. Whether presented in the form of a concern with limiting government power to prevent the state and its agents from violating individuals' rights, or using government power to protect the rights of citizens from the unlawful or otherwise unacceptable transgression of these rights by their fellow citizens, the (mis)use of political power has traditionally been a central concern of liberalism. Not surprisingly, this aspect of liberal theory is a fundamental and animating feature of the concept of political liberalism. Indeed, it is because the concept of political liberalism is understood to provide a regulatory framework that effectively demarcates the acceptable boundaries with respect to the use of political power, that it is claimed to be able to resolve the problem of political stability and secure
the foundation for a well-ordered pluralistic democracy. By restricting the coercive use of state power to the realm of the political, and identifying the purposes for which state power can legitimately be employed, the concept of political liberalism is said to offer a paradigm that can secure the voluntary and reliable support of the adherents of a wide diversity of competing, conflicting, and irreconcilable views, and in so doing generate the conditions needed to establish and sustain a just and stable society (e.g., Rawls 1993; Larmore 1996).

Finally, chapter seven will summarise the principal arguments and conclusions presented in the thesis, and offer some general remarks regarding the viability of the concept of political liberalism, and the direction in which political theory should proceed if theorists hope to respond effectively to the problems identified in this study.

In its short life, the concept of political liberalism has garnered a substantial amount of both positive and negative commentary. Indeed, since its emergence, political liberalism has become one of the most commented upon developments in modern political theory. The concept of political liberalism has been both deified and vilified; presented as a solution to the “modern political problematic”—i.e., the problem of developing a conception of justice that will (or even can) be freely and willingly endorsed by the adherents of a plurality of conflicting and irreconcilable conceptions of the good (Gamwell 1996: 74)—and an exemplar of all that is wrong with contemporary political philosophy. In many ways, the concept of political liberalism has rearranged the landscape and the vernacular of contemporary political philosophy. Arguably, political liberalism now stands as the model against which all new formulations of liberalism are
compared; more importantly, it seems to offer one of the most promising responses to the problem of political stability in contemporary “multicultural, morally pluralist” societies (Moon 1993: ix).

The idea of a purely political liberalism represents an extremely significant and influential contribution to efforts to answer a question that for thousands of years has confronted political theorists: namely, how is it possible to secure the conditions needed to establish and sustain a just and stable society. As divisive ethnocultural and religious conflict and the violent disintegration of nation-states become more commonplace, the resolution of the problem of political stability becomes increasingly pressing. Indeed, given the ever-increasing degree of sociopolitical tensions and instability that troubles the new world (dis)order, and the potential consequences of this instability, it is difficult to imagine a more important or worthy project. It is this belief that enlivens this thesis. 16
VI. Addendum—Terminology

Presented below are a number of terms that appear frequently throughout the thesis. Each term is accompanied by a definition and/or an explanation as to how the term is employed in the thesis. The purpose of this terminological addendum is to facilitate a clear understanding of the meaning of certain terms and the manner in which they are used in the thesis. Given that many of the terms listed below are used interchangeably with other terms or in a manner that may differ from their common usage, this addendum will help to minimise the likelihood of confusion in relation to the precise meaning of said terms and eliminate the need to reiterate such information regularly, thereby allowing for fewer interruptions in the text.

**basic liberties**: the “institutional rights and duties that entitle citizens to do various things, if they wish, and that forbid others to interfere” (Rawls 1993: 325). These liberties include “freedom of thought and liberty of conscience; the political liberties and freedom of association, as well as the freedoms specified by the liberty and the integrity of the person; and finally, the rights and liberties covered by the rule of law” (Rawls 1996: 291). A political conception of justice is presented as the means by which to secure and protect these liberties.

**basic structure**: a “society’s main political, social, and economic institutions and how they fit together into one unified system of social cooperation.” For political liberals, the basic structure is the primary subject of justice (Rawls 1989: 240; 1993: 11, 35).

**civil society**: in this thesis the term *civil society* is used not in the manner in which it is currently commonly employed, but rather in its original sense to refer to the notion of an organized sociopolitical community with an established system of government.

**conception of justice**: a body of beliefs/values that guides individuals’ understanding of what constitutes just treatment. A conception of justice can be either “political” or “comprehensive” in character. Whereas a “political” conception of justice seeks to govern only the character of a society’s basic structure and the public behaviour of individuals—“political” matters—a “comprehensive” conception of justice, a conception of justice founded upon a comprehensive doctrine, presents a “moral ideal to govern all of life [i.e., political and nonpolitical matters]” (Rawls 1985: 245). The concept of *political liberalism* represents a political conception of
justice. Unless specified otherwise, in this thesis all references to a “conception of justice” should be understood as referring to a political conception of justice.

**constitutional essentials**: a group of issues with which a political conception of justice is properly concerned. Constitutional essentials include matters such as “who has the right to vote, or what religions are to be tolerated, or who is to be assured fair equality of opportunity” (Rawls 1993: 214; see also Larmore 1996: 126; Larmore 1999: 606, n.8).

**fundamental ideas**: foundational beliefs that are innate to, and guide the political culture of, a society; they comprise a “shared fund” of accepted beliefs and norms. The fundamental ideas associated with political liberalism center around the principle of equal respect for all persons (MacGilvray 2001: 34), and include ideas such as the notion of persons as free and equal agents.

**liberal democracy**: following the lead of Rawls (1985: 224-25), the terms liberal democracy, democratic regime, and pluralistic society are used interchangeably throughout the thesis. In addition, given that liberalism as discussed in the thesis includes constitutionalism as one of its fundamental components, references to any of the aforementioned phrases should be understood to include this fact.

**man**: for the sake of grammatical simplicity, in this thesis the term “man” and its derivatives (e.g., his, him, he) are used in the generic sense to refer to both genders.

**neutrality**: primarily used to identify the impartiality, and, by extension, fairness, of a conception of justice. Political liberals commonly distinguish between three different understandings of neutrality—namely, *procedural neutrality*, *neutrality of aim*, and *neutrality of effect or influence*—and generally argue that a political conception of justice need only secure a certain degree of *procedural neutrality and neutrality of aim* in order to be considered “neutral” (for further elaboration on this point see chapter four [pp.102-03]). As Charles Larmore argues, though the type of neutrality associated with political liberalism is a “procedural ideal,” “it also involves a ‘neutrality of aim’ . . . But it does not imply a ‘neutrality of effect’ ” (Larmore 1996: 126, n.6). In essence, a conception of justice is neutral insofar as its adoption is not intended to favor any controversial view of the good life.

**nonpolitical**: primarily used as an adjective to identify those values that are too controversial to secure the free and willing support of all reasonable people—i.e., *nonpolitical values*. In this sense, nonpolitical values are also “politically unreasonable” values because they cannot “reasonably” be expected to secure the voluntary support of all reasonable persons, and thus cannot successfully serve as the basis for a political conception of justice. Nonpolitical values are presented in contradistinction to *political* values. Whereas nonpolitical values pertain to all aspects of one’s life, political values are concerned solely with political questions—that is, questions concerning constitutional essentials and matters of basic justice.
political: in the context of political liberalism, the political is “a special domain with distinctive features” which produce specific values — i.e., political values (Rawls 1989: 233). “[T]hese values govern the basic framework of social life . . . and specify the fundamental terms of political and social cooperation” (Rawls 1993: 139); they are values “that all citizens can reasonably be expected to endorse in light of their common human reason” (Rawls 1993: 140). Examples of political values are the values of “equal political and civil liberty; fair equality of opportunity; [and] the values of economic reciprocity” (Rawls 1993: 139).

political conception: presented as an alternative to a comprehensive doctrine. The principal difference between a political conception and a comprehensive doctrine lies within the scope of subjects to which each applies. Whereas a political conception is restricted to “the domain of the political” (Rawls 1996: xxxviii, 38), a comprehensive doctrine is one that “applies to all subjects and its virtues cover all parts of life [i.e., political and nonpolitical]” (Rawls 1996: xxxviii, n.4)—it is “a moral ideal to govern all of life” (Rawls 1985: 245). In this thesis, all references to a “political conception” refer to a political conception of justice. According to its proponents, the concept of political liberalism represents the ideal political conception of justice. Unless specifically stated otherwise, in this thesis the terms political conception and public conception are used interchangeably.

political justice: the idea of political justice addresses the issue of legitimisation—that is, justifying the existence and maintenance of a particular set of institutions, relations, and arrangements: i.e., a regime. In this thesis, references to “justice” or “questions of justice” should be understood to refer to political justice. Questions of political justice are questions that concern constitutional essentials and questions of basic justice.

primary goods: certain “basic rights, liberties, and opportunities, and . . . all-purpose means such as income and wealth,” that “citizens need as free and equal persons” (Rawls 1993: 180).

private: in the context of political liberalism, the realm of the private is the realm of the nonpolitical and is juxtaposed against the domain of the political. Matters of private concern are not considered appropriate matters for regulation by a political conception of justice, as they are too numerous and controversial to secure the voluntary support of a majority of the citizenry of a contemporary liberal society.

problem of political stability: unless specifically stated otherwise, all references to “the problem(s) of political stability” should be understood as also referring to the “question of justice” as it is defined in chapter three (pp. 76-79).

public: in the context of political liberalism, public is synonymous with political—both are used to denote those things that are of importance to all members of a society. The realm of the public is juxtaposed against the realm of the private. Rawls prefers to refer to this dichotomy as one between the “public” and the “nonpublic” (Rawls 1993: 220, n.7). Unless specifically noted
otherwise, in this thesis the terms public conception and political conception are used interchangeably.

**public matters**: questions of political justice.

**rational**: a person is rational insofar as he possesses the capacity to form and pursue a conception of the good (Gamwell 1995: 54). A person acts rationally when he uses his "powers of judgment and deliberation in seeking ends and interests peculiarly ... [his] own" (Rawls 1993: 50).

**reasonable**: in essence, to be reasonable is to have the capacity for a sense of justice (Gamwell 1995: 54). Except where specifically stated otherwise, in this thesis the term "reasonable" is employed to encompass both reasonableness and rationality (see above definition).

**regulatory framework**: the conception of justice and the basic structure produced by it.

**well-ordered society**: the terminology used—originally by Rawls—to refer to a just and stable constitutional democracy (Rawls 1996: 35-43).
Notes

1 It remains a source of debate as to whether Hobbes is correctly identified as a liberal. Whereas theorists such as Leo Strauss, Michael Oakeshott, C. B. Macpherson, and Ian Shapiro—to name a few—consider Hobbes to be the originator (in one sense or another) of liberalism, Judith Shklar, for one, has argued that it is a gross misinterpretation to label Hobbes a liberal (e.g., Shklar 1989; similarly, see Holmes 1995).

2 This claim is being made in reference to the arguments expounded by Hobbes in his seminal work *Leviathan* (Hobbes 1968).

3 In order to remain consistent with Hobbes' vocabulary, I have here used only the masculine gender.

4 The distinction between and corresponding call for the separation of the "public" and the "private" is certainly not unique either to "political" or contemporary liberals. As Joseph Raz has noted, "At least since Mill propounded the harm principle, liberal political thought has been familiar with arguments that certain true beliefs that individuals are justified in relying upon in the conduct of their private affairs may not be relied upon by governments" (Raz 1990: 4). Nevertheless, it is in the concept of political liberalism that this argument achieves its most powerful and demanding expression and greatest significance (thus far).

5 The significance of this qualification will become apparent later in this thesis, especially in chapters three through six.

6 A definition for "comprehensive doctrine" is provided in the addendum contained in this chapter (see "political conception," p. 20), as well as in chapter four of this thesis.

7 The timeframe suggested uses the publication of Rawls' "Justice as Fairness: Political not Metaphysical" (1985) as the signal moment for the emergence of the debate.

8 A good example of this phenomenon is a recently published book entitled *The Idea of a Political Liberalism: Essays on Rawls* (Davion and Wolf 2000). The title and content of this text imply that the concept of political liberalism is strictly a Rawlsian invention and project. Of course, given Rawls' personal currency and his significant role in introducing, developing and publicising the notion of political liberalism, such a singular focus is understandable, if, in certain respects, unfortunate.

9 Daniel Bell has cautioned: "Those typically put forward as communitarian critics of liberal political theory—Alasdair MacIntyre, Michael Sandel, Charles Taylor, and Michael Walzer—have yet to identify themselves with the "communitarian movement"" (Bell 1993: 4). Indeed, all of the above noted theorists have, to varying degrees, expressed discomfort at being labeled a "communitarian" (Etzioni 1998: ix).

10 It is worth noting that since the publication of Rawls' *Political Liberalism*, it has increasingly been argued that Rawls' later work effectively addresses many (if not all) of the principal complaints put forward by the above noted communitarians; however, this is by no means a universally agreed upon fact. Sandel, for one, continues to argue that existing conceptions of political liberalism are unacceptably disrespectful or indifferent to constitutive attachments such as religion, culture and family, and antithetical to the establishment and maintenance of a "true" community (Sandel 1996: esp. 3-24).

11 Admittedly, this criticism has manifested itself in a variety of ways. For a description of some of the different types of communitarian criticisms, see Mulhall and Swift (1992); Bell (1993); Gutmann (1984); Wallach (1987); Neal and Paris (1990); and Buchanan (1989).
12 I have included the term “satisfactorily” to acknowledge existing studies (few though they may be) that have adopted what might be considered a similar approach. A notable candidate in this respect is Michael White’s *Partisan or Neutral? The Futility of Public Political Theory* (1997). White’s study also engages the work of a number of prominent political liberals. However, his approach remains discernibly different from that being proposed herein, especially insofar as White’s comparative analysis is, I believe, much more particular in its scope: that is, it is not equally attentive to each of the paradigmatic conceptions that he discusses. To the extent that such is the case, I find White’s study “unsatisfactory.”

13 Given the prominence and—some would say unavoidable—influence of Rawls’ work, one might be tempted to argue that there is no such thing as a “non-Rawlsian” conception of political liberalism; however, such a claim is clearly false. Rawls himself concedes as much when he notes that Larmore and Shklar developed their conceptions “entirely independently” of his (Rawls 1995: 133, n.1). Thus, though it may be difficult to deny completely Rawls’ influence, it is, nevertheless, possible to argue credibly that “non-Rawlsian” conceptions of political liberalism have been produced.

14 For example: it has been suggested that the existing moral-political division between the different extremist segments of the American population represents “a possible prelude to the outbreak of large-scale political conflict” (see Klosko 1996: 26—Klosko is referring to an argument expounded by James Hunter. For a detailed explanation of Hunter’s argument, see Hunter [1994; 1990]). Admittedly, many dismiss this type of doomsaying; however, as the above suggests, there are also those who argue (persuasively?) that such a concern is valid. Texts that—to varying degrees—support this line of argument include: Huntington (1996); Gurr and Harff (1994); Kaplan (2000); and Kennedy (1993).

15 This is not to suggest that the notion of reasonableness has possessed either the same meaning or importance for all liberal theorists.

16 Much of the material presented in this chapter has appeared previously in Young (2002).
References Cited


CHAPTER TWO: THE LIBERAL OUTLOOK

I. Introduction

The problem of political stability has long been the subject of discourse and debate among political theorists; indeed, arguably, it is a topic that is as old as political philosophy itself. Nowhere in the realm of political philosophy has the problem of political stability achieved greater attention than in the field of liberal political theory. As noted in chapter one, liberalism was originally developed and presented as a solution to the problem of political stability in pluralistic societies. In order to facilitate a better appreciation of the basis for this claim and its continued assertion, this chapter will present a brief review of the central characteristics of the liberal outlook. Such a review will help to identify the specific ways in which liberalism is purported to address the problem of political stability. Prior to embarking upon the examination of liberalism that is the focus of this chapter, it will be useful to elaborate briefly on the rationale for engaging in such an exercise.

Generally speaking, the concept of political liberalism has been received as an idea which first emerged as a substantive, cohesive doctrine in the post-*A Theory of Justice* (*Theory*) writings of John Rawls; insofar as this is true, political liberalism represents a distinctly contemporary development. It is also true, however, that at a fundamental level, political liberalism is animated by the same beliefs and principles that underlie the many different formulations of liberalism that have emerged throughout history; in this respect, political liberalism is merely the latest offspring of a philosophical tradition the foundation of which is centuries old. Thus, in order to gain a proper appreciation of the unique character of political liberalism and the claims being
made on its behalf, one must also understand the tradition from which it evolved. The aim of this chapter is to facilitate just such an understanding by presenting a brief review of the central characteristics of the liberal outlook; in the process of doing so, the general philosophical framework and sociopolitical context within which the concept of political liberalism was developed will also be revealed.

Providing such information now will allow the pending examination of the concept of political liberalism to proceed without requiring undesirable interruptions or divergences which would otherwise be necessary to explain the historical circumstances and philosophical rationale underlying the fundamental arguments used to support political liberalism. Moreover, this information will later make it easier to recognise and explain the distinctive traits of the concept of political liberalism. Enabling such a clarification is necessary if the goal of this study is to be realised. Only by providing such information will it be possible to assess effectively the validity of political liberals' claims that their approach to the problem of political stability offers a better hope for success than do previously articulated liberal conceptions of justice.

Differentiating between the notion of a purely political liberalism and liberalism in general is necessary in order to understand the motivation behind the development of political liberalism, and its significance in relation to the liberal project of securing a just and stable society. Though political liberalism certainly shares many of the same characteristics that enliven its philosophical brethren, its proponents argue that it differs from its predecessors in a very important way: namely, it does not seek to offer a moral ideal to govern all aspects of one's life. Rather, it restricts the scope of its concern to political matters. In this respect, political liberalism represents an
important and distinctive break with all previous formulations of liberalism. Accordingly, understanding only the fundamental arguments associated with liberalism in general would not provide the specific information needed to appreciate the uniqueness and importance of the concept of political liberalism. Simultaneously, though, only by examining the characteristics of "traditional" liberalism can one fully understand the ways in which political liberalism is said to differ significantly from its spiritual kin, and the rationale for these differences.

The following review is not meant to represent an exhaustive or even a detailed examination of liberalism and its numerous formulations; such an exercise exceeds both the scope and the requirements of this study. Rather, the purpose of this chapter is only to provide background information that will facilitate the examination of the concept of political liberalism that will take place later in the thesis.

II. The Problem of Defining Liberalism

Defining liberalism is neither as simple nor as straightforward a task as one might first imagine. This is because the fundamental beliefs and values commonly associated with liberalism "are themselves complex, open to various interpretations, and people committed to them routinely disagree about their interpretations and relative importance" (Kekes 1997: 22). Consequently, in its relatively brief existence, liberalism has been presented in a diversity of formulations often conflicting in various ways with one another.

Not surprisingly, then, the term "liberalism" does not lend itself to easy definition. As Cindy Holder has remarked, "'Liberalism' is one of those interesting terms which people seem to have no problem using yet nothing but problems explaining" (Holder 2000: 645); it has been
presented and developed as a political tradition, a political philosophy, and a general philosophical
typeory (Gaus 1996; see also Johnston 1994: 17). In each case, liberalism has been characterised
by an "immense richness and diversity," both in terms of the individuals responsible for its
development, and the various movements that have emerged within it (Sturgis 1994). Its
forefathers and champions include some of the most renowned and respected political theorists,
individuals whose work has in very significant ways shaped the character of modern Western
political thought. Liberalism has become one of the most celebrated, criticised, influential and
enduring doctrines to have emerged during the history of political philosophy.

As Stephen Holmes has noted, "The liberal tradition is difficult to summarize in brief
compass" (Holmes 1995: 1). The character of liberalism is correspondingly complex. Though all
"liberal" doctrines can reasonably be said to possess a common heritage, liberalism itself is
comprised of "separate and often contradictory streams of thought" (Sturgis 1994; see also
Holmes 1995: 1), encompassing arguments presented over the course of several centuries and
"reformulated in many different countries in response to dramatically changing problems" (Holmes
1995: 1). The specific focus and goals of liberal theorists have differed not only across time but
also across continents and cultures. Consequently, "The student of ... [political theory] has to deal
with both liberalism and liberalisms. He must not overlook the manifold specific features of the
liberal approach, its variety in different periods and countries" (Bramsted and Melhuish 1978: xviii;
similarly, see Kekes 1997: 2; Sturgis 1994; and Gaus 1996). The various permutations that have
emerged are reflected in the numerous adjectives that have been attached to the term "liberalism,"
including: classical, egalitarian, economic, rights-based, social, welfare-state, ethical,
humanist, deontological, perfectionist, democratic, institutional, and so on. The widespread and often haphazard use of the terms “liberal” and “liberalism” have further increased the difficulty associated with articulating a single, coherent and cohesive understanding of the liberal outlook. As Judith Shklar has observed: “Overuse and overextension have rendered ... [the term liberalism] so amorphous that it can now serve as an all-purpose word, whether of abuse or praise” (Shklar 1989: 21; similarly, see Johnston 1994: 17; Holmes 1995: xii; Waldron 1993: 35-62; and Kekes 1997).

Recognising that “liberalism continues to be a field of contest” (Holmes 1995: 2) and any attempt to chronicle in detail the numerous qualities that have been attributed to it would require far more space than that available within the confines of this study, this chapter will restrict its focus to describing briefly those ideas and characteristics typically associated with liberalism and with which the concept of political liberalism has been said to have a particular or noteworthy relationship. In doing so, the proceeding paragraphs will offer only an interpretation of liberalism, as opposed to providing a definitive definition. However, it is hoped that the interpretation provided will sufficiently capture the basic understandings presented by most traditional and contemporary visions of liberalism.

III. The Roots of Liberalism

In the pantheon of political philosophy, liberalism is a relative newcomer. Indeed, it has been argued that liberalism is the theory of modernity (e.g., Beiner 1992, 1997; Gray 1995a, 1995b; and Larmore 1996). While this is—at least in certain important respects—undeniably true, it is also true that “elements of the liberal outlook” have been uncovered in the history of “the ancient
world, ... particularly in classical Greece and Rome” (Gray 1995a: xi; see also Sturgis 1994; and Kukathas 1999). A number of ideas familiar to contemporary liberalism were proselytised by Sophists, Protagoras, Gorgias, and Democritus. According to John Gray, notions of universal and political equality and the idea of a social contract can be found in Sophistic doctrine, while Pericles’ *Funeral Oration* contains “a [clear] statement of liberal egalitarian and individualist principles” (Gray 1995a: 4; see also Sturgis 1994), and the “[Roman] Laws of the Twelve Tables ... embodied important guarantees of individual freedom” (Gray 1995a: 4). Indeed, the seeds of liberalism can be traced to “the Hebrew prophets, the teachings of the pre-Socratic philosophers, and the Sermon on the Mount” (“Liberalism” 2000). Hence, it is not unreasonable to argue that the roots of liberalism run as deep as those of Western political thought itself.

Despite the presence of elements of contemporary liberalism in ancient and pre-modern thought, it is generally agreed that it is not until the seventeenth century that liberalism emerges as “a political current and an intellectual tradition, an identifiable strand in theory and practice” (Gray 1995a: xi); it is during this period, that one finds, particularly in the works of Thomas Hobbes, Benedict de Spinoza, and John Locke, “the first systematic expositions of the modern individualist outlook from which the liberal tradition springs” (Gray 1995a: 9). Reacting to the tyranny and misery generated by the arbitrary use of state power, and the chaos and grief wrought by years of civil wars precipitated and exacerbated by religious and political intolerance and oppression, Hobbes, Spinoza and Locke sought to articulate the framework for a society in which all citizens could be free from the fear, injustice, suffering and sociopolitical turmoil produced by capricious judgments and punishments justified and enforced via the whimsical use of state power—they
sought to provide the foundation for a stable and just society. Their efforts would forever change the landscape of political philosophy and provide the foundation upon which numerous future theorists would construct their own unique visions of liberalism.

Though the multitude of doctrines that have been labeled “liberal” are diverse in character, there are certain beliefs and values that are, generally speaking, common and central to all such doctrines. As John Gray has remarked: “Whereas liberalism has no single, unchanging nature or essence, it has a set of distinctive features which exhibits its modernity, and at the same time marks it off from other modern intellectual traditions and their associated political movements” (1995a: xi; see also Sturgis 1994; and Kukathas 1999). Those beliefs and values most typically associated with liberalism include: the belief in individual liberty and equality and the importance of individual rights; the importance of private property; the idea of limited constitutional government; and the related values of autonomy, consent, pluralism and toleration. It is to a brief elaboration of these beliefs and values that I now turn.

IV. The Primacy of the Individual

The quintessential feature of liberalism is the primacy that it assigns to the individual. Protecting the individual represents the principal motivation behind the development of liberalism: “Basically liberalism has been an attitude in defense of the individual man and citizen in defiance of ... arbitrary acts” (Bramsted and Melhuish 1978: xvii; see also xviii, 3; similarly, see Kukathas 1999; Johnston 1994: 18-21; Raz 1990: 3-46; Gray 1995a; Manent 1995: xvi; and Kekes 1997: esp. 1-22). Unlike its predecessors which had emphasised community and the role of individuals in establishing and sustaining an ideal society, liberalism made the needs of the individual the
fundamental focus of concern. Not surprisingly, the liberal concern for the individual has been expressed in a number of different ways. Hobbes, Spinoza, and Locke, for example, argued that their respective models of liberalism were necessary to secure the conditions for self-preservation. A man's ability to live life according to Nature's plan, was understood to be dependent upon his being provided with certain safeguards that eliminate the need for him to expend all of his energy trying either to protect or reclaim the resources necessary for his survival. According to theorists such as Hobbes, Spinoza, and Locke, the most effective way to address this problem is to ensure that one's life, liberty and possessions are protected from arbitrary or otherwise unjustified violation.

Such protection is essential because individuals cannot always be trusted to obey the "law(s)" of reason. This is a theme that is prominent in the work of many early liberals (and one that, explicitly and implicitly, continues to animate the arguments of a number of contemporary liberals). For example, according to Hobbes, man's "perpetuall and restless desire of Power after power" (Hobbes 1968: 161), coupled with his natural right to use any and all means at his disposal to acquire those things that he deems necessary for his preservation—the "Right of Nature"—produces a state of "Warre of all against all," in which there can never be any security for life, liberty or property, and man's existence can only ever be "solitary, poore, nasty, brutish, and short" (Hobbes 1968: 186). Spinoza had a similar, if not quite as pessimistic, view of man's ability to act according to reason. Spinoza believed that while men could be taught and learn to act in a "reasonable" manner, "All are not naturally conditioned" to do so; "nay, on the contrary, all men are born ignorant, and before they can learn the right way of life..."
their life, even if they have been well brought up, has passed away" (Spinoza 1951). Consequently, "most human individuals and most societies ... [will] always be ruled by passion and illusion rather than reason" (Gray 1995a: 12). Though Locke's view of human nature was not (at least, not initially) nearly as disturbing or distasteful as either Hobbes' or Spinoza's, Locke, too, believed that man's inclination and willingness to act in an egocentric manner and to ignore the "law of Nature" (which is Reason) would eventually make life in the state of nature unacceptably uncertain and dangerous.9

This shared pessimism regarding the likelihood—indeed, inevitability—and severe consequences of unreasonable behaviour provided the rationale for early liberals' arguments advocating the need to secure a collective protection for one's life, liberty and property. Lacking such protection and any surety of reasonable behaviour, men could expect only a war-like existence and an untimely (and, in all likelihood, violent) death.

While the belief that the life, liberty and property of every person deserve and need to be protected from arbitrary violation has remained (albeit, not always in the classical liberal formulation) a fundamental component of liberal theorising, beginning most notably with John Stuart Mill, and continuing thereafter, liberal theorists have largely abandoned the classical liberal emphasis upon the relationship between such protection and self-preservation. Mill and his successors have, instead, focused on the fundamental connection between protecting individual liberty and property and securing the conditions under which all individuals might be able to realise their full potential and pursue a life of their own choosing and design. Generally speaking, from Mill onwards, the overwhelming concern of liberal theory has been that of identifying the means
by which all individuals can be assured the opportunity to develop their faculties and capabilities fully and pursue and (hopefully) realise their own vision of the good life. While it is certainly true that such a concern can also be found, to varying degrees, in the theorising of early liberals such as Spinoza and Locke, it is also true that it is a concern for these individuals only to the extent that its satisfaction is believed to help secure an “acceptable” life and thereby facilitate sociopolitical stability, thus ensuring self-preservation. For early liberals, the opportunity for self-development is a means to an end (e.g., self-preservation), and not, as it is for modern liberals, an end in itself (e.g., self-fulfillment).

No longer arguing from a hypothetical state of nature in which self-preservation is always in doubt, modern liberals shifted their focus away from discussions concerning which natural rights must be forsaken or circumscribed in order to ensure man’s survival, and instead began to concentrate on identifying those liberties that must be secured and protected if all individuals living in existing societies were to have the opportunity to achieve their full potential and “make good lives for themselves” (Kekes 1997: ix). Contemporary liberals have embraced the approach of their modern predecessors and, in many cases, have made it even more of a focal point in their theories. Given this new emphasis upon individual rights as the means by which each person might realise self-fulfillment, the rights championed by modern and contemporary liberals have been those that allow the individual to undertake activities that will facilitate the realisation of a freely chosen vision of the good life. This is not to suggest that arguments of this sort are not also present in the work of early liberals such as Spinoza and Locke. However, as has already been noted, the ability of individual rights to assist individuals in achieving self-fulfillment, at least in its
modern understanding, was, to a great extent, a secondary concern for early liberals. The rights championed by modern and contemporary liberals include: freedom from the arbitrary violation of one's person, liberty and possessions; freedom of conscience; freedom of religion; freedom of association; freedom of speech; freedom of movement; and other similar liberties and protections. The presence of these rights, it is argued, is essential to the realisation of a just and stable liberal polity.

As liberalism has evolved, so too has the liberal understanding of what constitutes providing individuals with a real opportunity to realise their visions of the good life. For example, while early liberals such as Spinoza and Locke generally believed that securing the means for self-preservation would, in effect, make possible the realisation of a fulfilling life, a number of modern and contemporary liberals have argued that in capitalist, free-market systems, enabling self-preservation is, by itself, insufficient to ensure a genuine opportunity to pursue and achieve one's goals. If one is to offer a truly effective mechanism by which to provide to all individuals the opportunity for self-development and the realisation of their aspirations, then it is necessary to provide not only the means for self-preservation but also the economic and material resources needed to pursue and realise one's conception of the good. "Indeed, one of the demarcation criteria for modern as opposed to classical liberalism is the suggestion (made by modern or revisionary liberals) that freedom as autonomy presupposes governmental provision of economic resources and governmental correction of the market process" (Gray 1995a: 59-60).

Such differences aside, all liberals agree that ensuring the necessary degree of protection for the individual liberties essential for self-development and self-fulfillment, and thereby securing
the conditions for a stable and just society, requires establishing certain regulatory and institutional arrangements to control undesirable behaviour.

V. The Purpose of Government

For early liberals such as Hobbes, Spinoza and Locke, securing adequate protection for life, liberty and property requires the establishment of a common and supreme power: a "sovereign" authority with jurisdiction over all and the ability to enforce its commands. This conclusion was based upon the belief that in the state of nature—the condition in which all men exist prior to or in the absence of a commonwealth—all men possess the right to do whatever they deem necessary for self-preservation. In effect, this means that all men possess an unrestricted right to everything (Hobbes 1968: 190) and "the libertie to do all they list" in order to ensure their survival (Hobbes 1968: 212). Given man's imperfect character and natural inclination toward self-interested behaviour, it is inevitable that such freedom will be misused. The potential problems and subsequent dangers associated with this freedom are exacerbated by the fact that all men are equally able to use their power and cunning to acquire those things that they, correctly or incorrectly, believe to be necessary for their survival (Hobbes 1968: 183, 190; Locke 1988: 118-19). Unchecked, such liberty, coupled with man's natural proclivity for egoistic behaviour, cannot help but produce an anarchic, chaotic and violent existence in which no man can ever be free from threats to his person, liberty or property.

To escape from this perpetually uncertain and dangerous existence, individuals need to establish a common power "able to over-awe them all" (Hobbes 1968: 185). Early liberals argued that such a power could be realised only within the framework of a civil society, or
commonwealth. Creating a commonwealth is accomplished by voluntarily enacting a social contract which transfers to a sovereign authority individuals’ natural right to undertake those activities that threaten another’s person, liberty or property. While the precise demands associated with this transfer differ according to the particular theorist in question, all early liberals agreed that securing the conditions under which a commonwealth can be created requires a certain restriction of man’s natural right(s). In effecting the necessary restriction, the enactment of the social contract brings about not only the establishment of a commonwealth, but also the creation of a government (i.e., a sovereign power) whose task it is both to restrict and protect individuals’ natural rights. In turn, these actions generate the conditions needed to secure and sustain a just and stable polity.

Though early liberals sometimes differed in their understanding of the most desirable or appropriate form of government, they all shared one important belief: namely, that any restrictions on individuals’ natural liberty must be justified. In the case of the establishment of a commonwealth and the creation of a government, early liberals argued that the personal security obtained as a consequence of these actions justified the associated limitations imposed upon man’s natural liberty. The requirement that restrictions on individuals’ liberty be justified resulted in early liberals arguing in favour of limited government—an argument that has remained a staple component of the liberal outlook. According to theorists such as Hobbes, Spinoza and Locke (among others), government’s sole purpose was to protect individuals’ lives, liberty and property: to extend a government’s power or duty beyond this function is to restrict man’s natural liberty unnecessarily and unacceptably. One of the most powerful expressions of the belief in limited government was
articulated by Thomas Paine when he argued, "Government even in its best state is a necessary evil" (Paine 1776).

The belief in limited government was accompanied by a support for the rule of law. Early liberals argued that men's willingness to limit their natural liberty in order to establish and sustain a commonwealth and enjoy all the benefits thereof is dependent upon all agreeing to be subjected to the same restraints and conditions. Establishing a common law to which all citizens are equally subject and a single judge (e.g., a government) to execute said law are the only means by which one can satisfy such a caveat. Accordingly, if men's "lives, liberties, and estates" are to be effectively secured from unwarranted violation, government must rule by "an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between [citizens]" (Locke 1988: 180). Only by securing such an environment can one be reasonably protected from arbitrary punishment or violation. The laws that are to govern the commonwealth are, in effect, all animated by one fundamental purpose: namely, "the preservation of the society and (as far as will consist with the public good) of every person in it" (Locke 1988: 183). Only those laws that contribute to the realisation of this goal are (or should be considered) justifiable.

The protection afforded under the rule of law was further enhanced by the notion of the separation of powers. Passionately, eloquently, and persuasively argued for by theorists such as Locke (Two Treatises of Government), Montesquieu (De l'esprit des loix—The Spirit of the Laws), and Madison (The Federalist Papers), the idea of the separation of powers has most commonly presented itself in the form of an argument for the distribution of governmental authority
among a legislature, executive, and judiciary. This separation of powers is normally accompanied by a system of "checks and balances" to prevent the abuse or usurpation of power by any of the aforesaid individual "branches" of government. Arguably, this approach received its most famous expression in the U.S. Constitution. In preventing a concentration of authority, the separation of powers helps to ensure individual freedom by precluding the possibility of any individual, group, or segment of society controlling the public policy decision-making process.

Finally, a government's actions will be tempered by the realisation that its failure to provide security for its subjects' lives, liberties and property, will result in its removal. Though the maintenance of a commonwealth is understood to require that all citizens obey the government, citizens always retain the right to depose, by any means necessary—including revolution and, in extreme cases, murder\(^{15}\)—any government that is unable to fulfill its intended purpose. Any attempt by a government to extend its authority or responsibility beyond that accorded to it by the founding social contract and articulated in the commonwealth's civil law, represents an unacceptable intrusion upon individuals' natural liberty and thereby jeopardises the continuation of the commonwealth, thus risking a return to a life of perpetual uncertainty and danger. Should such a situation arise, citizens are entitled to remove the offending government; this threat of removal, it is argued, helps to protect against the arbitrary violation of individuals' liberty by government.

Modern and contemporary liberals have continued the practice of arguing for limited constitutional government.\(^{16}\) However, their justification for this paradigm has often differed from that of their predecessors insofar as modern and contemporary liberals have stressed the need for
government as a means to ensure that all individuals are provided with the conditions that will enable self-fulfillment. To this end, modern and contemporary liberals have emphasised the necessity of ensuring the continued presence of and equal access to those rights that will secure for all individuals the opportunity to develop fully as persons and to pursue and (hopefully) realise their own particular visions of the good life. In doing so, modern and contemporary liberals have also argued that the legitimate scope of government's responsibility and authority extends beyond the very limited sphere supported by their predecessors. Not surprisingly, then, many modern and contemporary liberals' "attitude to the scope of the state, to the responsibility of society for the fate of the individual, [has often] differed greatly from that of earlier liberals" (Bramsted and Melhuish 1978: 41).

In response to a rapidly expanding and increasingly complex economy, a number of modern and contemporary liberals have argued that the mere formal provision of rights is by itself insufficient to afford all individuals an equal opportunity to take full advantage of said rights. According to this view, individual rights are, in effect, useless to those lacking the material means needed to employ such rights effectively. For example, "a man who possesses nothing but his powers of labour and who has to sell these to a capitalist for a bare daily maintenance, might as well, in respect of the ethical purpose which the possession of property should serve, be denied rights of property altogether" (Bramsted and Melhuish 1978: 41). The solution to this problem, it has been argued, is greater government intervention in the economy to "correct" some of the ills arising from *laissez faire* capitalism (Gray 1995a: 59-60).
This willingness to argue in favour of an enlargement of the legitimate sphere of government concern and authority certainly exceeds the extremely limited notion of government expounded by early liberals, and thus represents a noteworthy difference between modern and contemporary liberals and their predecessors in regards to how each group approaches the notion of individual rights. Whereas early liberals emphasised the "natural" or divine character of individual rights, modern and contemporary liberals tend to argue that the rights in question are "natural" only to the extent that they represent rights that all free and equal beings deserve and require to realise self-fulfillment. By focusing more on the necessary rather than the natural or divine character of individual rights, modern and contemporary liberals believe they are justified in proposing a greater scope of responsibility and authority for government. Without the argued for government intervention, the opportunity for self-realisation will remain beyond the reach of certain individuals, and government will thus have failed in its principal task.

Though early liberals and their successors have differed in their specific understandings of the most appropriate or desirable form of government, the particular institutional arrangements championed by both groups, and the individual rights protected by these arrangements, are manifestations of certain fundamental beliefs and values that animate all types of liberalism. These beliefs and values include an affirmation of: the essentiality of individual liberty and equality; the importance of private property; and the related notions of consent, pluralism and toleration. Though they have been interpreted differently and used to justify a variety of arguments—not always complimentary in character—these shared beliefs and values represent a discernible
foundation and, indeed, are the wellspring from which all liberal discourse emerges. The remainder of this chapter focuses on an elementary examination of these beliefs and values.

VI. Liberty

Of those values championed by liberals, none is more prominent than liberty. Like all features of the liberal outlook, the notion of liberty has been presented in numerous fashions. Early liberals such as Locke, Adam Smith, and J.S. Mill all championed a liberty understood primarily as freedom from the interference of government and one’s fellow men; they argued that all individuals should possess the freedom to develop and pursue their own distinctive ends without fear of their efforts being stymied unjustifiably by others. This belief was powerfully and eloquently expressed in Mill’s *On Liberty.* As Mill argued, “The only freedom which deserves the name, is that of pursuing our own good in our own way” (Mill 1993: 81). This was not, however, meant to be an unrestricted liberty: one’s freedom extended only to the point at which it collided with another’s. That is to say, an individual should be granted only as much personal liberty as is compatible with a like liberty for all others. This limitation was famously captured in Mill’s “harm principle,” which states: “Acts, of whatever kind, which, without justifiable cause, do harm to others, may be, and in more important cases absolutely require to be, controlled by the unfavorable sentiments, and, when needful, by the active interference of mankind” (Mill 1962: 184).

Mill was influenced by, among others, theorists such as William von Humboldt and Benjamin Constant. Humboldt had argued that individual freedom and a variety of experiences were necessary prerequisites to the fullest realisation of one’s self-development (the idea of *Bildung*)—the proper end of all men (Humboldt 1993: 340). According to Humboldt, “The true
end of Man, or that which is prescribed by the eternal or immutable dictates of reason, and not suggested by vague and transient desires, is the highest and most harmonious development of his powers to a complete and consistent whole" (Humboldt 1993: 10). Constant advocated "liberty in everything, in religion, philosophy, literature, industry, politics" (Constant 1829: vi). He understood liberty as "the triumph of individuality—as much over the authority that would govern through despotism as over the masses who claim the right to enslave the minority under the majority" (Constant 1829: vi).

Constant is, perhaps, best remembered for his distinction between the "liberties of the ancients" and the "liberties of the moderns." According to Constant, this distinction is one between the Rousseauian understanding of liberty as "the collective but direct exercise of many of the privileges of sovereignty, deliberating upon the public welfare, upon war and peace, voting upon laws, pronouncing judgment, examining accounts and so forth" (the ancient conception of liberty), and the Lockean understanding of liberty as "every man's right to be subject to the law alone, the right of not being arrested, tried, or put to death or in any way molested, by the caprice of one or more individuals" (the modern conception of liberty) (Gray 1995a: 21). The ancients' conception of liberty allowed the subordination of the individual to the authority of the community: an individual is sovereign in public affairs, but a subject in private affairs. Conversely, under the modern conception of liberty, a citizen is sovereign in the private realm, but, in many respects, a subject in the public realm. Constant argued that the evolution of man involved a progression from the ancient to the modern conception of liberty. More recently, John Rawls has argued that it is
the continuing tension between ancient liberties and modern liberties that must be resolved if we
are ever to achieve a just and stable liberal democracy (e.g., Rawls 1985: 227).

