**Political Liberalism and Respect for Citizens as Reasoners**

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**Abstract:** My aims in this paper are twofold: (1) to develop an account of a kind of respect for persons *as reasoners* which is motivated by John Rawls’ defense of reasonable pluralism on epistemic grounds, and (2) to demonstrate that this kind of respect vindicates a stronger civic duty to incorporate nonpublic comprehensive doctrines in public deliberation than Rawls provides in his account of public reason. I begin with a discussion of Rawls’ account of the epistemic sources of reasonable disagreement – the burdens of judgment – and argue that this idea provides support for an important conception of respect currently absent in scholarship about norms of public deliberation. I then outline the conception of persons as reasoners and the corollary duties of respect that follow from the recognition of persons as reasoners. I conclude with a discussion of the implications of this conception of respect for the idea of public reason. (149 words)

Two liberal principles define the relationship between religion and politics in modern societies: tolerance of religious pluralism and the separation of church and state. They determine the extent to which religious beliefs should be protected and they set limits on the inclusion of religious justifications for laws and policies. But they also apply beyond these legal considerations. John Rawls argues that the distinction between public and nonpublic domains in political liberalism best accommodates the fact of reasonable pluralism. Only if citizens bracket disagreements over nonpublic comprehensive doctrines can they hope to achieve agreement about fundamental political principles in the public domain. It is by removing many controversies from the political agenda, in other words, that we best accommodate reasonable disagreement about religious, cultural, and philosophical matters. My aim in this paper is to challenge this response to pluralism.

While in *A Theory of Justice* Rawls discusses respect in some detail, *Political Liberalism* is silent on the issue. The notion of self-respect remains what he calls a “primary good” in the
later text, but he downplays the concepts of mutual respect, equal respect, and respect for others. This paper articulates a version of respect for persons that appears to motivate Rawls’ account of reasonable pluralism, what I shall call *respect for persons as reasoners*, and defends the recognition of it as a civic duty. While respect for reasoners is consistent with Rawls’ defense of reasonable pluralism, I will argue, he does not lend positive support for it in his defense of the idea of public reason. The notion of respect for reasoners is an intrinsically evaluative form of respect, and judging the potential validity of people’s beliefs, convictions, or values is an essential component of the development of such respect. Adequate respect for persons as reasoners requires that we critically evaluate one another’s views rather than avoid disagreements.

In what follows I suggest an interpretation of Rawls’ idea of reasonable disagreement that explains both the epistemic grounds for treating persons as reasoners and the motivation for limiting the ambition of public deliberation. I then articulate a conception of persons as reasoners, compatible with Rawls’ political conception of personhood, and develop an account of what respect for persons as reasoners requires. Finally, I argue that the idea of public reason adopted by political liberals is insufficient in its failure to defend a duty to respect citizens as reasoners and the norms of public deliberation compatible with this duty.

1. The Epistemic Grounds of Reasonable Pluralism

John Rawls’ *Political Liberalism* offers one of the best and most widely accepted formulations of a key problem for political philosophy, the problem of reasonable pluralism. Rawls formulates this problem as follows: “How is it possible for there to exist over time a just and stable society of free and equal citizens, who remain profoundly divided by reasonable
religious, philosophical, and moral doctrines?" Rawls argues that individuals can maintain a commitment to their religious and