In the twentieth century, Constant's dichotomy was eloquently repackaged by Isaiah
Berlin. Berlin suggested that liberty is best understood as either negative or positive. According
to Berlin, negative liberty is, in essence, the freedom from coercion. For Berlin, "Coercion is not,
however, a term that covers every form of inability. If I say that I am unable to jump more than
ten feet in the air, or cannot read because I am blind ... it would be eccentric to say that I am to
that degree enslaved or coerced. Coercion implies the deliberate interference of other human
beings within the area in which I could otherwise act" (Berlin 1969: 122). One can be considered
"free to the degree to which no man or body of men [is able to] interfere ... with [his] activity....
If I am prevented by others from doing what I could otherwise do, I am to that degree unfree"
(Berlin 1969: 122). Positive liberty is freedom as "the rational self-government of the individual
agent" (Gray 1995a: 57), someone who is ruled according to his own will, not that of others. This
understanding of liberty acknowledges that one's freedom can be restricted by means other than
"external" coercion—an individual can be equally constrained or impeded by "factors internal to
the agent himself" (Gray 1995a: 58). It is this concept of liberty that is inherent in the idea of the
autonomous individual, "one of the key notions of the liberal tradition" (Gray 1995a: 58). Indeed,
it has been argued that liberalism assigns pride of place above all else to individual autonomy:
liberalism considers autonomy to be the most important prerequisite to creating the "conditions
in which individuals can make good lives for themselves" (Kekes 1997: ix; see also 15-16).
The idea of liberty as autonomy was first championed in the work of Spinoza and is a central feature of Kantian liberalism. Spinoza argued that “self-direction is the essence of freedom” (Arblaster 1984: 143): “That thing is said to be FREE which exists by the mere necessity of its own nature and is determined in its actions by itself alone” (quoted in Arblaster 1984: 143). Hence, autonomy is a prerequisite to liberty. Similarly, Kant maintained that only by being completely free to make one’s own decisions can a person have the opportunity to achieve true liberty and realise all the benefits thereof. Such freedom, Kant argued, demands that all individuals accept that, “man and generally any rational being exists as an end in himself, not merely as a means to be arbitrarily used by this or that will, but in all his actions, whether they concern himself or other rational beings, must be always regarded at the same time as an end” (Kant 1785, emphasis in original). Individual autonomy and liberty thus require that the state guarantee its citizens the right to make their own decisions about how to live, that it ensure equal concern and respect for their choices, and that it provide the means needed to realise their goals. Only by assuring such conditions can individuals experience true autonomy and thereby achieve the greatest degree of individual liberty. This notion of liberty continues to inform the work of contemporary liberal theorists such as Gerald Dworkin (1988) and Joseph Raz (1986).

Liberals’ definitions of the requirements of “true” liberty have also been influenced by their understanding of the proper relationship between liberty and democracy. Liberals have recognised both the connection and the tension between individual liberty and democracy. If an individual is excluded from the political decision-making process, he is thereby, in effect, rendered impotent in terms of his ability to influence governmental policy and practices. In such circumstances, the
individual's liberty is violated to the degree that he is precluded from participating in the
development of those public policies and practices to which he will be subject.

As liberal theory evolved and liberals began to argue for greater political equality in the
form of expanded suffrage, they recognised that in societies employing democratic systems of
government, the political decision-making process was extremely vulnerable to subversion by the
majority will. Though this fear had emerged in the writings of early liberals such as Locke and
Constant, and would constitute an important component of Mill's *On Liberty*, it received its most
eloquent presentation in Alexis de Tocqueville's magisterial *Democracy in America*. In
*Democracy in America*, Tocqueville emphasises the potential for democratic equality in practice
to produce a tyranny of the majority, and the subsequent need to pay particular attention to
protecting the liberty of minorities from transgression by the majority. He argues that liberty is a
fundamental component of life: it is, he declares, "a sacred thing" and the "greatest of all goods"
(quoted in Lively 1962: 13, 20). Accordingly, *all* individuals should be guaranteed "an area of
activity free from the intrusion of others whether these others are private individuals or public
authorities, an area in which the individual can make decisions, follow wishes, exercise choices
without being impeded by any alien will" (Lively 1962: 221). Without proper safeguards for
individual choice, the liberty of minorities would be constantly at risk of being circumscribed or
suppressed by majorities.

Successive generations of liberals have expanded upon and modified in important ways
the notion of liberty expounded by their predecessors. In particular, many contemporary liberals
have argued that freedom as autonomy presupposes not only the formal liberty to act, but also the
material resources needed to act effectively. An example of this type of argument is as follows: In order to ensure that all individuals who wish to pursue a university education have the opportunity to do so, it is necessary to ensure that all have access to the financial resources needed to support such an endeavour. In essence, then, a liberty is a true liberty only if it is accompanied by the means needed to operationalise it. This belief has led some theorists to argue in favour of “governmental provision of economic resources and governmental correction of the market process” (Gray 1995a: 59-60). The idea that there is a fundamental connection between resources in the form of personal property and individual liberty is, of course, not unique to the theorising of contemporary liberals; indeed, at least since Locke, it has been a prominent feature of the liberal outlook.

VII. Private Property

One of the most influential and enduring notions associated with liberalism is the belief that private property and individual liberty are inseparable. Arguably, it is Locke who first emphasised the connection between individual liberty and the right to private property (Gray, 1995a: 14). For Locke, individual liberty is dependent upon the existence of private property that is securely protected under the rule of law. This conclusion is premised upon the following argument: “property” consists of not only one’s material possessions, but also one’s person—“every man has a ‘property’ in his own ‘person’ ” (Locke 1988: 130). Hence, protecting one’s “property” includes safeguarding not only one’s possessions but also one’s life and personal freedom of action. By providing for the existence of private property that is securely protected under the rule of law, one enables individuals to obtain not only the material means which prevent
dependence upon others for one’s survival, but also the protection from unjustified violation of
one’s personal freedom, a protection that makes possible the full development of one’s faculties
and abilities and the pursuit of one’s conception of the good. Without such security for one’s
person and possessions, individual liberty is, in essence, worthless. This argument represents one
of the defining characteristics of liberalism. According to John Gray, “it is this insight which
embodies Locke’s greatest contribution to liberalism” (Gray 1995a: 14). In his On Property,
James Madison echoed Locke’s argument and proclaimed that every man “has an equal property
in the free use of his faculties and free choice of the objects on which to employ them. In a word,
man is said to have a right to his property, he may be equally said to have a property in his rights”
(Madison 1953: 267).

For classical liberals, a commitment to individual liberty (and, by extension, private
property) logically entails an endorsement of a free market. A free market facilitates man’s
realisation of the greatest degree of individual liberty. Indeed, a free market is said to be essential
to true liberty. The most powerful expression of this belief can be found in Adam Smith’s
argues that the realisation of man’s full potential requires that he be allowed to follow his natural
self-interest without undue interference in any sphere of life. Smith advocated a “system of natural
liberty” in which “[e]very man, as long as he does not violate the laws of justice, is left perfectly
free to pursue his own interest his own way, and to bring both his industry and capital into
competition with those of any other man, or order of men” (Smith 1993: 391). Such a system is
characterised by a free market and a limited constitutional government. A free market is
necessary, Smith claimed, because there is a direct relationship between a society’s economic system and its political system. According to Smith, personal and political liberty must be accompanied by economic liberty if one is to provide the type of freedom of action that will enable the realisation of the full potential of not only particular individuals, but also of society and, indeed, of mankind.

Under a system of natural liberty the market would be guided by an “invisible hand” that would ensure that the consequences of the unfettered pursuit of self-interests benefited society in general. Smith maintained that, “without any intervention of law, … the private interests and passions of men naturally lead them to divide and distribute the stock of every society, among all the different employments carried on in it, as nearly as possible in the proportion which is most agreeable to the interest of the whole society” (Smith 1776; see also Smith 1993: xxxvii). Thus, men’s pursuit of their own betterment would, if only incidentally, promote the interests of others: “the self-interested individual unintentionally maximizes the wealth of society for all its members” (Smith 1993: xxxvii). Indeed, an individual, “By pursuing his own interest … frequently promotes that of the society more effectually than when he really intends to promote it” (Smith 1993: 292; similarly, see 289). Conversely, the benefits to be achieved by granting personal and political liberty are significantly retarded if a comparable liberty is not extended to the sphere of economic activity.

The connection between property and liberty has also manifested itself in another important way in liberal thought: namely, it has been argued that the right to private property helps to protect individual liberty by ensuring the decentralisation of public decision-making power. A
universal right to private property is said to offer an effective mechanism against the concentration of power via the control of resources. Providing to all individuals the right to acquire private property and enjoy all of its associated benefits allows for the extensive distribution of wealth and other resources and thereby helps to prevent widespread dependency on and subservience to a single individual or group(s) of individuals (including the government). In doing so, one helps to safeguard individual liberty by limiting the ability of individuals to make others so reliant upon them that they are able to coerce support for specific public policies or initiatives.

A number of contemporary liberals have criticised the classical liberal understanding of private property, arguing that private property can also be an impediment to individual liberty (e.g., Freedon 1978; Gaus 1983, 1994). In particular, it has been noted that the inability to obtain private property can prevent individuals from having the means needed to pursue their goals, and exclude them from effectively participating in the public policy decision-making process. From this perspective, the classical liberal emphasis on private property and the free market system renders individual liberty impotent or merely formal for those who are not propertied. The proposed solution to this problem is to expand the scope of government concern to include the economy and the distribution of resources. According to this line of argument, "Equality, rights and distributive justice must ... be extended to protect not just freedom but also the conditions required for its exercise" (Kekes 1997: 13); this approach necessitates "that individuals ... be guaranteed certain basic goods that are needed for living according to any conception of a good life" (Kekes 1997: 13).

Though classical and contemporary liberals' understanding of the relationship between
liberty and property may differ in certain respects, both groups—indeed, all liberals—agree that all men possess an equal right to private property understood as one’s life, liberty and possessions.

VIII. Equality

Like liberty, equality has been a fundamental feature of the liberal outlook. All forms of liberalism assume that, at least in some important respects, all men are equal. For early liberals, it is men’s natural equality in terms of each individual’s ability to injure or otherwise harm another—in conjunction with certain environmental circumstances and innate predispositions—that precipitates the need for a collective security for one’s life, liberty and possessions, and thus necessitates the establishment of government. This belief (albeit, often in a slightly modified version) continues to be an animating feature of liberal theorising. Though liberal theorists’ understanding of the source and character of man’s equality has differed with the passage of time, the belief that all men are in some significant sense(s) inherently equal has remained a cornerstone of the liberal outlook. In arguing that all men are “naturally” equal, it is not meant that all men are equal in every respect or in all capacities. Rather, what is being suggested is that all men are equal in the sense of possessing an equal right to their “freedom, without being subjected to the will or authority of any other man” (Locke 1988: 142). Because all men are said to possess the same natural rights, all are considered deserving of equal liberty and protection. This fact necessitates that all men be recognised as equal under the law and equally subject to the law.

In essence, liberalism deems equality to be essential for true liberty: only if all individuals are considered equal will all be accorded the same respect and afforded the same opportunities.
However, as has been the case with respect to other features of liberalism, liberal theorists’ understanding of the proper sphere and subsequent requirements of man’s equality has changed over time. For example, though classical liberals argued for equality before the law, they were, generally speaking, certainly not overly concerned with achieving social, economic or political equality. It is only relatively recently—beginning most notably with Mill—that liberal theorising has been characterised by arguments championing goals such as political equality in the form of universal suffrage. As for socioeconomic equality, liberals remain divided as to whether this is an area that is properly the concern of government. Whereas contemporary liberal theorists such as Robert Nozick continue to argue for a Lockean style equality, others, such as John Rawls, assert the need to ensure that all individuals possess not only equality under the law, but also the “primary goods” that will assure them the resources they require to pursue and (hopefully) realise their respective conceptions of the good.

Whether it is presented as divine in character, the consequence of desert, or necessitated by utility, and regardless of the requirements attached to it, equality is an essential component of all forms of liberalism. And together with the notions of liberty and property, the liberal affirmation of equality provides the basis for and justifies the liberal belief in consent. Man’s innate equality in terms of the value of each individual’s life and liberty makes the legitimacy of any action dependent upon the consent of those affected. If all men are to be treated equally, then each must be given an identical opportunity to comment upon any public proposal, and every man’s opinion must be accorded an equal weight in regards to the decision-making process.
IX. Consent

The liberal understanding of liberty and equality is inextricably intertwined with the notion of consent. For liberals, individual liberty and equality requires consent. In particular, this means that a man’s property—in all senses thus far identified—cannot legally be violated without his consent. As Locke argued: “For I have truly no property in that which another can by right take from me when he pleases against my consent” (Locke 1988: 188). In relation to the legitimacy of government, realising the liberal notions of individual liberty and equality demands that the institutional arrangements that regulate citizens’ behaviour are those to which each citizen has voluntarily agreed to be subjected; such an agreement can manifest itself in a number of different ways. For example, for social contract theorists this agreement is presented in the form of a hypothetical: a particular paradigm is justified provided that it can reasonably be assumed that individuals confronted with certain circumstances would choose it rather than other possible options. Nevertheless, only under such an agreement can the liberty provided be claimed to secure the appropriate degree of personal freedom and equality. Furthermore, only a government that operates with the free and willing consent of its subjects can be considered legitimate. The assumption is that individuals will only voluntarily consent to be governed by an institutional framework that recognises the validity of, and accords the proper degree of respect to, their particular conception of the good and its associated values and beliefs. By requiring that each individual consent to the proposed or existing system of government, liberalism protects individual liberty and ensures that the views of each individual are accorded an equal respect and value.
Recognising the impracticality of making the legitimacy of a given government conditional upon all citizens expressly proclaiming their willingness to obey its dictates, liberals generally suggest that one’s consent may be either explicit or tacit. Typically, one is considered to have tacitly consented to be subject to the dictates of a given government so long as one remains a resident of the society in question and continues to enjoy the benefits thereof. The architectonic statement in this respect is Locke’s: “every man that hath any possession or enjoyment of any part of the dominions of any government doth hereby give his tacit consent, and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as any one under it” (Locke 1988: 177). A number of contemporary liberal theorists, including John Rawls, David Gauthier and Jürgen Habermas (among others), have suggested that a proposed system of government can be considered legitimate provided it could reasonably be expected that under specific (e.g., ideal) circumstances it would be agreed to by individuals who possess certain qualities.

Implicit within the liberal notion of consent is the principle of universality, which, according to Kant, requires that “our social and political relations ... be governed and our public conflicts settled in a universal manner” (Kant 1970: 20)—that is, in a manner that would be acceptable to all free and equal persons. By definition, any system that does not satisfy the criterion of universality must exclude from its sphere of consideration certain individuals and their beliefs and in so doing neglect to exhibit a uniform concern and respect for all individuals and thus fail to treat all individuals equally. Such exclusion and the resulting unequal treatment often manifest itself in the form of a diminished individual liberty, and thereby restricts the ability of the affected individuals to realise their full potential and live personally satisfying lives. Hence, consent premised
upon the principle of universality is an essential component and condition of the liberal notions of individual liberty and equality.

With minor variations, the above understanding of the nature and role of consent has been a fundamental feature of liberalism since its emergence. The importance that liberalism assigns to the notion of consent is a direct consequence of the liberal belief in pluralism.

X. Pluralism

The notion of pluralism has played a significant role in the development of liberalism. As already noted, liberalism emerged as a response to religious pluralism and the violence and misery that accompanied efforts to suppress and eradicate “offensive” or “sacrilegious” beliefs. Generally speaking, liberalism defines pluralism as the recognition that there will always be a diversity of conflicting, irreconcilable and incommensurable values and conceptions of the good life. Such diversity and conflict is assumed to be “an intrinsic, irremovable element in human life” (Berlin 1969: 167). Pluralism is juxtaposed against monism, or the belief “in the discoverability and harmony of objectively true ends, true for all men, at all times and places” (Berlin 1990: 211)—a belief that guided political theorising prior to the emergence of liberalism.

Liberalism has always presumed the presence of a plurality of existing political and religious opinions. The liberty and equality championed by liberalism, and the consent considered essential to the preservation of this liberty and equality, are necessary, liberals argue, because of the equal inherent worth of each individual, and the fact of pluralism. Liberalism is particularly concerned with value pluralism, or the belief that “the ends of men are many, and not all of them are in principle compatible with each other” (Berlin 1969: 168-69). Given that individuals will
inevitably and perpetually support a diversity of competing and often conflicting and incommensurable values and conceptions of the good, individual liberty and equality are necessary if all persons are to be given an equal opportunity to pursue a life of their own choosing and design and thereby realise self-fulfillment.

Mill’s *On Liberty* remains one of the most powerful defenses of pluralism. Mill argues forcefully for the existence of a plurality of attitudes and opinions. He concludes that “[i]f all mankind minus one were of the opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind” (Mill 1993: 85). Mill contends that without freedom of thought and freedom of expression, individuality and self-development are detrimentally stymied, practice becomes based upon “dead” doctrines, and progress ends. Liberals have also argued that accepting pluralism helps to protect individual liberty in much the same way as do limited government and the right to private property: namely, by impeding the concentration of power. This argument is premised upon the belief that “a state marked by homogeneity would also turn out to be one whose power was most difficult to limit” (Kukathas 1999). By enabling the presence and public affirmation of a plurality of competing values and conceptions of the good, one helps to ensure the dispersion of power by requiring that the government of the day respond to a diversity of often conflicting interests. In this sense, as Lord Acton noted, “‘Liberty provokes diversity, and diversity preserves liberty’” (quoted in Kukathas 1999).

Rather than trying to identify a way in which the diversity of opinions and beliefs might be transformed into a unified whole or a more harmonious amalgam in which the interests of society
and those of the individual converge and support one another—as had been the goal of its predecessors—liberalism accepts that such a unity is unachievable because of the natural and ineliminable plurality of human beliefs. Accordingly, with respect to the difficulties posed by pluralism, the goal of liberalism has not been to secure a homogeneity of cultural, or religious, or moral beliefs, but rather to develop a governance framework that can achieve and preserve a sociopolitical order within which conflict between competing beliefs is minimised and tempered, and the inevitable plurality of views is “allowed to co-exist, if not flourish” (Kukathas 1999). If this goal is to be achieved, then individuals must be willing to accept the right of others to affirm beliefs and values that conflict with their own, and to pursue conceptions of the good with which they disagree. Individuals must, in other words, affirm the value of toleration.

XI. Toleration

“[I]n the liberal ethos of the last three centuries, ... [toleration] has been hailed as one of the fundamental political and ethical values” (Heyd 1996: 3). The liberal concern with and support for toleration is a consequence of the liberal affirmation of pluralism. Because individuals will inevitably affirm different and often conflicting viewpoints, individual liberty and self-fulfillment require that all persons exhibit tolerance toward those ideas and pursuits that they find disagreeable. The contemporary liberal doctrine of toleration has its roots in early liberals’ arguments for religious tolerance. Spinoza, for example, proclaimed that “the life of the free and intelligent man, in which alone happiness is to be found, must be for ever unattainable, unless men ... [can] be persuaded of the stupidity of religious persecution and ideological wars” (Hampshire 1953: 178). Arguably, it is in Locke’s Letters on Toleration that one finds the first substantive—and, what remains to
this day, one of the most vigorous—apologias for toleration. According to Locke, "one man does not violate the right of another by his erroneous opinions and undue manner of worship, nor is his perdition any prejudice to another man's affairs, therefore, the care of each man's salvation belongs only to himself" (Locke 1689). There is, then, neither a reasonable nor a rational reason for intolerance, at least with respect to individual beliefs.

The principle of toleration is also fundamental to the theories of Kant and Mill. Both argued that as society may (and in all likelihood will) contain a number of different conceptions of the good, citizens should be allowed to pursue their chosen ends without interference from the state or other citizens. Only by providing such freedom can one secure the conditions required for self-development and self-realisation and thereby afford each individual the respect that he deserves as a free and equal agent. It is worth noting, however, that, relative to the contemporary liberal understanding of toleration, early liberal arguments for toleration were often notably limited in their scope. Arguably, this is in large part a function of the different character of the societies in which early liberals lived. For example, while both Kant and Mill expressed an overwhelming theoretical concern for the toleration of diversity, the practical reality of their circumstances demanded far less toleration than was advocated by either theorist. The societies in which Kant and Mill wrote were largely homogeneous in terms of ethical and religious beliefs and therefore could satisfy with relative ease the demands of state neutrality inherent in both theorists' conceptions of toleration.

However, the same cannot be said of contemporary liberal democracies. With the progression of time and the evolution of liberal societies, the number and increasing diversity of
competing conceptions of the good that a single conception of justice must try to accommodate has multiplied to a degree which Kant and Mill could not have foreseen. Subsequently, liberal theorists have modified the doctrines of Kant and Mill in an effort to produce conceptions of justice which incorporate the increased degree of toleration required to better accommodate present-day realities. This has resulted in the original focus on religious toleration being expanded to encompass moral and philosophical beliefs as well. The scope of concern has also been enlarged to incorporate inter- as well as intra-societal toleration.23 Though the rationale for supporting toleration has at times differed—e.g., it is essential to realise true individual liberty; each human is deserving of it; it is justified because it is impossible to know the “truth”—generally speaking, all forms of liberalism share the belief that toleration “does not require any weakening of certainty, confidence, or commitment to ... one’s own beliefs and values” (Heyd 1996: 15). The defense of toleration continues to be a primary concern for a number of liberal theorists, and, in various forms, a fundamental component of all liberal conceptions of justice.

XII. Concluding Remarks

Admittedly, the above review offers only a cursory foray into the character of liberal thought; it does not do justice to either the individual theorists or the collective history and complexity of liberalism. However, for the purposes of this study, the above examination provides a sufficient survey of some of the principal ideas that animate and underpin the liberal outlook.

As the information presented in this chapter suggests, the character of liberalism is multifaceted and impossible to define in a manner that would be acceptable to all those who have either been labeled or consider themselves to be a “liberal.” Both as a political practice and a
philosophical approach, liberalism has been championed by many whose views often conflict significantly with one another. Despite these facts, there are certain fundamental beliefs that inform the work of all liberal theorists, and together these beliefs can be said to constitute a common, substantive liberal framework. In brief, these core elements are a belief in: individual liberty and equality; individual rights; the importance of private property; the idea of limited constitutional government; and the related values of autonomy, consent, pluralism and toleration. All of these beliefs and values are affirmed—albeit, to differing degrees and in various forms—by all liberals. Simultaneously, though, the differences (actual or perceived) between the various formulations of liberalism that have emerged are often, correctly or incorrectly, considered important, especially in relation to the perceived ability of the liberalism in question to address effectively the sociopolitical problems that frequently accompany the practical implementation of liberal beliefs. Such is certainly the case with respect to the differences that are said to distinguish political liberalism from other types of liberalism. While both acknowledging and, in certain respects, emphasising their debt to their doctrinal ancestors, political liberals have, nevertheless, argued that only political liberalism offers the means by which to secure the conditions that will enable the establishment and maintenance of a just and stable liberal democracy.

In order to understand fully the basis for such a claim and the logic underlying the development of a purely political liberalism, one needs to be cognisant of the relationship between political stability, justice, and liberalism. Only by analysing the conclusions of political liberals in the context of the continuing search for a just and politically stable regime can one gain a full appreciation of the logic of political liberalism. Though the information provided in this chapter
offers glimpses into the relationship between political stability, justice, and liberalism, stating the precise nature of the relationship in a more direct manner will help to clarify the rationale behind political liberalism. Accordingly, the next chapter will present a brief review of the relationship between political stability, justice, and liberalism, and in so doing help to provide for a clear understanding of the motivation behind the development of a purely political liberalism.²⁴
Notes

1 Of course, different theorists have presented variations of this taxonomy. For example, Ronald Beiner has suggested that it is possible to “distinguish three broad senses of the term ‘liberalism’: (1) liberalism as a political doctrine ...; (2) liberalism as a social order ...; and (3) liberalism as a philosophical ranking of priorities” (Beiner 1997: 5).

2 Given that HyperText Markup Language (HTML) documents accessed via the internet do not, technically speaking, contain page “breaks,” it should be noted that for the purposes of this thesis, citations for direct quotations extracted from such documents will make reference to only the author and the year, and not to specific page numbers.

3 This is not to suggest that all theorists agree with this characterisation (e.g., Shklar 1989: 21). At the very least, however, liberalism as a philosophical approach achieved a hegemonic status in the twentieth century.

4 According to Friedrich Hayek, the term “liberal” first appeared in the writing of Adam Smith (Hayek 1960: 408). Of particular note in this respect is Smith’s statement regarding the need to allow every man “to pursue his own interest his own way, upon the liberal plan of equality, liberty and justice” (Smith 1993: 380, emphasis added). However, it was not until the nineteenth century that the label “liberal” was used to refer to a political movement, “when in 1812 it was adopted by the Spanish party of Liberales” (Gray 1995a: xi; see also Bramsted and Melhuish 1978: 3).

5 As previously noted (p. 22, n.1), it remains a source of debate as to whether Hobbes is correctly identified as a liberal.

6 I am here referring to Hobbes’ remark concerning the ability of “any man, (how strong or wise soever he be,) of living out the time, which Nature ordinarily alloweth men to live” (Hobbes 1968: 190).

7 By “ law(s) of reason” I am referring to what many classical liberals identified as the “law(s) of Nature.” To use an illustration from Locke: “The state of Nature has a law of Nature to govern it, ... and reason, which is that law, teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions” (Locke 1988: 119; see also 120, 131, 143; and Hobbes 1968: 189-190, 205).

8 While arguments concerning humans’ inability or refusal to obey the “law(s)” of reason have basically disappeared from liberal theorising, the underlying sentiment of such arguments—I.e., the belief that individuals cannot always be counted on to act in a “reasonable” manner—remains a notable feature of contemporary liberal discourse.

9 I have used the term initially because I believe that while Locke begins by presenting the state of nature as one of relative peace and harmony, it becomes clear that by the time men believe it necessary to join together to form a commonwealth, the state of nature has degenerated into a Hobbesian-like existence of perpetual insecurity and danger. As Locke argues, a peaceful and harmonious state of nature is short-lived (Locke 1988: 180). The state of nature quickly degenerates into an existence “full of fears and continual dangers.” So much so, that one’s continued enjoyment of his person, liberty and possessions “is very uncertain and constantly exposed to the invasion of others; for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very insecure” (Locke 1988: 179).

65
For the purposes of this study, "modern" liberals are those who wrote between the years of 1851 and 1950 (Bramsted and Melhuish 1978: 36), while "contemporary" liberals are those who wrote after 1950. Though, technically speaking, Mill falls into the former category, it remains a matter of debate as to whether he is more correctly identified as a "modern" or a "classical" liberal. As John Gray has argued: "Whereas Mill never altogether abandoned the classical liberal commitment [to individualism] best expressed in On Liberty, his attitudes to trade unions, to nationalism and to socialist experimentation represent the decisive breach" between classical and modern liberalism (Gray 1995a: 30; see also Kukathas 1999).

This is not to suggest that modern and contemporary liberals totally abandoned their use of the state of nature. For example, it could reasonably be argued that Rawls' "original position" represents, in effect, a state of nature.

There are, of course, other important rights such as the right to equal treatment under the law, the right to vote, and the right to hold political office, to name only a few; the particular importance of these and the previously noted rights will be discussed later in this chapter.

Given that Hobbes seems to allow for men to be forced—at the point of a sword—to participate in the social contract, the "voluntary" character of his compact could be (and has been) questioned.

For example, whereas Hobbes understood the establishment of a commonwealth to require that men transfer in toto their "Right of Nature," Locke argued that the creation of a commonwealth demands that men relinquish to the community (not the sovereign, per se), only their right to enforce the "law of Nature": that is, "to judge of and punish the breaches of that law in others, as ... [they are] persuaded the offence deserves, even with death itself" (Locke 1988: 159).

Of course, generally speaking, contemporary liberal theorists no longer argue that such drastic means are acceptable methods by which to depose "unsuccessful" governments.

Henceforth, I will use the term "limited constitutional government" to refer to the idea of a government characterised by a division of power and operating according to and under the rule of law. In this context the term "limited" is not being used to imply the type of minimal, "night watchman" state advocated by earlier liberals such as Humboldt; rather, it is used to emphasise that there are certain areas of citizens' lives into which government should not be authorised to intrude.

Given the lack of "any accepted distinction in meaning between the words 'freedom' and 'liberty'" (Hayek 1960: 421, n.1), I will use these terms interchangeably.

Not surprisingly, not all liberals adopt such a position. For example: while not disputing the significance of liberty and autonomy, Ronald Dworkin argues that equality is the most important component of a liberal regime.

For the remainder of this chapter, unless specifically noted otherwise, all references to "property" are meant to reflect Locke's understanding of the term.

While it is true that in the lexicon of contemporary political philosophy Nozick is usually referred to as a "libertarian," given the close affinity between libertarianism and classical liberalism, I do not believe that it is unreasonable to also identify him as a "liberal." Indeed, Jan Narveson, himself a noted libertarian theorist, has stated that "[l]ibertarianism is one kind of liberalism" (Narveson 1988: 8; similarly, see Spragens 1999: 19; Klosko 2000: 2-3; and Johnston 1994: 25, 44).
21 Charles Larmore takes issue with this definition of pluralism (e.g., Larmore 1996: 153-57). A discussion of Larmore’s concerns takes place in chapter four.

22 Though I (and others) have identified Locke's *Letters on Toleration* as the first substantive defense of toleration, this is not to suggest that it is universally or even commonly considered the most forceful. Indeed, arguably, a more vigorous defense is provided by Pierre Bayle in his *Philosophical Commentary* (1686).

23 This approach is, perhaps, best exemplified in Michael Walzer's *On Toleration* (1997) and John Rawls' *The Law of Peoples* (1999).

24 Much of the material presented in this chapter has appeared previously in Young (2002).
References Cited


CHAPTER THREE: POLITICAL STABILITY, JUSTICE, AND LIBERALISM

I. Introduction

As noted in the preceding chapter, liberalism was originally developed as a means by which to secure political stability in societies in which the presence of religious pluralism had produced years of repression, persecution, and civil war. The violent, deadly, and destabilising conflict that arose in sixteenth and seventeenth century Europe as a consequence of the public intolerance of religious diversity brought with it the realisation that a new approach to responding to doctrinal disagreement was necessary if one wished to avoid such conflict in the future and secure the type of harmonic coexistence needed to ensure and sustain political stability in pluralistic societies. It is this goal that gave rise to the doctrine of liberalism.

For early liberal theorists, then, there was a fundamental causal relationship between liberalism and the search for political stability: the former represented both a response to and the successful completion of the latter. Early liberal theorists also realised that the ability of liberalism to achieve the desired effect was itself dependent upon the success of liberalism in providing a just regulatory framework. If liberalism was to reduce to an unproblematic or manageable level the likelihood of divisive, destabilising conflict among the members of a given society, then it would need to offer a regulatory framework that was perceived to treat all competing interests fairly. In order to satisfy such a caveat, the citizens of said society (or, at least, the majority of them) would need to believe that they are being treated justly. In other words, liberalism would need to secure justice in order to achieve the desired political stability.
Liberal theorists' understanding of the correct character of liberalism has, of course, been subject to change with the passage of time and the evolution of civil society. As the sociopolitical circumstances confronting liberal societies have changed, so too has theorists' understanding of the precise demands that a liberal framework must satisfy if it is to secure and sustain justice and political stability. Despite such periodic metamorphoses, liberal theorising has continued to be animated by the belief that there is a fundamental relationship between justice, political stability, and liberalism. Underlying all alterations to classical liberalism has been the desire to adapt liberalism to changing sociopolitical circumstances so that it can continue to provide the means by which to secure justice and political stability. It is within the context of efforts to enable liberalism to respond effectively to the challenges confronting contemporary pluralistic societies that the concept of a purely political liberalism emerged.

Understanding the motivation behind the development of political liberalism thus requires a knowledge of the relationship between political stability, justice, and liberalism. The logic of the changes effected by political liberalism can be fully appreciated only in light of efforts to resolve problems of justice and instability in contemporary pluralistic societies. Accordingly, the remainder of this chapter will offer a brief review of the relationship between political stability, justice, and liberalism.

II. The Search for Political Stability

Contemplating and commenting upon the establishment of a politically stable society is an exercise that for centuries has occupied political philosophers. Attempting to identify and clearly articulate the means by which such a society might be secured and sustained is a task that has captured and
taxed the imaginations of some of the greatest philosophical minds known to humanity, and generated some of the most engaging and magisterial works within the pantheon of political philosophy. Efforts to catalogue and explain the essential elements of a politically stable society have been and remain a fundamental component of political philosophy.

Not surprisingly, these efforts have produced a number of different definitions of political stability. Some theorists have proposed that political stability demands nothing more than the absence of civil war (Thomas Hobbes) or the perpetuation of a given regime (Edmund Burke).¹ Prima facie, neither of these perspectives suggests that there is anything inherently unacceptable with using force either to establish or maintain political stability; indeed, according to these definitions, even the most brutal, oppressive military dictatorship could be considered a politically “stable” regime. More recently, it has been argued that true political stability requires a more exacting standard: functional civil order and regime durability by themselves do not constitute political stability. Elements such as consent, liberty, and equality—individually or in different combinations and in varying degrees—are deemed necessary for genuine political stability.

According to many such interpretations, it is illegitimate (not to mention, ineffective) to employ brute force arbitrarily either to secure or sustain political order. Enduring, legitimate political stability, it is argued, can be achieved only by developing a regulatory framework that is voluntarily supported by a majority of those whose actions it will govern. Generally speaking, this understanding of political stability has now become the benchmark against which the success of all related claims is measured. In other words, a society is considered to have achieved political stability when the regulatory framework employed to maintain “the normal functioning of the
political system" (Norman 1999a: 3) is freely, willingly, and reliably supported by the majority of the citizens who are subject to it. However, as the sociopolitical diversity of societies has increased, so too has the difficulty associated with designing a framework that can accommodate and adequately satisfy the ever-expanding demands of the citizenry of these societies, and thereby secure the type of public agreement needed to establish and maintain political stability.

III. The Interdependence between Political Stability and Justice

Increased diversity poses problems for political stability insofar as achieving the voluntary public agreement necessary to secure and sustain the sought after political stability requires that the majority of citizens believe the regulatory framework to allow for the affirmation and realisation of their respective conceptions of the good. In essence, then, securing political stability in pluralistic societies is dependent upon the majority of the citizens of said societies believing that the regulatory framework under which they live is just. Thus the quest for justice is an essential component of the search for political stability. The "quest for justice" refers to the goal of establishing a society in which all of its inhabitants are treated fairly. The concept of "fair" treatment may, of course, mean very different things to different people. For example, Plato's understanding of fair treatment (i.e., justice) as treating "equals" equally and unequals unequally, differs drastically from John Rawls' significantly less qualified understanding of fair treatment as the guarantee of equality of basic liberties.

It has often been argued that, though it is possible to obtain varying degrees of political stability without first securing "universal" justice (i.e., equal justice—however that may be defined—for all members of a given society), the continued absence of such justice will eventually
lead to the dissolution of political order. Unless all individuals believe that they are being treated fairly, the discontent and anger generated by the resulting sense of injustice produces an ever-present danger that those who believe that they are being treated unjustly will do whatever they deem necessary, including armed revolt, to secure "justice." The perpetual volatility of such a situation precludes the achievement of genuine political stability. Hence, true political stability requires universal justice.

However, demanding the satisfaction of such a caveat has (not unexpectedly) served only to make the achievement of political stability all the more problematic. For like the problem of political stability, the question of what is required by justice has been one of the fundamental concerns of political philosophy since the time of Socrates and has spawned a number of different interpretations regarding exactly what constitutes justice. "Is it need (as Marxists say, 'to each according to needs')? Is it merit (in Aristotle, for example, who one is and what one has done)? ... Is it equality (and in what sense is it true that 'all are created equal')?" (Solomon and Murphy 1990: 7) The many definitions of justice that have emerged have, in turn, generated an "intimidating range of questions about what justice requires and permits" (MacIntyre 1988: 1), and offered a diversity of answers in terms of how we may best secure the conditions needed to achieve a just polity.

The debate surrounding the definitive character of justice has itself been further complicated by the fact that "[m]any different kinds of things are said to be just and unjust: not only laws, institutions, and social systems, but also particular actions of many kinds, including decisions, judgments, and imputations" (Rawls 1971: 7). In the final analysis, "justice" remains an
"essentially contested concept": that is, “even reasonable and informed persons” are often unable “to agree on a theory of justice or on all of their judgments about which policies and institutions are just” (Norman 1999b).

Despite the sometimes notable differences among the various extant definitions of justice, a central component of most (if not all) theories of justice has been the concept of political justice. Political justice addresses the issue of legitimisation—that is, justifying the existence and maintenance of a particular set of institutions, relations, and arrangements: i.e., a regime. The establishment and perpetuation of a given regime is justified by reference to the specific norms or principles on which the regime is based. Generally speaking, contemporary liberal theory tends to characterise a just regime as one whose principles of justice secure a fair distribution of primary goods, a distribution that genuinely answers citizens’ needs and interests. The fairness of a particular distribution is understood to be directly related to the equality of said distribution.

In essence, then, the relationship between political stability and justice can be summarised as follows: If genuine political stability is to be secured and preserved, then the regulatory framework governing the polity must be understood to be just and its continuation voluntary agreed to by all those who must live within its parameters. A framework will be considered just and a voluntary agreement for its continuation secured only insofar as its governing principles are perceived to be “fair” to all those subject to its demands, which they will be to the degree that they are believed to allow for the realisation of each citizen’s conception of the good and, by extension, his self-fulfilment. Not surprisingly, liberal theorists argue that in contemporary pluralistic polities, only a liberal framework can hope to satisfy the necessary conditions.
IV. Liberalism: The Final Variable in the Equation

Having (briefly) explained the relationship between political stability and justice, the next and final step in the investigation that is the focus of this chapter is to identify the role liberalism is meant to play in the search for political stability. In the sense in which it is here being used, “liberalism” refers to a philosophical doctrine that articulates a moral outlook to govern all aspects of one’s life (Rawls 1985: 245); it represents a conception of the good the realisation of which should inform the character both of public and private actions. In essence, proponents of liberalism argue that it offers a regulatory framework that can secure justice and, subsequently, political stability for the inhabitants of pluralistic societies. Indeed, as noted above, liberalism is presented as the only paradigm that can achieve such results. The reasons for this conclusion are as follows.

Prior to the emergence of liberalism, respect for individual freedom and equality was a fundamental consideration only insofar as it contributed to the well-being of the community. Political theorists produced conceptions of justice that focussed upon the needs and concerns of the community rather than those of the individual. The primary function of the individual was to secure the prosperity and preservation of the community. The doctrines upon which polities’ regulatory frameworks were premised did not even allow for the unsanctioned accommodation, let alone the public recognition, of views that conflicted with those animating the prevailing public order. Those who subscribed to beliefs and values that differed from those embodied in the existing regulatory framework were oppressed and persecuted. This approach allowed for the rationalisation of slavery, serfdom and other conditions that denied to individuals the freedom, equality and, by extension, dignity that all persons deserve by virtue of their humanity. For liberals,
such suffocation of human dignity unacceptably disrespects and denigrates individuals, and, in pluralistic societies, inevitably leads to divisive, destabilising sociopolitical conflict.

Liberalism radically altered the focus of concern from the community to the individual in both a moral and a juridical sense. Liberalism demands the establishment of permanent institutional protections against the arbitrary use of coercive political power and other sociopolitical practices detrimental to individual self-fulfilment, and thereby ensures (or so it is claimed) that the freedom, equality and human dignity of all persons is respected. The regulatory framework offered by liberalism is understood to provide citizens with the freedom to affirm and pursue their chosen conceptions of the good, while simultaneously subjecting all citizens to the same public restrictions on this freedom. In so doing, liberalism is believed to treat individuals fairly and thus to offer a paradigm that can secure the voluntary support of those subject to its demands. In essence, then, by providing a regulatory framework that embodies the equal concern and respect needed to allow each citizen to affirm, pursue and (hopefully) realise his preferred conception of the good, liberalism offers the means by which to establish and preserve justice and political stability in pluralistic societies.

V. Keeping Liberalism Effective

Following Hobbes' lead, many liberal theorists have suggested that the best way to secure and sustain justice and political stability is to establish a social contract premised upon a widespread, dependable agreement on a single conception of justice to govern all citizens. Proponents of this approach argue that only a regulatory framework that can obtain the voluntary support of those who must live within its parameters is likely to be considered just by said individuals and thus able
to secure political stability. Such an approach has been and continues to be a cornerstone of liberal theory. Recently, a number of liberal theorists have expanded upon this "voluntary support" argument and suggested that genuine political stability requires that citizens' support for the public conception of justice—the principles that guide and regulate public behaviour—must not only be uncoerced, it must also be sincere and reliable. Such support, it is argued, can be secured only if the public conception of justice enables all persons to pursue their chosen way of life "freely" (understanding, of course, that there will necessarily be certain restrictions upon individuals' behaviour with respect to their pursuit of their conceptions of the good).

However, even within the limited sphere of liberal theory, there exists significant disagreement as to what values need to be accorded primacy in order to secure the necessary liberty; the inevitably heterogeneous character of liberal theory makes such disagreement unavoidable. Moreover, given the constantly changing nature of civil society, such difference of opinion is to be expected. In an effort to respond effectively to different sociopolitical challenges and philosophical criticisms, liberal theory has regularly been subjected to a change in direction or focus. Liberal theorists have often modified existing theories in order to produce "new" theories that might better address the demands of their particular sociohistorical situations. Subsequently, though there is certainly a noticeable degree of foundational continuity and kinship among all liberal doctrines, there have, nevertheless, been many different variations of liberalism, often conflicting with each other in very significant ways.

Similarly, as modern societies have evolved, the plurality of competing conceptions of the good (i.e., life-plans) has increased to a degree that could not possibly have been foreseen by the
forefathers of liberal theory. Theorists are now confronted with communities that are much more diverse in their religious convictions, their cultural heritages, and their sources of identity, than was the case during the time of either Kant or John Stuart Mill, for example. The increased doctrinal heterogeneity that has accompanied the evolution of modern society has brought with it a greater possibility and likelihood of disruptive, divisive, destabilising conflict. Indeed, with each passing day, public agreement and political stability seem to be more difficult both to obtain and maintain.

Hence, the task of developing a viable public conception of justice that can adequately satisfy the diverse demands of the citizenry of contemporary societies and in so doing secure political stability—in its current liberal incarnation—has never been more challenging (or, arguably, more important).

A number of eminent contemporary theorists, including Bruce Ackerman, Ronald Dworkin, Jean Bethke Elshtain, Jürgen Habermas, Will Kymlicka, Charles Larmore, John Rawls, Judith Shklar, and Iris Marion Young, to name only a few, have accepted the challenge posed by this situation and have directed their attention toward trying to design a conception of justice that can secure the basis for justice and political stability in ethnoculturally, religiously, and morally diverse societies.

In responding to the challenges to liberalism posed by the increasing complexities of life in contemporary polities, liberal theorists such as Rawls, Larmore and Shklar have argued that traditional liberal responses to the problem of political stability in pluralistic societies are no longer adequate for the task at hand. Contemporary liberal democracies, it is claimed, are confronted with difficulties previously unknown, especially with respect to the establishment and preservation
of a just and stable liberal democracy—in Rawlsian terms, a “well-ordered” society (Rawls 1993: 35-43). In particular, the increasingly complicated and controversial nature of the relationship between “the private” and “the public” has provoked liberals like Rawls, Larmore and Shklar to suggest that previous understandings of the proper character of liberalism need to be modified if liberalism is to continue to offer an effective response to the problems of stability posed by diversity (e.g., Rawls 1993; Larmore 1996; Shklar 1989).

More specifically, Rawls, Larmore and Shklar have argued that liberalism must become more “practical” in the sense that its goal should be to answer the following question: “how is a just and free society possible under conditions of deep doctrinal conflict with no prospect of resolution?” (Rawls 1993: xxviii) The viability of liberalism as a mechanism for addressing the problem of political stability in contemporary pluralistic societies is said to be dependent upon its ability to respond effectively to this question. An effective response requires that liberalism be reconfigured in such a manner as to enable it to offer a conception of justice that can secure the free and willing support of the adherents of a plurality of antagonistic and incompatible beliefs and practices. Only by adopting such a character can liberalism hope to serve as the foundation for a widespread, public agreement on a single conception of justice to regulate society’s basic structure and thereby secure the sociopolitical conditions required to establish and sustain a genuinely just and stable society.

Theorists such as Rawls and Larmore have argued that traditional formulations of liberalism are unable to provide the basis for the required public agreement because, contrary to received wisdom, the fundamental beliefs upon which they are based—e.g., the overriding value
of individual liberty and toleration—can no longer be assured of securing widespread, voluntary
support among the citizens of contemporary liberal democracies. Traditional versions of liberalism
are animated by conceptions of justice that promote a comprehensive moral ideal to govern all
aspects of one’s life (Rawls 1985: 245). The “correctness” of the norms and practices
championed by these conceptions, however, has increasingly been questioned, especially during
the second half of the twentieth century. Indeed, the diversity of opinions and degree of debate
concerning the appropriate principles to regulate public and private behaviour has convinced
theorists like Rawls, Larmore and Shklar that no conception of justice based upon the tenets of
a single “comprehensive” doctrine will ever be able to effectively accommodate the multitude of
world-views found in existing pluralistic societies.

According to Rawls, Larmore and Shklar, if liberalism is to provide a regulatory
framework able to secure a voluntary public consensus among the citizens inhabiting typical
contemporary liberal democracies and in so doing offer a viable response to the problem of
stability confronting such polities, then it needs to present a conception of justice that is less
“comprehensive” in its scope of concern than has traditionally been the case. More specifically,
the only hope for obtaining the required public consensus lies in developing a conception of justice
that avoids such comprehensiveness and restricts its scope to only those matters upon which all
reasonable citizens can agree. Rawls, Larmore and Shklar (among others) contend that a
conception of justice that confines its concerns to “political” matters—that is, to questions
concerning constitutional essentials and matters of basic justice (Rawls 1993: 227)—is alone in
its ability to satisfy such a criterion. What is needed, then, is a purely political conception of
justice. This school of thought has been aptly labelled political liberalism, and its development and promotion has attracted the attention of many capable political theorists.

VI. Prominent Proponents of Political Liberalism

A number of prominent figures in the field of political philosophy have embraced the project of designing and championing a purely political conception of liberalism; arguably, the most famous of these is John Rawls. With the publication of “Justice as Fairness: Political not Metaphysical” (Rawls 1985; henceforth, JAF), Rawls ushered in a new era in political philosophy. In JAF Rawls provided the first (somewhat) detailed articulation of his conception of political liberalism, a concept and a term that would soon thereafter become familiar features of contemporary political theory. Rawls presented his conception as a solution to the problem of political stability in contemporary liberal democracies. According to Rawls, a “political” conception of justice (such as his conception of political liberalism) can secure what other conceptions of justice based upon comprehensive doctrines cannot: namely, widespread public agreement on a single conception of justice that can secure the political stability needed to establish and sustain a just and stable liberal democracy.

Not surprisingly, Rawls’ philosophical progeny attracted a significant amount of attention and provoked both favourable and critical responses. Numerous theorists analysed Rawls’ “new” paradigm, suggesting what was both “right” and “wrong” with it. Subsequent to the publication of JAF, Rawls produced a number of essays (e.g., 1987, 1988, 1989) in which he further developed and refined his conception of political liberalism. Rawls’ efforts to clarify and perfect his conception were eventually synthesised to produce Political Liberalism (PL). With PL Rawls
believed that he had finally presented a (relatively) complete articulation of his theory. As had been the case with *A Theory of Justice* (*Theory*), theorists—political and otherwise—eagerly consumed and responded to *PL*. And like *Theory*, *PL* has proceeded to provide the focus for a voluminous catalogue of scholarly investigations and (once again) brought Rawls’ work to the forefront of political philosophy.

Yet, a revitalised interest in Rawls’ work, and the subsequent generation of a multitude of critical analyses of his “new” paradigm, were not the only offspring of Rawls’ toils. In the wake of Rawls’ post-*Theory* publications, theorists did more than simply rediscover Rawls and analyse his new, provocative propositions; a few also began to develop and articulate their own conceptions of political liberalism. One such individual was Charles Larmore. Arguably, next to Rawls, Larmore has been the principal champion of the concept of political liberalism, producing a significant quantity of analysis directly devoted to developing a viable conception of political liberalism. Larmore’s first substantive examination of the concept of political liberalism took the form of his book *Patterns of Moral Complexity* (1987; henceforth, *PMC*), which had as its goal the development of a viable conception of political liberalism (Larmore 1996: 132). *PMC*, which first appeared in 1987—well before the publication of *PL*—detailed Larmore’s thoughts on what he considered to be the “mistakes” troubling contemporary moral (and, by extension, political) theory (Larmore 1987: ix). In particular, Larmore was concerned “to show why moral philosophy must outgrow the simplifications that have beset its past” (Larmore 1987: 151).

According to Larmore, much (indeed, the majority) of contemporary moral theory has been based upon critical misunderstandings of the fundamental characteristics of morality and
"the relation between moral philosophy and modernity" (Larmore 1996: 1). Larmore hoped that the arguments expounded in PMC would show that once moral theory has been adjusted to reflect accurately the realities of morality and modernity—i.e., once moral theory "recovers" the "fundamental and pervasive forms of moral complexity that have too often been neglected by moral and political philosophers" (Larmore 1996: foreword)—it will then become clear that the concept of political liberalism not only offers the most suitable model for a public conception of justice for contemporary pluralistic societies, but it also represents the only viable solution to the problem of political stability in ethnoculturally, religiously, and morally diverse societies.

Like Rawls, Larmore continued to develop and refine his initial arguments and produce additional material that further detailed and clarified the propositions put forth in PMC. Perhaps most noteworthy in this respect are Larmore's articles "Political Liberalism" (1990), "Pluralism and Reasonable Disagreement" (1994), and "The Moral Basis of Political Liberalism" (1999) and his 1996 book The Morals of Modernity (MM). In all of these texts, Larmore revises and expands upon the arguments he presented in PMC. However, the primary focus and purpose of these texts remained consistent with the goal of PMC (Larmore 1996: 1): namely, to show that "the dominant forms of modern philosophy have themselves been blind to important dimensions of the moral life" (Larmore 1996: 1),11 and once theory has recovered these dimensions the appropriateness and indeed the necessity of political liberalism will become evident.

Judith Shklar is another individual whose work has earned her the label of "political liberal." In particular, Shklar's now famous essay "The Liberalism of Fear" (1989) has, for good reason, been cited as a paradigmatic example of political liberalism. Like Rawls and Larmore,
Shklar has argued that liberalism should be understood as a political doctrine, "not a philosophy of life such as has traditionally been provided by various forms of revealed religion and other comprehensive Weltanschauungen" (Shklar 1989: 21). For Shklar, liberalism "is a political notion, because the fear and favor that have always inhibited freedom are overwhelmingly generated by governments, both formal and informal" (Shklar 1989: 21). According to Shklar, a liberal political conception of justice is the best means by which to protect individuals from the tyranny of abusive governments and the injustices that are made possible by (the inevitable) unequal distributions of sociopolitical power. As is done by Rawls and Larmore, Shklar contends that her conception, the "political liberalism of fear," offers a "neutral" paradigm in that it is not specifically or necessarily "linked to any religious or scientific doctrine" (Shklar 1989: 24).

Shklar's model of political liberalism, like those of Rawls and Larmore, also demands the separation of the "personal and the public" (Shklar 1989: 24). Only by ensuring such a separation, Shklar argues, can a conception of justice "remove the fear of burden and favor from the shoulders of adult men and women" and in so doing enable them to "conduct their lives in accordance with their own beliefs and preferences" (Shklar 1989: 31). By allowing citizens to pursue "their own beliefs and preferences" publicly and without qualification or reservation, a conception of justice based upon the political liberalism of fear is said to provide a paradigm that can secure the conditions needed to establish and maintain a just liberal democracy.

VII. Concluding Remarks

Rawls, Larmore and Shklar all (explicitly or implicitly) contend that their respective conceptions of political liberalism can offer a solution to the problem of political stability in contemporary
pluralistic societies, and thereby secure the conditions required to establish and sustain a society in which all "reasonable" individuals can freely pursue and (hopefully) realise their respective conceptions of the good. Indeed, all three argue that only a conception of justice that embodies the principles of political liberalism can achieve such a goal. From this perspective, the concept of political liberalism, of which Rawls', Larmore's, and Shklar's conceptions can be considered exemplars, represents one of the most interesting, provocative and significant innovations to modern political theory.

Furthermore, the idea of a purely political liberalism has directly and indirectly influenced and animated an enormous amount of recent theorising, and its validity, viability and value continue to be the source of vigorous debate among a number of prominent theorists. Its importance can (perhaps) best be demonstrated by recognising that if it can achieve its stated goal(s), "it will have accomplished what no previous theory of justice, liberal or otherwise, has—it will have provided a conception of political justice that has overcome the impediments posed by controversial philosophical questions (e.g., what constitutes the good life?) and removed the paradoxical tension, extant since Plato, between political justice and justice for the individual" (Young 1999: 174-75). In doing so, the concept of political liberalism will have secured the conditions necessary to establish and sustain a just and stable liberal democracy. The question that needs to be addressed, then, is: How viable is the concept of political liberalism? Or, to be more specific, does the concept of political liberalism offer a feasible solution to the problem of political stability in contemporary liberal democracies? 13
In order to answer the preceding question, it is necessary to complete a broad analysis of the concept of political liberalism. Satisfying such a caveat requires that one's examination extend beyond the Rawlsian focus common to existing analyses and take into consideration the arguments contained in a number of the prominent paradigmatic conceptions of political liberalism. Providing such scope is necessary if one hopes to assess how the proposals contained in non-Rawlsian conceptions of political liberalism might alleviate or eliminate the problems identified in Rawls's conception, and thereby rescue the viability of the concept of political liberalism from what might otherwise have been presented and accepted as a fatal flaw. Only by undertaking such a comparative analysis can one effectively evaluate the viability of the idea, as opposed to a single model, of a purely political liberalism.

The next chapter will attempt to satisfy the above noted methodological requirements by presenting a generic version of political liberalism that represents a synthesis of the arguments contained in three of the most prominent and commented upon versions of political liberalism: namely, those of Rawls, Larmore, and Shklar. Adopting this approach will expand the scope and detail of the examination beyond that typically found in existing studies and in so doing provide for the necessary broad analysis of the concept of political liberalism.

As with liberalism in general, all conceptions of political liberalism share certain core beliefs and characteristics; the interpretation provided in the proceeding chapter aims to articulate these features. Doing so will provide the means by which to discover what frailties, if any, undermine the viability of the concept (as opposed to a single formulation) of political liberalism, and make available the information needed to assess the likelihood of its achieving its stated goal:
namely, to secure the conditions required to establish and sustain a just and stable liberal democracy. It is to the task of identifying the fundamental features of political liberalism that I now turn.14
Notes

1 Admittedly, this is a gross oversimplification of the arguments propounded by Hobbes and Burke.

2 Liberal-democratic theory presumes that in some important sense all people are equal. However, in exactly what sense all people should be considered equal (e.g., is my life as valuable as yours? Is my contribution to society as valuable as yours?) and what type(s) of equality (e.g., equality of distribution, equality of opportunity, etc...) should or must be secured are questions which continue to be debated. For the purposes of this study, unless specifically stated otherwise, all references to “justice” should be understood as referring to political justice as it is defined in this chapter.

3 Of course, liberals do not argue that all visions of the good life and their associated beliefs deserve to be afforded the opportunity for realisation; normally, this privilege is (explicitly or implicitly) reserved for “reasonable” conceptions of the good life.

4 For a detailed account of exactly what types of issues represent “constitutional essentials and questions of basic justice,” see Rawls (1993: 227-30).

5 This is not to suggest that previous articles by Rawls had not also introduced various aspects of his conception of political liberalism; however, I believe that it is with JAF that Rawls first truly emphasises and significantly defines the purely “political” character of his conception of justice as fairness.

6 The term “political liberalism” was actually first introduced by Rawls in his 1987 article “The Idea of an Overlapping Consensus.”

7 I have placed the word “new” in quotation marks in order to emphasise that, though Rawls’ conception of political liberalism certainly appears to differ in important ways from the conception of justice that he proposes in Theory, it remains a source of debate as to what extent the former represents a “new” theory or merely a modification (however slight or significant) of the latter. Though Rawls acknowledges that “there are important differences” between the texts of Theory and Political Liberalism, he believes that the theory expounded in the latter is totally consistent with the “spirit and content of A Theory of Justice” (Rawls 1993: xiv). Patrick Neal, however, has noted that, “Many maintain that the later work does mark a significant change in doctrine in a number of respects,” and “most commentators have understood his [Rawls’] practical turn [as exemplified in Political Liberalism] to have resulted in a less ambitious and less provocative theory than had been advanced in A Theory of Justice” (Neal 1994: 77-79; for a similar interpretation see Davion and Wolf 2000: 3-4). Fortunately, the resolution of this debate is not essential for the purposes of this study.

8 I include the term relatively in order to acknowledge that at certain junctures within the text of PL Rawls concedes that while further elaboration on specific points would be desirable, he is unable (if only due to constraints of space) at that time to provide such elaboration. Furthermore, the publication of PL did not signal the end of Rawls’ writings on the subject. Rawls continues to produce additional material in an attempt to further clarify and strengthen his arguments. For example, see Rawls (1995, 1997).

9 This is not to suggest that in the period between the publication of Theory and the appearance of PL that Rawls’ work was no longer the focus of a significant amount of theorising.

10 It is, perhaps, worth noting that Larmore is quick to state that he is somewhat “reluctant to define...just what...[he] mean[s] by ‘morality,’ since such definitions have usually turned out to be nothing less than theories that deny...[the] very forms of [moral] complexity” that he hopes to “recover” (Larmore 1987: ix).
According to Larmore, “moral theory in general and political theory in particular have been burdened, from their Greek beginnings through modern times, with unnecessarily simplistic notions of the overall order that they can expect to discover. As a result the genuine problems confronting moral philosophy have too often gone not merely unsolved, but also unperceived” (Larmore 1987: ix). In order to rectify this deficiency, Larmore contends that theorists must “recover” the following “important dimensions” of moral theory: 1) “the central role of moral judgement” when trying to answer moral questions (Larmore 1987: ix); 2) the recognition that “what may be a decisive moral consideration in one area of social life ... [need not] carry an equal weight in other areas” (Larmore 1987: ix); and 3) the understanding that “morality need not be exclusively deontological or consequentialist, or in any way monolithic, and ... the ultimate sources of moral value are diverse” (Larmore 1987: frontispiece).

Because it “can be defined in quite different ways” and “some of its connotations are highly misleading,” Rawls is extremely reluctant to use the term “neutrality” in reference to his political conception of justice as fairness, and does so only after taking “due precautions and using it only as a stage piece” (Rawls 1993: 191). For an interesting response to Rawls on this point, see Kymlicka (1989: 886, n.6).

This question and the one immediately preceding it should not be interpreted as separate inquiries (although, under different circumstances it would be quite reasonable to do so). Given that a viable conception of political liberalism is one that can effectively resolve the problem of political stability in contemporary liberal democracies, I take the viability of the concept of political liberalism to be dependent upon its ability to resolve said problem. Hence, I mean for the last question to represent only a more refined version of the first.

A noteworthy amount of the material presented in this chapter has appeared previously in Young (2002).
References Cited


CHAPTER FOUR: THE CONCEPT OF POLITICAL LIBERALISM

I. Introduction

The twentieth century was a somewhat paradoxical period for liberalism. As both a philosophical approach to life and a practical political project, liberalism achieved a global ascendancy in the marketplace of ideas; so much so, that toward the end of the century at least one celebrated commentator heralded the "end of history," insofar as liberalism had, it was suggested, "conquered" all of its notable ideological rivals and in so doing had achieved an unquestionable and irrevocable legitimacy as the appropriate framework for personal and political relations (Fukuyama 1992: xi). Liberalism's ascendency, however, was accompanied by an increasing degree of skepticism concerning its continued capacity to respond effectively to the problems of tolerance and accommodation confronting increasingly complex and diverse contemporary societies. Indeed, perhaps more so than ever before, political theorists began to question the ability of liberalism to offer a viable solution to the dilemmas of justice and stability posed by pluralism.

Among those who engaged in such questioning were liberal theorists such as John Rawls, Charles Larmore and Judith Shklar, who argued that traditional liberal responses to problems of justice and political stability posed by pluralism had been rendered ineffective by the increasingly complicated character of sociopolitical life in contemporary liberal democracies. The liberalisms of Immanuel Kant and J.S. Mill, for example, were not equipped to address the type of conflict generated by the extreme and ever-expanding diversity of beliefs found in many contemporary
liberal democracies. If liberalism were to continue to offer a viable and effective means for resolving questions of justice and stability in pluralistic societies, it would need to be reconfigured to reflect the new challenges confronting it.

More specifically, according to Rawls, Larmore and Shklar, liberalism needed to abandon its traditional "comprehensive" moral character and instead adopt a more limited, "political" focus. What this meant is that the conception of justice promoted by liberalism must refrain from privileging any single comprehensive vision of the good life and restrict its concern to matters of public import (i.e., questions of political justice). Only by doing so could liberalism hope to offer a governance framework that provides the degree of equal respect needed to secure the widespread, voluntary, reliable support required to establish and sustain a just and stable liberal democracy. A liberalism founded upon a conception of justice that confines its concerns to political matters—that is, to questions concerning constitutional essentials and matters of basic justice (Rawls 1993: 227)—is alone in its ability to satisfy such a criterion. What was needed, then, was a purely political conception of liberalism. This approach has become known as political liberalism.

The purpose of this chapter is to identify the fundamental features of, and principal claims associated with, the concept of political liberalism, as expounded by some of its leading proponents. The conception of political liberalism presented will represent a synthesis of a number of existing paradigmatic conceptions of political liberalism: namely, those of Rawls, Larmore, and Shklar. Such an approach better enables one to critique the concept, as opposed to a single conception, of political liberalism. In describing the quintessential characteristics of the concept
of political liberalism, the chapter will also reveal the ways in which political liberalism is said to differ significantly from its spiritual kin, and highlight certain of the proposed distinctions between the component conceptions used to develop the synthetic model under examination.

II. The Character of a Political Conception

A political conception is presented as an alternative to the idea of a general comprehensive doctrine. The principal difference between a political conception and a comprehensive doctrine lies within the scope of subjects to which each applies. Whereas a political conception is restricted to “the domain of the political” (Rawls 1996: xxxviii, 38), “a special domain with distinctive features” that produce specific values (Rawls 1989: 233), a general comprehensive doctrine is one that “applies to all subjects and its virtues cover all parts of life [e.g., political and nonpolitical]” (Rawls 1996: xxxviii, n.4)—it is “a moral ideal to govern all of life” (Rawls 1985: 245). Utilitarianism, the theories of Kant and J.S. Mill, and the belief systems associated with most organised religions, are offered as examples of fully comprehensive doctrines (Rawls 1988: 252; see also Larmore 1996: 13, 127-29, 132; and Larmore 1999: 602-05). Political liberals contend that conceptions of justice have usually been founded upon comprehensive doctrines. However, because a conception of justice based upon a single comprehensive doctrine presents a vision of the good which is to “govern all of life” and to which all citizens must adhere, any such conception is unable to secure the widespread public support required to establish and sustain a well-ordered society. As Rawls argues, no single comprehensive doctrine, reasonable or otherwise, “will ever be affirmed by all, or nearly all, citizens” (Rawls 1996: xviii, 38). Accordingly, if justice and political stability are to be realised, the “[governing] terms of political association must... be less
comprehensive than the views of the good life about which reasonable people disagree” (Larmore 1996: 123).

In other words, the public conception of justice must be “minimal” or “thin” in terms of its moral character and demands if it is to be acceptable to all reasonable people. Political liberals emphasise that this does not, however, mean that “those who embrace it will live up to it without effort and without exception” (Larmore 1996: 123). Affirming such a conception will entail both accepting “whatever burdens of controversy weigh upon the reasons for affirming it” (Larmore 1996: 131) and willingly adhering to certain “burdens of judgment” (Rawls 1996: 54-58). A “minimal” moral conception is merely a framework the demands of which are general enough to enable the adherents of a plurality of conflicting and irreconcilable comprehensive doctrines to support it voluntarily (Larmore 1996: 123).

A political conception of justice refuses to embody or champion a “thick” conception of either the good or the self, such as those offered by communitarian and romantic ideologies. Political liberals adopt this approach not because they assume that all such conceptions have nothing positive to offer the citizens of liberal societies, but rather because the potential consequences of adopting such conceptions are clear: at best, they “distract us from the main task of politics when they are presented as political doctrines, and at worst can, under unfortunate circumstances, seriously damage liberal practices” (Shklar 1989: 36). Shklar, for example, notes that those who have supported “ideologies of solidarity” such as those championed by communitarian and romantic critics of liberalism, “have gone on in our century to create oppressive and cruel regimes of unparalleled horror” (Shklar 1989: 36). This conclusion is
supported by the work of individuals such as historian Robert Conquest, who has convincingly argued that “[t]he huge catastrophes of our era have been inflicted by human beings driven by certain thoughts” (Conquest 1999: 3): e.g., by the belief “that utopia can be constructed on earth” (Conquest 1999: 3) merely “by altering the shape of society” (Conquest 1999: 6).

A political conception of justice represents the realisation of a minimal moral framework, being neither a consequence of nor identical to a comprehensive moral doctrine (Rawls 1989: 233). The content of a political conception “—its principles, standards, and values—is not presented as an application of an already elaborated moral doctrine, comprehensive in scope and general in range” (Rawls 1989: 242). Rather, a political conception is void of any specifically “comprehensive” or “nonpolitical” concerns and is thus a “freestanding” view (Rawls 1996: 12-13): its values are arrived at independent of nonpolitical considerations, thereby ensuring that it neither demands nor presupposes a “wider commitment to any other doctrine” (Rawls 1993: 12-13). By restricting its scope to the domain of the political, a political conception demands only that individuals adhere to a certain set of political values: namely, those embodied in the political conception. Political values are presented in contradistinction to nonpolitical values. Whereas political values are concerned solely with political questions—that is, questions concerning constitutional essentials and matters of basic justice—nonpolitical values pertain to all aspects of one’s life.

The political values associated with political liberalism are represented by the principles of justice which regulate the basic structure (Rawls 1993: 11, 35), and the idea of free public reason. 3 “[T]hese values govern the basic framework of social life ... and specify the fundamental
terms of political and social cooperation” (Rawls 1993: 139); they are values “that all citizens can reasonably be expected to endorse” (Rawls 1993: 140). Examples of the political values attributed to political liberalism include the values of “equal political and civil liberty; fair equality of opportunity; [and] the values of economic reciprocity” (Rawls 1993: 139). Importantly, these values are able to achieve widespread, voluntary support among the citizenry of contemporary liberal democracies, because they are the manifestation of certain ideas inherent in democratic societies.

According to political liberals, there exist within the public culture of all—or, at least, almost all—democratic societies certain fundamental ideas (Rawls 1993: 14). Fundamental ideas are foundational beliefs that are innate to and guide the public culture of a society; they comprise a shared fund of accepted beliefs and norms. In the case of political liberalism, these fundamental ideas are represented by the notion of society as a “fair system of cooperation” (Rawls 1993: 15), and the conception of persons as free and equal. Such ideas are “central to the democratic ideal” and, therefore, inevitable components of the public culture of democratic societies (Rawls 1993: 167). Moreover, these ideas are not simply metaphysical or psychological constructs, but rather they are “fundamental political ideas” that are empirically based and widely supported within the public culture of contemporary liberal democracies (Rawls 1993: 167; see also Rawls 1989: 240; and Larmore 1996: 134-35, 145-46, 151). Together, the notion of society as a fair system of cooperation and the conception of persons as free and equal represent a “core, minimal morality” that has been and continues to be present and pervasive in contemporary liberal democracies (Larmore 1996: 152). Such being the case, the fundamental ideas animating political
liberalism do not constitute particular or contentious religious, philosophical, or moral ideas (Rawls 1985: 233), at least not for the citizens of liberal democracies. Hence, the political values derived from these ideas and represented by a political conception of justice are values that are normally affirmed voluntarily by all (or, at least, most) citizens of democratic societies.

By seeking agreement on only those values that are already generally accepted components of the public culture and that all citizens can reasonably be expected to endorse freely and willingly, a political conception of justice differs in a very significant way from conceptions of justice premised upon comprehensive doctrines: specifically, it remains neutral with regard to questions of the good. Political liberals commonly identify three different ways in which the concept of neutrality may be understood: namely, procedural neutrality, neutrality of aim, and neutrality of effect or influence. A doctrine is procedurally neutral if it can be justified by “appeal to neutral values, that is, values ... that regulate fair procedures for adjudicating, or arbitrating, between parties whose claims are in conflict” (Rawls 1993: 191). The concept of political liberalism expresses “far more than procedural values,” and insofar as it does, it cannot be considered procedurally neutral. Neutrality of aim is obtained when society’s “[basic] institutions and policies are neutral in the sense that they can be endorsed by citizens generally as within the scope of a ... political conception” (Rawls 1993: 192). Political liberalism attempts to attain a certain degree of neutrality of aim, to the extent that the basic institutions it promotes and the public policies produced by them are not arbitrarily biased in favour of any particular comprehensive doctrine.
Finally, political liberals often differentiate between neutrality of aim and *neutrality of effect or influence*. The principal difference between the two centers upon the question of intent. Whereas neutrality of effect or influence is concerned solely with the consequences of an action (e.g., a public policy), neutrality of aim is concerned with the intent of an action and ensuring that the state refrains from doing anything which is "intended to favor or promote any particular comprehensive doctrine rather than another, or to give greater assistance to those who pursue it" (Rawls 1993: 193). Political liberals accept that political liberalism must simply abandon as impracticable the idea of neutrality of effect or influence because it is surely impossible for the basic structure of a just constitutional regime not to have important effects and influences as to which comprehensive doctrines endure and gain adherents over time; and it is futile to try to counteract these effects and influences, or even to ascertain for political purposes how deep and pervasive they are (Rawls 1993: 194; see also Larmore 1996: 126, n.6; and Shklar 1989: 33).

Thus, in the final analysis, political liberals propose that a political conception of justice obtains, and need only achieve, a limited degree of procedural neutrality and neutrality of aim. 5

The requirement that the public conception of justice remain neutral in relation to questions of the good "is expressed by the priority of right" (Rawls 1996: 176). Originally expounded by Kant, the notion of the priority of right over the good asserts that "justice is independent from and prior to the concept of goodness in the sense that its principles limit the conceptions of the good which are permissible" (Rawls 1985: 249). The practical consequence of this restriction is that "comprehensive conceptions of the good are admissible, or can be pursued in society, only if their pursuit conforms to the political conception of justice (does not violate its principles of justice)" (Rawls 1993: 176, n.2). The priority of right means that the political conception of justice may
“impose limits on permissible ways of life; and hence the claims citizens make to pursue ends that transgress those limits have no weight (as judged by that political conception)” (Rawls 1988: 251).

In essence, political liberals justify their use of the priority of right by arguing that: 1) it “is characteristic of liberalism as a political doctrine and ... seems essential to any conception of justice reasonable for a democratic state” (Rawls 1985: 250); 2) it ensures that the principles of justice adopted are fair to all citizens conceived of as free and equal; and 3) it is necessary if one hopes to obtain a public conception of justice that can secure widespread voluntary support. Indeed, the idea of the priority of right is an essential element of the concept of political liberalism.

Political liberals contend that given the increasingly pluralistic character of contemporary liberal democracies, any conception of justice that hopes to obtain voluntary, widespread public support, and thus secure genuine and enduring justice and political stability, must avoid proclaiming the intrinsic worth of any particular conception of the good. Only by adopting such an approach can one hope to develop a conception of justice that contains no presuppositions regarding those controversial philosophical issues that have previously frustrated the attainment of the type of public agreement needed to establish and maintain a just and stable liberal democracy (Rawls 1993: 12, 35-43). By embodying a limited procedural neutrality and neutrality of aim, the concept of political liberalism is said to offer a conception of justice which effectively avoids controversial claims concerning the validity or value of any moral, religious, or philosophical presuppositions. In doing so, political liberalism presents a neutral framework in the sense that it respects “the reasonable disagreement people have about the nature of the good life” (Larmore 1996: 124) insofar as it is supported by political principles that express a conception of justice that
all reasonable citizens can affirm, “despite their inevitable differences about the worth of specific ways of life” (Larmore 1996: 123).

The neutrality of a political conception of justice allows it to secure what other conceptions of justice based upon comprehensive doctrines cannot: namely, an overlapping consensus. Simply put, an overlapping consensus is an agreement among the adherents of the various competing, conflicting and irreconcilable comprehensive doctrines that are likely to survive in a just contemporary liberal democracy (Rawls 1985: 226). An overlapping consensus on a political conception of justice means that despite the inevitable presence of a plurality of antagonistic and incompatible views, citizens of a well-ordered society are able to agree on a single conception of justice to regulate the basic structure (Rawls 1985: 226). By facilitating such an agreement, the concept of political liberalism can generate the conditions—which are said to be presently absent (Rawls 1993: 4)—needed to produce a just and stable polity and thereby satisfy the practical demands of political philosophy in a democratic society.

III. The Fact of Reasonable Disagreement

According to political liberals, the need for an overlapping consensus (and, by extension, a political conception of justice) is generated by the fact of reasonable disagreement—the inevitable and ineliminable presence of a plurality of reasonable yet conflicting and irreconcilable comprehensive doctrines (Rawls 1993: 36). Originally manifesting itself in the form of disputes over the validity of different religious beliefs, in the course of the last four centuries the phenomenon of reasonable disagreement has expanded to become a dispute about the nature of the good life in general.
As opposed to their ancient and medieval predecessors who tended to believe that Reason would naturally lead to consensus about the nature of the good life, political liberals have assumed that reasonable disagreement about the nature of the good life is not just a mere possibility, but to be expected. Indeed, such disagreement is understood to be unavoidable. Hence, unanimity concerning the character of the good life is, in effect, possible only through the use of an unacceptable degree of coercion. Consequently, if we are to develop a conception of justice that can adequately accommodate the ineradicable conflict of values that characterises contemporary liberal societies, we must make the fact of reasonable disagreement the fundamental consideration of our deliberations. Only by fully understanding and addressing the fact of reasonable disagreement can we hope to design a conception of justice that can secure the type of widespread, voluntary support needed to establish and sustain a just and stable liberal democracy.

The idea of reasonable disagreement is distinguished from the more familiar understanding of disagreement. The idea of reasonable disagreement refers to the presence of a diversity of comprehensive doctrines which, though conflicting and irreconcilable, are all reasonable. That is to say, all reasonable comprehensive doctrines allow for the presence and public affirmation of a multitude of different and conflicting beliefs and accept that it is unreasonable to use state power to enforce the comprehensive views of a single doctrine. The general notion of disagreement assumes the existence of a plurality of competing, antagonistic and irreconcilable comprehensive doctrines, any number of which may be unreasonable in the sense of being incompatible with a political conception of justice (Rawls 1993: xxx, 36, 164). The distinction
between reasonable disagreement and general disagreement is essential to understanding how the citizens of a contemporary liberal democracy might achieve a public agreement on a single conception of justice to regulate the basic structure of their society.

According to political liberals, the presence of a plurality of competing, conflicting and irreconcilable reasonable comprehensive doctrines is an innate feature of democratic societies. In other words, reasonable disagreement is not “a mere historical condition that may soon pass away; it is a permanent feature of the public culture of democracy,” and as such, it will develop and persist in all democratic societies (Rawls 1993: 36). Given this fact, any conception of justice that hopes to secure the overlapping consensus required to establish and sustain a well-ordered society must be able to accommodate a diversity of antagonistic and incompatible reasonable comprehensive doctrines. A conception of justice animated by the notion of reasonable disagreement is able to do so by embodying the belief that democratic societies will always contain a plurality of conflicting and irreconcilable reasonable comprehensive doctrines, and recognising that it is unreasonable either to attempt to prohibit the public affirmation of any reasonable doctrine or to try to regulate the basic structure of society according to the dictates of a single comprehensive doctrine. As Rawls notes, the force required to achieve such objectives is incompatible with the fundamental ideas innate to liberal societies, and therefore unacceptable to the citizens of contemporary liberal democracies (Rawls 1989: 242).

Political liberals do not consider the coercive use of state power in and of itself problematic; indeed, they recognise that “the political power exercised within a political relationship is always coercive power backed by the state’s machinery for enforcing its laws”
For political liberals, the coercive use of state power is unacceptable only when it is employed to enforce obedience to a particular comprehensive doctrine thereby denying the truth or validity of opposing moral judgments.

Subsequently, political liberals contend that it is acceptable for those participating in the overlapping consensus to exercise their political power over those outside of the consensus, provided that this power “is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational” (Rawls 1993: 217). By recognising and making accommodations for the diversity of views likely to exist in contemporary democratic societies, a conception of justice based upon the notion of reasonable disagreement can expect to obtain, without the widespread and continual or frequent use of unacceptable state coercion, the support of a majority of the citizenry and in so doing secure the political stability needed to establish and sustain a well-ordered democratic society.

To summarise: Given the ineliminable pluralistic character of contemporary liberal democracies, any conception of justice that hopes to secure the degree of voluntary support needed to achieve the sought after political stability, must allow for the public affirmation and pursuit of a diversity of conflicting and irreconcilable reasonable comprehensive doctrines. In turn, only a conception of justice premised upon the notion of reasonable disagreement can satisfy such a prerequisite and thereby provide the basis for an overlapping consensus, which is alone in its ability to secure the type of political stability necessary to establish and sustain a well-ordered
society. Hence, once one recognises that reasonable disagreement is an inherent feature of all
democratic societies, the need for an overlapping consensus and, by extension, a political
conception of justice, becomes evident. Indeed, the fact of reasonable disagreement and the idea
of an overlapping consensus are inextricably connected. The fact of reasonable disagreement
necessitates the achievement of an overlapping consensus if political stability is to be secured, and
the establishment of an overlapping consensus (and, by extension, the viability of the concept of
political liberalism) is dependent upon the widespread acceptance of the notion of reasonable
disagreement and adherence to its associated demands.

It is here worth noting a potential criticism surrounding my use of the term “reasonable
disagreement.” It might be argued that I have used the term “reasonable disagreement” to
represent what Rawls refers to as “reasonable pluralism,” and in so doing I have belittled an
important distinction between Larmore’s conception of political liberalism and that of Rawls. After
all, does not Larmore explicitly claim that the concept of reasonable disagreement is significantly
different from that of pluralism? Indeed, Larmore argues that “[t]he expectation of reasonable
disagreement is, in fact, a more unsettling view than pluralism, one that runs contrary to some of
the deepest preconceptions in the Western tradition. It is the recognition that, on matters of
supreme importance, reason is not likely to bring us together, but tends rather to drive us apart”
(Larmore 1996: 12). The trouble, according to Larmore, is that many (if not most)
theorists—including Rawls—continue to confuse the fact of reasonable disagreement with the
notion of pluralism (Larmore 1996: 153-154), and in so doing they incorrectly make the focus
of their analysis the dilemmas associated with pluralism. Larmore defines pluralism as “the
conviction that in the end the human good is not one, but many, its different forms irreducible to any single basis such as pleasure, freedom, or knowledge” (Larmore 1996: 12). Pluralism differs from the fact of reasonable disagreement in that “pluralism has to do not with disagreement about ideals, but with agreement about the independent and equal value of different ideals” (Larmore 1987: xii-xiii).

A conception of liberalism that takes the notion of pluralism—as understood by Larmore—as its fundamental concern is itself “a very controversial doctrine” (Larmore 1996: 154) and “one of the things about which reasonable people [will] disagree” (Larmore 1996: 12). Consequently, any conception of justice that rests “essentially on the acceptance of pluralism” (Larmore 1996: 154) will itself become “just another part of the problem” that it is supposed to resolve (Larmore 1996: 151). Conceptions of justice animated by the notion of pluralism can only further compound the problem of reasonable disagreement. By confusing the fact of reasonable disagreement with the notion of pluralism, theorists fail to address the reality of contemporary moral conflict effectively and in so doing preclude the possibility of developing a conception of justice that accords the appropriate and required degree of respect to all individuals. Absent the necessary degree of respect, it is impossible to secure the conditions required to establish and sustain a just and stable liberal democracy. Hence it is imperative that anyone hoping to develop a viable conception of political liberalism clearly understands the difference between the fact of reasonable disagreement and the notion of pluralism and ensures that his conception takes as its focal point the former and not the latter. Only by doing so can one hope to generate the kind of
uncontroversial paradigm needed to achieve the type of public consensus necessary to secure the stability required to establish and sustain a well-ordered democratic regime.

However, having noted this problem, and despite his initial argument (seemingly) to the contrary, Larmore concludes that Rawls’ characterisation and use of the term *reasonable pluralism* is in fact quite compatible with his (Larmore’s) own understanding of *reasonable disagreement* (Larmore 1996: esp. 154, 170; see also Larmore 1999: 602). In the final analysis, then, though Larmore employs slightly different terminology than that used by Rawls and initially suggests that this difference has important consequences, the *effect* of their arguments is, according to Larmore, identical. Both conclude that resolving the problem of political stability requires the development of a conception of justice that effectively accommodates the problem of doctrinal disagreement among reasonable people.

**IV. Reasonable Citizens**

Political liberals maintain that all reasonable and rational citizens will recognise and accept the fact of reasonable disagreement and voluntarily adhere to its dictates. In essence, “reasonable” citizens are those who “seek a social world in which they, as free and equal, can cooperate with others on terms all can accept” (Rawls 1993: 50-51). More specifically,

Citizens are reasonable when, viewing one another as free and equal in a system of social cooperation over generations, they are prepared to offer one another fair terms of social cooperation (defined by principles and ideals) and they agree to act on those terms, even at the cost of their own interests in particular situations, provided that others also accept those terms (Rawls 1996: xliiv).

It might be argued that the above definition of a “reasonable” citizen does not represent a universally accepted understanding among political liberals, and to present it as such is not only
misleading but also potentially problematic. It is problematic insofar as the notion of "reasonable" is a pivotal component of the concept of political liberalism, and thus the conclusion(s) of any assessment of the viability of the idea of a purely political liberalism will be significantly influenced by the definition of "reasonable" attributed to it.

Larmore, for example, seems to reject the above definition in favour of what he labels a more "abstract" definition (Larmore 1999: 602). In "The Moral Basis of Political Liberalism," Larmore states: "I should point out that in referring to reasonableness, I do not mean quite what Rawls himself does. He means by it the moral commitment to seek and to abide by fair principles of cooperation, particularly in view of the extent to which people tend to naturally disagree in their comprehensive conceptions of human flourishing; thus he [Rawls] distinguishes the reasonable from the rational" (Larmore 1999: 601). Larmore, on the other hand, uses "reasonableness" more generally to refer to "the free and open exercise of the basic capacities of reason" (Larmore 1999: 602), and in so doing he makes no distinction between reasonableness and rationality. "Reasonable people according to ... [Larmore's] usage are therefore rational" (Larmore 1999: 602). However, after presenting his distinction, Larmore notes that "reasonable" people as he understands them may also be "reasonable in Rawls' sense ... if they are concerned to reason about how best to be fair (though their commitment to fairness will not follow from being reasonable alone)" (Larmore 1999: 602). More importantly, Larmore follows this somewhat qualified concession with the acknowledgment that, when all is said and done, the difference between his and Rawls' use of the term reasonable "is only terminological" (Larmore 1999: 602).

Also worth noting is Shklar's perspective on this issue. She adopts a somewhat unique
approach among political liberals insofar as she remains silent in terms of offering an explicit definition of a "reasonable" citizen. However, though she refrains from providing such a definition, it is quite clear that to the degree that some individuals affirm certain beliefs—for example, the belief that all people have the right to be free from the fear of fear and cruelty—and others do not, one can discern a tangible distinction between "reasonable" and "unreasonable" citizens in her conception of political liberalism. In turn, her understanding of the characteristics of a reasonable citizen is certainly compatible with that of Rawls and Larmore. In the final analysis, then, the proposed definition of "reasonable" herein assigned to political liberalism represents, in effect if not in presentation, an understanding shared by the prominent paradigmatic conceptions of political liberalism.

Reasonable citizens so understood will recognise that the achievement of the social world they seek requires that they treat their fellow citizens in a "reasonable" manner (i.e., as free and equal beings). Reasonable treatment, in turn, necessitates that in the case of a conflict between the values of one's comprehensive doctrine and the political values of the public conception of justice, primacy be assigned to political values—i.e., to those values that all reasonable people can reasonably be expected to endorse voluntarily. According to political liberals, this caveat is unproblematic, because the desire to secure a well-ordered society, coupled with the inherent compatibility of a political conception of justice and reasonable comprehensive doctrines, engenders an atmosphere in which political values will normally outweigh, yet not outvalue, nonpolitical values. This seemingly paradoxical feat is possible, it is claimed, because each citizen's "overall view" consists of two distinct yet related views: "one ... can be seen to be, or to coincide
with, the publicly recognized political conception of justice; the other ... is a (fully or partially) comprehensive doctrine to which the political conception is in some manner related" (Rawls 1993: 38, 140). If political values are to achieve the required status, individuals must forsake the "'cult of wholeness'" and "embrace a certain differentiation between ... [their] role as citizens, free of status and ascription, and ... [their] other roles where ... [they] may be engaged with others in the pursuit of substantial ideals of the good life" (Larmore 1996: 141).

Political liberals believe that such a differentiation is not only possible but is indeed a recognisable part of the public culture of contemporary Western liberal democracies (e.g., Rawls 1993: 38, 140, 167; Larmore 1996: 135, 145, 151). In turn, the seemingly schizophrenic character of one's overall view enables individuals to separate public (i.e., political) from private (i.e., nonpolitical) concerns. Given this fact, political liberals argue that political values may simultaneously be equal yet pre-eminent because 1) individuals are able to assign primacy to the political values of the conception of justice without having to compromise adherence to the nonpolitical values of their own comprehensive doctrine and can therefore affirm the conception of justice as compatible with their comprehensive views (Rawls 1993: 157); 2) a political conception of justice can be affirmed from within the framework of a wide variety of comprehensive doctrines and this enables the establishment of an overlapping consensus which significantly reduces the likelihood of divisive conflicts between political and nonpolitical values; and 3) because "the values that conflict with the political conception of justice and its sustaining [values] ... conflict with the very conditions that make fair social cooperation possible on a footing
of mutual respect” (Rawls 1993: 157), individuals will naturally be inclined to assign pre-eminence to political values.9

V. The Primacy of Reasonableness

In assigning primacy to the political values of the conception of justice, citizens are, in effect, assigning primacy to reasonableness. Reasonable citizens will recognise that reasonableness must be the final court of appeal in relation to decisions concerning conflict(s) between competing values: indeed, it must be the standard used to judge the validity of all “public” claims. Only by assigning primacy to reasonableness, as opposed to a single understanding of the truth, can one exhibit the requisite degree of respect for one’s fellow citizens. To employ a different standard would be to disrespect and degrade others’ beliefs, and thereby effectively preclude the achievement of a polity in which all citizens are able to “cooperate with others on terms all can accept”—the very foundation of a well-ordered society. In this respect, reasonableness serves to guide and temper individuals’ behaviour to the extent that makes it possible for the adherents of a wide diversity of competing, conflicting, and often irreconcilable and incommensurable comprehensive views to all agree on a single conception of justice to regulate society’s basic structure.

It might be argued that not all political liberals would agree with the above description of the role of reasonableness, especially with respect to its ability to serve as a moderating and unifying force. For example, whereas Rawls clearly believes that reasonableness can and will guide and temper individuals’ behaviour in the desired manner, Larmore explicitly argues that in an atmosphere of doctrinal diversity such as that which is present in many contemporary societies,
reason(ableness) alone cannot provide, at least not to the extent that Rawls suggests, the basis for the type of overlapping consensus demanded by political liberalism (Larmore 1996: 127). Such a difference, if present, would represent an important distinction between two of the principal proponents of political liberalism and would critically undermine one of the foundational arguments of this thesis: namely, that the prominent, paradigmatic conceptions of political liberalism are sufficiently similar in all important respects to allow their conflation for the purposes of analysis. Accordingly, before proceeding any further, it is necessary to determine if Larmore's use of reason(ableness) differs notably from that of Rawls. A brief review of the relevant arguments of Rawls and Larmore will help to answer this question.

For Rawls, reasonableness is arguably the "final authority" (e.g., O'Sullivan 1997: 741-742; DePaul 1998; Nielsen 1998; Mandle 1999; and Young 2001): That is, the viability of his conception is inextricably dependent upon the presence and "appropriate" influence of reason(ableness). This is a condition that is directly and indirectly reiterated throughout the entirety of Political Liberalism. Larmore, however, appears purposely to assign reasonableness a more secondary, subordinate role. Indeed, he seems to make a concerted effort to emphasise that the viability of his conception is not reliant—or, at least not as reliant as is Rawls'—upon the moderating and unifying force of reason(ableness). Larmore's decision to adopt this approach reflects his belief that an appeal to reason(ableness) cannot guarantee consensus.

Whereas Larmore recommends the norms of rational dialogue and equal respect on the basis that they are norms that all reasonable people can reasonably be expected to endorse voluntarily, he is quick to add that "[t]his does not mean . . . that the norms of rational dialogue and
equal respect are implicitly contained in the bare notion of reasonableness” (Larmore 1996: 134).

“The point is not to show that reasonable people, no matter what else they believe, must affirm them” (Larmore 1996: 134). Thus it should not be presumed that the norms of rational dialogue and equal respect “will recommend themselves to all humanity by the idea of reason alone” (Larmore 1996: 134). Indeed, “reasonableness alone ... is too thin a basis for choosing between rival [norms]” (Larmore 1996: 127). Hence, reasonableness—“that is, thinking and conversing in good faith and applying, as best one can, the general capacities of reason that belong to every domain of inquiry”—is no guarantee of consensus (Larmore 1996: 122). This is especially true with regards to securing widespread public agreement on a definition of the good life. Indeed, Larmore argues that “the nature of the good life in a great many of its aspects has come to seem a topic on which disagreement among reasonable people is not accidental, but to be expected” (Larmore 1996: 122). Moreover, “On matters of supreme importance, the more we talk with one another, the more we disagree” (Larmore 1996: 122). If reason(ability) cannot ensure consensus, then, according to Larmore, it cannot be expected to serve as the final authority for a viable conception of political liberalism. Subsequently, Larmore argues that it is impossible to develop a viable conception of political liberalism that is dependent upon the moderating and unifying force of reason(ability)—the inevitability of reasonable disagreement makes it impossible to do so.

Such a position would seem to differ notably from that of Rawls. Rawls explicitly argues and continually emphasises that the political values that comprise his conception of political liberalism are values “that all citizens can reasonably be expected to endorse in light of their common human reason” (Rawls 1993: 140, emphasis added). He concludes that all reasonable
people will voluntarily affirm the political values embodied in his conception of justice. Though Rawls concedes that even reasonable people will at times disagree with one another over matters of the “first significance” (Rawls 1989: 238), he believes that such disagreement will be so infrequent that it need not be a significant concern. Recognising that “the values that conflict with the political conception of justice and its sustaining [values] ... conflict with the very conditions that make fair social cooperation possible on a footing of mutual respect” (Rawls 1993: 157), it is unlikely that reasonable people will affirm any such conflicting values. Moreover, Rawls seems to hold out hope that even in those rare instances of conflict over matters of the first significance, somehow the power of reason will persuade individuals to act in a reasonable manner. Understanding the potentially severe consequences—namely, the destabilisation of society—of such conflict, reasonable people will be extremely hesitant to believe that any conflict of values “justifies their opposing the political conception as a whole, or on such matters as liberty of conscience, or equal political liberties, or basic civil rights” (Rawls 1993: 155).

But does Larmore really disavow the moderating and unifying force of reason(ablness)? On the surface, perhaps. However, once one digs deeper and reveals the fundamental assumptions that underlie Larmore’s arguments, it becomes clear that the viability of his conception is equally as reliant as is Rawls’ upon the presence and appropriate influence of reason(ablness). For example, Larmore’s focus on “reasonable” disagreement—the foundation of his conception—is undeniably crucial to the success of his argument. Larmore, knowingly or otherwise, uses the notion of reasonable disagreement to moderate the demands that must be accommodated if his conception is to secure the desired support. By limiting the locus to
“reasonable” disagreement, Larmore restricts the type of conflicts and demands that individuals must admit into the public realm, and thereby makes possible a widespread public agreement on a single conception of justice. It would, after all, be unrealistic to expect reasonable people voluntarily to support a conception of justice that requires that they accept unreasonable demands.

Though Larmore is surprisingly vague in terms of defining the precise difference between “reasonable” and “unreasonable” disagreement, it is clear that only the former must be accommodated in order to achieve the necessary consensus on a public conception of justice. In turn, only by enabling the achievement of such a consensus can one hope to secure the conditions required for the establishment and preservation of a just and stable liberal democracy. In this context, the achievement of the sought after consensus is dependent upon individuals needing to accommodate only “reasonable” disagreement: to demand something more would be to forsake the achievement of the required consensus. In essence, then, using the adjective “reasonable” serves to moderate the demands that the public conception of justice must accommodate and that individuals must accept, and in so doing makes possible the required consensus and, subsequently, the realisation of a just and stable liberal democracy.

The term “reasonable” plays a similar role with respect to narrowing to a manageable degree the audience that must be satisfied with any proposed conception of justice in order for it to be correctly considered viable. Larmore emphasises the need for the conception of justice to secure the support of “reasonable” people. Though his description of the principal characteristics of a reasonable person is painfully general in nature—a reasonable person is someone who thinks and converses in good faith and applies, as best he can, “the general
capacities of reason that belong to every domain of inquiry” (Larmore 1996: 122)—the frequency with which Larmore specifically identifies “reasonable” people as the focus of concern rules out the possibility that such references are unintentional or inconsequential. Obviously, not all people can correctly be considered reasonable, otherwise there would be no need to specify a particular type of person. Larmore leaves no doubt that it is the support of reasonable people that must, first and foremost, be secured. To this end, developing a conception of justice that can serve as the basis for a just and stable liberal democracy requires identifying “what reasonable people can still share, despite their differences about the good life” (Larmore 1999: 602). Once again, then, Larmore uses the adjective “reasonable” both to distinguish and limit the criteria that a conception of justice must satisfy in order for it to be considered viable, and to moderate the demands upon the conception of justice in a manner that enables it to secure the public support needed to establish and sustain a just and stable liberal democracy.

Larmore argues that while the use of force to secure continued adherence to the conception of justice is unavoidable, such force is legitimate only insofar as it is accompanied by “reasonable agreement about the rules to be enforced” (Larmore 1999: 607). To try to force compliance to principles that are not the subject of such agreement would be to treat individuals “merely as means, as objects of coercion, and not also as ends” (Larmore 1999: 607). Larmore contends that the only effective way to avoid such a problem is to ensure that the conception of justice embodies an equal respect for all persons. According to Larmore, it is our commitment to equal respect that drives us to seek reasonable agreement, not vice versa. “In other words, the guiding aim of political liberalism is not to devise political principles by appeal simply to whatever
might turn out to be common ground among divergent views. It is instead to base such principles precisely on the moral norms that impel us to seek common ground as far as possible” (Larmore 1996: 145).

What is problematic for Larmore’s argument, however, is that enacting Larmorean respect also requires that individuals freely and willingly affirm the belief that views that may irreconcilably conflict with their own, nevertheless deserve to be treated with equal respect. Only by voluntarily embracing such a belief do individuals treat others as “beings capable of thinking and acting on the basis of reasons”—as both means and ends—thereby “engaging directly their distinctive capacity as persons” (Larmore 1999: 607) and enabling the achievement of the required consensus. But why should or would people freely and willingly affirm such a belief?

Larmore maintains that the citizens of contemporary liberal societies can be expected to affirm such a belief not merely because it is a common and generally accepted feature of the public culture of such societies or because a shared human reason will direct or convince them to do so, as Rawls seems to argue. Rather, said citizens will believe that given the fact of reasonable disagreement (and all of its accompanying demands) and the widely accepted understanding of persons as free and equal agents, a conception of justice based upon the notion of equal respect represents a morally legitimate and just paradigm. In essence, such a conception is morally legitimate and just, because it treats all individuals as “beings capable of thinking and acting on the basis of reasons,” and in so doing, it allows all individuals to affirm and publicly pursue their own particular vision of the good life. This fact ensures that a conception of justice developed around the notion of equal respect (and complimented by the norm of rational
dialogue) can—and will—be voluntarily endorsed by the adherents of a wide diversity of competing, conflicting, and irreconcilable views, and thus obtain the support of the majority of citizens. By making it possible for a majority of the citizenry to endorse a single conception of justice freely and willingly, Larmore’s paradigm can secure the required political stability. For Larmore, then, it is the moral legitimacy and justness and not the reasonableness of his conception that enables it to achieve the sought after results.

However, Larmore is, in effect, merely substituting notions such as moral legitimacy and justness for that of reasonableness. The reason that his conception is morally legitimate and just is because given the fact of reasonable disagreement and the generally accepted understanding of persons as free and equal agents, his conception offers the most reasonable paradigm. It offers the most reasonable paradigm because it allows all reasonable individuals to support it without having to compromise, transgress or forsake any of their fundamental values. In doing so, it enables all reasonable people to pursue and potentially realise their own particular interests and goals, thereby “engaging directly their distinctive capacity as persons.” Only a conception that holds the promise of fulfilling such a condition can correctly be considered to exhibit the necessary respect for individuals; and only by expressing the necessary respect can a conception reasonably be expected to obtain the free and willing support of a majority of reasonable people and thereby generate the conditions needed to establish and maintain a just and stable liberal democracy.

In other words, Larmore’s conception is morally legitimate and just only insofar as it treats all individuals in an equally respectful manner; it satisfies this prerequisite to the degree that it engages persons both as means and ends. Fulfilling such a condition requires that it accommodate
the fact of reasonable disagreement, which it does to the extent that it enables all reasonable people to affirm the public conception of justice voluntarily; it achieves this goal only insofar as it is perceived to allow all reasonable people to affirm and publicly pursue their individual conceptions of the good. In order for a person to believe this to be the case, he must first believe that all individuals deserve to be treated with equal respect. Though there can be no certainty that all reasonable people will voluntarily affirm the norm of equal respect, it is surely true that reasonable people are much more likely than others to do so. There is no indication that Larmore would disagree with this conclusion. Indeed, knowingly or otherwise, Larmore is arguing that reasonable people will share a “commitment to organize political life” around those beliefs and values that all reasonable people can reasonably be expected to endorse (Larmore 1999: 602); foremost among these is the belief in equal respect. At the very least, it is certain that the type of voluntary, sincere, and reliable support required to establish and sustain a well-ordered society cannot reasonably be expected from unreasonable people.

In essence, then, Larmore’s conception can achieve its stated aims only if its target audience is comprised primarily of reasonable people (as identified by Larmore) who believe that his conception adequately responds to the problem of reasonable disagreement. In this respect, Larmore’s notion and use of “reasonable(ness)” serves a moderating and unifying function: it provides specific parameters which guide one’s understanding of the requirements associated with an acceptable and viable public conception of justice. Though such a conception may need to be morally legitimate, just, and common to the public culture, it must, above all else, also be able to secure the support of the majority of the citizenry, and it will be able to do this only if it effectively
addresses the problem of reasonable disagreement, which it can do only if it treats people in a reasonable manner—i.e., with equal respect. Only by satisfying the above criteria can it reasonably be hoped that the conception of justice will be considered acceptable to the majority of the citizenry.

The reason that the norms of equal respect and rational dialogue are judged by Larmore to be the only viable foundation for a non-coercive public conception of justice for contemporary pluralistic societies is because given the fact of reasonable disagreement and the common understanding of persons as free and equal, they are norms that all (or, at least, the majority of) reasonable people can reasonably be expected to affirm freely and willingly. Only by securing such support can one reasonably hope to generate the conditions needed to establish and sustain a just and stable liberal democracy. Thus, in the final analysis, the validity and viability of Larmore's conception are a product of its reasonableness.

It might also be suggested that Shklar presents an understanding of the role of reason(ability) that differs radically from that of Rawls and Larmore. Whereas the success of both Rawlsian and Larmorean political liberalism is conditional upon the ability of reason(ability) to secure the framework for the establishment and maintenance of an overlapping consensus on a single political conception of justice, Shklar argues that such an expectation and goal are unrealistic and must be avoided if one hopes to generate the conditions needed to protect individual freedom effectively and in so doing offer the basis for a truly just liberal society. Shklar explicitly condemns as dangerously utopian the position adopted by Rawls, Larmore, and all others who premise the viability of their conceptions upon something as subjective and
unpredictable as human reason(ability) (e.g., Shklar 1989; see also Shklar 1966: 19). This condemnation represents a crucial distinction between Shklar’s understanding of the proper character of political liberalism and that of Rawls and Larmore. But does Shklar’s disavowal of any dependency upon reason(ability) translate into a practical avoidance of the same?

Shklar contends that Rawls and his ilk are too optimistic regarding the possibilities of humanity. Despite overwhelming historical evidence suggesting the folly of such optimism, they nevertheless remain members of the “party of hope” (Shklar 1989: 26), and this is a fundamental and extremely dangerous flaw that cannot be countenanced. One of the more prominent and pervasive manifestations of this flaw is the crucial role that Rawls and Larmore assign to reason(ability). As previously noted, the viability of Rawlsian and Larmorean political liberalism is dependent upon the ability of reason(ability) to unify and temper individual behaviour in the public sphere in such a manner as to secure the conditions required to achieve widespread public agreement on a single conception of justice to regulate the basic structure of society. Only if the majority of the citizenry possesses the same understanding of the requirements of reason(ability) and faithfully acts in a reasonable manner is it possible to secure such an agreement and thereby obtain the type of political stability required to establish and sustain a just and stable liberal democracy. Both Rawls and Larmore believe that not only is it possible to achieve the necessary unity of understanding and behaviour, but, indeed, such a unity is a characteristic of existing Western liberal democracies.

Shklar labels such beliefs utopian and dangerous; they embody an obvious disregard for the painful lessons of history and the “undeniable actualities” (Shklar 1989: 27) of contemporary
societies, and in so doing not only allow but invite the occurrence of new cruelties and horrors.

Not surprisingly, then, Shklar refuses to premise the success of her political liberalism on something as idiosyncratic and unpredictable as the reasonableness (or, for that matter, any other potential capacity) of man. Rather, she develops her conception around the idea of a *summum malum*—the abuse of public power and the resulting cruelty and fear—from which all individuals must be effectively protected if they are to realise the personal freedom they require to pursue a life of their own choosing and design. By “putting cruelty first” (Shklar 1989: 29, 37), Shklar believes that her conception of political liberalism generates goals the achievement of which are not dependent upon the realisation of a utopian ideal. She maintains that *all* humans possess a natural fear of cruelty (Shklar 1989: 29), and as such it is not, as reasonableness is, an ideal that needs to be realised: the universal fear of cruelty will always be a feature of human existence.

Accordingly, by basing her conception on the innate desire to avoid cruelty, and presenting as its goal the prevention and reduction of cruelty, Shklar believes she has established a guiding principle that is both realistic and inherently universal in character, and an objective—the reduction and prevention of public cruelty—that is realisable. But has Shklar fully explored all of the potential problems associated with the operationalisation of her argument?

Let us assume that Shklar is correct in her assertion that all humans possess a natural fear of cruelty and will seek to avoid it whenever possible; this fact alone does not eliminate the need for Shklar’s conception to rely on reason(ability) or to secure an overlapping consensus in order to achieve its stated aims. Even if one accepts Shklar’s claim regarding the universal desire to avoid fear, the ability of such a claim to serve as the foundation for a political conception of
justice which avoids all reliance upon the moderating and unifying role of reason(ability) is dependent upon all individuals possessing the same definition of cruelty. Shklar defines cruelty as “the deliberate infliction of physical, and secondarily emotional, pain upon a weaker person or group by stronger ones in order to achieve some end, tangible or intangible, of the latter” (Shklar 1989: 29). While Shklar’s association of cruelty with physical and emotional pain is understandable and undoubtedly something with which all individuals could generally agree, there seems to be no conclusive evidence or overwhelming reason to believe that all individuals would agree that the purposeful infliction of such pain always constitutes an unacceptable cruelty and, subsequently, something from which people should be protected.

Consider the debate surrounding the use of corporal punishment to effect desirable behaviour among children. Many parents believe that it is their right as a parent to discipline their child(ren) in the manner that they deem most appropriate and effective, within “reasonable” limits. It could be argued that the physical pain caused by the infliction of a reasonable punishment is a positive method of modifying a child’s behaviour insofar as it helps to teach a child the difference between acceptable and unacceptable behaviour, and in so doing helps to protect not only the child but other members of society from even greater future pain and cruelty. This argument could be extended (albeit, likely with notably less support) to the use of corporal punishment in public schools; in this context, it might be claimed that corporal punishment properly dispensed will help dissuade children from engaging in behaviour that prevents or jeopardises either the establishment or maintenance of a positive learning environment. From the perspective of its proponents, then, the use of corporal punishment—and, by extension, the accompanying physical and emotional
pain—helps to produce a civil, respectful, and educated citizenry which, in turn, generates significant benefits for all members of the society. Such "public" benefits, however, are possible only if the application of corporal punishment is secured by public law—i.e., state-sanctioned.

Consider also the use of chemical agents to disperse protesters engaged in peaceful but disruptive demonstrations. There is no question that individuals exposed to such agents experience a notable amount of physical pain and discomfort, and in this respect the use of such agents could be labeled "cruel." It is, however, also true that there is debate as to appropriateness and acceptability of employing such means for such a purpose. It is commonly argued that peaceful demonstration is the "lifeblood" of democracy, and as such it is never appropriate or acceptable to use chemical agents to disrupt such activities or to dissuade individuals from participating in them. It could, however, also be argued that the pain and fear caused by chemical agents properly used is less than might otherwise have to be inflicted to achieve the same results, and therefore the use of such agents and the accompanying pain and fear is, at worst, an instance of employing the lesser of two evils. In other words, the use of chemical agents for such purposes is akin to inflicting a limited degree of pain and fear in order to avoid causing a greater degree of pain and fear—in effect, Shklar's "rule of avoidance" (Shklar 1989: 30).

One might protest that the cruelty from which Shklar seeks to protect us is the fear of the "pain inflicted by others to kill and maim us" (Shklar 1989: 29). Subsequently, the use of state-sanctioned corporal punishment against children, whether by their parents or by administrators in public schools, or the use of chemical agents against protesters do not constitute valid examples of the type of cruelty with which Shklar is concerned. However, according to Shklar, individuals
must be equally protected from both physical and emotional pain if they are to realise the personal freedom that respects their dignity as persons (Shklar 1989: 30). Indeed, Shklar states that it is fear, not the concrete act of cruelty or the infliction of physical pain, per se, that "makes freedom impossible" (Shklar 1989: 29); if this is true, then the actual physical repercussions of an action are of less importance than the imagined threat. That is to say, it is the individual's perception of the potential threat, rather than the likely or predictable consequences of an action, that will impede his personal freedom.

Moreover, the fear of being killed or maimed is not the only fear likely to be considered an unacceptable or "cruel" impediment to one's personal freedom. The threat of less physically disastrous consequences is also able to generate a significant degree of fear among many individuals. For example, the threat of incarceration or having one's child(ren) removed to the custody of a governmental agency often produces a fear powerful enough to prevent individuals from adopting or continuing a particular lifestyle that they would otherwise choose to embrace. In such cases, the fear in question certainly inhibits the ability of such individuals to pursue a freely chosen conception of the good life. Even the establishment of mandatory seatbelt or motorcycle helmet laws could be said to restrict unreasonably the personal freedom of those who are subject to these laws. Individuals living in jurisdictions that maintain such laws could argue that they are being subjected to an unacceptable level of fear of legal persecution when they choose to exercise their personal freedom by not wearing a seatbelt or not wearing a helmet while operating a motorcycle. The point is this: in all of the above noted cases, individuals who disagree with the existing laws can reasonably argue that the fear of legal persecution for disobeying said laws

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inhibits their personal freedom in an unacceptable manner. In this context, the use of corporal punishment or chemical agents could certainly qualify as an unacceptable cruelty.

Potentially more problematic is the possibility that the fear of merely being denied the right to engage in certain activities might provoke some individuals to behave in a manner that will prove to be physically and emotionally painful—indeed, potentially fatal—for others. Consider the actions of certain religious sects or paramilitary militia groups in the United States. A belief that existing governments were failing to secure the proper local or national (or even international) environment while simultaneously prohibiting certain behaviours or activities deemed essential to the continued functioning and prosperity of these groups has been perceived by their members to pose a sufficient threat to their particular way of life to warrant a significant reaction. The actions taken by some of these groups (the Branch Davidians in Waco, Texas, for example) in response to perceived threat(s), have at times been sufficiently extreme to pose a serious risk to the physical safety and emotional well-being of many individuals, and, indeed, have resulted in death, serious injury, and substantial emotional trauma for many of those involved.

Accordingly, it would be a mistake to assume that the fear of being killed or maimed is the only fear able or likely to impede one's personal freedom or to elicit fearful reactions, and thus the only fear correctly associated with cruelty. Other less physically threatening potentialities are also likely to generate fears that significantly inhibit personal freedom and in so doing constitute what their victims would likely consider to be unacceptable or cruel impediments to the realisation of their respective visions of the good life. However, if, in turn, cruelty is to be understood as any action that purposely or knowingly produces physical or emotional pain or the fear of such pain,
then it is unlikely that all individuals would agree that "public" cruelty (Shklar 1989: 29) is something that should always be avoided or prevented. More importantly, even if cruelty is defined as the purposeful or knowing infliction of unnecessary pain or fear, achieving a universal agreement on precisely what constitutes cruelty will still be much more problematic than merely agreeing that it is desirable to avoid cruelty. These difficulties are important for the following reasons.

Before one can identify the measures needed to protect all individuals equally from cruelty and fear—the type of protection that Shklar is seeking—it is necessary to develop a definition of cruelty that all citizens can voluntarily support. Only after having done so can one determine "appropriate" and effective means for the prevention and reduction of cruelty and fear. Yet, if, as the above discussion suggests, conflicting and irreconcilable understandings of the precise character of cruelty are inevitable, then securing the required support will be dependent upon all parties respecting the beliefs of others, at least insofar as achieving the desired agreement necessitates accepting a definition of cruelty that might not be identical to one's own.

Of course, it will be neither possible nor desirable to accommodate all beliefs. It is inevitable that, for any number of reasons, certain individuals will affirm and promote beliefs the public operationalisation of which would violate fundamental principles of liberal democracy. Consequently, certain boundaries demarcating what constitutes an (un)acceptable belief will have to be established. In a liberal society guided by a political conception of justice, the logical boundary between the publicly acceptable and unacceptable would be that between the reasonable and unreasonable. Indeed, it is difficult to comprehend how it could be otherwise: one
is unlikely to consider an unreasonable definition to be acceptable, or vice versa. Moreover, in contemporary liberal democracies, arguments publicly promoting and defending the legitimacy and acceptability of a specific definition of cruelty are likely to be presented in terms of whether it is (un)reasonable to expect others to accept voluntarily the demands associated with the definition in question. Hence it would seem that the realisation of the type of equal protection that Shklar seeks is dependent upon developing a "reasonable" definition of cruelty. In turn, citizens' acceptance of and continued support for such a definition can be assured only if they faithfully act in a reasonable manner: i.e., if they accept the need to respect and accommodate beliefs that conflict with their own and recognise that it is an insult to their fellow citizens' dignity as persons to attempt to impose a particular belief (such as a specific definition of cruelty) upon them.

Shklar might have argued that individuals would support her definition for purely pragmatic reasons. Yet, if an individual believes that Shklar's definition of cruelty is, for example, too lenient and the practical consequences of its public adoption will inhibit his freedom to raise his children in an appropriate manner (e.g., make it illegal for him to use corporal punishment to teach his children the difference between right and wrong), then he is unlikely to consider it "pragmatic" to support Shklar's definition of cruelty. This is to say nothing of the difficulties posed by human fickleness in terms of maintaining such pragmatic agreements. Indeed, as many contemporary liberals argue, agreements based solely upon pragmatic considerations are inherently unstable. The vagaries of circumstance and fortune make it impossible for purely pragmatic arguments to secure the type of enduring support and, subsequently, stability desired and required.
But even if one were able to develop a definition of cruelty that all citizens could voluntarily support, problems remain. In particular, agreement on a definition of cruelty does not automatically or necessarily translate into a similar agreement concerning the appropriate—"proportionate and necessary," in Shklar's terms (Shklar 1989: 31)—mechanisms for protecting individuals from cruelty and fear. For example, whereas some would undoubtedly argue that securing a truly protective division of power requires a legally entrenched scheme of redistributive justice, including state-protected programs such as affirmative action and hiring quotas, there will inevitably be others who believe that such intrusion by government is unacceptable and/or unnecessary. A similar problem arises in relation to the use of capital punishment. Public opinion polling—e.g., Gallup polls conducted between the years of 1991 and 2001—suggests that a noteworthy majority (65%–80%) of the population of the United States considers capital punishment a "proportionate and necessary" response to serious, violent crimes. Others, however, believe government-sanctioned capital punishment to be an extremely offensive public cruelty and an "absolute evil, an offense against God or humanity" (Shklar 1989: 23). Importantly, those who believe that capital punishment offers the only effective deterrent to violent crimes are also likely to argue that the failure to provide for capital punishment unnecessarily and unacceptably exposes citizens to "severe cruelty and fear from private criminals" (Shklar 1989: 31). Even some of those who agree that capital punishment constitutes a "cruelty" might nevertheless argue that it represents an acceptable cruelty inasmuch as it protects citizens from "more severe cruelty and fear from private criminals."
The use of deadly force by police officers offers another example of a potentially problematic issue. Even if all citizens agree that the authority to use deadly force is necessary if police are to serve their intended function and protect the personal safety and freedom of all citizens, such consensus does not preclude disagreement concerning the specific circumstances under which the use of such force is justified. Indeed, opinions regarding the character of "acceptable" guidelines to regulate the use of such force, and judgments regarding its justifiable application, are likely to diverge for different segments of society. The reality is that members of visible minority groups who live in jurisdictions that have experienced verified incidences of police harassment and brutality against visible minorities will likely be much more demanding and precise in their definition of what constitutes a justifiable use of deadly force than, say, Caucasians who have never experienced or witnessed such harassment and brutality and are inclined to disbelieve reports of such behaviour.

Shklar suggests that decisions regarding what constitutes a "proportionate and necessary" response to public cruelty should reflect the concerns of the victims of such cruelty or those most likely to be its victims (Shklar 1989: 35). Yet, insofar as accommodating the concerns of victims entails constraints that leave others fearful that the resulting system will be unable to accomplish its intended task, adopting such an approach will not be understood to provide the sought after equal protection for all.

The above noted problems further underscore the need to establish an agreed upon boundary between acceptable and unacceptable expectations and demands. Traditionally in a liberal democracy the boundary between the reasonable and the unreasonable serves this function,
and there is no reason to believe that it should or would be otherwise for Shklar’s conception. In
the final analysis, then, it would seem that Shklar has no choice other than to rely upon
reasonableness to secure the conditions that will enable her conception to achieve its stated goal.
Only if the individuals involved and the definition of cruelty are and remain “reasonable” can one
realistically hope to secure the conditions that will make it possible to protect all citizens equally
from cruelty and fear. In this very important sense, Shklar’s conception is as reliant upon the
presence and appropriate influence of reason(ableness) as are those of Rawls and Larmore. It
thus seems fair to propose that reason(ability) occupies a similar role and is assigned a like
primacy in the conceptions of Rawls, Larmore and Shklar.

It is important to note, however, that in assigning primacy to reasonableness political
liberalism is not espousing an indifference or skepticism toward the truth of moral judgements.
Rather, political liberalism acknowledges the importance of such questions but realises that 1)
“while people can recognize everyone else’s comprehensive views as reasonable, they cannot
recognize them all as true” (Rawls 1993: 128); 2) “there is no shared public basis to distinguish
the true beliefs from the false” (Rawls 1993: 128); and 3) it is impossible to obtain a purely
“political” answer for such questions (Rawls 1993: 151-52). A conception of justice premised
upon skepticism would necessitate that we abandon our commitment to the truth of our beliefs
when they are confronted with reasonable disagreement. This is not to suggest that there is no
connection between skepticism and political liberalism. Indeed, Shklar, for example, states that
while skepticism is not a necessary feature of her conception of political liberalism, “there is …
a real psychological connection between them” (Shklar 1989: 25). This conclusion is premised
upon a particular understanding of the character of skeptics: namely, that skeptics "must prefer a government that does nothing to increase the prevailing levels of fanaticism and dogmatism" (Shklar 1989: 25). Yet, Shklar also notes that such an attitude could also prevail among a "society of believers," however unusual such an occurrence might be (Shklar 1989: 25). Simultaneously, it is possible for skeptics to be "extremely oppressive" (Shklar 1989: 25).

In the final analysis, the uncertainty regarding the character of a regulatory regime founded upon skepticism makes it impossible for skepticism to serve as the basis for an effective conception of liberalism (political or otherwise). However, the reason that it is necessary to assign primacy to reasonableness is not because "we cannot rightfully believe that our own views are better supported by experience and reflection than those of other people" (Larmore 1996: 126; see also 171-72). Rather, we must adopt such an approach because regardless of the apparent soundness and reasonableness of our beliefs and supporting arguments, it would be foolish not to expect them to encounter reasonable disagreement. Such disagreement is inevitable "because different conceptions of the good life usually involve (to an extent we may not realize at first) rather articulate but different structures of purposes, significances, and activities" (Larmore 1996: 127); and this diversity of "structures of purposes, significances, and activities" makes it impossible to develop a universally acceptable method for determining the correctness or primacy of a given belief. In other words, such diversity ensures reasonable disagreement about the nature of the good life. Using skepticism as a justification for the type of liberal neutrality promoted by political liberalism would doom any associated conception of justice to failure, for skepticism "about our ability to know the nature of the human good" is itself an item of reasonable disagreement.
Recognising these facts, a political conception of justice restricts its concern to the reasonable in order to avoid such conflict and provide the foundation for an overlapping consensus: this is not, political liberals argue, akin to showing indifference or skepticism toward the truth of moral judgements (Rawls 1996: 62-63, 150; Larmore 1996: 126-27, 171-72; and Shklar 1989: 25).

Concomitantly, the differentiation between true and reasonable is, for political liberals, more than a matter of semantics. According to political liberals, whereas requiring that a conception of justice be affirmed as “true” significantly limits its scope of acceptability and thereby substantially decreases the possibility of obtaining an overlapping consensus. On the other hand, insisting that a conception of justice need only be endorsed as “reasonable” enables all those who hold reasonable doctrines to affirm the conception of justice from within the framework of their own comprehensive doctrine voluntarily, and this flexibility greatly facilitates the achievement of an overlapping consensus. The ability of a political conception to accommodate all reasonable doctrines in this manner is said to ensure that it is not merely an “account of how those who hold political power can satisfy themselves, in light of their own convictions, ... that they are acting properly” (Rawls 1989: 247). Rather, because it allows each reasonable citizen to affirm the conception of justice as morally compatible with his own reason, a political conception of justice obtains political legitimacy (Rawls 1989: 247) and in so doing helps to nurture, secure and sustain political stability.

Reasonable individuals will accept the above explanations and caveats and recognise that only a conception of justice that embodies the concept of reasonable disagreement can assure the
proper and necessary degree of respect and accommodation and thereby secure the basis for a public agreement that can serve as the framework for a well-ordered society. Reasonable citizens, then, can reasonably be expected to affirm as reasonable (i.e., morally acceptable) the fundamental ideas and the political values associated with political liberalism, and the directives that derive from these ideas. As a result, not only are reasonable citizens voluntarily able to support the notion of reasonable disagreement without having to compromise, transgress or forsake any of their fundamental moral beliefs, but their beliefs direct them to be responsive to its demands.

VI. The Role of Rationality

Reasonable citizens' inclination and willingness to accept the notion and demands of reasonable disagreement is further stimulated when their reasonability is supplemented by rationality. In essence, citizens are “rational” when they use their “powers of judgment and deliberation in seeking ends and interests peculiarly ... [their] own” (Rawls 1993: 50)\(^{12}\)—e.g., when they develop and pursue a particular conception of the good. In turn, rational citizens will understand that given the diversity of competing, antagonistic and often irreconcilable views that exist, ensuring and sustaining the conditions that will enable one to pursue and (hopefully) realise his particular ends and interests is dependent upon securing certain safeguards. Specifically, citizens must be assured the freedom to affirm and publicly pursue a life-plan of their own choosing (and, should it be the case, of their own design). This caveat necessitates that the public sphere allow for the existence and pursuit of a variety of conflicting and irreconcilable conceptions of the good. If such a condition is to be fulfilled, citizens must willingly accept the public presence and validity of views
that conflict with their own, and faithfully adhere to the dictates of what Rawls has referred to as
the *precept of avoidance*.

In agreeing to adhere to the dictates of the precept of avoidance, citizens are agreeing to
refrain from publicly asserting or denying the validity of "any particular comprehensive religious,
philosophical, or moral view, or its associated theory of truth and the status of values" (Rawls
1993: 150); they are agreeing to apply "the principle of toleration to philosophy itself" (Rawls
1993: 10). By doing so, citizens reduce the likelihood of conflict between competing views, and
thus help to secure a politically stable environment—something that is critical to the achievement
of one’s goals. Without political stability, one can never be sure that existing circumstances which
allow the pursuit and realisation of particular ends and interests will not suddenly and unexpectedly
change leaving one in a drastically different situation that is much less hospitable or even
antagonistic to his pursuits. Recognising this fact, rational citizens will understand the need to
develop and support a conception of justice that eliminates, to the extent possible, the likelihood
of divisive, irreconcilable conflict between the adherents of competing and conflicting
comprehensive doctrines. A conception of justice that embodies both the notion of reasonable
disagreement and the precept of avoidance is best suited to achieve such an objective.

Political liberals argue that a conception of justice premised upon the notion of reasonable
disagreement, and embodying the precept of avoidance, is able to reduce divisive conflict
significantly because it removes from the political agenda the most troublesome questions: namely,
those that deal with the truth of religious, philosophical, and moral views. By incorporating the
precept of avoidance into its framework, a political conception of justice refrains from passing
judgment on such matters. In turn, by avoiding decisions regarding the truth of religious, philosophical, and moral judgments, and "securing the basic rights and liberties, and assigning them a due priority" (Rawls 1989: 253), a political conception of justice "removes from the political agenda the most divisive issues, serious contention about which must undermine the bases of social cooperation" (Rawls 1993: 157). When issues are taken off the political agenda, they cease to be "appropriate subjects for political decision by majority or other plurality voting.... [These matters are to be considered] as correctly settled once and for all" (Rawls 1993: 151, n.16).

In removing controversial issues from the political agenda, then, a political conception of justice helps to eliminate the principal source of sociopolitical division and in so doing makes an overlapping consensus possible and thus secures the conditions needed to establish and maintain a well-ordered society. While political liberals do not propose that all potentially controversial or divisive issues will or even can be resolved in such a manner, they do suggest that those that remain will, for the most part, be related to less controversial matters, and therefore pose much less of a threat to efforts to obtain and sustain an overlapping consensus on the conception of justice (Rawls 1993: 151-52).

Furthermore, the public reason innate to democratic societies will help to resolve any contentious issues that may remain. Public reason is generally defined as citizens' reasoning regarding "the good of the public: what the political conception of justice requires of society's basic structure" (Rawls 1996: 213). More specifically, public reason identifies the "guidelines of inquiry that specify ways of reasoning and criteria for the kinds of information relevant for political questions" (Rawls 1996: 223). By doing so, public reason helps to define the proper parameters
of public debate and thereby significantly reduces the likelihood of divisive conflict. It is not necessary for public reason to regulate all debate and decisions. In order to establish an overlapping consensus, the guidelines of public reason need only apply to discussions related to “fundamental matters” (Rawls 1996: 214) such as “who has the right to vote, or what religions are to be tolerated, or who is to be assured fair equality of opportunity, or to hold property” (Rawls 1993: 214), and not to “our personal deliberations and reflections about political questions” (Rawls 1993: 215).

For political liberals, the public reason common to contemporary liberal democracies manifests itself in the norms of rational dialogue and equal respect. The norm of rational dialogue requires that citizens be willing to respond to points of disagreement by retreating to neutral ground, to the beliefs they still share, in order to either (a) resolve the disagreement and vindicate one of the disputed positions by means of arguments that proceed from this common ground, or (b) bypass the disagreement and seek a solution of the problem on the basis simply of this common ground (Larmore 1996: 135; see also Rawls 1993: 43-46).

However, on its own, the norm of rational dialogue offers only procedural guidelines: it does not explain why individuals who disagree with one another would or should continue to dialogue. Subsequently, adherence to the norm of rational dialogue alone “does not rule out resorting to force, instead of discussion, to achieve a political settlement. What demands that we go on talking, what in other words requires political principles to be the object of reasonable agreement, is the additional norm of equal respect for persons” (Larmore 1996: 136, emphasis in original). The norm of equal respect insists that all individuals be treated as “beings capable of thinking and acting on the basis of reasons” (Larmore 1996: 137)—that is, “as beings capable of affirming
a vision of the good life" (Larmore 1996: 136). Exercising the norm of equal respect requires that we recognise and accept the fact of reasonable disagreement, and in so doing refrain from "resting compliance only on force" (Larmore 1996: 137). Combined, the norms of rational dialogue and equal respect "work together to yield the liberal ideal of political neutrality" (Larmore 1996: 141), the very foundation of the type of uncontroversial framework required to secure an overlapping consensus.

"[T]he important point" is that the norms of rational dialogue and equal respect "are views at which reasonable people can arrive" (Larmore 1996: 131). Political liberals contend that reasonable people will voluntarily support a conception of justice based upon the norms of rational dialogue and equal respect because these norms treat all individuals as "beings capable of thinking and acting on the basis of reasons," and thereby afford equal respect to all views. By offering a framework that remains neutral in relation to questions of the good, a conception of justice based upon these norms can be endorsed by all (reasonable) people without anyone having to compromise, transgress or forsake his particular fundamental beliefs—i.e., moral convictions that are not open to compromise. Furthermore, because the norms of rational dialogue and equal respect are familiar to the public cultures of contemporary liberal societies (e.g., Larmore 1996: 134-35, 145-46, 151) and generally accepted by the citizens of these societies, their use will not necessitate a radical violation or transformation of the existing public culture. A conception of political liberalism based upon the norms of rational dialogue and equal respect can therefore effectively accommodate the fact of reasonable disagreement and thus obtain the free and willing
support of a majority of citizens, thereby securing the conditions needed to establish and sustain a just and stable liberal democracy.\textsuperscript{14}

Rational citizens will recognise that if they hope to secure an environment of accommodation and reciprocal respect for one another’s particular ends and interests, then they must support a conception of justice that embodies both the notion of reasonable disagreement and the precept of avoidance—i.e., a conception of justice that assigns primacy to reasonableness as defined by public reason. And only by securing such an environment can one effectively reduce the likelihood of divisive, irreconcilable conflict and generate the conditions that will freely allow all reasonable citizens to pursue and (hopefully) achieve their respective goals.

For all of the above noted reasons, political liberals believe that no conflict of values is likely to arise that would precipitate reasonable and rational citizens withdrawing their support for the political conception of justice. That is to say, in those situations in which the resolution to a specific conflict does not satisfy all of the competing reasonable demands and is thus to that extent unsatisfactory, those whose demands were not accommodated will still maintain the same level of support for the political conception of justice (Rawls 1993: 155).

In essence, then, the notion and requirements of reasonable disagreement (including adherence to the precept of avoidance) can and will be willingly accepted and supported by all reasonable and rational persons, because 1) the idea and demands of reasonable disagreement are morally compatible with the fundamental beliefs affirmed by such persons; 2) they recognise that establishing and sustaining an overlapping consensus will secure the greatest opportunity for them to pursue and live the life that they choose; and 3) they realise that the establishment and
perpetuation of an overlapping consensus on a public conception of justice is impossible if citizens refuse to act in a manner that is compatible with the idea and demands of reasonable disagreement.

Importantly, the conclusion that all reasonable and rational citizens will be willing to accept the notion and demands of reasonable disagreement is further premised upon the belief that, generally speaking, such an acceptance is already exhibited by the citizens of existing contemporary liberal democracies. Political liberals maintain that this belief is not merely hopeful conjecture on their part: it is, rather, an empirical fact (Rawls 1993: 13, 15, 167; see also Larmore 1996: 134-35, 145-46, 151; and Klosko 1993, 2000). It is suggested that given this “fact,” it can reasonably be assumed that the citizens of a well-ordered society will also affirm the fact of reasonable disagreement and voluntarily adhere to the dictates of the precept of avoidance. If this is true, then there is also good reason to believe that these citizens, like those of contemporary liberal democracies, will accept reasonableness as the supreme standard of judgement for public matters and be willing to adjust or revise their comprehensive doctrines when circumstances so demand.

VII. The Right Kind of Stability

As previously noted, by accepting the notion and demands of reasonable disagreement, citizens enable the achievement of an overlapping consensus. This fact is important, political liberals argue, because only by securing an overlapping consensus can one hope to obtain the type of political stability required to establish and sustain a well-ordered society. If we are to achieve the conditions needed to obtain and preserve a just and stable liberal democracy, then the public
conception of justice must secure the "right" kind of stability: that is, it must promote "stability for the right reasons" (Rawls 1996: xxxix, n.5). "[T]he problem of stability is not that of bringing others who reject a conception to share it, or to act in accordance with it, by workable sanctions, if necessary, as if the task were to find ways to impose that conception once we are convinced it is sound" (Rawls 1993: 143). Rather, "Stability is secured by sufficient motivation of the appropriate kind" (Rawls 1993: 142-43). This means that citizens' support for the conception of justice must be motivated by the desire to act justly. In contemporary pluralistic societies, acting justly requires that citizens accept and be willing to act in accordance with the demands of reasonable disagreement.

According to political liberals, the type of stability needed to establish and maintain a well-ordered society can be obtained only by ensuring that the public conception of justice satisfies two criteria: 1) "it must be willingly and freely supported by at least a substantial majority [of the citizenry]" (Rawls 1993: 38, emphasis added);15 and 2) citizens' support for it cannot waiver, regardless of changes in their personal circumstances or in the distribution of political power. This final caveat necessitates that the public agreement on the political conception of justice be more than a mere *modus vivendi*.

A *modus vivendi* is a purely instrumental agreement founded upon compromise and exhaustion (Rawls 1996: xli).16

A typical use of the phrase "modus vivendi" is to characterize a treaty between two states whose national aims and interests put them at odds.... The treaty will ... be adhered to because doing so is regarded by each [state] as in its national interests.... But in general both states are ready to pursue their goals at the expense of the other, and should conditions change they may do so (Rawls 1993: 147).
The parties to a modus vivendi support its establishment and continuation not because they believe it to be the ideal agreement for all concerned or even the most desirable agreement from a partisan perspective, but rather because they have exhausted all efforts to secure a voluntary or coerced obedience to their respective comprehensive views and, subsequently, have concluded that a modus vivendi offers the best possible option for the time being.

Thus, under a modus vivendi, toleration of conflicting religious, moral, and philosophical views is simply the result of an inconclusive distribution of power—no single party commands sufficient power to suppress opposing and competing views (Baier 1989: 774). Moreover, as the parties involved believe that the agreement holds no particular intrinsic value for them, they will, when they believe they are in a position to do so, abandon it and use their power to try to force others to obey the canon of their particular comprehensive doctrine. Hence, the stability of a modus vivendi is dependent upon “circumstances remaining such as not to upset the fortunate convergence of interests” (Rawls 1993: 147). By being subject to the vagaries of circumstance and fortune, a modus vivendi can offer nothing more than a temporary solution to the problem of political stability, and therefore it is unable to secure the kind of conditions needed to establish and sustain a well-ordered society.

An overlapping consensus is presented as something “quite different” from and superior to a modus vivendi (Rawls 1993: 147). The principal and crucial difference between the two is the “moral object and moral grounds” that characterise the overlapping consensus but are absent from a modus vivendi: “the object of the [overlapping] consensus, the political conception of justice, is itself a moral conception ... [that] is affirmed on moral grounds” (Rawls 1993: 147). For
political liberals, "'political' is not defined in opposition to 'moral,' but at the same time ...
[political liberalism] is to be understood as something other than a conception of justice founded on a comprehensive moral ideal" (Neal 1990: 33). "A political conception of justice is a moral conception worked out for a specific subject, namely, the basic structure of a constitutional regime" (Rawls 1988: 252). Thus, contrary to what some of its critics have argued, the concept of political liberalism is not premised upon an amoral conception of justice (Larmore 1996: 145).

Indeed, Larmore, for example, argues that only in virtue of an overriding commitment to "certain moral principles" can the adoption of a purely political conception of liberalism be fully explained and justified (Larmore 1999: 602). For reasons that will be made evident in the following paragraphs, this assertion bears further investigation.

Larmore contends that, in arguing that a political conception of liberalism is the appropriate response to the problem of reasonable disagreement, political liberals are doing more than merely suggesting that such an approach is necessary to accommodate the value conflict that is an ineliminable feature of contemporary liberal democracies; they are also affirming—explicitly or otherwise—the correctness of "certain moral convictions, which imply that this is the proper route to take" (Larmore 1999: 605; see also Larmore 1996: 135, 145, 151). This understanding is based upon the recognition that the search for a "freestanding" political conception is not the only possible response to the problem of reasonable disagreement. There is nothing that requires that liberalism become "political" in the sense advocated by Rawls, Larmore or Shklar, for example. As Larmore notes, "liberal thinkers ... [could] instead dig in their heels and, observing
correctly that no political conception can accommodate every point of view, maintain that liberalism stands or falls with a general commitment to individualism" (Larmore 1999: 605).

The reason that liberals refrain from adopting such a stance is because the "abiding moral heart of liberal thought" is the belief that the basic principles of political association "should be acceptable to those whom they are to bind" (Larmore 1999: 605). Importantly, this conviction is not simply the result of a belief that people should be bound only by moral rules that they cannot reasonably reject. Rather, it is a consequence of liberals' belief that the coercive use of state power to enforce obedience to "the fundamental terms of political life" is legitimate only insofar as the principles in question are able to secure the free and willing support of those they are to govern (Larmore 1999: 606-07). Larmore correctly notes that this belief animates Rawls' liberal principle of legitimacy, which states: "our exercise of political power is fully proper only when it is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals common to their human reason" (Rawls 1993: 137).

According to Larmore, however, such an explanation is incomplete because it does not fully explain why liberals assign "political authority" (Larmore 1999: 609) to the notion that the basic principles of political life should be acceptable to those they are to bind. Larmore maintains that the elementary basis for this belief lies at an even "deeper" moral level (Larmore 1999: 607). Specifically, liberals' conviction that the "fundamental terms of political life should be the object of reasonable agreement" (Larmore 1999: 606) is the product of their commitment to the principle
of equal respect. A brief review of the legitimate use of coercive state power reveals why this is so.

As does Rawls, Larmore observes that “the use or threat of force cannot be deemed wrong in itself, for then political association would be impossible” (Larmore 1999: 607). However, attempting to use force alone to secure obedience to political principles is morally unacceptable to liberals because to do so is to treat individuals “merely as means, as the objects of coercion, and not also as ends” (Larmore 1999: 607). By demanding that the principles of political association be the object of reasonable agreement among those they are to govern, Rawls' liberal principle of legitimacy requires that people be treated as “beings capable of thinking and acting on the basis of reasons”—in other words, both as means and ends—and in so doing necessitates that individuals’ “distinctive capacity as persons” be respected. It is, Larmore argues, because liberals believe people to be deserving of equal respect that they think it necessary to require that the terms of political life be the object of reasonable agreement.

Larmore contends that a belief in equal respect does in fact animate Rawls' liberal principle of legitimacy (Larmore 1996: 146); however, Rawls fails to state clearly “the nature of this moral foundation and the precise position it occupies in political liberalism” (Larmore 1999: 605). This failure is said to be problematic inasmuch as it prevents Rawls from fully explaining why political liberalism is the most appropriate and appealing response to the problem of reasonable disagreement. According to Larmore, only by openly acknowledging and making clear the moral basis of political liberalism is it possible to explain satisfactorily how the concept of political liberalism can effectively justify the principle of state neutrality “without having to take sides in the
dispute about individualism and tradition”—the fundamental problem confronting liberal theory
(Larmore 1996: 132).

Such a position would seem to differ irreconcilably from that of Rawls. To explain: Rawls
insists that a political conception of justice must be “freestanding,” which requires that it neither
depend upon nor be the product of “moral requirements externally imposed” (Rawls 1993: 98).
If, when all is said and done, a “political” conception is, as Larmore argues, premised upon “a
moral authority higher than the political principles that we give ourselves” (Larmore 1999: 609),
then surely it violates the aforesaid requirement and, by extension, negates the purely political
character of the concept of political liberalism. In this context, it would not seem unreasonable to
argue that Larmore’s acknowledgment of the moral foundation of his conception represents a
significant distinction between his conception and that of Rawls.

However, having noted this deficiency, Larmore proceeds to argue that Rawls’ failure to
acknowledge fully, or state clearly, the “underlying moral foundations” (Larmore 1999: 599) of
the concept of political liberalism, is more cosmetic than substantive. The fact that Rawls does not
explicitly articulate the moral foundation of his liberal principle of legitimacy does not mean that
no such foundation exists. Indeed, according to Larmore, an examination of Rawls’ notion of
“reasonableness” reveals that it embodies precisely this understanding of the moral basis of
political liberalism (Larmore 1999: 611). Larmore observes that, for Rawls, people are reasonable
insofar as they voluntarily maintain a “moral commitment to seek and to abide by fair principles
of cooperation” (Larmore 1999: 601). Fair principles of cooperation are those “which all citizens
as free and equal may reasonably be expected to endorse in the light of principles and ideals
common to their human reason" (Rawls 1993: 140). Hence, Rawlsian "reasonableness" requires compliance with the liberal principle of legitimacy which, as already noted, demands that individuals be respected as persons. In essence, then, Rawls' commitment to the liberal principle of legitimacy is premised upon its reasonableness, and its reasonableness is a measure of its respect for persons. In this sense, Rawls' liberal principle of legitimacy "expresses in effect the idea of respect for persons" (Larmore 1999: 610) and in so doing constitutes a "moral response" to the problem of reasonable disagreement (Larmore 1999: 602).

Thus, in the final analysis, Rawls' liberal principle of legitimacy commands the political authority that it does, not because it is a principle that all reasonable people will necessarily affirm, but rather because it compels us to respect others as free and equal and, subsequently, to seek political principles that can be the object of reasonable agreement (Larmore 1999: 608). Given this fact, Larmore argues that the norm of equal respect cannot correctly be considered legitimate in the same sense as the political principles that individuals share as members of a political community. Rather, the norm of equal respect must be understood to possess a legitimacy that supercedes mere political authority. What this means, according to Larmore, is that Rawls' liberal principle of legitimacy, in virtue of its embodying the norm of equal respect, should be understood as possessing a moral authority independent of its ability to secure reasonable agreement. In other words, we should consider it to be a principle "binding on us independent of our will as citizens, enjoying a moral authority that we have not fashioned ourselves. For only so can we make sense of why we are moved to give our political life the consensual shape it has" (Larmore 1999: 609).
Subsequently, political liberalism cannot “coherently claim to be freestanding with respect to morality altogether” (Larmore 1999: 608).

Larmore questions whether Rawls would be willing to accept such a conclusion, “to admit that, as citizens reasoning from the standpoint of… [Rawlsian political liberalism], we must acknowledge a moral authority higher than the political principles that we give ourselves” (Larmore 1999: 609). Rawls seems to regard the liberal principle of legitimacy “as one whose validity, at least from the political point of view, depends on our collective will as citizens” (Larmore 1999: 609). However, Larmore also convincingly argues that the constraints that Rawls imposes upon the parties tasked with choosing the political principles to regulate the basic structure reflect an underlying moral commitment to reasonableness. Because the aforementioned constraints are imposed and not the subject of an a priori agreement, neither they nor our commitment to reasonableness can correctly be imagined to be the “object of choice” (Larmore 1999: 609). This fact, Larmore claims, would suggest that the political principles associated with Rawls’ conception possess “a moral basis that we cannot conceive as rooted like them in our political will” (Larmore 1999: 610). Moreover, because our commitment to the liberal principle of legitimacy is a consequence of our moral commitment to reasonableness, which is itself independent of our will as citizens, the liberal principle of legitimacy cannot correctly be considered to have the same status as the political principles that comprise the public conception of justice. Under such circumstances, the liberal principle of legitimacy must “have a moral authority for citizens that is independent of [and supercedes] their political will” (Larmore 1999: 610).
But if it is the case that both Larmorean and Rawlsian political liberalism are premised upon a conception of justice that requires the acknowledgement of a moral authority higher than the political principles that citizens give themselves, what are the consequences of this fact? How does the presence of such a moral basis impact upon efforts to secure and sustain an overlapping consensus? Though one might initially be inclined to suggest that both Larmore and Rawls, among others, have argued persuasively that any conception of justice that possesses such a moral character cannot possibly serve as the basis for the sought after overlapping consensus, Larmore presents a convincing case that the presence of the type of moral foundation that he believes animates both his and Rawls' conceptions need not negate their "political" character or undermine the plausibility of a tangible distinction between a political conception and a comprehensive doctrine.

Larmore maintains that "the principle of respect ... [need] not express or entail a comprehensive moral philosophy" (Larmore 1999: 623), and, such being the case, admitting that it serves as an "independent" moral basis for a conception of justice does not eliminate the possibility of categorising that conception as "politically freestanding" (see Larmore 1999: 608-11, 623-25). In turn, insofar as Larmore effectively defends this claim, he also reveals how it is possible for political liberalism to embrace the presence of the proposed "independent" moral foundation openly without either abandoning its purely political character or requiring that it be notably modified. If Larmore is correct about the moral foundation of Rawls' liberal principle of legitimacy, its similarity to the norm of equal respect (both in terms of its character and the role it plays), and the ability of a political conception to possess such a foundation without negating its
political character, then Larmore himself has shown the practical insignificance of Rawls refusal
to more fully acknowledge or state clearly the "moral foundation" of his own conception. In effect,
then, this debate further demonstrates the similarity between Rawlsian and Lamorean political
liberalism with respect to this matter.

Importantly, in explaining how political liberalism can possess an independent moral
foundation without undermining its freestanding character, Larmore not only effectively rebuts
criticisms proclaiming the amoral character of political liberalism, he also reveals how it is possible
to embrace a moral foundation without precluding the achievement of the sought after overlapping
consensus. Indeed, it is because individuals voluntarily affirm the moral foundation identified by
Larmore that they are able to accept the demands of the overlapping consensus as being in some
manner morally compatible with their respective doctrines. Political liberals maintain that the
presence of this shared moral affirmation ensures—to the extent that it is humanly possible to do
so—that support for the overlapping consensus will remain stable regardless of changes to
individuals' personal circumstances or "shifts in the distribution of political power" that result in
the relative strength of one's view in society increasing to the point of dominance (Rawls 1993:
148). For this reason, an overlapping consensus is claimed to be "far more stable than ... [a
consensus] founded on views ... that regard the acceptance of the principles of justice simply as
a prudent modus vivendi given the existing balance of social forces" (Rawls 1985: 250). It is the
increased degree of stability secured by an overlapping consensus that makes it superior to a
modus vivendi.
The ability of the overlapping consensus to be more than a modus vivendi is an essential component of the political liberal argument for the value, superiority and necessity of not only an overlapping consensus, but also of a political conception of justice. It is not that an overlapping consensus cannot serve as a modus vivendi; rather, it is that an overlapping consensus is not and cannot be merely a modus vivendi (Rawls 1993: 147). Only if it is able to achieve a greater degree of political stability than can be obtained by a modus vivendi can the proposed overlapping consensus justifiably be claimed to be superior to a modus vivendi. In turn, the value of a political conception of justice lies in its ability to provide the basis for an overlapping consensus that can secure the (greater) degree of stability needed to establish and maintain a well-ordered society. Indeed, the development of a political conception of justice is presented as a prerequisite for the establishment of an overlapping consensus, which is alone in its ability to accommodate the fact of reasonable disagreement in a manner that can secure the basis for a well-ordered society.

As with other features of the preceding portrayal of the concept of political liberalism, it might be objected that the above understanding of the importance of an overlapping consensus is not universally shared by all political liberals. Of particular note in this respect would be Judith Shklar. Shklar explicitly rejects the search for or possibility of an overlapping consensus on a single conception of justice to regulate the basic structure of a contemporary liberal democracy. She suggests that any conception of justice that seeks to realise such a consensus is, like any conception that relies upon human reason(ability) to achieve a specific goal, dangerously utopian in its character and expectations and doomed to failure (e.g., Shklar 1989).
However, the earlier discussion surrounding Shklar's condemnation of Rawls' and Larmore's reliance upon reason(ableness) also speaks directly to the need for an overlapping consensus among the adherents of a diversity of conflicting and irreconcilable comprehensive doctrines. Though Shklar explicitly and emphatically disavows the search for an overlapping consensus, the potential problems confronting the operationalisation of her conception absent such a consensus both on what reasonably constitutes "cruelty" or an unacceptable degree of fear and on the specific character of the mechanisms to be employed to protect individuals, suggest that the viability of Shklar's conception is indeed dependent upon the achievement of an overlapping consensus on these matters. Hence, despite Shklar's claims to the contrary, her focus on cruelty and fear does not eliminate the need for her conception to rely upon the achievement of an overlapping consensus in order to realise its stated aim. This is not to suggest that Shklar actively or purposely engages in or promotes either the search for or achievement of an overlapping consensus: indeed, as noted, the opposite is true. Nevertheless, the success of Shklar's conception, its ability to secure the universal and equal protection and freedom to which it aspires, is unavoidably dependent upon the ability of reason(ableness) to temper individual behaviour in the public realm and secure the conditions that enable the realisation of an overlapping consensus on both a single public definition of cruelty and the appropriate means for the prevention and reduction of cruelty.

Though Shklar's conception may arguably seem notably less utopian than those of either Rawls or Larmore, by itself this character trait does not and cannot completely free Shklar's conception from its dependency on reason(ableness) and the achievement of an overlapping
consensus. Thus, Shklar's rejection of the search for or possibility of an overlapping consensus is rendered insignificant insofar as it fails to produce the practical consequences demanded by her.

It might be protested that my analysis of Shklar's arguments is premised upon a misinterpretation or misrepresentation of the principal project animating her conception. Whereas I portray Shklar as seeking to develop a conception of political liberalism similar in character and motivation to those of Rawls and Larmore, it might be argued that Shklar's conception has no such objective. Rather, she wishes only to make clear the flaws and dangers associated with the type of utopian approach to theorising that she believes characterises the conceptions of Rawls and Larmore, and in so doing convince theorists to abandon such an approach. In other words, Shklar is interested in stimulating a change in the character of political theorising, not in developing an operable paradigm of justice for contemporary liberal democracies. However, surely the ultimate goal of Shklar's conception is to effect positive, concrete change, at least insofar as she seeks to identify the means by which to secure political conditions that will better protect individuals from the abuse of political power. If generating such change was not the purpose of Shklar's conception, then there would be no need for her to be concerned with practical matters such as public cruelty and the abuse of political power, and no need for her to suggest that theorists abandon utopian theorising, as is clearly her wish. Hence, inasmuch as Shklar's conception, purposely or otherwise, seeks to secure concrete change, my interpretation remains valid.
VIII. Concluding Remarks

The concept of political liberalism is an attempt to explain “how a reasonably just and well-ordered democratic society might be possible” (Rawls 1996: lx). In their efforts to develop a plausible and viable explanation, political liberals have engaged “the basic problems that have motivated liberal thought,” and sought to design a conception of justice that responds effectively to these problems (Larmore 1990: 339). Political liberals argue that the demands generated by the fact of reasonable disagreement—an inevitable and ineliminable feature of modernity—require that pluralistic polities adopt a conception of justice which “supposes that there are many conflicting and incommensurable conceptions of the good, each compatible with the full rationality of human persons” (Rawls 1985: 248). Only by doing so is it possible to achieve the type of public agreement needed to resolve the problems of justice and political stability in contemporary pluralistic societies and thus establish and maintain “a reasonably just and well-ordered democratic society.” Political liberals believe that their model of liberalism offers a conception of justice that is able to secure and sustain the required public consensus and thereby generate the conditions needed to achieve and preserve a just and stable liberal democracy. The soundness of this belief will be explored in chapters five and six.18
Notes

1 Rawls further differentiates between fully and partially comprehensive doctrines. A fully comprehensive doctrine encompasses “all recognized values and virtues within one rather precisely articulated scheme of thought ... whereas a doctrine is only partially comprehensive when it comprises certain (but not all) nonpolitical values and virtues and is rather loosely articulated” (Rawls 1988: 253).

2 For a complete description of what constitutes a “burden of judgment” see Rawls (1996: 54-58).

3 Rawls defines free public reason as free and equal citizens’ “reasoning in the public forum about constitutional essentials and questions of basic justice” (Rawls 1993: 10). For further elaboration on Rawls’ understanding of public reason see (Rawls 1993: 212-54).

4 A society obtains a “fair system of cooperation” when: 1) its “citizens do not view the social order as a fixed natural order, or as an institutional hierarchy justified by religious or aristocratic values”; and 2) it allows the pursuit and realisation of conflicting conceptions of the good (Rawls 1993: 15). For further elaboration concerning what is entailed by the idea of society as “a fair system of cooperation,” see Rawls (1993: 16).

5 Despite Rawls’ argument that political liberalism expresses “far more than procedural values,” I believe it correct to claim, as does Larmore, that the neutrality embraced by political liberalism is a “procedural ideal” that “also involves a ‘neutrality of aim’.... But it does not imply a ‘neutrality of effect’ ” (Larmore 1996: 126, n.6). Insofar as this claim is valid, I think it fair to say that the concept of political liberalism embraces both a certain degree of procedural neutrality and neutrality of aim.

6 Reasonable comprehensive doctrines “are doctrines that reasonable citizens affirm and that political liberalism must address” (Rawls 1993: 36). More specifically, reasonable comprehensive doctrines support “a constitutional democratic regime and its companion idea of legitimate law” (Rawls 1999a: 132).

7 A political conception of justice is inherently compatible with reasonable comprehensive doctrines because both accept and allow for the presence of a diversity of conflicting and irreconcilable comprehensive doctrines and both recognise that it is unreasonable to want to use public power to enforce the views of a single comprehensive doctrine.

8 Moreover, by seeking an overlapping consensus on only the political conception of justice, political liberals believe that political liberalism has restricted its scope to the extent that it can avoid having to mediate between the most controversial religious, moral, and philosophical issues.

9 Although theorists such as Larmore and Shklar rarely use the term nonpolitical values, it is evident, I believe, that they too are, in effect, arguing for a Rawlsian-style distinction between those values that can (i.e., political values) and those values that cannot (i.e., nonpolitical values) reasonably be expected to serve as the basis for a public conception of justice that can secure the voluntary support of the adherents of a plurality of conflicting and often irreconcilable views (see Larmore 1999: 606-07; Larmore 1996: 126, 136; and Shklar 1989).

10 Shklar uses the phrase “party of hope” to refer to theorists who focus on the future and the possible achievements of humanity and fail to respect the past and the lessons that it has to teach us. In doing so, said
theorists engage in utopian theorising. Theorists guilty of this crime are, according to Shklar, members of the "party of hope," rather than the "party of memory" (Shklar 1989: 26).

11 As Rawls notes, "Certain truths, it may be said, concern things so important that differences about them have to be fought out, even should this mean civil war" (Rawls 1993: 151-52).

12 Larmore's understanding of "reasonableness" encompasses rationality in this sense (e.g., Larmore 1999: 601-02; see also Larmore 1996: 136).

13 This means that "we should never treat other persons solely as means, as mere instruments of our will; on the contrary, people should always be treated also as ends, as persons in their own right" (Larmore 1996: 136).

14 This is not to suggest that the reasons identified represent an exhaustive list. It is quite possible, of course, that one could identify other reasons for supporting this claim.

15 Though Rawls does, in places, add the qualification "politically active citizens" (Rawls 1993: 38), he fails to elaborate as to exactly what constitutes a "politically active" citizen. Furthermore, I believe that my omission of this qualification is justified by Rawls' use of other less specific statements (e.g., Rawls 1993: xvi). For an interpretation that supports this argument, see Klosko (1993: 349, 350).

16 Larmore notes (1996:133, n.16) that "what Rawls calls a 'modus vivendi' ... is not what I [Larmore] called a modus vivendi in Patterns of Moral Complexity, which instead resembles the position Rawls himself favors; this is a merely terminological difference."

17 I thank Pat Neal for engaging my interest in this point.

18 Much of the material presented in this chapter has appeared previously in Young (2002).
References Cited


CHAPTER FIVE: THE PROBLEM OF REASONABLENESS

I. Introduction

The concept of "reasonableness" has played a significant role in the history of liberal political theory. Indeed, it has been argued that "public reasonableness is at the centre of liberalism" (Moore 1996: 167; see also Macedo 2000); this claim is especially true with respect to the idea of a purely political liberalism. Conceptions of political liberalism are rife with references to "reasonable people," "reasonable doctrines," "reasonable disagreement," and a host of other terms that use "reasonable" as an adjective. More importantly, the tangible significance of reasonableness is evident even when such terms are absent. Though political liberals do not completely ignore the presence or potential effect of unreasonable people, it is the beliefs and expectations of reasonable people that take precedence and occupy centre stage. The importance of reasonableness for political liberalism is perhaps best exemplified by the fact that reasonableness serves as the supreme standard against which citizens are expected to judge the acceptability and legitimacy of the public conception of justice and all associated political claims and decisions. Not surprisingly, this fact has an inescapable and fundamental influence on the character of political liberalism, and its consequences are significant and manifest themselves in a number of ways. Most noteworthy and problematic in this respect is the argumentative importance that political liberalism assigns to being able to distinguish between reasonable and unreasonable demands.

Inherent in the notion of a purely political liberalism is the expectation that the majority of
citizens will faithfully act in a reasonable manner (whatever that may entail). It is suggested that only by doing so is it possible to secure the conditions that will enable the establishment and preservation of a just and stable liberal democracy (e.g., Rawls 1993; Larmore 1996). Satisfying this caveat necessarily requires that individuals be able to differentiate between reasonable and unreasonable demands and somehow guarantee that decisions related to questions of political justice—questions concerning constitutional essentials and matters of basic justice—are justified by reference to only those demands which all reasonable individuals can reasonably be expected to support. Failure to secure such a differentiation or surety will effectively preclude the possibility of adequately insulating the political from the nonpolitical and thereby prevent the development of a conception of justice which can offer the basis for a public agreement that can secure the degree of stability required to establish and sustain a well-ordered society. Hence, the viability of the concept of political liberalism is dependent upon its providing an unmistakably clear distinction between the reasonable and the unreasonable and somehow ensuring that responses to questions of political justice are not contaminated by unreasonable views. This chapter will explore the role of reasonableness in political liberalism and argue that not only do existing conceptions of political liberalism fail to provide the aforementioned distinction and surety, but, indeed, such objectives are, practically speaking, impossible to secure and this fact critically undermines the viability of the concept of political liberalism.

II. Reasonable People and the Absence of Conflict

In essence, political liberals define reasonable people as those who not only exercise the basic capacities of reason and converse with others in good faith, but also embrace an overarching
moral commitment to the principle of equal respect. Such individuals will voluntarily accept the public presence and accompanying demands of a plurality of conflicting and often irreconcilable reasonable beliefs and agree to "seek a social world in which they ... can cooperate with others on terms all can accept" (Rawls 1993: 50-51).¹ Reasonable persons so understood, recognise that in contemporary liberal societies a diversity of competing, conflicting and irreconcilable views is an ineliminable inevitability, and such being the case, respecting the human dignity of one's fellow citizens will necessitate accepting the continued existence and public accommodation of views with which one disagrees. In other words, reasonable people freely and willingly accept the notion of reasonable disagreement and its associated demands. Reasonable people also understand that if they are to satisfy the demands of reasonable disagreement, they must accept that it is unreasonable to use state power to enforce adherence to the dictates of a single comprehensive doctrine. Any attempt to do so necessarily requires the excessive use of state coercion to secure obedience, and the use of such force is both an unacceptable insult to the human dignity of reasonable persons and incompatible with liberal ideals.²

What all this means, according to political liberals, is that reasonable people can be expected to affirm comprehensive doctrines which recognise that respecting the human dignity of one's fellow citizens requires endorsing a conception of political justice that supports the notion of reasonable disagreement and effectively responds to its demands. For only by doing so can one hope to produce an environment in which all reasonable individuals will be able to realise the personal freedom necessary to pursue a conception of the good of their own choosing and design—the only type of freedom that adequately respects one's dignity as a person (Shklar 1989: 166)
Such accommodation and freedom can be achieved only if the public conception of justice restricts its concerns to matters of political justice and is comprised of only those values that all reasonable people can reasonably be expected to endorse voluntarily and faithfully—i.e., political values. Moreover, maintaining a “respectful” degree of accommodation and freedom also requires that in the case of a conflict between the political values of the conception of justice and the values embodied in citizens’ comprehensive doctrines, the former always be assigned primacy.

Political liberals contend that, provided the public conception of justice guarantees certain basic liberties which enable all reasonable individuals to pursue their chosen way of life without undue interference from either the state or their fellow citizens, it can be assumed that in those instances when it is necessary to do so, such individuals will voluntarily assign primacy to the political values that comprise the conception of justice. This conclusion is based upon the following assumptions: 1) all reasonable people will want to secure a just and stable society; 2) all reasonable people affirm reasonable comprehensive doctrines; 3) all reasonable comprehensive doctrines are compatible with a political conception of justice; 4) each person’s “overall view” consists of two distinct yet related views—a “public” view and a “nonpublic” view—and this enables all individuals to assign primacy to the political values of the conception of justice without having to compromise adherence to the nonpolitical values of their own comprehensive doctrine (Rawls 1993: 38, 140; Larmore 1987: 71, 74, 76; Shklar 1989: 24-25, 31); and 5) only those values that conflict with “the very conditions that make fair social cooperation possible on a footing of mutual respect” will conflict with the political values of the conception of justice (Rawls 1993: 30; similarly, see Larmore 1996: 123-24; Larmore 1999: 607-08; and Rawls 1996: 48-50, 53-54).
Combined, the above "facts" are said to make it possible for all reasonable citizens to defer to the political values of the conception of justice willingly when such deference is necessary. Moreover, the conditions secured by the presence of these facts are sufficiently beneficial and fair to convince all reasonable people that "no conflict of values is likely to arise that justifies their opposing the political conception as a whole, or on such matters as liberty of conscience, or equal political liberties, or basic civil rights" (Rawls 1993: 155).

Underlying the assumption that in the case of potentially divisive conflict individuals will be willing to assign primacy to political values is the belief that, generally speaking, the citizens of contemporary liberal democracies either knowingly or unknowingly, explicitly or implicitly, accept the fact of reasonable disagreement and willingly and faithfully adhere to what Rawls has labeled the *precept of avoidance*. Political liberals argue that citizens who accept the fact of reasonable disagreement and recognise the need to always adhere to the precept of avoidance will realise that the development of a political conception of justice is necessary to achieve an overlapping consensus, which, in turn, is required to secure a well-ordered democratic society. Such being the case, political liberals contend that such citizens will also accept that in the case of divisive conflict between political values and nonpolitical values, the former must always be assigned primacy.

However, empirical evidence concerning the attitudes of the citizens of a number of contemporary liberal democracies would seem to suggest that the validity of the above noted beliefs is, at best, (increasingly) debatable. In particular, citizens' willingness to adhere voluntarily to the precept of avoidance seems to be much less assured than political liberals suggest. Various
studies conducted over the past fifty years reveal that when push comes to shove, many individuals are publicly willing to declare certain views to be unacceptable and demand actions which abridge many of the “basic liberties” promoted by political liberalism (Klosko 1993: 352; see also Klosko 2000: 42-115). Such transgressions are particularly evident when one examines attitudes and judicial decisions concerning the issue of censorship. Evidence suggests that while citizens generally seem willing to accept, in principle, the fact of reasonable disagreement and the need to remain faithful to the precept of avoidance, when faced with a situation in which the practical demands accompanying such actions conflict with firmly held personal beliefs, a significant percentage of these same citizens often fails to act in a manner that reflects the fundamental principles and practical obligations associated with either the fact of reasonable disagreement or the precept of avoidance. Moreover, a recent study reveals that contrary to popular belief, this willingness to violate the precept of avoidance and abridge basic liberties is a characteristic common to all segments of society.

In The Clash of Rights: Liberty, Equality, and Legitimacy in Pluralist Democracy (1996), Paul Sniderman, Joseph Fletcher, Peter Russell, and Philip Tetlock document the willingness of “elites”—informed and influential citizens, particularly those who influence or are responsible for the development, implementation, and administration of public policies and programs—to abandon their support for democratic principles and practices. Sniderman and his colleagues provide data which suggest that in the case of a conflict of values, elites are equally as or more likely to agree to the transgression or suspension of basic liberties than are “ordinary” citizens. Thus it would seem that regardless of which segment of the citizenry one refers to, the
"unavoidable conclusion of decades of empirical studies is ... that significant majorities of ... citizens of ... liberal societies, do not uphold basic liberties in the strong sense” demanded by political liberalism (Klosko 1993: 353; see also Klosko 2000: 42-115). This willingness to abridge basic liberties reflects the qualified acceptance of the notion of reasonable disagreement, and the willingness to disregard the precept of avoidance. The violation of basic liberties is a practical manifestation and consequence of both the periodic rejection of the notion of reasonable disagreement and the lack of a stable, unqualified commitment to the precept of avoidance—in the esperanto of political liberalism, the willingness of citizens to act “unreasonably.”

III. Reasonableness and the Scope of Political Values

Contrary to what political liberals seem to be suggesting, the willingness of citizens to violate the precept of avoidance is not simply or primarily a measure of their “unreasonableness,” per se. Rather, citizens’ inability or unwillingness to remain faithful to the precept of avoidance is often a consequence of a lack of agreement on the proper meaning and scope of political values. Though citizens may be able to reach a consensus regarding the general principles which they believe should guide individual behaviour in the public realm, they nevertheless may continue to disagree over the specific interpretation and application of these principles. To illustrate: Both my neighbor and I may agree that the right to freedom of expression is an essential component of a reasonable political conception of justice. However, while I may believe that the right to freedom of expression does not include the right to publish pornography or racist literature, my neighbor may deem any censorship an unreasonable restriction upon his right to freedom of expression. Hence,
though both my neighbor and I endorse the concept of freedom of expression, we nevertheless disagree about its proper scope.

Disputes concerning the proper meaning and scope of political values are the consequence of disagreements over precisely what constitutes a “reasonable” demand. If political values are those values which all reasonable individuals can reasonably be expected to endorse voluntarily, then the parameters of the political realm will be determined according to one’s definition of “reasonable.” In the case of political liberalism, this fact might be of relatively little concern if it could be guaranteed that all reasonable individuals will possess and maintain an identical understanding of what constitutes a “reasonable” demand. However, surely even political liberals would agree that reasonable people will differ in their interpretations of what constitutes a reasonable demand. As Patrick Neal has noted, “there are, have been, and will be many people (millions and millions!) who are at least as reasonable as John Rawls and … who do not believe in the values of political liberalism or the liberal version of tolerance” (Neal 1995: 25).

Yet, widespread agreement on a “thick” definition of what constitutes a reasonable demand is necessary for the establishment and preservation of a reliable overlapping consensus. Without such an agreement, it is impossible to define the meaning and scope of political values in a manner that will adequately prevent divisive, destabilising conflict among adherents of competing and conflicting views. This fact is important because only by securing the conditions needed to achieve and sustain an overlapping consensus on a political conception of justice can one hope to obtain the type of political stability required to establish and maintain a well-ordered society.
As previously noted, an overlapping consensus is said to be alone in its ability to accommodate the fact of reasonable disagreement in a manner that can secure the kind of stability essential to a well-ordered society—namely, a stability that will not fluctuate with changes in citizens’ personal circumstances or in the distribution of political power. In contemporary pluralistic societies, achieving such stability requires that the conception of justice be morally compatible with a wide diversity of conflicting and often irreconcilable comprehensive doctrines. Only by adopting such a character can the conception of justice hope to obtain the kind of widespread, unwavering support essential to the achievement and maintenance of a well-ordered society.

Political liberals argue that the unique character of the overlapping consensus enables it to secure the type of moral support needed to achieve the kind of stability required to establish and sustain a just and stable liberal democracy. Unlike previously proposed public agreements the stability of which has been predicated upon their success in securing widespread support for a conception of justice based upon the dictates of a single comprehensive doctrine, achieving a stable overlapping consensus requires agreement on only a political conception of justice. By restricting its scope to the political conception of justice, the overlapping consensus allows the adherents of a wide diversity of conflicting and irreconcilable comprehensive doctrines to embrace it voluntarily without having to compromise, transgress or forsake any of their personal values or beliefs, and thus to support its establishment and continuation as morally compatible with their respective doctrines, thereby ensuring the largest possible base of support. Moreover, the presence of this shared moral affirmation ensures that support for the overlapping consensus will
remain stable regardless of changes to individuals' personal circumstances or "shifts in the
distribution of political power" (Rawls 1993: 148; see also Larmore 1996: 133).

Importantly, the purely political character of the conception of justice also allows
participants in the overlapping consensus to disagree over controversial religious, moral, and
philosophical issues and yet still maintain a constant level of moral support for the conception of
justice and, by extension, the overlapping consensus. Political liberals argue that this type of
flexibility, combined with the limited scope of the conception of justice, significantly eliminates the
possibility of divisive conflict between members of the overlapping consensus, and thereby
generates a degree of stability not previously possible. All of the aforementioned features combine
to engender and secure the type of moral support for the conception of justice that is necessary
to obtain the stability required to establish and maintain a well-ordered society.

The above noted achievements are made possible by the use of reasonableness as the
supreme standard of judgement in public matters (i.e., questions concerning political justice).
Political liberalism suggests that political stability does not require that citizens affirm as "true" the
public conception of justice; an overlapping consensus can be secured and sustained as long as
citizens affirm the conception of justice as "reasonable." Indeed, political liberals contend that it
is necessary to refrain from publicly asserting that the conception of justice upon which the
overlapping consensus is based is true, because to do so would make it impossible to obtain the
type of overlapping consensus being sought (e.g., Rawls 1996 128-29, 153; and Larmore 1996:
173).
However, a problem emerges with respect to the assertion that the conception of justice need only be affirmed as reasonable. If the degree of political stability provided by the overlapping consensus directly corresponds to the depth of its members' moral affirmation of the conception of justice, and if we are to believe that the strength of this affirmation will not diminish following a change in members' personal circumstances or shifts in the distribution of political power, then it would seem that in order to ensure that the overlapping consensus always provides the necessary stability, its members must unfailingly support the conception of justice with an equal or greater conviction than that which they maintain for the most valued aspects of their respective comprehensive doctrines. If certain components of one's comprehensive doctrine are affirmed with a greater strength than the political conception of justice (or any of its constituent values), then it is quite possible that a change in personal circumstances or a shift in the distribution of political power will produce a situation in which the adherents of reasonable doctrines may come to believe that it is morally right or necessary to withdraw their support for the existing conception of justice and try to enforce society-wide adherence to their own comprehensive views.

The obvious danger with such a development—aside from the potential conflict and turmoil associated with trying to force all citizens to adhere to specific views—is that, should support for the overlapping consensus begin to erode, its continued existence and, subsequently, the political stability of the society in question, is jeopardised. This threat could be easily overcome if it could be guaranteed that, should citizens decide to abandon the overlapping consensus, there will be an equal number who will voluntarily and simultaneously chose to become members. Yet it is obviously impossible to provide such a surety.
One might argue (as do Rawls and Larmore, for example) that the design of the overlapping consensus helps to ensure that those whose comprehensive doctrines allowed them to become members will *likely* never be confronted with a situation that forces them to abandon their membership. Political liberals contend that should a conflict of values arise, provided that certain circumstances obtain—e.g., citizens continue to affirm the notion of reasonable disagreement and abide by the dictates of the precept of avoidance—it is *unlikely* that the "unsatisfactory" resolution of said conflict will precipitate the withdrawal of members' support for the political conception of justice. However, it is also generally acknowledged that such a possibility cannot be eliminated (e.g., Rawls 1993: 240-46; Larmore 1996: 142). Hence the level of support for the conception of justice could conceivably decrease to the point that the scope of the public agreement no longer satisfies the demands associated with the type of overlapping consensus required by political liberalism. At the very least, it would seem that the possibility of such a development is equal to the likelihood that voluntary support for the overlapping consensus will increase—something that Rawls, for example, believes will happen with the passage of time (Rawls 1993: 142; see also Larmore 1987: 58, 86; and Larmore 1996: 142).

One thing is certain: once the overlapping consensus no longer includes the majority of the citizenry, the political stability of the society is unacceptably threatened. If the overlapping consensus represents an amalgam of those citizens who freely, willingly and *sincerely* support the public conception of justice, then once the majority of the citizenry exists "outside" of the overlapping consensus, the situation becomes one in which the minority of the population is forcing
the majority to adhere to its views. For political liberals, such a situation is both unacceptably illiberal and unstable.

Does this mean that the continued existence of the overlapping consensus is dependent upon its founding and future members maintaining one set of beliefs for the entirety of their lives? The answer is both "NO" and "YES." Because the overlapping consensus represents an agreement on only the conception of justice, and given that the conception of justice is concerned solely with the domain of the political, the perpetuation of the overlapping consensus does not require that its members maintain the same set of political and nonpolitical beliefs for the duration of their lives. However, the continued existence of a viable overlapping consensus—that is, a consensus that can secure the stability required to establish and maintain a well-ordered society—is conditional upon a certain number of its members (e.g., however many are needed to constitute a [large?] majority of the entire population) remaining sincerely and fundamentally committed to the political values that comprise the public conception of justice. Hence it is not that members of the overlapping consensus need be prohibited from changing their views, per se. Rather, the maintenance of a viable overlapping consensus demands that it sustain the voluntary support of a majority of its members, and the satisfaction of this caveat necessitates that the preponderance of members continue to endorse the political values associated with the prevailing public conception of justice.

Political liberals do not perceive such a requirement to be a threat to the stability of the overlapping consensus, because: 1) the political values that constitute the conception of justice are values that all reasonable citizens can reasonably be expected to endorse; 2) the majority of the
citizenry of contemporary liberal democracies is reasonable; and 3) all reasonable citizens will voluntarily maintain their support for the aforesaid political values because these values are understood to provide the best foundation for a public agreement that can secure the conditions that will freely enable all reasonable people to pursue and (hopefully) realise their visions of the good life. Hence, in effect, the necessary support for the values in question already exists and can be expected to continue to do so.

However, the arguments of political liberals also suggest that only reasonable people can be counted on to maintain their commitment to the political values comprising the conception of justice. Yet, if the establishment and preservation of a viable overlapping consensus is dependent upon its acquiring and sustaining the voluntary support of a majority of the citizenry—as surely it must be—and if only “reasonable” individuals can be relied upon to maintain their support for the conception of justice and, by extension, the overlapping consensus, then the preservation of a viable overlapping consensus would seem to require that the majority of the population be reasonable. As already noted, political liberals believe that such a condition already exists, and thus this caveat does not represent an obstacle to the achievement of an enduring overlapping consensus.

The principal problem with such a prerequisite, however, is that it makes the establishment and stability of the overlapping consensus dependent upon the “reasonableness” of citizens. As a number of theorists have noted, reasonableness, especially in contemporary liberal societies, is, more often than not, heterogeneous in character (e.g., Neal 1995; and Bohman 1995). Subsequently, depending upon the definition of “reasonable” that is employed, the cohort of
reasonable citizens may or may not represent the majority of the population. However, the overlapping consensus must contain a majority of the population if it is to provide the stability required to sustain a well-ordered society. Furthermore, even if the requisite number of citizens already were or became reasonable, there could be no guarantee that they would always remain so. Reasonability is too fluid, too unpredictable a basis upon which to premise a person’s continued support for the prevailing definition of “reasonable.” If reasonability is to provide the basis for a stable overlapping consensus, then all reasonable citizens will have to affirm and maintain the same definition of “reasonable”—specifically, that propounded by political liberalism. Only by ensuring such a homogeneity can one be assured of securing the type of unwavering moral support required to guarantee the continuation of the overlapping consensus. Yet, if reasonability is heterogeneous and fluid, then surely it is not unreasonable to suggest that not all reasonable people will voluntarily endorse or remain faithful to any single definition of “reasonable” and its associated demands.

Moreover, even if we restrict our focus to “reasonable” citizens as defined by political liberals, what is affirmed as reasonable by some may (and likely will) nevertheless be considered unreasonable or otherwise unacceptable by others. Political liberals readily concede that there will be “reasonable” disagreement among reasonable people on “matters of the first significance” (e.g., Rawls 1989: 238; Larmore 1987: 52; Larmore 1996: 158, 169; Shklar 1984: 8, 227; and Shklar 1989: 35). Issues will arise which involve questions that generate such emotion and controversy—e.g., governmental policies on abortion, gay rights, euthanasia, capital punishment, the use of nuclear weapons, etc—that an appeal to public reason(ability) is by itself insufficient
to resolve any disputes which emerge. If this is true, then there is no effective way to prevent divisive conflict between reasonable individuals' fundamental values and the political conception of justice. However, if such conflict occurs, as it inevitably will, then it is likely that support for the political conception of justice will fluctuate, and when it does, the overlapping consensus will be unacceptably undermined.

And finally, if, as would seem logical to assume, citizens' initial and continued affirmation of the political conception of justice is predicated upon their belief that it condones only reasonable behaviour, then it would seem that in order to maintain a constant level of moral support for the political conception of justice (and, by extension, the overlapping consensus), all decisions justified by reference to it would have to be considered "reasonable" by all participants in the overlapping consensus. Yet, even if we assume that all citizens define "reasonableness" as the willingness to adhere to the demands of public reason as defined by the conception of justice, there can be no guarantee that every decision produced by the political conception of justice will be reasonable in the required sense (Rawls 1993: 240). Subsequently, by itself, citizens' willingness to assign primacy to reasonableness when confronted with a conflict between the "truth" of their fundamental values and the demands of the political conception of justice does not resolve all significant problems. If political liberalism is to provide the basis for a reliable overlapping consensus, then not only does one need to ensure that all participants in the overlapping consensus possess and maintain an identical understanding of what constitutes a reasonable demand, but it is also necessary to preclude the possibility of the political conception
of justice producing unreasonable decisions. Political liberals, however, have thus far been unable to satisfy either of these two criteria adequately.

For all of the above noted reasons, it is insufficient to suggest or hope, as political liberals seem to, that citizens' reasonability (in conjunction with the reasonableness of the conception of justice) can or will ensure their continued support for the conception of justice and thereby provide a secure basis for a viable overlapping consensus. If it is to establish the foundation for an enduring overlapping consensus, political liberalism must somehow guarantee that the strength of each member's moral affirmation of the public conception of justice is at least equal to that which he has for his most firmly held convictions. If such a guarantee cannot be provided, then there is an ever-present danger that a change in individuals' personal circumstances or a shift in the distribution of political power will also result in a diminishment or substantial erosion of their moral support for the conception of justice, and, by extension, unacceptably threaten the very existence of the overlapping consensus and the well-ordered society founded upon it.

Yet, if membership in the overlapping consensus requires only that one affirm the conception of justice as "reasonable," then there is no way to ensure that the strength of members' moral affirmation of the conception of justice ever is, or will always remain, equal to or greater than their support for their fundamental values—i.e., those moral truths that are most sacred to an individual. Political liberals seem to acknowledge that it is unlikely that those who affirm the conception of justice only as reasonable will ever support it with the same conviction with which they support their most firmly held convictions. Rawls, for example, concedes as much when he acknowledges that, "For many the true, or the religiously and the metaphysically well-grounded,
goes beyond the reasonable” (Rawls 1993: 153). If we accept this claim and also (logically and reasonably) assume that most individuals believe their fundamental values to represent the truth, then surely those who affirm the conception of justice only as reasonable cannot possibly be endorsing it with the same degree of moral conviction that they maintain for their fundamental values. This means that should the conception of justice support a decision that conflicts with one’s fundamental values—a situation that would seem inevitable—assuming that individuals will normally strive to act in accordance with the dictates of their fundamental values, it is the conception of justice (and, by extension, the overlapping consensus) that will be abandoned, not one’s fundamental values. If this is true, then the consensus achieved by political liberalism is not the type of overlapping consensus that political liberals seek; it is, rather, more akin to what Rawls has labeled a modus vivendi.

Thus it would seem that if political liberals hope to guarantee that changes in personal circumstances or shifts in the distribution of political power will not precipitate a decrease in support for the political conception of justice and thereby destabilise the overlapping consensus, then they must somehow ensure that individuals affirm the conception of justice as not just “reasonable” but also “true.” However, if individuals must affirm the conception of justice as true, then not only would the number of citizens who could voluntarily support it be drastically reduced, but by making such a demand, political liberalism would be unequivocally abandoning its quest for *metaphysical innocence* (Neal 1990: 42) and in so doing negating its ability to serve as the basis for an overlapping consensus. In turn, such a negation eliminates the possibility of political
liberalism securing the degree of stability to which it aspires: namely, that required to establish and sustain a well-ordered society.

This dilemma brings to mind the paradox of democracy—the possibility "that the principle of majority-rule may lead to self-contradictions"; more specifically, "that the majority may decide that a tyrant should rule" (Popper 1962: 265, n.4), thereby allowing for the destruction of democracy. According to political liberals, if political liberalism is to secure the conditions needed to establish and sustain a just and stable liberal democracy, then it must demand only that citizens affirm the conception of justice as reasonable. To demand that the conception of justice be affirmed as true would be to, in effect, depoliticise political liberalism and in so doing prevent it from providing the foundation for a well-ordered society. However, insofar as political liberalism only requires that the conception of justice be affirmed as "reasonable," it risks political instability and effectively undermines its ability to serve as the framework for a well-ordered society.

IV. A Convincing Alternative Scenario?

Political liberals suggest that there is an alternative to the above scenario. Rather than believe that the emergence of a conflict between one’s fundamental values and the political conception of justice necessitates that one either support said values and reject the political conception of justice, or maintain his support for the political conception of justice and forsake said values, political liberals contend that citizens confronted by such a conflict “might” simply choose to “adjust or revise” their doctrines rather than reject the political conception of justice (Rawls 1993: 160; see also Larmore 1996: 142). But if the concern for political stability is a practical concern, then surely it is insufficient merely to suggest that citizens might choose to modify their comprehensive
doctrines rather than reject the political conception of justice. As Thomas Hill has noted, "If the point of looking for arguments for stability is to see, before we attempt reforms, whether the reforms would be lasting enough to be worth the effort, then a bare possibility is a small comfort" (1994: 341). Moreover, as Michael Huemer (among others) has suggested, when faced with such a conflict, individuals are just as likely to qualify or withdraw, even if only temporarily, their support for the political conception of justice as they are to attempt to accommodate it by modifying their comprehensive doctrines (Huemer 1996; see also Klosko 1993: 352-53). Indeed, it is difficult to fathom why anyone who believes that his comprehensive doctrine represents the truth—as most, if not all, individuals do—would even consider adjusting or revising it simply so that it can become or remain morally compatible with the public conception of justice. Even if we restrict our focus to the domain of the political, it remains unclear why any person would or should willingly subordinate what he perceives to be the "whole" truth, in favour of something less "complete."

Political liberals seem to believe that in the case of a conflict between one's fundamental values and the political conception of justice, all reasonable persons will be willing to adjust or revise their comprehensive doctrines because 1) they recognise that establishing a well-ordered society will secure the greatest opportunity for all to pursue and (hopefully) live the life that they choose; and 2) they realise that the establishment and preservation of a well-ordered society requires the achievement of an overlapping consensus on a political conception of justice, and this is impossible if one makes truth the supreme standard of judgment for public matters (Rawls 1999: 132-33, 138). Hence, desiring a well-ordered society or the benefits thereof, reasonable citizens
will accept *reasonableness* as the supreme standard of judgment for public matters because they understand that only by doing so is it possible to achieve the required public agreement and corresponding political stability. This acceptance of reasonableness as the "final court of appeal" for public matters ensures that should a conflict arise between one's fundamental values and the political conception of justice, citizens will readily consider adjusting or revising their comprehensive doctrines rather than simply withdrawing their support for the political conception of justice.

This assumption is grounded in the belief that, generally speaking, the citizens of contemporary liberal democracies realise that such polities will always contain a plurality of conflicting and irreconcilable reasonable comprehensive doctrines (i.e., they affirm the fact of reasonable disagreement). This realisation is accompanied by a belief that it is unreasonable and detrimental—to the extent that it is divisive and destabilising and thus an impediment to the achievement of one's goals—to demand that *all* citizens abide by a single understanding of the truth. In other words, among the citizenry of contemporary liberal democracies, there already exists an adequate, stable consensus on what constitutes a reasonable demand. This consensus is present in the form of a pervasive, conscious and subconscious, explicit and implicit, support for what Rawls has termed *fundamental ideas*.10 However, as has already been noted, empirical data suggest that support for the fundamental ideas animating the concept of political liberalism—and, thus, for the proposed agreement on what constitutes a reasonable demand—is often superficial and fragile and tends to fluctuate with circumstance, and therefore it cannot be considered to represent or provide the basis for a stable overlapping consensus.
One might challenge the validity of using past examples of unreasonable behaviour to question the existing degree of reasonableness or to argue against the likelihood of obtaining reasonable behaviour in the future; but what are the alternatives upon which to base such predictions? History, at least, provides concrete examples that, when sufficient in number and similarity, offer a reasonable and justifiable basis for suggesting the probability of certain actions or outcomes. If particular circumstances or stimuli have been observed to generate the same response (namely, unreasonable behaviour), time and time again, then surely it is not unreasonable to argue that, barring some significant and unpredictable change in citizens' behaviour, it is likely that this pattern will, with few exceptions, continue. Conversely, in the absence of such a suggestive, discernible pattern, one can only guess as to the probable response to a given situation. Hence, although it may not offer a guarantee, historical precedent is surely as solid a basis for prediction as is available. From this perspective, evidence of past (and present) unreasonable behaviour would seem to provide adequate justification for the belief that certain circumstances are likely to elicit the same type of behaviour.

Regrettably, contemporary examples of unreasonable behaviour seem discouragingly easy to find; indeed, much of recent history would seem to suggest that rather than humanity becoming more reasonable with the passage of time, the opposite is true. With alarming regularity the daily news is filled with accounts of unreasonable behaviour: racist, homophobic and other hate-motivated crimes and killings; military coups; the brutal oppression of secessionist movements; the violent and bloody disintegration of multi-ethnic states; and, perhaps most frightening, instances of genocidal behaviour.
It might be argued that political liberals have anticipated this evidential problem (i.e., the existence of numerous concrete examples of individuals' willingness to act unreasonably) and effectively confront it via their use of, and emphasis upon, the notion of fundamental ideas. According to political liberals, it is the presence of, and existing support for, these fundamental ideas that justify the claim that, in general, citizens of a well-ordered society will voluntarily accept the notion of reasonable disagreement and adhere to the demands of the precept of avoidance.

Importantly, political liberals believe that individuals' affirmation of the noted fundamental ideas, and, by extension, their free and willing acceptance of the concept of reasonable disagreement and the demands of the precept of avoidance, can and often will be implicit or unrecognised. Such being the case, political liberals argue that it is possible for an individual to support publicly a claim that conflicts with both the notion of reasonable disagreement and the dictates of the precept of avoidance and yet still remain committed to the tenets of these concepts. Hence, an overt display of "unreasonable" behaviour does not necessarily represent a fundamental rejection of, or even a withdrawal of support for, either the concept of reasonable disagreement or the precept of avoidance. Moreover, the lack of a guaranteed, predictable correlation between one's behaviour and one's level of commitment also means that the maintenance of a stable overlapping consensus does not require that individuals explicitly or even knowingly support either the concept of reasonable disagreement or the precept of avoidance. Thus, according to political liberalism, citizens can publicly pursue claims that conflict with the notion of reasonable disagreement and/or violate the precept of avoidance—they can act "unreasonably"—without
having to withdraw their support for either, and without seriously undermining the stability of the overlapping consensus.

However, whether it is possible, either in theory or in practice, to accomplish such apparent contradictions is irrelevant: what matters is how people act. If a judge rules that the suppression of communist propaganda or the rejection of the practice of legislated affirmative action is justifiable and legal, then it hardly matters whether he unknowingly or otherwise supports principles that conflict with these decisions. Indeed, a penetrating self-analysis or Socratic interrogation may reveal that the judge’s decision does not coincide with his fundamental beliefs; but this revelation changes nothing. The presence of an underlying yet dormant support for certain principles does nothing to alter the consequences of the judge’s decision. If the judge’s ruling incites a riot, a post facto recognition of the “unreasonableness” of his decision will not undo the damage resulting from the riot. The point is this: the stability of the overlapping consensus cannot be adequately safeguarded by the implicit or unrecognised affirmation of guiding principles and concepts such as certain fundamental ideas, and, by extension, the notion of reasonable disagreement and the precept of avoidance. If citizens are publicly allowed to reject the concept of reasonable disagreement and violate the dictates of the precept of avoidance, then surely the likelihood of unreasonable behaviour dramatically increases and with it so does the fragility of the overlapping consensus.

It might be objected that very few, if any, political liberals are primarily or even significantly concerned with the ability of their theories to provide a viable solution to the problems currently troubling existing liberal democracies, and such being the case, the value of criticising
the inability of political liberalism to resolve these problems is suspect. If political liberals have (at least to some extent) accepted that the viability of their theories is dependent upon the presence of circumstances that may not currently exist—either in character or in degree—in any actual society, then is it still useful to suggest that political liberalism fails because empirical evidence suggests that certain of its claims are, or, at least appear, invalid? Surely empirical studies are damaging to the viability of a theory only if one assumes that the theory in question was meant (and, perhaps more importantly, still seeks) to address the problems currently distressing contemporary liberal democracies?

While it may be true that many political liberals no longer seem notably concerned with or protective of the ability of political liberalism to resolve the problems of stability that currently trouble existing liberal democracies, there nevertheless remains an inextricable and crucial link between the sociopolitical realities of these societies and the theoretical viability of political liberalism. Given that political liberals have premised the credibility of a number of their central claims—e.g., that certain fundamental ideas are inherent in the political culture of nearly all democratic societies and widely supported by the citizens of such societies—upon the empirical verifiability of these claims, any retreat from emphasising the correspondence between the circumstances confronting the theoretical society presented by political liberals and the reality of existing contemporary liberal democracies makes little difference in terms of the significance of the inability of political liberalism to address adequately the problems posed by empirical evidence that contradicts said claims. That is to say, if the viability of political liberalism is dependent upon the validity of, for example, certain claims about the citizenry of existing societies, claims that, on
investigation, prove questionable, then merely disavowing any desire to resolve the actual problems confronting existing societies does not eliminate the difficulties that related contradictory empirical evidence poses for the concept of political liberalism. In order to maintain its theoretical viability, political liberalism must abandon its claim to an empirical basis, at least in regards to certain of its fundamental ideas, and present an alternate justification for its use of such ideas and the precise character or status that it attributes to them.

Yet, even if one accepts political liberals' arguments concerning the existing level of support for certain fundamental ideas and understands the deterministic relationship between these ideas and the boundaries of the reasonable, the resulting definition of the reasonable is still too vague to identify the proper meaning and scope of political values in a manner that is likely to prevent the emergence of divisive, destabilising conflict. Unfortunately, efforts to define the parameters of the reasonable in a meaningful way are further complicated by the fact that although all political values are by definition "reasonable," "not any balance of political values is reasonable" (Rawls 1996: xliv). Thus one not only needs to be able to differentiate between political and nonpolitical values, one must also be able to distinguish between a reasonable and an unreasonable balance of political values.

Given that there can and likely will be a number of different reasonable balances (Rawls 1993: 227; Larmore 1987: 41), the task of distinguishing between reasonable and unreasonable balances could very easily become quite difficult. Despite this fact, political liberals fail to provide any specific, concrete examples of what constitutes a reasonable or unreasonable balance. Though the political conception of justice proposed by political liberals is meant to exemplify a reasonable
balance of political values, political liberals acknowledge that within the proposed overlapping consensus, there will be several competing political conceptions of justice (Rawls 1993: 243; see also 164, 167), each “no doubt favored by different interests and political strata” (Rawls 1993: 36-38). Thus, one is still left trying to identify which political conception is the most appropriate. Subsequently, the most that can be determined is that something is “reasonable” if it can “reasonably” be expected that it will be endorsed by a majority of the citizenry. Unfortunately, this definition is both empirically debatable and far too vague to provide an effective or viable standard of judgment.

Moreover, even if, for the sake of argument, we accept such a definition as an adequate basis for distinguishing the reasonable from the unreasonable, problems still exist. In particular, how do we resolve conflicts between competing reasonable demands? The potential plurality of reasonable doctrines, and the possibility that there may be a number of reasonable answers to any particular question, would seem to guarantee that there will be conflicts between different reasonable demands. Political liberals acknowledge the potential for such conflicts, conceding that “[i]t is unreasonable ... not to recognize the likelihood—indeed the practical certainty—of irreconcilable reasonable disagreements on matters of the first significance” (Rawls 1993: 240; see also Larmore 1987: 52; Larmore 1996: 169; Shklar 1984: 8, 227; Shklar 1989: 35). Hence, it is not enough merely to explain how to distinguish between reasonable and unreasonable demands and suggest how we might resolve conflicts between the two; it is also necessary to explain how we are to resolve conflicts between different reasonable demands.

Political liberals suggest that when we are confronted with a number of competing
reasonable demands, we should endorse the demand which best reflects the "most reasonable understanding of the public conception and its political values of justice and public reason" (Rawls 1989: 238; see also Larmore 1996: 139, 158-63). However, without a clear, "thick" definition of "reasonable," how are we to determine which demand represents the "most reasonable understanding" of the political conception? Political liberals fail to provide an effective elaboration as to exactly how such a decision will be reached or who will decide such matters. Furthermore, if individuals are told or led to believe that the comprehensive doctrine which they affirm is "reasonable," then they will likely also believe that all demands arising from adherence to their particular doctrine are reasonable and therefore deserving of public accommodation. Thus it could be argued that conflicts between competing reasonable demands would be as or more difficult to resolve than conflicts between reasonable and unreasonable demands. If this is true, it would seem that it is imperative that political liberals provide a definition of the reasonable that effectively distinguishes between different degrees of reasonableness. However, no such definition has yet been produced.

Hence, though political liberals present a number of statements which provide a general description of the realm of the reasonable, little in the way of any detailed explanation of the specific parameters of the reasonable is offered. Before one can assume that a political conception of justice will be able to secure and sustain a stable overlapping consensus, it is necessary to obtain a public agreement on the appropriate composition of the political conception and the proper meaning and scope of its constituent values. Yet, before it is possible to secure such an agreement, it is necessary to provide a clear and detailed definition of the reasonable. As
James Bohman has noted, “Without a clear way to distinguish the reasonable and the unreasonable such that all would agree, a public basis for justification [i.e., a stable overlapping consensus] cannot be expected to follow from wide agreement about facts and the possession of common reasoning capacities” (Bohman 1995: 265). Though currently available definitions of “reasonable” offer certain broad guidelines, they lack the depth and clarity needed to provide the standard of judgment required to adequately prevent divisive conflict and thereby secure a stable overlapping consensus.

V. The Reasonableness of Public Reason

Political liberals maintain that public reason will help provide the means by which we can define the proper content and boundaries of the reasonable in a manner that will effectively control the emergence of potentially divisive conflicts and allow for the peaceful resolution of any disagreements that may arise. In essence, public reason identifies the “guidelines of inquiry that specify ways of reasoning and criteria for the kinds of information relevant for political questions” (Rawls 1993: 223; see also Rawls 1999: 132-38). By doing so, public reason helps to define the proper parameters of the reasonable and thereby reduces the likelihood of divisive conflict. Political liberals do not propose that all debate and decisions be regulated by public reason. In order to establish the desired overlapping consensus, the guidelines of public reason need only apply to “fundamental matters”—i.e., constitutional essentials and questions of basic justice, such as “who has the right to vote, or what religions are to be tolerated, or who is to be assured fair equality of opportunity” (Rawls 1993: 214; see also Larmore 1996: 126; Larmore 1999: 606,
n.8)—and not to “our personal deliberations and reflections about political questions” (Rawls 1993: 215; Larmore 1987: 69, 151).

However, once again the vagueness of existing definitions of “reasonable” jeopardises the viability of such arguments. The ability of public reason to help isolate the specific parameters of the reasonable is based upon the assumption that the given distinction between essential and non-essential political matters will be acceptable to all reasonable individuals and therefore uncontroversial. Yet, reasonable people “with different values will identify ... [the political culture’s] most salient elements differently according to their values and beliefs” (Klosko 1993: 352; see also Bohman 1995: 268). Subsequently, the definition of what constitutes a “fundamental matter” will itself be a source of controversy and conflict. In turn, “when adherents of different world-views attempt to realize their values in the public realm” (Klosko 1996: 258) the resulting conflict over matters of supreme importance “makes public reason itself essentially contestable” (Bohman 1995: 255). Hence one could accept, for example, Rawls’ definition of what constitutes a fundamental matter as an adequate explanation of the distinction between essential and non-essential matters, and still be effectively unable to preclude divisive conflict over the appropriate “standards of public reason and hence its limits in deliberation” (Bohman 1995: 264).

Political liberals concede that, even given a consensus on a conception of public reason, there will still be instances when an appeal to public reason is, by itself, insufficient to resolve conflict. Though it is commonly argued that claims concerning constitutional essentials and questions of basic justice can usually be settled by an appeal to public reason alone, political liberals acknowledge that this is not always possible (e.g., Rawls 1993: 244-46; Larmore 1987: 193...
Political questions will arise that involve issues—e.g., public policies on abortion, gay rights, euthanasia, capital punishment, and the use of nuclear weapons, to name a few—that generate such emotion and controversy that an appeal to public reason is by itself insufficient to resolve any disputes which emerge. Hence, even in a well-ordered society founded upon political liberalism, there will be instances when “[e]veryone appeals to political values but agreement is lacking and more than marginal differences persist” (Rawls 1993: 240-41). Political liberals recognise that in such circumstances, citizens may often believe it appropriate and acceptable to “invoke principles appealing to nonpolitical values to resolve … [the conflict] in a way they find satisfactory” (Rawls 1993: 244).

Of course, to allow individuals to appeal unqualifiedly to nonpolitical values would be to undermine public reason and, by extension, the overlapping consensus. Political liberals attempt to resolve this seemingly irreconcilable conflict by including the caveat that citizens may appeal to nonpolitical values, “provided they do [so] … in ways that strengthen the ideal of public reason itself” (Rawls 1993: 247; see also Larmore 1996: 135-36; and Shklar 1989: 26). Yet, such a proposal is problematic for two reasons. First, the reasonableness of such appeals can be determined only via due reflection—that is, one must first speculate as to the reasonableness or unreasonableness of an appeal and then wait to have his conclusion vindicated. However, if an appeal had initially been accepted as reasonable, but upon due reflection proved to be unreasonable, then this would suggest that the prevailing understanding of reasonableness could be unreasonable. Second, it remains unclear as to who is to decide when it is reasonable to invoke nonpolitical values and exactly which nonpolitical values it is reasonable to invoke. Surely the
question of who determines such matters will itself be a source of debate and conflict. By failing to provide a more concrete definition of reasonable, political liberals allow for such uncertainties and in so doing further impede efforts to identify the proper content and boundaries of the reasonable. Subsequently, even if one accepts the claims of political liberals concerning the appropriate content and application of public reason, such an understanding cannot by itself ensure to the degree required by political liberalism the absence of irreconcilable, divisive conflict.

VI. Concluding Remarks

The ability to separate the reasonable from the unreasonable is crucial to the viability of political liberalism. If such a separation cannot be achieved, then it is impossible to provide either an effective distinction between political and nonpolitical values or the guarantee that nonpolitical values will not unacceptably influence citizens' judgments concerning questions of political justice. Lacking such a distinction or guarantee, a purely political conception of justice and, subsequently, a stable overlapping consensus and well-ordered society are impossible. By failing to define the parameters of the reasonable adequately, political liberals are unable to provide the necessary distinction or guarantee.

Yet, even if one were to assume that the definition of "reasonable" presented by political liberalism is effectively able to separate political from nonpolitical values and thereby somehow ensure that decisions regarding questions of political justice are justified by reference to only those values that all reasonable citizens could reasonably be expected to endorse, significant problems remain. Simply separating political values from nonpolitical values does not guarantee that individuals will be able to secure a stable agreement on either the proper meaning and scope of
political values or the primacy or privilege to be assigned to particular political values when they conflict with each other. In order to reach a truly meaningful consensus on these matters, one needs to first achieve widespread, substantive agreement on a “thick” definition of the reasonable. However, the distinction between “reasonable” and “unreasonable” offered by political liberals is too vague to define the meaning and scope of political values in a manner that would adequately preclude the emergence of irreconcilable, divisive conflict, even within the confines of an established overlapping consensus. This problem remains even if one disregards the extremely questionable validity of the empirical claims of political liberals concerning both the presumed willingness of individuals to accept the fact of reasonable disagreement and remain faithful to the precept of avoidance, and the existing support for the fundamental ideas that animate political liberalism.

Moreover, in order to avoid conflict over the type of issues that would be most detrimental to social unity and political stability, political liberals need to guarantee that the political values comprising the conception of justice will always naturally outweigh (i.e., voluntarily be given precedence over) whatever values conflict with them. Yet, political liberals acknowledge that such a surety is impossible to provide. As Rawls concedes, “Political good, no matter how important, can never in general outweigh the transcendent values—certain religious, philosophical, and moral values that may possibly come into conflict with it” (Rawls 1988: 275). Consequently, conflicts between political and nonpolitical values will inevitably arise. However, the emergence of such conflicts presents political liberalism with an intractable dilemma: namely, in order to maintain the necessary overlapping consensus, political liberalism would have to assign a greater
"weight" to political values. Yet, if at any time political liberalism assigns a general and overriding primacy to political values, then it has negated its supposed purely political character and in so doing has precluded the possibility of securing either the sought after overlapping consensus or a well-ordered society. This is one of the paradoxes inherent in political liberalism.

Given the diversity of comprehensive doctrines which are likely to exist in contemporary liberal democracies, disagreement over what constitutes a reasonable demand is inevitable. Indeed, as James Bohman has argued,

If anything, newer forms of cultural diversity have now produced conflicts and disagreements so deep and troubling that even our standard liberal solutions, modeled on religious liberty and tolerance, no longer seem adequate or stable.... Any current disagreements are not merely conflicts of interest, but conflicts of principle. If conflicts of interest require adjudication, conflicts of principle, if deep enough, preclude this solution: what higher order principles such as fairness consist of may be precisely what is at stake (Bohman 1995: 253).

Thus, "Even if there is an overlapping consensus about certain moral values, conflicts of principle about disputed issues are still possible" (Bohman 1995: 254). Unfortunately for political liberals, far from supporting or even desiring the separation of political from nonpolitical values, public reason from nonpublic reason, individuals seem increasingly willing to demand that nonpolitical values—values that are unable to be the object of a free and willing consensus among the adherents of a diversity of competing irreconcilable doctrines—be publicly accommodated and reflected in governmental policies and practices. With greater frequency, individuals are demanding that governments take a "moral" stand on the (un)acceptability of certain activities and practices (e.g., abortion, euthanasia, etc.), even if the legal requirements of such a stand violate existing judicial interpretations of certain constitutional principles. Movements such as the Moral
Majority, the Christian Coalition, and the “family values” platform recently promoted by the Republican Party in the United States bear witness to this phenomenon. The emergence and acceptance of the “politics of difference,” the “politics of identity,” and other similar phenomena have further blurred the distinction between the political and the nonpolitical. For many, now more so than ever before, “the personal is the political.”

With disconcerting regularity it seems that people are willing to abide by the “accepted” rules for public behaviour only so long as these rules do not conflict with those values which they consider inviolable. Once one’s non-negotiable moral truths and the existing standards of justice diverge and the government refuses to alter policy or law to accommodate the conflicting viewpoint(s), the likelihood of unreasonable behaviour dramatically increases. Regrettably, such unreasonable behaviour is arguably becoming more commonplace, as evidenced by phenomena such as the militia movements in the United States, the resurgence of neo-Nazi and other racist groups, and anti-abortion killings. While one may argue that the percentage of the population that supports or participates in such activities is relatively small, the potential impact of this cohort is still significant enough to jeopardise sociopolitical unity and stability. James Hunter, for one, has suggested that the existing moral-political division between the different extremist segments of the U.S. population represents “a possible prelude to the outbreak of large-scale political conflict” (Klosko 1996: 261; see also Hunter 1994, 1990).

Furthermore, the actual percentage of the U.S. population that affirms doctrines that would be incompatible with the demands of Rawlsian political liberalism, for example, has been calculated to be somewhere between 20 percent and 40 percent (Klosko 1996: 258-59). It is
worth noting that 20 percent of the population of the United States translates into approximately 50 million people. In addition, it has been argued that while anywhere from 60 percent to 80 percent of the U.S. population affirms what could be labeled “moderate” doctrines—that is, doctrines which do not generate “unbridgeable gaps” among the citizenry (Klosko 1996: 258-59)—when trying to resolve contentious political questions, the general ignorance of this cohort “allows extremists and special interest groups to play on ... [its members’] emotions and so to manipulate them, [thereby further] contributing to the polarization [of society]” (Klosko 1996: 259). Moreover, as Rawls acknowledges, the threat “of large-scale political conflict” need not be present before the stability of a society is unacceptably threatened: “That subversive advocacy is widespread enough to pose a live political question is a sign of impending crisis rooted in the perception of significant groups that the basic structure is unjust and oppressive. It is a warning that they are ready to entertain drastic steps because other ways of redressing their grievances have failed” (Rawls 1993: 346).

Unfortunately, in the final analysis, the problems posed by political liberalism’s reliance on the appropriate presence and influence of reasonableness, and the accompanying requirement that one be able to distinguish reasonable from unreasonable demands and effectively separate the two, preclude the possibility of political liberalism securing the foundation for the type of overlapping consensus that it requires. Even if one were to accept the (questionable) claim that such a consensus is possible, political liberalism remains troubled by a number of unresolved difficulties which suggest that in the unlikely event that the sought after overlapping consensus is secured, it is improbable that it could perpetually maintain the kind of support necessary to sustain
a well-ordered society, at least as such is understood by political liberals. In this regard, perhaps the most problematic and implausible feature of political liberalism is its requirement that individuals, when confronted with a conflict between their fundamental values and the demands of the political conception of justice, temporarily subordinate the “truth” of their comprehensive doctrines and assign primacy to reasonableness as defined by the political conception of justice.

Surely an individual “will be moved by the appeal to reasonableness ... only to the extent that he values reasonableness [more than he values the truth]” (Huemer 1996: 382), and there seems to be little reason to believe that many will do so. Certainly there exists no persuasive evidence to suggest that individuals will voluntarily and faithfully subordinate their fundamental “truths” in favour of “reasonable” propositions, even if requests to do so are restricted to issues within the domain of the political. If anything, empirical data would seem to suggest that it is at least equally as (if not more) likely that in instances of value conflict, individuals will opt to act in accordance with their understanding of the truth as defined by their respective comprehensive doctrines. If this conclusion is correct, then unless the majority of citizens unfailingly support the public conception of justice with a conviction equal to or greater than that which they maintain for the most valued aspects of their respective comprehensive doctrines, the type of overlapping consensus being sought by political liberalism is impossible to achieve.

If, when presented with a choice, there is at least an equal possibility that individuals will choose to act unreasonably—i.e., to obey the “truth” of their comprehensive doctrines rather than assigning primacy to “reasonable” propositions—then there is no way ever to secure the kind of reliable support needed to sustain the sought after overlapping consensus. Moreover, the ever-
increasing doctrinal heterogeneity and corresponding plurality of public reasons that characterise contemporary liberal societies, and the subsequent increase in the possibility and likelihood of divisive conflict and sociopolitical fragmentation, further compound the significant difficulties associated with securing the conditions needed to achieve the sought after overlapping consensus. There is no compelling reason to believe that this fragmentation and polarisation of society will soon arrest or decline.

In essence, then, political liberalism embodies a paradox with respect to reasonableness. The success of political liberalism is dependent upon its respecting the reasonableness of citizens. However, in providing such respect, political liberalism allows for the emergence of unreasonableness to a degree that critically undermines its ability to sustain the political stability required to establish and preserve a well-ordered society.

The inability of political liberalism to avoid relying overwhelmingly upon reasonableness to help secure the conditions needed to realise the type of overlapping consensus claimed to be necessary to establish and sustain a just and stable liberal democracy is not the only difficulty confronting political liberals. Political liberalism has also exhibited a problematic naïveté concerning the likely abuse of political power and the potential difficulties arising from such abuse. It is the task of the next chapter to explore this weakness, identify the difficulties generated by it and the consequences that they pose for the idea of a purely political liberalism.\textsuperscript{13}
Notes

1 It should be noted that for the purposes of this chapter the term “reasonable” will be employed to encompass both *reasonableness* and *rationality* as these terms are defined in chapter four. Though Rawls, for example, explicitly argues that “the reasonable” and “the rational” are two distinct entities (Rawls 1993: 51), separate yet complimentary and interdependent, there have been a number of theorists who have persuasively argued that this distinction is more chimerical than real. Particularly noteworthy in this respect are the arguments of Peter Steinberger. In brief, Steinberger contends that Rawlsian “reasonableness is bound up with a way of thinking that involves analysis, argument, justification, and, ultimately, rationality” (Steinberger 2000: 158). The understanding of reasonableness employed in this thesis embodies Steinberger’s conclusion. Accordingly, whereas Rawls often refers to the actions of “reasonable and rational” persons, for such purposes I make reference to only “reasonable” persons.

2 As previously noted, the problem is not that political power is used to coerce obedience. Political liberals accept that all political power “exercised within a political relationship” cannot help but be coercive in character (Rawls 1989: 242; Rawls 1996: 136-37; Larmore 1999: 600; Shklar 1989: 29). The coercive use of state power is unacceptable only when it is used to enforce adherence to the dictates of a particular comprehensive doctrine, thereby publicly denying the validity of opposing doctrines.

3 It is worth reiterating that in associating the establishment of an overlapping consensus with the concept of political liberalism, I am not arguing that all political liberals purposely seek the achievement of such a consensus. Rather, I am merely asserting that the achievement of an overlapping consensus, whether or not one is actively sought, is essential to the success of political liberalism.

4 For example, in regards to Rawls’ analysis of the empirical data surrounding the issue of censorship, George Klosko has suggested that Rawls has “overlook[ed] an enormous body of evidence against the anticensorship consensus he believes to exist in American culture” (Klosko 1993: 352).

5 The “evidence” to which I am referring is the data contained in a number of studies that examine the topics of consensus and tolerance among citizens of liberal democracies. For example, see Stouffer (1955); Prothro and Grigg (1960); McClosky and Brill (1983); McClosky and Zaller (1984); Gibson (1986; 1989); Sniderman, Fletcher, Russell, and Tetlock (1989; 1996); and Abu-Laban and Stasiulis (1992). The findings of these and other similar studies have led George Klosko to argue that “the pervasive intolerance of liberal citizens is one of the best attested facts of modern social science” (Klosko 1993: 352; see also Klosko 2000: esp. 42-115).

6 The “popular belief” in question is the prevailing belief in the thesis of democratic elitism—the notion that while ordinary citizens and elites alike tend to unanimously “endorse democratic principles stated in the abstract,” when confronted with a conflict or controversy, elites are far more likely to maintain their commitment to and support for democratic principles and practices. See Sniderman, Fletcher, Russell, and Tetlock (1996, esp. 26-51).

7 Sniderman and his colleagues make reference to a number of different types of elites, including political, legal, legislative, administrative, governmental, and partisan elites. My remarks should be interpreted as referring to all of the above mentioned categories.

8 This is not to suggest that such infidelity is never attributable to the unreasonableness of individuals.
9 Though Shklar does not explicitly make such a claim, her belief in the possibility of actualising her conception of political liberalism suggests that she also believes that the majority of the citizens of contemporary liberal democracies is reasonable, at least insofar as they need to be to accept the demands of political liberalism.

10 Recall, fundamental ideas are foundational beliefs that are innate to and guide the political culture of a society; they comprise a "shared fund" of accepted beliefs and norms. The fundamental ideas associated with political liberalism center around the principle of equal respect for all persons (MacGilvray 2001: 34), and include ideas such as the notion of persons as free and equal agents.

11 Though Larmore discusses the issue of how we might "reasonably rank what ... one value-commitment directs us to do, in ... [a] given set of circumstances, above what ... others enjoin us to do there" (Larmore 1996: 158), not only does he effectively fail to answer the questions here under examination, but he also acknowledges "that many will regard ... [his] remarks ... as just so much assertion," and, push come to shove, he has "no fully satisfactory answer" to the question of how incommensurable values might be accurately "weighed against one another" (Larmore 1996: 162).

12 According to Rawls, for example, under such circumstances citizens may believe that "it is often more reasonable to go beyond the political conception and the values its principles express, and to invoke nonpolitical values that such a view does not include" (Rawls 1993: 230, emphasis added).

13 Much of the material presented in this chapter has appeared previously in Young (2002).
References Cited


CHAPTER SIX: POLITICAL POWER IN POLITICAL LIBERALISM

I. Introduction

For a concept that has emphasised the need to be “practical” (e.g., Rawls 1985: 226), political liberalism exhibits a surprising impracticality with regard to how it addresses a very real problem: namely, the potential abuse of political power. Political liberals have generally failed to either seriously consider or adequately respond to the possibility that those controlling political power will, when the opportunity presents itself, use the mechanisms of state coercion to promote their own particular conception of the good, with little concern for how their actions might affect those who affirm different or conflicting beliefs and values. Even in those instances when the problem of the potential abuse of political power secures a commanding presence—such as in Shklarian political liberalism—the resulting conception still fails to address more than the most blatant difficulties, and in so doing leaves problematic gaps which undermine its viability. The success of political liberalism is significantly dependent upon its ability to prevent the perversion of political power for the benefit of certain individuals, groups, or segments of society. Though political liberals generally acknowledge the potential for political power to be corrupted, and concede that there is really no sure way to preclude this possibility completely, the ability of political liberalism to provide a purely political conception of justice and thereby secure the basis for the required overlapping consensus is contingent upon the validity of the assumption that political power will not be abused.
In order to achieve the type of overlapping consensus that political liberals suggest is necessary to establish and sustain a just and stable liberal democracy, all reasonable citizens must believe that the political process, including the use of political power, is neutral: that is, fair to the adherents of all reasonable comprehensive doctrines. If political power is perverted for “individual” gain, then it ceases to be neutral. It is important to note that such perversion, or abuse, occurs not only when political power is purposely misused—i.e., knowingly employed unreasonably—but also when the conception of justice unnecessarily prevents any person or group from having an equal opportunity to secure political power. Political liberals’ failure to respond effectively to the full range of potential difficulties arising from the possible perversion of political power produces an unstable foundation for a number of fundamental assumptions upon which the viability of political liberalism rests. It is the task of this chapter to identify the problems generated by this deficiency and the consequences that they pose for the concept of political liberalism.

II. The Neutrality of Political Liberalism

Proponents of political liberalism contend that it offers a conception of justice that contains no controversial moral, religious, or philosophical presuppositions. In other words, political liberalism represents a neutral doctrine, at least insofar as it refrains from purposely favouring a particular conception of the good or comprehensive doctrine that contains any controversial view(s) concerning the character and content of the good life. As noted in chapter four, political liberals commonly distinguish between a number of different understandings of the notion of neutrality—notably, procedural neutrality, neutrality of aim, and neutrality of effect or
influence—and then conclude to what degree, if any, political liberalism satisfies the demands of each type of neutrality. However, the benefit of such an exercise remains uncertain. That is to say, the result of efforts to clarify the idea of neutrality with respect to its particular application to the concept of political liberalism, is unclear.

Political liberals merely propose that political liberalism obtains, and need only achieve, a certain degree of procedural neutrality and neutrality of aim, but can legitimately forsake neutrality of effect or influence (Rawls 1993: 191-94; Larmore 1996: 126, n.6; Shklar 1989: 30-31, 33). They also argue that the inability of political liberalism to secure a broader or more all-encompassing neutrality, in the familiar sense of the word, 4 in no way undermines its liberal character. More often than not, however, the basis for these conclusions appears in the form of a matter-of-fact statement suggesting, as does Rawls, that “[w]e must accept the facts of commonsense political sociology” (Rawls 1993: 193). Little (if any) further explanation is offered as to how exactly the distinctive yet limited neutrality secured by political liberalism either alleviates or eradicates any potential arguments questioning its neutrality. It seems that only when circumstances are such that it is beneficial or conducive to their arguments do political liberals assert that we must accept certain impossibilities (e.g., it is unrealistic to expect to achieve a broader or more all-encompassing neutrality than that offered by political liberalism).

Perhaps most detrimental to the overall consistency and strength of existing arguments proclaiming the doctrinal neutrality of political liberalism is the admission that in certain
circumstances there will be no alternative except to transgress the public neutrality upon which the
very foundation and viability of political liberalism rests. As Rawls notes,

in affirming a political conception of justice we may eventually have to assert at least
certain aspects of our own comprehensive religious or philosophical doctrine.... This will
happen whenever someone insists ... that certain questions are so fundamental that to
ensure their being rightly settled justifies civil strife.... At this point we may have no
alternative but to deny this, or to imply its denial and hence to maintain the kind of thing we
had hoped to avoid (Rawls 1993: 152).5

Political liberals attempt to limit the damage which such a confession inflicts upon their theories by
suggesting that while certain aspects of a particular doctrine may have to be advanced, only those
aspects that are necessary to secure or maintain an overlapping consensus—e.g., whatever is
necessary to ensure equal respect for all “reasonable” persons—need be publicly “asserted”

Rawls, for example, uses the concept of rationalist believers—a concept he “adapted
from Joshua Cohen’s discussion, ‘Moral Pluralism and Political Consensus’” (Rawls 1996: 153,
n.18)—to illustrate the type of individuals who may force us to assert certain aspects of our own
comprehensive religious or philosophical doctrine publicly. Rationalist believers are individuals
who contend that the beliefs contained within their respective comprehensive doctrines “are open
to and can be fully established by reason,” and therefore it is quite proper to use state power to
The suggestion is that rationalist believers and others like them will be a small minority, at most.
However, the character of rationalist believers would not seem to be all that alien or unusual
among citizens of contemporary democratic regimes (e.g., Nazism, McCarthyism, the Moral
Majority, etc), and thus this example may actually strengthen the argument that the type of public assertion in question will not be all that uncommon, even within contemporary liberal democracies.

Moreover, if, as political liberals acknowledge, it is not only possible but probable that throughout the course of one’s life a person will revise his conception of the good, then it is also possible (however unlikely) that each such alteration will result in the need to assert certain aspects of the dominant reasonable doctrine(s) publicly in order to deny the public acceptability of certain views or beliefs. Indeed, each time an individual’s circumstances change in any significant manner, he may feel the need or desire to alter his conception of the good. Hence, it is quite possible that individuals will modify their conceptions of the good a number of times throughout the course of their lives. If this is true, who will decide when it is necessary to “assert” certain aspects of the ruling conception of justice? Likewise, who will determine exactly what must be asserted in order to maintain the overlapping consensus? Unfortunately, political liberals remain largely silent in response to these questions, and this silence brings into doubt the true neutrality of the conception of justice insofar as it leaves unclear precisely who is to determine what aspects of which doctrine(s) are to be asserted, how much of said doctrine(s) need be advanced to maintain the overlapping consensus, and under what circumstances it is both necessary and just to initiate such an action.

It does not seem unreasonable to suggest that decisions regarding what is to be asserted and when it is necessary to make such assertions will be the strict province of those who hold political power. And it is guaranteed that in a well-ordered society based upon political liberalism, only those who accept the conception of political morality embodied in political liberalism and
satisfy the corresponding definition of "reasonable" will obtain any degree of effective political power. This fact is important because, as Shklar argues, an unbalanced dispersion of political power will inevitably produce injustice and, subsequently, political instability (e.g., Shklar 1989: 27, 30-31). By limiting the opportunities for certain individuals to secure political efficacy, political liberalism would seem to be tempting the realisation of Shklar's fears and severely undermining its ability to achieve its stated goals.

The primary dilemma posed by such a situation is not so much whether political liberalism is denying the truth of other doctrines when it allows certain aspects of a particular doctrine to be publicly asserted thereby precluding the potential influence of other beliefs (although, this is certainly a fundamental concern). Rather, the principal problem is that in purposely and publicly denying certain components of a particular comprehensive doctrine, one violates the key tenet and foundation of political liberalism: namely, public neutrality. Indeed, not only is such an act a direct violation of the guiding principle of political liberalism, it is an intentional transgression which thereby undermines even the arguably limited degree of neutrality which political liberals require their conceptions to obtain in order to be considered doctrinally neutral.

The point is this: the qualification that only "certain aspects" of a particular comprehensive doctrine may need to be publicly advanced does nothing to change the fact that there may be numerous instances when we are required to deny the truth of opposing moral judgments publicly and, in turn, employ an unacceptable degree of state coercion in order to maintain obedience to the conception of justice, thereby notably undermining its neutrality. Moreover, the belief that the proposed qualification can somehow minimise or eradicate the potential conflict generated by the
intentional public denial of the validity of certain beliefs or values is itself based upon an extremely debatable and fragile presumption: namely, that in a well-ordered society political power will not be perverted for partisan purposes. The proposed qualification offers an effective means for reducing or eliminating conflict only insofar as one assumes that in those instances in which certain beliefs or values must publicly be given primacy over conflicting beliefs or values, those who are assigned the task of determining exactly what needs to be done will not use the opportunity to promote certain beliefs unnecessarily or in a manner that extends beyond that which is required to maintain an overlapping consensus.

This exclusive and surrealistic political world envisioned by political liberals further compounds the doctrinal bias of political liberalism. In effect, only adherents of reasonable comprehensive doctrines will be likely to endorse the political conception of justice freely and willingly and voluntarily participate in the overlapping consensus. In turn, only those who are members of the overlapping consensus can hope to secure any real opportunity to acquire any noteworthy degree of political efficacy. In essence, then, decisions regarding what aspects of which doctrine(s) are to be “publicly asserted” will be, for all intents and purposes, the sole province of those who control political power, and the ability to obtain political power will be restricted to only those who endorse reasonable comprehensive doctrines. If this is true, then how neutral is political liberalism in terms of access to political power and opportunity to influence the public policy decision-making process? Because policy decisions will be made with reference to only reasonable comprehensive doctrines, such decisions will necessarily express a myopic
view—one that is biased towards the interests of those who affirm comprehensive doctrines that are considered "reasonable" according to political liberalism.

Political liberals emphasise that the political conception of justice may promote certain beliefs and values—namely, "reasonable" ones—without undermining its neutrality (e.g., Rawls 1988: 263; 1996: 194; Larmore 1987: 44-46, 67; Larmore 1996: 139-41, 145; Shklar 1989: 29). Thus a bias in favour of reasonable doctrines is quite legitimate, assuming that all "reasonable" doctrines remain free of controversial beliefs and values. Yet, even if one were to accept this questionable proposition, such an approach is itself premised upon an unrealistic assumption: namely, the presence of a universal agreement among reasonable people as to the precise character and application of "reasonable" political values and principles, including the reasonable use of political power.

III. The Reasonable Use of Political Power

In essence, political liberals believe that it is reasonable to limit access to political power to "reasonable" people—i.e., those who accept the conception of political morality embodied in political liberalism and satisfy the corresponding definition of "reasonable." Though this approach has the effect of requiring that all who wish to obtain political power affirm comprehensive doctrines that are considered reasonable according to the political conception of justice, political liberals do not perceive this stipulation to be problematic. Rather, it is argued that a reasonable political conception may legitimately "shape" other doctrines without violating or undermining its neutrality or engaging in an illiberal use of state power (e.g., Rawls 1993: 246; see also Larmore 1987: 54, 67).
Moreover, political liberals contend that we need not feel obliged to accommodate those who refuse to adopt “reasonable” comprehensive doctrines (e.g., Rawls 1996: xix; Larmore 1987: 60, 66-68). That is to say, it is not an abuse of political power when we exercise it over those who continue to affirm unreasonable doctrines. Arguing that “the political power exercised within a political relationship is always coercive power backed by the state’s machinery for enforcing its laws,” political liberals contend that it is acceptable for those participating in the overlapping consensus to exercise their political power over those outside of the consensus, provided that this power “is exercised in accordance with a constitution the essentials of which all citizens as free and equal may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable” (Rawls 1993: 217; see also Larmore 1999: 606; and Shklar 1989: 37).

The principal problem with this understanding of the appropriate or acceptable use of state power is that such an understanding demands the *a priori* acceptance of the conception of moral personality promoted by political liberalism. In other words, citizens can *legitimately* exercise political power over others only if said citizens are “reasonable” as defined by the public conception of justice, and this is impossible if they do not affirm the notion of moral personality embraced by political liberalism.

As previously remarked, political liberals acknowledge that, even were it desirable, it is impossible to accommodate all ways of life; they also note that there will inevitably be some unreasonable people who are unwilling to accept the demands of political liberalism. Given these facts, political liberals maintain that the political legitimacy obtained by political liberalism is based not upon its ability to secure the support of *all* individuals, but rather on its capacity to engender
its own support by enabling all those who hold reasonable doctrines to affirm the political conception of justice from within the framework of their own particular doctrine (e.g., Rawls 1989: 247; Larmore 1987: 64). The ability of political liberalism to accommodate all reasonable doctrines in this manner is said to ensure that it is not merely an “account of how those who hold political power can satisfy themselves, in light of their own convictions, ... that they are acting properly” (Rawls 1989: 247).

However, such an explanation of the political legitimacy of—and, by extension, the degree of stability offered by—political liberalism remains premised upon obtaining a public basis of justification which refers to only a limited spectrum of citizens: namely, adherents of those doctrines considered reasonable according to political liberalism. A comprehensive doctrine that fails or refuses to not only accept as valid the conception of persons as free and equal (for example), but also to embrace it as nothing more than a fundamental idea, will be considered unreasonable and, subsequently, all adherents of such a doctrine will be effectively precluded from obtaining any significant degree of political power or influence.

As already noted, political liberals do not perceive this restriction to be a problem; indeed, they emphasise that the public conception of justice must make such a distinction if it is to serve as the basis for a viable overlapping consensus. Not surprisingly, the crucial consideration here is the reasonableness of the restriction: as far as political liberals are concerned, if the majority of citizens reject the principles of political liberalism “unreasonably,” that is their problem, not the problem of political liberalism (Holmes 1993: 46). However, if one must affirm a “reasonable” comprehensive doctrine in order to have even the hope of securing any effective degree of political
power or influence, then how politically neutral is political liberalism? Moreover, if only those affirming reasonable comprehensive doctrines are, in effect, able to obtain any significant degree of political efficacy, then why should those who are excluded from the sphere of political power consider the political conception of justice to be anything other than the unjust enforcement of the comprehensive views of those who affirm (certain) reasonable comprehensive doctrines? (e.g., Rawls 1996: 153-55)

More importantly, why should individuals who affirm reasonable comprehensive doctrines that are unable to survive and/or thrive not also believe that they are being unjustifiably forced to adopt a comprehensive doctrine different from that which they would otherwise choose to affirm? Insofar as such individuals perceive the constraints of the political conception of justice to have precipitated or facilitated the demise of their originally chosen doctrine and in so doing necessitated that they affirm an alternative doctrine, such a reaction seems both likely and understandable. Political liberalism fails to provide a satisfactory answer to either of the above questions. In the final analysis, the practical consequence of the restriction of political power to reasonable people is, at minimum, the generation of what amounts to a forced doctrinal homogeneity, necessitated and legitimated by the political conception of justice\(^9\)—precisely the type of outcome that political liberalism is meant to prevent.

**IV. The Reality of Political Power**

As previously suggested, generally speaking, political liberals proceed from the assumption that those in political power will normally refrain from any purposeful attempt to advance and entrench the particular beliefs and values of their respective comprehensive doctrines to the detriment of
the adherents of competing or conflicting doctrines. However, surely empirical reality would suggest that such a fear is part of the liberal tradition and cannot easily be alleviated. Political liberals try to allay this fear by arguing that so long as members of the overlapping consensus continue to respect the demands of reasonable disagreement and adhere to the precept of avoidance, "the political conception will still be supported regardless of shifts in the distribution of political power" (Rawls 1996: 148; see also Larmore 1996: 132-33), and under such circumstances there will be, in effect, little inclination to abuse political power (e.g., Rawls 1996: 252). According to political liberals, the empirical reality of contemporary liberal democracies makes it reasonable to expect the continued satisfaction of such conditions.

However, to accept the possibility that a group may begin to question its sense of moral obligation to, and, subsequently, withdraw its support for, the principle of reasonable disagreement when it found itself in a position where to do so would be advantageous, requires no deviation from or expansion of the framework of liberal thought (Neal 1990: 45), nor does it necessitate any misrepresentation of current empirical reality. As Bruce Ackerman has noted, "It is remarkably easy for men and women to forget their political principles in their eagerness to use state power for their own aggrandizement—and then write up fancy pieces of paper proclaiming their public virtue" (Ackerman 1994: 377).

Given the political history of democratic regimes, it does not seem overly pessimistic or unduly skeptical to fear that a group which finds itself comprising the political majority will seek to dominate the legislative process and shape public policies and practices to better accommodate its particular comprehensive view(s). And, as Rawls notes, "in the long run a strong majority of
the electorate can eventually make the constitution conform to its political will" (Rawls 1993: 233). Subsequently, the emergence of a "strong majority" could and probably would result in illiberal policies and practices, at least to the extent that political liberals consider the public policies and practices generated by a political conception of justice based upon the doctrines of Kant and J.S. Mill to be illiberal. In turn, the emergence of a "strong majority" would seem to be not only a possibility but indeed a likelihood if one accepts the argument that citizens will eventually and logically gravitate towards those doctrines that, for whatever reasons, seem to provide the opportunity for a better life. Surely when individuals realise that certain doctrines or conceptions of the good are afforded a better opportunity for "advancement"—in particular, through the acquisition of political power or influence—then those who believe that they are being deprived will naturally and logically be inclined either to alter their personal comprehensive doctrine accordingly or simply adopt a completely new doctrine, one that has already proven itself to be extremely compatible with the political conception of justice. 10 However, as the pluralistic character of the electorate decreases, the potential for a tyranny of the majority and illiberal policies increases.

In essence, political liberals respond to this dilemma by suggesting that the potential for such a perversion of political power "is simply a fact about political power as such. There is no way around this fact" (Rawls 1993: 233; see also Shklar 1989: 28). While this conclusion may indeed be true, such a response offers no resolution to the problem, but simply provides a statement that we are expected to accept unquestioningly. If at some point in time a society founded upon political liberalism evolves into a tyranny of the majority, then it will have failed to
make good on its principal promise: namely, to produce a well-ordered liberal democracy. In turn, nothing short of a purely prudential argument could provide an effective, persuasive justification for those in the political minority to continue to endorse the public conception of justice and adhere to those public policies and practices that are incompatible or conflicting with their views. However, the public agreement secured under such circumstances constitutes what Rawls has labeled a modus vivendi—an agreement of convenience and circumstance—and as such it, too, is unable to generate the conditions required to establish and sustain the type of just and stable polity sought by political liberals.

Political liberals argue that, among other safeguards, the restrictions imposed by the demands of public reason will generally prevent the adoption of illiberal policies and provide effective security against the emergence of a tyranny of the majority. However, if, as political liberals concede, all potentially controversial and divisive political questions cannot be settled by appeals to public reason alone (Rawls 1993: 244-46; Larmore 1996: 157-58), and if there can be no assurance that the answers produced by public reason will always be “reasonable” (Rawls 1993: 240), then how successful should one expect public reason to be in terms of precluding either the implementation of illiberal policies or the emergence of a tyranny of the majority. In the final analysis, political liberals can offer no guarantee that strict adherence to the tenets of public reason will provide the type of security that they suggest.

V. The Protection Offered by a Political Conception of Justice

Political liberals argue that a “properly laid out” (Rawls 1996: 386) political conception of justice will ensure, to the extent that its is humanly possible to do so, that the political process—that is,
not only the right to vote, but also the "opportunity to hold public office and influence political
decisions" (Rawls 1982: 42)—remains equally accessible to all. In so doing, said conception of
justice will effectively protect against such things as the adoption of illiberal policies and the
establishment of a tyranny of the majority. Such protection will be secured insofar as the
conception of justice guarantees certain basic rights, liberties and opportunities to all individuals.
However, the ability of the conception of justice to achieve this goal is predicated upon the
existence of a common conceptual basis among all reasonable comprehensive doctrines: namely,
a belief that all reasonable conceptions of the good contain "a shared idea of rational advantage"

A "shared idea of rational advantage" is the belief that

citizens affirm the same political conception of themselves as free and equal persons; and ...
that their (permissible) conceptions of the good, however distinct their content and their
related religious and philosophical doctrines, require for their advancement roughly the same
primary goods, that is, the same basic rights, liberties, and opportunities, and the same all-
purpose means such as income and wealth, with all of these supported by the same social
bases of self-respect (Rawls 1993: 180; see also 181).

The presumed presence of this "shared idea" serves as the justification for the belief that a political
conception of justice can provide a publicly acceptable means of determining the validity of
citizens' claims in relation to questions of political justice. This shared idea is premised upon a
universal desire among reasonable people for certain "primary goods"—basic rights, liberties and
opportunities—which are then secured by the political conception of justice. However, this means
that in order for all citizens to obtain the maximum or even the same benefits from the conception
of justice, it will be necessary for all to adopt an identical list of preferred primary goods.
Despite the obvious questions concerning the neutrality of such a requirement, political liberals do not seem to be troubled by such a restriction. Indeed, it is suggested that a "reasonable and effective" political conception of justice may shape comprehensive doctrines in order to change them from unreasonable to reasonable, without jeopardising its neutrality (Rawls 1993: 246; see also Larmore 1987: 54, 67). By default, such "shaping" would also necessarily extend to the list of preferred primary goods. Furthermore, political liberals accept that the "index" of primary goods, to use Rawls' terminology (Rawls 1996: 178-82), secured by the conception of justice can "reasonably" be altered through constitutional, legislative, and judicial amendments (Rawls 1996: 188; see also 290, 298). Despite the obvious opportunities for the perversion of political power made possible by these features of the conception of justice, political liberals maintain that the principles of justice specified by political liberalism effectively preclude such a perversion of political power. Yet, in adopting such a position, political liberals fail to prepare adequately for the possibility that those who hold political power may purposely "shape" the index of primary goods—and, by extension, the conception of justice—to their advantage without necessarily considering the consequences which their actions may have on others who hold differing comprehensive views.

To further complicate matters, political liberalism accepts that the specific value or worth of the primary goods secured by the conception of justice will not be the same for everyone. Though political liberalism provides each citizen with an identical catalogue of basic liberties, the worth or usefulness of these liberties will differ among members of the citizenry (Rawls 1982: 41). The value that an individual derives from a specific primary good directly corresponds to the
means which that individual has at his disposal to take maximum advantage of said primary good. In the case of political liberalism, means refers not merely to material or financial wealth, but rather to one's overall ability to utilise the primary goods secured by the conception of justice. Accordingly, those with greater means will be better able to take advantage of the primary goods guaranteed by the conception of justice.

Political liberalism places the onus on the individual by suggesting that in regards to primary goods, citizens should adopt preferences which adequately reflect "the all-purpose means they can expect, given their present and foreseeable situation" (Rawls 1993: 189). Subsequently, if an individual lacks the all-purpose means needed to take advantage of his chosen preferences, then it is that individual’s responsibility to adjust his preferences to better correspond to what he can (reasonably?) expect. The conception of justice is therefore not unfair or unjust simply because individuals fail to attain unrealistic goals. However, the requirement that individuals adjust their preferences to coincide with the all-purpose means they can expect supports the argument that citizens, in an effort to obtain the maximum benefits possible from the conception of justice, will be strongly inclined (and logically so) to adopt the conception of the good whose goals are best accommodated by the primary goods secured by the conception of justice.  

Hence, political liberalism, in this case via the index of primary goods secured by the conception of justice, actually engenders a doctrinally homogeneous society, but a homogeneity that surely cannot be considered freely and willingly adopted. If the index of primary goods secured by the conception of justice can be shaped by those in power, and only those whose conception of the good affirms the "shared idea of rational advantage" can hope to gain any
degree of political efficacy, then the index of primary goods, and, by extension, the conception of justice, rather than securing the basis for doctrinal heterogeneity, engenders and legitimises what amounts to a forced doctrinal homogeneity. Thus the index of primary goods secured by the conception of justice works in conjunction with the concept of “limited space” and the notion of reasonable, to restrict the conceptions of the good that can survive and prosper, by guaranteeing equitable treatment—i.e., equal opportunity—to only those citizens whose conception of the good affirms the shared idea of rational advantage. Yet, even if one were to argue that the resulting homogeneity was not the consequence of an unacceptable degree of direct or indirect coercion, as Rawls acknowledges, “a ... doctrine, whenever widely, if not universally shared in society, tends to become oppressing and stifling” (Rawls 1992: 597, n.3). Hence, whether doctrinal homogeneity emerges as a consequence of explicit coercion or “reasonable” persuasion, the result is the same: an “oppressive” and “stifling” environment whose effects are frighteningly similar to those of a tyranny of the majority.

Additionally, for those who lack the means necessary to take equal advantage of the primary goods secured by the conception of justice, the lesser worth of the index further serves to make possible a tyranny of the majority by effectively preventing such individuals from obtaining any significant degree of political efficacy, thereby ensuring their impotence in terms of influencing the public policy decision-making process. Political liberalism seeks to preclude this possibility by guaranteeing that, regardless of an individual’s socioeconomic status, the “basic liberties” secured by the conception of justice will be of “approximately equal, or at least sufficiently equal” worth to all citizens (Rawls 1996: 327). It is argued that by guaranteeing this “fair value” (Rawls 1982: 224
41-42), political liberalism prevents "[i]n those with greater responsibility and wealth ... [from controlling] the course of legislation to their advantage" (Rawls 1982: 43). However, though political liberals recognise the need to guarantee the fair value of the basic liberties secured by the conception of justice, they fail to explain exactly how political liberalism can ensure such a condition; they are unable to provide any concrete suggestions as to how such an assurance could be practicably obtained. The end result is this: the primary goods secured by the conception of justice favour those conceptions of the good that affirm the shared idea of rational advantage, and those individuals who have the greatest means for utilising the basic liberties contained in the index (indeed, it is necessary to affirm the shared idea of rational advantage in order to acquire greater means). Consequently, those who affirm a conception of the good that embodies the shared idea of rational advantage will be better able than others to both capitalise on the basic liberties contained in the index and, by extension, to secure political power.

So while it is supposed that all citizens will have "a fair opportunity to hold public office and influence political decisions" (Rawls 1982: 42), there is no clearly identified mechanism to ensure the realisation of this goal, and, subsequently, no effective way to guarantee that political power will not become primarily the province of those citizens who are best able to take advantage of the primary goods secured by the conception of justice. In turn, "those with relatively greater means can combine together and exclude those who have less" (Rawls 1982: 43). Thus, there can be no adequate assurance that those who hold political power will not use it to promote and entrench their own beliefs and values, regardless of the consequences for others who affirm different views. Hence, in practical terms, the concept of "fair value" does little (if anything) to
redress the bias produced by the choice of primary goods and prevent the political ghettoisation13 of the least advantaged. Such being the case, those who are able to take maximum advantage of the basic liberties secured by the conception of justice will undoubtedly secure the greatest political power and therefore be able, for all practical purposes, to direct public policies and practices to the detriment of others. In the final analysis, then, the notion of universally desirable primary goods fails to compensate for the fact that those who control political power may intentionally use that power to “shape” the index of primary goods to better reflect the needs of their own comprehensive doctrines, thereby disadvantaging those with either competing or conflicting views.

VI. Addressing the (Apparent) Anomaly of Shklarian Political Liberalism

It might be argued that given Shklar’s explicit and overwhelming concern with protecting citizens from the abuse of political power, many of the above noted criticisms are inapplicable to her conception. While it is certainly true that Shklarian political liberalism acknowledges and confronts the problem of the potential abuse of political power in a much more direct and fulsome manner than do most (if not all) other conceptions of political liberalism, it, nevertheless, succumbs to certain of the various difficulties that undermine other less attentive conceptions. In particular, Shklar’s conception, like those of Rawls and Larmore (for example), allows for the perversion of political power by knowingly permitting, facilitating and legitimising unequal access to such power. Shklarian political liberalism purposely seeks to prevent certain individuals from even having the opportunity to obtain any significant degree of political power or influence, and thereby enables other “chosen” (e.g., reasonable) individuals to secure a greater influence in the public
policy decision-making process. While it is undoubtedly true that most citizens would prefer to prevent certain individuals or groups from acquiring any dangerous degree of political power or influence (however that may be defined), surely, if citizens are to be treated as free and equal persons able to exercise the basic capacities of reason as such are understood by political liberals, then it must be their decision as to who should be allowed to acquire political power. In other words, treating citizens in the manner advocated by political liberalism would seem to render invalid any *a priori* attempt to limit access to political power and influence.

Recall that the abuse of political power as it is defined above includes not only the intentional use of state power to further the goals or values of a particular comprehensive doctrine or conception of the good to the detriment of others, but also the adoption of a public conception of justice that purposely allows for the favouring of one comprehensive doctrine over others in terms of access to political power and influence. In the case of Shklar’s conception, only those who are reasonable according to the public conception of justice will be assured the opportunity to acquire any significant degree of political efficacy; and only those with access to political power will be able determine what constitutes an (un)reasonable application of that power. 14 Nevertheless, it is argued that political liberalism maintains its doctrinal neutrality and continues to be just, so long as its conception of justice allows for “different and even antagonistic conceptions of the good to be affirmed and pursued” (Rawls 1993: 199; see also 194-200; Larmore 1999: 624, n.27; Larmore 1987: 60, 66-68; and Shklar 1989: 24). Indeed, as already noted, political liberals contend that the public conception of justice “may ... affirm the superiority of certain forms of moral character and encourage certain moral virtues” without undermining its neutrality (e.g.,
Rawls 1988: 263). This feat is possible, it is claimed, because the political virtues associated with political liberalism are compatible with a political conception of justice insofar as they assist in the attainment and maintenance of fair social cooperation and do not “lead to the perfectionist state of a comprehensive doctrine” (Rawls 1993: 194).

However, for Shklar and other political liberals, beyond the general restriction of reasonableness lies a greater problem: namely, not all those who affirm “reasonable” comprehensive doctrines will enjoy equal access to political power and influence. Even among those who affirm reasonable comprehensive doctrines, there will be some who will possess greater means than others and will thus have privileged access to political power. In turn, such individuals will be in a position to determine what constitutes the (un)acceptable use of political power. This situation might be relatively unproblematic if it could be guaranteed that all supporters of political liberalism will affirm the same beliefs and values. However, as political liberals readily acknowledge, it can be expected that even “reasonable” political liberals will at times disagree with one another. Indeed, not only will political liberals inevitably disagree over the correct response to any number of questions of political justice, these disagreements will likely concern those matters for which it is most difficult to secure a consensual resolution—e.g., matters of “supreme importance” or “first significance.” In instances of such disagreement, it does not seem unreasonable to suggest that those possessing political power might use that power to secure a resolution that supports their particular beliefs and values. If the use of state power to implement such resolutions is questioned, it will, once again, be those who possess political power, the very
individuals who proposed and supported the adoption of said resolutions, who will determine the (un)acceptability of the use of state power for the purpose(s) in question.

Like other political liberals, Shklar seems problematically unconcerned with the possibility of "reasonable" people abusing political power. Though she does not explicitly differentiate between reasonable and unreasonable people, the safeguards she suggests assume that most citizens of contemporary Western liberal democracies will share certain "reasonable" beliefs,\(^\text{15}\) and insofar as some individuals do and others do not, one can distinguish between reasonable and unreasonable people, and take precautions to prevent unreasonable people from acquiring political power. If, however, it is inevitable that certain individuals will have a greater ability to secure political power and influence public policy, and if reasonable people will disagree over matters of the first significance, then despite whatever general beliefs all reasonable people may share, the potential abuse of political power by "reasonable" people would seem to be a problem that needs to be directly addressed in a much more thorough manner than has thus far been the case. Though Shklar's conception arguably goes further than many, if not all, other versions of political liberalism in terms of focusing on the need to protect citizens from the abuse of political power, it, nevertheless, shares certain problematic features with its philosophical siblings. In particular, Shklar's conception, like those of Rawls, Larmore, and other political liberals, is problematically biased in terms of its provisions concerning access to political power and influence, while simultaneously failing to provide adequate protection against the possible abuse of political power by reasonable individuals.
VII. Concluding Remarks

Surely the liberal egalitarian character of political liberalism is severely undermined by its approach to the problem of the abuse of political power, and its refusal to address the full range of possible abuses. Though political liberals acknowledge the inevitable presence of self- and group-interests and recognise the potential associated dangers, they believe that the safeguards demanded by political liberalism (e.g., guaranteeing certain basic liberties, requiring adherence to public reason, and ensuring that the index of primary goods is fair to all “permissible” conceptions of the good) will counteract the possible detrimental effects which would normally result from the presence of such interests. Political liberals generally believe that the potential for such purposive abuse of political power is limited in a democratic republic such as the United States (the type of institutional paradigm which arguably provides the principal source of reference for political liberals). It is commonly argued that the “checks and balances” secured by the U.S. Constitution provide a good example of how to prevent the abuse of political power. However, aside from being extremely debatable, such an argument is itself conditional inasmuch as its viability is dependent upon its application to only those polities that maintain an institutional paradigm identical to that of the United States. Such an argument would, for example, be largely inapplicable (or, at the very least, significantly less so) to constitutional democracies based upon a Westminster-type parliamentary system, in which there is the ever-present potential for “majority” governments in which one group of representatives has, in effect, complete control over the legislative process.

Importantly, even in those instances in which the potential for the abuse of political power is accorded prominence, such as in Shklarian political liberalism, significant problems remain.
Perhaps most noteworthy in this respect is the failure of political liberalism to consider seriously and respond effectively to the possibility that "reasonable" people may abuse political power when they believe it advantageous or necessary to do so. The general assumption seems to be that when certain circumstances obtain, reasonable people can be relied upon to refrain from abusing political power. Yet, empirical evidence would suggest that such an assumption is unfounded, or, at best, extremely questionable. In turn, the inability of political liberalism to guarantee that political power will not be used to promote or advance the interests of the adherents of a particular comprehensive doctrine makes more dangerous the political prejudice generated by the notion of reasonable employed by political liberals. The practical limitations—in terms of one's freedom to affirm a comprehensive doctrine of his choosing and design—created by this understanding of reasonable and the concept of fundamental ideas, coupled with the selective and unique character of the political neutrality generated by these notions, essentially precludes the possibility of recognising political liberalism as a metaphysically innocent (Neal 1990: 42), and therefore purely political, concept.

The failure of political liberalism to respond effectively to a problem as serious as the abuse of political power, severely limits its practicability. While the practical implementation of political liberalism may not be the fundamental concern of many of its proponents, by dismissing the potential influence of personal moral, religious, and philosophical views when considering questions of political justice, and refusing to acknowledge the reality of political power—i.e., it will be used to promote a particular viewpoint when it is considered viable and desirable to do so—political liberalism relegates itself to a strictly hypothetical existence and theoretical
application. Under such circumstances, the efforts of political liberals become mere exercises in philosophical discourse. While such discourse can be engaging and thought-provoking, arguably, political liberalism is animated by greater (practical) ambitions. However, “serious political proposals … demand [a] feasibility” (Hill 1994: 338) that is currently absent from existing conceptions of political liberalism.

As the analysis presented in this chapter suggests, the problematic character of political liberals’ approach and subsequent response to the potential abuse of political power is a flaw that is intimately related to the problem of reasonableness discussed in chapter five. Combined, these two features critically undermine the viability of the concept of political liberalism, at least as it has thus far been articulated. Given this conclusion, the obvious question would seem to be: Are the difficulties identified in the preceding two chapters insoluble? Unfortunately, a thorough response to this question would require an entirely separate study. However, it is possible to offer some general remarks regarding what is suggested by the preceding analysis in terms of the future of political liberalism and the direction in which political theory should proceed, especially if we are to address the problems identified in this study. It is to this task that I now turn.16
Notes

1 I am here and henceforth using the term *reasonable* in the same sense in which it is employed in chapter five.

2 The political "process" encompasses not only the right to vote, but also "a fair opportunity to hold public office and influence political decisions" (Rawls 1982: 42).

3 For corresponding definitions, see chapter four (pp. 101-02).

4 By *familiar* idea of neutrality, I mean the "[h]istorically ... common theme of liberal thought ... [which suggests] that the state must not favour any comprehensive doctrines and their associated conception of the good" (Rawls 1993: 190).

5 A similar if differently phrased argument is used by Larmore: In essence, Larmore argues that in those instances in which the pursuit of any of the "constitutive ideals" of a person's conception of the good generate a conflict with the norm of equal respect, the former must give way (e.g., Larmore 1996: 139; see also Shklar 1989: 24).

6 It is worth emphasising that maintaining an overlapping consensus requires sustaining justice. Thus the character and frequency of "public assertions" are (theoretically, at least) determined by considerations of justice.

7 Recall that citizens *freely and willingly* endorse the political conception of justice insofar as their decision to do so is based upon "free public reason"—i.e., the reasoning of free and equal citizens "in the public forum about constitutional essentials and questions of basic justice" (Rawls 1993: 10).

8 To use Rawlsian language, any doctrine which suggests that the notion of persons as free and equal "presupposes, or in some way involves, certain metaphysical theses about the nature of persons as ... moral agents," should be considered *unreasonable* (Rawls 1993: 29, n.31).

9 For more on this point see this chapter (pp. 222-25).

10 Rawls, for example, acknowledges that it is quite possible that certain individuals will totally forsake their "originally" chosen comprehensive doctrine in favour of a new doctrine which they believe will offer them the chance for greater "power" or "wealth and status" (Rawls 1982: 26; see also Rawls 1993: 185-86, 314).

11 Similarly, see this chapter (pp. 216-17).

12 By "limited space" I am referring to the argument that "there is no social world without loss: that is, no social world that does not exclude some ways of life that realize in special ways certain fundamental values" (Rawls 1993: 197, n.32; see also Larmore 1999: 624, n.27).

13 By *political ghettoisation* I am referring to the marginalisation of individuals who would be relegated to the fringes of political existence as a consequence of their political inefficacy. Even if political liberals could provide a viable plan by which the ideal of "fair value" could be formally institutionalised, it is debatable as to whether any such formal entrenchment would or could eliminate, or even substantially alleviate, the problem of political ghettoisation. As Katherine Fierlbeck has noted: "Despite the success of most Western democracies in providing formal institutions of political justice for their citizens, it remains distressingly clear that some groups within these polities have not experienced the same level of social or material (and sometimes even political) benefits enjoyed by dominant groups within the same societies" (Fierlbeck 1996: 3).
14 I do not here mean to question the validity of the suggestion that "there is no social world without loss" (Rawls 1993: 197, n.32).

15 For example, the belief that all people have the right to be free from the fear of fear and cruelty, and, by extension, the belief that a government is acting illegitimately when it uses fear and cruelty to secure obedience from its constituents.

16 The material presented in this chapter has previously appeared in a marginally different form in Young (2002).
References Cited


CHAPTER SEVEN: THE FUTURE OF POLITICAL LIBERALISM

I. Introduction

The aim of the preceding chapters has been to provide a general description of the character of a purely political conception of liberalism and in the course of doing so identify and analyse certain of the fundamental problems confronting such a concept. It has herein been argued that in its current manifestations the concept of political liberalism suffers from a number of flaws that effectively impede its ability to achieve its stated objectives. In particular, it is troubled by an extremely problematic reliance on human reason(able)ness and a deficient response to the danger of the potential abuse of political power. Regrettably, a thorough discussion of how existing conceptions of political liberalism might be modified to eliminate the problems identified in this thesis would require a separate study. However, it is possible to offer some general remarks concerning the viability of the notion of a purely political liberalism, and the direction in which political theory should proceed if it is to respond pragmatically to the problems noted in this study. Prior to engaging in such a discussion, it will be useful to summarise the principal arguments and conclusions presented in this thesis.

II. The Concept of Political Liberalism

Until relatively recently, liberal political philosophers generally proposed theories of justice the validity of which rests upon the presumed affirmation of a given “moral ideal to govern all of life” (Rawls 1985: 245). Such theories assume that the majority of the citizenry either already voluntarily endorse certain beliefs and values or could be convinced through reasonable dialogue
to do so. In the latter part of the twentieth century, liberal theorists such as John Rawls, Charles Larmore and Judith Shklar—to name a few—began to argue that the expanding and increasingly complicated moral, religious and philosophical diversity confronting contemporary liberal societies rendered deficient and untenable previous liberal responses to problems of justice and stability in pluralistic societies. Modern experience, it was claimed, had revealed that the long-held liberal belief that all reasonable people will freely and willingly support a conception of justice that assigns primacy to liberty or autonomy, for example, was mistaken. Disagreement among reasonable people over matters of the “first significance,” it was argued, is not merely a possibility, it is an inevitable and ineliminable feature of all democratic societies. This fact of “reasonable disagreement” effectively precludes the possibility of securing widespread voluntary support for a conception of justice based upon the dictates of a single “comprehensive” vision of the good life. However, barring such support, reliable adherence to the public conception of justice can be secured only through a degree of state coercion that makes justice and enduring political stability impossible.

Rawls, Larmore and Shklar argued that the only way to obtain the necessary dependable public agreement on a conception of justice to regulate society’s basic structure, and thereby secure the basis for a just and stable liberal society, is to offer a conception of justice that effectively recognises and accommodates the religious, moral, and philosophical diversity inherent in contemporary liberal polities. Satisfying such a caveat demands that the conception of justice refrain from presenting a “moral ideal to govern all of life,” and instead restrict its scope of regulatory concern to only those matters upon which all reasonable people can agree. In an
atmosphere of diversity such as that found in contemporary liberal societies, it can reasonably be assumed that reasonable people are unlikely to agree on the appropriateness or validity of anything other than certain “fundamental ideas” innate to such societies. As identified by Rawls, Larmore, and Shklar (among others), the fundamental ideas common to liberal democracies are the notion of society as a “fair system of cooperation” and the conception of persons as free and equal beings, ideas that are “central to the democratic ideal” and, thus, inevitable components of the political culture of such societies (Rawls 1993: 167). These ideas are not merely metaphysical or psychological constructs, rather they are “fundamental political ideas” that are empirically based and widely supported within contemporary liberal democracies (Rawls 1993: 167; see also Rawls 1989: 240), and as such they comprise a shared fund of accepted beliefs and norms. Importantly, because these ideas are generally accepted by the citizens of contemporary liberal democracies, they neither constitute nor are they perceived as partisan or contentious ideas (Rawls 1985: 233).

However, if only nonpartisan or uncontentious ideas can be expected to secure widespread, voluntary support among the citizenry of contemporary pluralistic societies, and if the fundamental political ideas innate to such societies are alone in their ability to achieve a nonpartisan and uncontroversial status, then the public conception of justice must embody only said ideas if it is to obtain and maintain the conditions needed to achieve and sustain a just and stable liberal democracy. In other words, in order for a conception of justice to provide the basis for a well-ordered society, said conception must possess a purely “political” character. If it is to secure and preserve such a character, the conception of justice must confine its sphere of concern to
"political" matters: that is, it must refrain from proposing the type of "comprehensive" moral guidelines common to other conceptions of justice and restrict its scope of application to matters of public interest. Only by doing so, it is argued, can a conception of justice make possible the achievement of a widespread, voluntary public agreement—i.e., an overlapping consensus—among the citizenry of contemporary pluralistic societies, and thus secure the conditions required to establish and sustain a just and stable liberal polity. Its ability to achieve such an outcome is what distinguishes a "political" conception from other conceptions. According to its prominent proponents, the concept of political liberalism represents the realisation of a political conception of justice as presented above.

Though the concept of political liberalism is normally associated with John Rawls, a number of eminent political theorists have also engaged the project of developing a viable liberal political conception of justice. Aside from Larmore and Shklar, theorists such as Bruce Ackerman, George Klosko, Jürgen Habermas, and Ronald Dworkin have also produced their own conceptions of political liberalism. However, despite protestations to the contrary, the prominent conceptions of political liberalism reveal themselves to be sufficiently similar in all important respects to enable their conflation for the purpose of analysis; and when subjected to a thorough analysis, the idea of a purely political liberalism proves itself to be untenable.

III. The Role of Reasonableness in Political Liberalism

As noted in chapter five, the idea of reasonableness is a fundamental feature of all forms of liberalism; it is, however, particularly important to political liberalism. The notion of reason(ability) exerts an unequalled degree of influence in terms of informing and regulating the
character and content of conceptions of political liberalism. The analytical and behavioural demands that the concept of political liberalism places upon individuals are a reflection of its understanding and use of the idea of reason(ableness). The overriding significance of reason(ableness) for political liberalism is perhaps best exemplified by the fact that reasonableness serves as the supreme standard against which all citizens are expected to judge the acceptability and legitimacy of the public conception of justice and all associated political claims and decisions. Political liberals contend that only by assigning such a role to reasonableness—as opposed to truth, for example—is it possible to achieve and preserve the type of public agreement necessary to establish and sustain a well-ordered liberal democracy.

Foremost among the demands accompanying adherence to the dictates of political liberalism is the requirement that individuals be able to distinguish between the reasonable and the unreasonable and separate the two when making decisions concerning questions of public import (i.e., political justice). If individuals cannot effectively satisfy this requirement, then it becomes impossible to secure the conditions necessary to achieve and sustain an overlapping consensus and, by extension, a just and stable liberal democracy. The reasons for this conclusion are as follows.

Whereas the moral, religious and philosophical diversity inherent in contemporary liberal societies precludes the possibility of the entire citizenry of such societies voluntarily endorsing as true a single conception of justice, it is possible for the majority of citizens to affirm as reasonable a political conception of justice (Rawls 1993: 128). In turn, a political conception of justice remains “reasonable” so long as reasonable people can support it without having to compromise
or abandon any of their fundamental beliefs. It satisfies this caveat insofar as it embodies only those values that can reasonably be expected to secure the voluntary support of reasonable persons—i.e., political values—and confines its application to matters of public import.

In adopting such an approach a political conception of justice makes only reasonable demands upon those who must abide by its rules. In other words, it uses reasonableness rather than truth as the “final court of appeal” for questions concerning political justice, and in so doing does not require any reasonable person to transgress, forsake, or otherwise compromise his fundamental beliefs and values. Such flexibility and accommodation allows individuals to endorse a political conception of justice as morally compatible with their own comprehensive visions of the good life, and thereby maintain a constant level of moral support for the public conception of justice, regardless of any changes to their personal circumstances or shifts in the distribution of political power. Were truth made the ultimate standard against which the validity of all public claims is to be measured, the ineliminable religious, moral, and philosophical disagreement present in contemporary liberal democracies would significantly limit the number of citizens that could or would freely and willingly support the adoption of a given conception of justice, and thereby negate any hope of said conception achieving the widespread, voluntary support needed to establish and sustain a well-ordered polity. By making reasonableness the final court of appeal and thereby placing only reasonable demands upon those subject to its dictates, a political conception of justice acknowledges and effectively accommodates the fact of reasonable disagreement and in so doing enables the majority of citizens to support the conception of justice freely and willingly, thus making possible the overlapping consensus necessary to protect justice and stability.
As noted above, if it is to secure and maintain a reasonable character, a conception of justice must embody only reasonable, which is to say political, demands and restrict its scope of concern to matters of public import. Satisfying such conditions necessarily requires that one be able to separate the "political" from the "comprehensive," or "nonpolitical." According to political liberals, such a feat is possible because each citizen's "overall view" consists of two distinct yet related parts, one corresponding to "the publicly recognized political conception of justice," the other "a (fully or partially) comprehensive doctrine to which the political conception is in some manner related" (Rawls 1993: 38, 140). This cognitive schizophrenia, if you will, allows citizens to apply only certain viewpoints to specific questions, and thus to refrain from incorporating controversial and potentially divisive views associated with their respective comprehensive doctrines when publicly discussing questions of political justice. Failure to secure such a selective application of views will effectively preclude the possibility of adequately insulating the political from the nonpolitical, and thereby prevent the development of a conception of justice which can offer the basis for a public agreement that can secure the degree of political stability required to establish and sustain a well-ordered society.

In separating the political from the nonpolitical, citizens are, within the context of political liberalism, separating the reasonable (i.e., political) from the unreasonable (i.e., nonpolitical). The ability to render such a separation enables the development of a purely political conception of justice, and in so doing allows for the establishment of a regulatory framework that makes only reasonable demands on those who must live within its parameters. Only a system of justice that uses reasonableness as its supreme standard of acceptability can hope to avoid divisive,
destabilising conflict and expect to obtain the free and willing support of the majority of the citizenry of a contemporary liberal democracy, and thus secure the basis for a well-ordered society.

According to political liberals, the willingness to support a conception of justice that assigns primacy to reasonableness is a fundamental characteristic of reasonable people. Reasonable people, it is argued, will voluntarily affirm comprehensive doctrines that recognise the fact of reasonable disagreement and accept its associated demands. In so doing, reasonable people will understand that reasonableness must be the standard used to judge the validity of all public claims if a just and stable polity is to be secured and sustained. Only by making reasonableness the penultimate consideration in relation to decisions concerning questions of political justice is it possible to exhibit the requisite degree of respect for one’s fellow citizens. To employ a different standard would be to disrespect and degrade others’ beliefs, and thereby effectively preclude the achievement of a society in which all citizens are able to cooperate with others on terms all can accept—the very foundation of a well-ordered liberal society.

Thus, the viability of the concept of political liberalism is dependent upon its providing an unmistakably clear distinction between the “reasonable” and the “unreasonable” and somehow ensuring that responses to questions of political justice are not “contaminated” by unreasonable views. Political liberalism, however, is unable to satisfy such conditions. Principal among the obstacles impeding the realisation of the necessary distinction and surety is the caveat that the conception of justice need be affirmed only as reasonable. If, as political liberals argue, the degree of political stability provided by the overlapping consensus directly corresponds to the depth of
its members' moral affirmation of the conception of justice, and if we are to believe that the
strength of this affirmation will not diminish following a change in members' personal circumstances
or shifts in the distribution of political power, then it would seem that ensuring the necessary
political stability requires that members of the overlapping consensus unfailingly support the
conception of justice with an equal or greater conviction than that which they maintain for the most
valued aspects of their respective comprehensive doctrines.

In the absence of such unfailing support, individuals may find themselves confronted with
a situation in which they believe it to be either morally appropriate or necessary to abandon their
support for the overlapping consensus, and in so doing unacceptably compromise its stability and
that of their society. Such a situation could occur whenever a conflict emerges between citizens’
fundamental values and the political values of the conception of justice. Political liberals
acknowledge as much when they concede that, “For many the true, or the religiously and the
metaphysically well-grounded, goes beyond the reasonable” (e.g., Rawls 1993: 153). Such being
the case, it would seem that in the event of a conflict between one’s fundamental values and the
political values of the conception of justice, it is quite possible that many reasonable individuals
will assign primacy to the former rather than the latter; insofar as this is a valid assumption, the type
of unwavering moral support required to maintain the overlapping consensus is unlikely to be
realised.

Political liberals, however, do not believe that the threat of such conflict and the
subsequent abandonment of the overlapping consensus is sufficient to warrant significant concern;
this conclusion is based on the belief that reasonable people will disavow those values that conflict
with the goals of a political conception of justice. According to political liberals, reasonable persons recognise that in contemporary liberal societies a diversity of competing, conflicting and irreconcilable views is an ineliminable inevitability, and given this fact, respecting the human dignity of one's fellow citizens will necessitate accepting the continued existence and public accommodation of views with which one disagrees. In other words, reasonable people freely and willingly accept the notion of reasonable disagreement and its associated demands, including the requirement that they faithfully adhere to what Rawls has labelled the precept of avoidance.

Recall, adhering to the precept of avoidance requires that one refrain from publicly asserting or denying the validity of "any particular comprehensive religious, philosophical, or moral view, or its associated theory of truth and the status of values" (Rawls 1993: 150; see also Larmore 1987: 68). Reasonable people agree to accept such a constraint in order to obtain the overlapping consensus needed to establish a well-ordered democratic society. They also understand that satisfying the demands of reasonable disagreement requires accepting that it is unreasonable to use state power to enforce adherence to the dictates of a single comprehensive doctrine. Any attempt to do so necessarily entails the excessive use of state coercion to secure obedience to the conception of justice, and the use of such force is both an unacceptable insult to the human dignity of reasonable persons and incompatible with liberal ideals.

Reasonable people as presented above recognise that given the fact of reasonable disagreement an overlapping consensus is not only appropriate but necessary if one hopes to establish the conditions that will enable all reasonable individuals to realise the personal freedom necessary to pursue a life-plan of their own choosing and design—the only type of freedom that
adequately respects one's dignity as a person (Shklar 1989: 30; Larmore 1996: 123-24; Larmore 1999: 607-08; and Rawls 1996: 48-50, 53-54). Such accommodation and freedom can be achieved only if the conception of justice can secure and preserve an overlapping consensus. Reasonable people understand that satisfying such a caveat requires that there always be a respectful degree of accommodation and freedom, which necessitates that in the case of a conflict between the political values of the conception of justice and the values embodied in citizens' comprehensive doctrines, the former always be assigned primacy. Hence, the maintenance of a viable overlapping consensus, and, by extension, the preservation of a just and stable polity, demands that the majority of its members voluntarily and faithfully endorse the political values associated with the public conception of justice.

However, the arguments of political liberals suggest that only reasonable people can be relied upon to maintain their commitment to the political values comprising the conception of justice. Yet, if the establishment and preservation of a viable overlapping consensus is dependent upon its securing and sustaining the free and willing support of a majority of the citizenry, and if only reasonable individuals can be relied upon to maintain their support for the conception of justice, then the perpetuation of a viable overlapping consensus would seem to require that the majority of the population be reasonable in the sense understood by political liberals. Political liberals believe that such a condition already exists, and thus this criterion is not considered an obstacle to the achievement of an enduring overlapping consensus.

Political liberals contend that their depiction of the characteristics and capacities of a reasonable person is not only plausible, but is grounded in empirical fact: it accurately reflects the
qualities and faculties of the majority of citizens who inhabit contemporary liberal democracies. Such being the case, it is neither unrealistic nor improbable to suggest that in instances of a potentially divisive conflict of values, individuals will be willing to assign primacy to the political values of the public conception of justice. However, empirical evidence concerning the attitudes of the citizens of a number of contemporary liberal democracies would seem to suggest that the validity of such a claim is extremely questionable. In particular, citizens' willingness to adhere to the demands of the precept of avoidance seems to be much less assured than political liberals suggest. A noteworthy amount of social science research completed over the past fifty years not only undermines the suggestion that citizens are willing to subordinate their fundamental values in the manner required by political liberalism, but also, more damagingly, reveals that when feeling threatened, many individuals are quite willing to accept and, indeed, publicly demand the abridgement of any number of the basic liberties promoted by political liberalism (Klosko 1993: 352; see also Klosko 2000: 42-115). The horrific and tragic events of September 11, 2001, have, like McCarthyism in the 1950s (for example), prominently exposed and reignited this tendency and willingness to sacrifice individual liberties in the name of national security.

The reality is that life in contemporary pluralistic societies is and always will be fraught with moral, philosophical, and political complexities that produce irreconcilable conflict between "private" and "public" values. Issues will regularly arise which generate emotionally-charged and controversial questions—e.g., involvement in foreign conflicts, the use of nuclear weapons, governmental policies on abortion, gay rights, euthanasia, capital punishment, etc—that produce disputes that cannot be resolved by an appeal to public reason(ability). Such being the case,
there would seem to be no effective way to prevent divisive conflict between individuals' fundamental values and the political conception of justice. However, when such conflict occurs, support for the political conception of justice will likely fluctuate, and when it does, the overlapping consensus may be unacceptably undermined.

The principal problem with the approach advocated by political liberals is that it makes the establishment and preservation of an overlapping consensus and, by extension, a just and stable polity dependent upon the reasonableness both of citizens and of the public conception of justice. However, as has been noted by a number of theorists, the specific characteristics and demands of "reasonableness" are likely to be a source of debate and disagreement among citizens, especially in contemporary liberal societies (e.g., Neal 1995; and Bohman 1995). Subsequently, depending upon the definition of "reasonable" that is employed, the majority of a polity's citizenry may or may not qualify as reasonable persons. But if it is to provide the political stability required to establish and sustain a well-ordered society, the overlapping consensus must maintain the voluntary support of a majority of the population, and this can be assured only if said majority is reasonable. Yet, even if the requisite number of citizens already were or became reasonable, there could be no guarantee that they would always remain so. Reasonability is too dynamic and fickle a basis upon which to premise citizens' continued support for the prevailing definition of "reasonable." If reasonability is to provide the basis for a stable overlapping consensus, then all reasonable citizens will have to affirm and maintain the same definition of "reasonable"—specifically, that propounded by political liberalism. Only by ensuring such a homogeneity can one be assured of securing the type of unwavering moral support required to
guarantee the continuation of the overlapping consensus. However, given the unavoidable heterogeneity and fluidity of reasonability, it seems improbable and, indeed, implausible to suggest that all reasonable people will voluntarily endorse and remain faithful to any single definition of "reasonable" and its associated demands.

Furthermore, if individuals’ initial and continued affirmation of the conception of justice is, as suggested by political liberals, predicated upon their belief that it condones only reasonable behaviour, then maintaining a constant level of moral support for the conception of justice and, by extension, the overlapping consensus, would seem to require that all decisions justified by reference to it be considered reasonable by all participants in the overlapping consensus. But even if we assume that all citizens define “reasonableness” as the willingness to adhere to the demands of public reason as defined by the conception of justice, political liberals acknowledge that there can be no guarantee that every decision produced by the political conception of justice will be reasonable in the required sense (Rawls 1993: 240).

Subsequently, by itself, citizens’ willingness to assign primacy to reasonableness when confronted with a conflict between the truth of their fundamental values and the demands of the political conception of justice does not resolve all significant problems. If it is to provide the basis for a reliable overlapping consensus and, by extension, a well-ordered society, then political liberalism must somehow ensure that 1) all participants in the overlapping consensus possess and maintain an identical understanding of what constitutes reasonableness; and 2) the political conception of justice avoids generating any unreasonable decisions. Thus far, at least, political
liberals have been unable to produce a conception of justice that satisfies either of these two
criteria effectively.

In the final analysis, the viability of political liberalism is sabotaged by what might be called
the “paradox of reasonableness.” The concept of political liberalism can fulfill its stated
ambition—i.e., to provide the means by which to establish and preserve a well-ordered
society—only if it respects the reasonableness of those subject to its demands. However, insofar
as it respects and relies upon the reasonableness of those involved, it allows for the emergence
and rule of unreasonableness, and in so doing impedes its ability to accomplish the task for which
it has been developed. Contrary, then, to the hope and suggestion of political liberals,
reason(ability) cannot fulfill the role it has been assigned in political liberalism: it is unable to
ensure the type of public behaviour required to establish and preserve an overlapping consensus
on a single conception of justice to regulate society’s basic structure, and this fact critically
undermines the viability of the idea of a purely political liberalism.

IV. Political Power in Political Liberalism

Political liberalism presents a very specific understanding of what constitutes the legitimate exercise
of political power. According to political liberals, the coercive use of political power is legitimate
only when it “is exercised in accordance with a constitution the essentials of which all citizens may
reasonably be expected to endorse in the light of principles and ideals acceptable to them as
reasonable and rational” (Rawls 1993: 217). This understanding of the necessary constraints on
the use of political power is accompanied by an equally noteworthy vision of the character of
those who wield political power: namely, that such individuals will not purposely pervert political
power to further a specific partisan agenda—whether their own or that of a particular group or segment of the citizenry—to the detriment of other competing reasonable interests.

According to political liberals, if we are to ensure that all citizens are treated with the respect they deserve as free and equal persons, then the conditions regulating the exercise of coercive political power must be acceptable to all those subject to said power. To establish conditions that lack such voluntary acceptance would be to treat individuals “merely as means, as the objects of coercion, and not also as ends” (Larmore 1999: 607). By demanding that the principles informing the use of political power be the object of reasonable agreement among those they are to govern, political liberalism recognises individuals as beings capable of thinking and acting on the basis of reasons—in other words, both as means and ends—and in so doing respects individuals’ distinctive capacity as persons. Only by adopting such an approach is it realistic to expect reasonable people to support the conception of justice freely and willingly, thereby securing the political stability required to establish and sustain a well-ordered society. Political liberals believe that such an understanding of the proper exercise of coercive political power is shared by all reasonable persons and, indeed, generally accepted by the citizens of existing liberal democracies.

Achieving and preserving the respect necessary to establish and sustain the sought after political stability also requires that the political process secured by the conception of justice be perceived to be neutral by all reasonable citizens. In order to exhibit the respect needed to garner and maintain the voluntary support essential to establishing the type of enduring political stability necessary to establish and sustain a just and stable liberal democracy, all reasonable citizens must
believe that the political process, including the coercive use of political power, is fair to the adherents of all reasonable comprehensive doctrines. If political power is perverted for “individual” gain, then it ceases to be neutral or fair insofar as it purposely benefits some more than others and in so doing fails to be equally respectful of all citizens.\(^1\)

Political liberals argue that the conception of justice they promote is neutral to the extent humanly possible and to the degree necessary to secure the desired overlapping consensus among the citizens of a contemporary pluralistic society. Political liberals generally distinguish between three different understandings of the term “neutrality”—namely, procedural neutrality, neutrality of aim, and neutrality of effect or influence—and contend that political liberalism achieves and need only maintain a certain degree of procedural neutrality and neutrality of aim in order to be correctly considered neutral. What this means is that the public conception of justice must refrain from purposely favouring a particular vision of the good or comprehensive doctrine that contains any controversial view(s) concerning the nature and content of the good life; to do otherwise would be to fail to provide the equal respect due to all reasonable persons. Proponents of political liberalism contend that it offers a conception of justice that embodies the necessary neutrality and, by extension, exhibits the degree of fairness required to secure the conditions needed to establish and preserve a just and stable liberal democracy.

However, the arguments used by political liberals to justify their conclusions regarding the neutrality of their understanding of the proper exercise of coercive political power are premised upon a number of extremely questionable claims and demands, the close examination of which
brings into serious doubt the ability of political liberalism to achieve and preserve the type of neutrality it requires if it is to secure and maintain the support of all reasonable citizens.

A particularly problematic claim concerns the suggested effect—or, more correctly, lack thereof—of a public denial of the acceptability of certain beliefs. Political liberals acknowledge that there may be instances when it is publicly necessary to deny the acceptability of beliefs that conflict with the political conception of justice. Such a public denial will be required when a conflicting belief also deems it acceptable to use political power to force all citizens to act in a manner that is consistent with the demands associated with the belief in question. Somewhat amazingly, though, political liberals do not believe that such a public denial unacceptably violates or undermines the neutrality of the political conception of justice; they contend that so long as such “public assertions” deny only what is necessary to maintain the overlapping consensus, the conception of justice remains sufficiently neutral.

Unfortunately, political liberals remain largely silent with respect to identifying precisely who is to determine what aspects of which doctrine(s) are to be asserted, how much of said doctrine(s) need be advanced to maintain the overlapping consensus, and under what circumstances it is both necessary and just to initiate such an action; and this silence brings into question the neutrality of the conception of justice. In the absence of any declaration as to who will make such decisions, it seems logical to assume that such decisions will be the strict province of those who hold political power. However, if such is the case, and if the ability to obtain any noteworthy degree of political power is restricted to those who voluntarily affirm the notion of political morality embodied in public conception of justice and satisfy the corresponding definition
of "reasonable," then how neutral is political liberalism in terms of access to political power and opportunity to influence the public policy decision-making process? Furthermore, by limiting the opportunities for certain individuals to secure political efficacy, political liberalism allows for an unequal distribution of political power and in so doing tempts the emergence of injustice (whether real or imagined) and political instability, and thus significantly jeopardises the ability of political liberalism to achieve its stated goal(s).

Political liberals argue that it is quite acceptable to place such "reasonable" restrictions on the access to political power. Given that there is "no social world that does not exclude some ways of life that realize in special ways certain fundamental values" (Rawls 1993: 197, n.32; see also Larmore 1999: 624, n.27), the fact that political liberalism is unable to accommodate equally the totality of views that will exist in a contemporary liberal democracy is not, political liberals maintain, proof of an unacceptable degree of bias or exclusion. Indeed, by making "reasonableness" the standard of inclusion and access, political liberalism, it is claimed, provides for the greatest degree of accommodation and, by extension, access to political power, and thus represents what is arguably the least biased regulatory framework possible under conditions of extreme diversity like those found in contemporary liberal democracies. Such being the case, not only is it quite legitimate for political liberalism to "reasonably" limit access to political power, but doing so in no way undermines its neutrality (e.g., Rawls 1988: 263; 1996: 194; Larmore 1987: 44-46, 67; Larmore 1996: 139-41, 145; Shklar 1989: 29). In essence, then, according to political liberals, it is an unfortunate (?) fact of pluralistic societies that the public conception of justice cannot help but allow for unequal access to political power, but in doing so, it is doing
nothing unusual or unacceptable insofar as the resulting inequality is an inevitable and unavoidable feature of any society. Hence, so long as it minimises such inequality to the degree humanly possible, political liberalism does nothing to jeopardise its neutrality.

However, even if one accepts the above justification for allowing unequal access to political power and disregards the potential questions and problems associated with the accompanying exclusion, problems remain. In particular, the validity and viability of such an approach is itself premised upon an unrealistic assumption: namely, the presence of a universal agreement among reasonable people as to the precise character and proper application of reasonable political values and principles, including the reasonable use of political power. If reasonableness is the benchmark for determining what constitutes acceptable public behaviour, then each citizen's interpretation of what qualifies as the legitimate exercise of coercive political power will be intimately and inextricably connected to his understanding of the demands of reasonableness. In turn, if the conception of justice is to secure the political stability needed to establish and sustain a well-ordered society, then, according to political liberals, it must be able to obtain and maintain the voluntary support of the majority of the citizenry, which it can do only if it is considered reasonable by most citizens. Hence, securing and preserving the sought after sociopolitical conditions will require that the majority of citizens affirm and maintain an identical definition of "reasonable," including what constitutes both the legitimate (i.e., reasonable) exercise of coercive political power and a reasonable inequality of access to such power. Yet, surely it is unrealistic to suggest that such a prerequisite could ever be effectively satisfied, even among reasonable people. While it might be possible to secure a widespread, public agreement on the
The general character of a reasonable political demand—in this case, the acceptable exercise of coercive political power—such an agreement becomes much more difficult to maintain once one is forced to apply general principles to specific questions of political justice, especially when said questions concern matters of “the first significance.”

Perhaps even more problematic for the viability of political liberalism is its assumption that reasonable persons possessing political power will voluntarily and faithfully refrain from using that power for partisan purposes to the disadvantage of other citizens. Though different variants of political liberalism acknowledge and respond in varying degrees to the problem of the potential perversion of political power, all fail to adequately protect against the abuse of political power by “reasonable” people. Even when the problem of the abuse of political power is given centre stage, as it is in Shklarian political liberalism, the resulting conception neglects to provide effective security against such abuse by reasonable people. Arguably, the history of politics in contemporary liberal democracies suggests that even “reasonable” people are not immune to the corrupting influences of political power and the temptation to use it for their own advantage. The unfortunate consequence of this reality is that reasonable people, too, pose a threat against which citizens must be protected. Political liberalism, however, fails to provide for such protection.

Thus, while emphasising its practical and empirical character, political liberalism adopts a surprisingly unrealistic approach to the problem of the possible abuse of political power. Though political liberals acknowledge the potential for political power to be perverted and concede that there is really no sure way to preclude this possibility completely, the ability of political liberalism to provide a neutral conception of justice and thereby secure the basis for the required overlapping
consensus remains contingent upon the validity of the assumption that political power will not be abused. Political liberals, however, seriously consider only the most blatant difficulties associated with the abuse of political power. In so doing, political liberalism fails to respond to the full range of potential dilemmas associated with the possible perversion of political power. This failure effectively prevents political liberalism from adequately protecting citizens against such perversion. Such a vulnerability critically undermines the ability of political liberalism to ensure the neutral exercise of coercive political power and thereby secure all of the conditions necessary to establish and sustain an overlapping consensus and, by extension, a well-ordered polity (as defined by political liberalism). In other words, the ability of the concept of political liberalism to achieve its stated goals is unacceptably jeopardised by its inadequate response to the problem of the potential abuse of political power.

V. Can the Ills of Political Liberalism be Remedied?

While the difficulties confronting the concept of political liberalism are both normative and empirical in character, arguably, it is the latter type that pose the greatest obstacle to its success. In particular, its dependency on the reasonableness of citizens places the viability of the concept of political liberalism effectively beyond the control of political theorists. Though a number of political liberals have responded to this and similar problems by tying the viability of their claims to the presence of an “ideal situation” such as the assumed existence of widespread, stable support for certain beliefs and values, by itself, this caveat does not negate all of the difficulties resulting from the various explicit and implicit empirical claims used to validate certain fundamental components of political liberalism.
To explain: In an effort to maintain its practicality, ideal situation caveats, when employed by political liberals, are often followed by arguments claiming that a survey of existing empirical realities justifies the presumption of the proposed ideal insofar as historical and contemporary features of liberal democracies make possible its realisation. In turn, political liberals argue that given the presence of such empirical support, presuming an ideal situation does not threaten the practicality or viability of political liberalism. A prominent example of this approach is the claim that citizens of contemporary liberal democracies are able to abandon the "cult of wholeness" (Larmore 1996: 141) and refrain from responding to questions of political justice with answers that are justified by reference to controversial private beliefs, or "nonpublic" reasons. Yet, as already noted, empirical evidence makes extremely dubious any such claim. If empirical evidence does not support the claims of political liberals concerning the existence or likely emergence of such a capacity or inclination, then, according to the terms established by political liberals, not only is the presumption of the proposed ideal rendered invalid, but the practicality and, in turn, the viability of political liberalism is critically undermined. Hence, in the manner in which it is commonly employed by political liberals, the presumption of an ideal situation does not protect political liberalism against the problems posed by empirical realities that bring into question the validity of certain of its fundamental claims upon which its viability rests.

Perhaps more importantly, the difficulties identified in this study—i.e., an unsound reliance on the reason(able)ness of individuals, and the assumption that in a society regulated by the dictates of political liberalism those occupying positions of political power will generally refrain from any attempts to abuse it to further their own interests—are not merely matters of detail, but
rather are inherent and elemental consequences of the very idea of a purely political liberalism, and as such, its viability is dependent upon their resolution. Lamentably, the problems noted in this thesis are impossible to resolve in a manner that would allow the character of political liberalism to remain true to the vision of its founders.

Not surprisingly, then, the principal conclusion of this study is that the concept of political liberalism represents an untenable paradigm that is, consequently, unable to provide a viable response to the problem of political stability as it presents itself in contemporary liberal democracies. In the final analysis, the idea of a purely political liberalism collapses under the weight of its own demands: it fails to satisfy its self-defined requirements for securing the basis for a stable overlapping consensus and, subsequently, a well-ordered society. Though proponents of political liberalism have explained the benefits and indeed the necessity of a purely political conception of justice and detailed why their proposals should be received as such, their arguments "constitute more a ... statement of what a political conception must amount to than an explanation of how such an account can be given" (Neal 1990: 34).

This is not to suggest that the liberal response to the problem of political stability in pluralistic societies is philosophically unreasonable or illogical. Indeed, a quick review of the fundamental arguments animating the liberal outlook, both in its general and purely political forms, suggests just the opposite. The proposition that any regulatory framework that hopes to secure and sustain political stability must gain the voluntary support of those subject to its demands not only makes eminent sense, but has been validated by history. It is also quite logical to insist that achieving and sustaining such support is possible and likely only if the individuals in question
believe that the regulatory framework treats them fairly, or justly. It is equally sensible to suggest that fulfilling such a condition will require that those who live within the parameters of the regulatory framework be given a reasonable opportunity to realise their respective visions of the good life. And in a polity characterised by a diversity of competing, conflicting and often irreconcilable beliefs, satisfying such a requirement will necessitate the establishment and preservation of a regulatory framework capable of accommodating a variety of comprehensive doctrines. By providing for the establishment and preservation of such a framework, then, the concept of political liberalism offers the means by which to secure and sustain political stability in contemporary pluralistic democracies.

Not only do the preceding propositions seem quite reasonable and logical, but one could also argue that when combined they form a sound syllogistic argument, the conclusion of which is represented by the concept of political liberalism. Political liberalism could thus be said to offer a sensible and *philosophically* sound response to the problem of political stability in pluralistic polities. However, the soundness of political liberalism obtains only insofar as one approaches the problem from the hypothetical perspective of an ideal world that denies certain empirical realities concerning human behaviour—e.g., humans are problematically unpredictable, illogical, unreasonable, and irrational. Once one abandons the "party of hope" (Shklar 1989: 26) and re-enters the world of existing societies, the ability of political liberalism to provide an effective response to the problem of political stability is critically undermined.

Given the threat to social unity and political stability that is posed by the ever-increasing sociopolitical cleavages in contemporary societies, the failure of political liberalism to offer an
empirically viable response to existing problems precipitates a number of pressing questions. Perhaps most prominent among such questions is whether it is really possible to develop a single, viable conception of justice that can adequately accommodate the potential diversity of demands associated with the plurality of comprehensive doctrines that is likely to exist in contemporary liberal democracies? Unfortunately, the concept of political liberalism does not provide a satisfactory answer to this question. If anything, a close examination of the principal arguments supporting the concept of political liberalism may leave one more doubtful than ever regarding the prospects for realising its objectives.

The failure of political liberals to produce an empirically viable regulatory framework that can secure the conditions needed to establish and sustain the sought-after well-ordered society should not dissuade others from rising to the challenge: while success is the goal, its absence does not negate the usefulness of such exercises. Indeed, to the extent that each “failure” helps to highlight the problems that remain and must be addressed before the ultimate goal can be achieved, it brings us one step closer to reaching a solution to the problem of political stability in contemporary pluralistic societies. In this context, the concept of political liberalism has much of value to offer political theory. Particularly noteworthy in this respect are the insights gained from political liberals’ discussion of the problems posed by reasonable disagreement.

In light of the ineliminable ethnocultural, religious, moral and philosophical pluralism that characterises contemporary national and international politics, the fundamental values animating the idea of a purely political liberalism—e.g., toleration, reciprocity, and equal respect—would seem to be essential components of any conception of justice whose aim it is to secure the type
of sociopolitical environment that will publicly allow for the pursuit and realisation of a diversity of competing, conflicting and irreconcilable conceptions of the good. Political liberalism's discussion of the complex character of these values and their relationship to justice and political stability helps us to better understand the problems associated with their operationalisation. Indeed, it is the insights gained from the debate between proponents of political liberalism and their critics that suggest that the concept of political liberalism could never successfully move beyond the philosophical realm.

The conclusions of this study suggest that the only way one can be assured of establishing and sustaining the conditions necessary to achieve the sociopolitical environment sought by political liberals is to develop a conception of justice that publicly supports and protects the values in question, rather than relying upon the reasonableness of individuals, as does political liberalism, to secure and nourish the necessary conditions. A cursory review of contemporary history reveals the potentially horrific consequences associated with merely presuming that the majority of citizens will reliably act in a reasonable manner—i.e., freely and willingly subordinate their fundamental aspirations to the demands of public reasonableness in order to obtain and maintain a sociopolitical environment that is equally respectful to those views with which they disagree. If we are to avoid the dangers associated with such an expectation, we must be more proactive in terms of ensuring adherence to certain values and safeguarding their primacy in the public realm.

Accordingly, what is needed is a conception of justice that forcefully supports and protects the liberal values embodied in political liberalism. If it is true that there is "no social world without loss," and if it is also true that many of the citizens of contemporary liberal democracies
already support the values embraced by political liberalism, then taking the additional step of
publicly and actively endorsing and protecting such values should not constitute an unacceptably
onerous or offensive imposition on those concerned. The only notable difference between such
an approach and that of political liberalism is that the former is willing to declare publicly the value
of what the latter requires to achieve its goals but is explicitly unwilling to demand of its adherents.
It is in this respect that the concept of political liberalism falters by forsaking practicality for
philosophical continuity. Though the concept of political liberalism has certainly embraced the
concerns of both philosophical liberalism and empirical practicality, engaging and attempting to
address the real-world problems found in existing liberal democracies, it has, nevertheless, failed
to achieve a realistic balance between these two concerns. Such a balance requires that the
frailties of human nature—e.g., unreasonableness, irrationality, egoism, etc—not only be
adequately recognised, but also effectively protected against.

The operationalisation of such an approach would seem to require that the liberal belief
in the justness of the principles of toleration and equal respect explicitly guide all public policy
and, subsequently, the activities of all public institutions, including the public education system. If
the goal is to establish and preserve a sociopolitical environment that offers the greatest
opportunity for each citizen to pursue his (freely) chosen vision of the good life and thereby realise
self-fulfilment, then a regulatory framework that unequivocally demands that primacy be given to
the principles of toleration and equal respect would seem to offer the best possible option. Given
that the boundaries of accommodation must be drawn somewhere, such an approach not only
secures the greatest practical degree of accommodation, it also provides the most effective means
for its protection by explicitly requiring that public behaviour, both on the part of individuals and the government, adhere to the demands of toleration and equal respect, thereby significantly reducing the need to rely upon human reason(ability) to achieve the desired results.

Though the resulting regulatory framework transgresses the boundaries of neutrality advocated by political liberalism, and insofar as it does is more "perfectionist" in character, it is, arguably, no more illiberal or exclusionary in its practical effect than is the framework generated by the concept of political liberalism. Hence, the proposed alternative approach offers a paradigm that is able to provide greater certainty with respect to generating and sustaining the type of public behaviour necessary to secure and preserve the sought after sociopolitical conditions, while maintaining an actual degree of accommodation equal to that available from political liberalism. Both in terms of its practical consequences and its fundamental character, then, the proposed alternative does not represent a significant departure from the approach promoted by political liberalism. However, insofar as the above recommended alternative approach more fully acknowledges and responds to the frailties of human nature and in so doing secures greater protection against unreasonable public behaviour, it presents a more practical and, by extension, useful response to the problem of political stability than does that offered by the concept of political liberalism. (Unfortunately, a thorough discussion of this argument cannot be entertained within the confines of this study.)

Of course, not all political theorists, liberal or otherwise, will agree that the type of "practical" approach being recommended is either desirable or useful. Indeed, there are those who argue that practicality should be purposely avoided. Ronald Beiner, for example, contends that
the drive to develop "practical" conceptions of justice has produced an undesirably "modest" approach to theorising that has effectively buried the heroic and essential "spirit" of political philosophy (Beiner 1997: xii). According to Beiner, focussing one's efforts on producing practical theories that seek to address concrete sociopolitical problems unduly and detrimentally restricts the scope of theorists' investigations. Beiner maintains that this narrowing of "analytical horizons" generates a pervasive intellectual conservatism and philosophical myopia that render political philosophy incapable of providing the type of extreme, penetrating critique that he "associate[s] with the very enterprise of theory" (Beiner 1997: 3).

In precluding such critiques, practical theorising is, Beiner claims, depriving political philosophy of the "intellectual resources" needed to identify what is "sordid, empty, mechanical, and dispiriting," or, conversely, what is valuable, laudable and inspiring about our existing social order (Beiner 1997: xii). In other words, practical theorising leaves political philosophy unable to provide the analytical tools that theorists require if they are to "pass judgment" on the value of contemporary life—the raison d'etre of political theory (Beiner 1997: 6). Practical theorising thus betrays the "essential mission" of political philosophy: namely, to help us "understand ourselves at a deeper fathom by exposing ourselves to the challenge of ... alien thought-worlds" (Beiner 1997: xiii). Such an objective can be achieved, Beiner argues, only if theorists abandon the goal of practicality and embrace the type of "intellectual extremism" (Beiner 1997: ix) or philosophical radicalism, that is the hallmark of the "grand tradition of political philosophy" (Beiner 1997: x). If it is to regain its once robust and heroic character, political philosophy must first be emancipated
from the chains of modesty that currently constrain it. According to Beiner, nowhere are these chains more evident or forcefully promoted than in contemporary liberal theorising.

In essence, Beiner maintains that liberals' overwhelming concern with developing doctrines that can provide the basis for a public agreement on a single conception of justice that can effectively resolve many of the sociopolitical problems currently confronting existing liberal democracies represents the bastardisation and debasement of the true aim of political philosophy. He argues that true political philosophy neither requires nor supports the search for compromise and consensus that consumes liberalism. More specifically, true political philosophy does not seek "to offer sensible guidance on the conduct of social life, but rather to probe the normative adequacy of a given vision of social order by pushing that particular vision as far as it will go" (Beiner 1997: ix). True political philosophy is "radical, extravagant, probing, biting, and immoderate" (Beiner 1997: x), and it is impossible to achieve these qualities and simultaneously seek to address practical questions. According to Beiner, by focussing on producing practical conceptions of justice, theorists take the once noble and inspiring practice of political philosophy and transform it into "narrow, uninspiring, pragmatic squabbling over details" (Raz 1990: 5).

Yet, if, as Beiner acknowledges, theorists have little hope of "prevent[ing] ... [their] well-intentioned theorising from being drawn into the whirlwind of political practice" (Beiner 1997: 150), then surely it makes perfect sense for theorists to adopt a "practical" approach to theorising and avoid, rather than champion, "intellectual extremism" and its fantastical visions of utopian societies that, as Shklar well understood, have often served as the justification for unthinkable acts of terror and cruelty. 4 Indeed, given the horror and misery that have been visited upon the world
in the name of the realisation of radical philosophical visions of the perfect society, can anyone sincerely suggest that the expansion of analytical horizons is more important than securing sociopolitical stability and human safety? If one is genuinely interested in and committed to the betterment of humankind’s existence, and if it is likely that despite efforts to the contrary, theory will influence practice, then it would seem that theorists should consciously seek greater, not less, practicality in their theories.

Though theoretical aspirations need not be limited to the immediately achievable, the problems of modernity generate urgent practical demands that justify a focussed and pragmatic approach. The challenge confronting contemporary political theorists is not to re-establish the “intellectual extremism” which Beiner associates with the true calling of theory, but rather to develop a political philosophy that more directly and realistically confronts the concrete problems which continue to jeopardise the exceedingly fragile sociopolitical stability of the new world (dis)order. Accordingly, the most valuable contribution that political theorists can make is to develop theories from which we can at least hope to generate viable solutions to existing problems. From this perspective, the problem with contemporary liberal theory is not that it is too practical in its orientation, but rather that it is not practical enough: “the main problem with liberal theory ... is ... with closing the gap between liberal theory and the real world” (Bell 1998: 572).

To this end, political liberalism serves as an excellent example of the direction in which theorists should be heading, even though it does not quite “close the gap.”
VI. Concluding Remarks

Given the multitude and magnitude of the problems currently confronting humanity, it seems quite reasonable to suggest that a worthy goal for political theorists is to develop theories which offer possible resolutions to these problems. This is not, however, to suggest that "answers" themselves are the only gauge of success; certainly the thought and discussion stimulated by the development and promotion of a particular idea are also a valid measure of its success. Regardless of whether it provides a map to the "promised land," intense philosophical inquiry and speculation—such as that undertaken by political liberals—offers one of the principal means by which we can hope to develop the theoretical tools with which to improve our practical condition (for those of us who believe that there is still room for, and the possibility of, improvement). But as with any investigation that hopes to generate sound conclusions and useful suggestions, philosophical speculation needs to take place within well-defined parameters if it is to produce viable solutions to concrete problems. Accordingly, as Shklar suggests, political philosophers must avoid convenient conjecture and utopian theorising and accept and confront the often unpalatable sociopolitical realities which are the offspring of modern liberal-democratic capitalist societies, even though doing so may necessitate that we also accept that the most practical solutions to our problems may conflict with firmly entrenched traditional and contemporary liberal ideals. 5

In light of the conclusions of this study with respect to the untenable character of the concept of a purely political liberalism, one might reasonably question the value of continued efforts to develop a viable liberal conception of justice, at least in the sense that such an entity is currently understood. After all, if the concept of political liberalism is animated by many of the
same fundamental principles and beliefs that enliven all other forms of liberalism, then surely deficiencies undermining the former are likely to have an identical (or, at least, very similar) effect on the latter. While it is certainly true that in various instances the difficulties troubling political liberalism are also likely to pose problems for the theory of liberalism in general, I am not convinced that the untenability of existing conceptions of political liberalism necessarily translates into a similar fate for the more general philosophical doctrine of liberalism. Regrettably, a thorough analysis of this question cannot be undertaken within the confines of this study.

What I would suggest is that even if the criticisms herein levelled against the concept of political liberalism are also significantly or equally applicable to the general theory of liberalism, such a fact does not negate the value of continued “liberal” theorising. Indeed, given the ever-increasing sociopolitical fragmentation of the citizenry of liberal-democratic societies, any conception of justice which hopes to gain the free and willing support of even a simple majority of the citizenry, will likely have to embody liberal principles. Subsequently, the need for liberal theories of justice is perhaps more acute than at any other point in time in the history of the world. What is needed, however, is a liberalism that accurately reflects and is “practically relevant to the actual political problems of the world” (Neal 1994: 84). Hopefully the inability of the concept of political liberalism to sustain its viability under close scrutiny will help to further accentuate the distance that must yet be covered if we are to satisfy this need.
Notes

1 To reiterate: such perversion, or abuse, occurs not only when political power is purposely misused—i.e., knowingly employed unreasonably—but also when the conception of justice unnecessarily prevents any person or group from having an equal opportunity to secure political power.

2 It is worth emphasising that maintaining an overlapping consensus requires preserving justice. Thus the character and frequency of “public assertions” undertaken to maintain the overlapping consensus are (theoretically, at least) determined by considerations of justice.

3 Arguably, George Klosko’s *Democratic Procedures and Liberal Consensus* (2000) represents the best example thus far of an attempt to produce a conception of political liberalism that embodies this approach.

4 Even Beiner recognises the potentially detrimental impact of the type of “radical” theorising that he advocates: “To be sure, one has little reason to doubt that our political world of the last two centuries would have been a decidedly safer place if Rousseau, Marx, and Nietzsche had practiced theory in more or less the way that John Stuart Mill practiced theory” (Beiner 1997: xi)

5 As Rogers Smith has noted: “there are deep tensions among richly valued liberal goals, and liberals lack any means of resolving those tensions without sacrifice. These problems are chronic and important; they must always be addressed” (Smith 1994: 652)

6 Moreover, I want to emphasise that my critique of the work of Rawls, Larmore, Shklar, and other political liberals, should in no way be understood as a dismissal of its value or usefulness. The importance of their contribution to our understanding and analysis of liberal theories of justice and the problems confronting contemporary liberal democracies is, I believe, beyond question. In particular, if “success discloses faults and infirmities which failure might have concealed from observation” (Mill 1993: 72), then political liberals have indeed been “successful.”

7 A noteworthy amount of the material presented in this chapter has appeared previously in Young (2002).
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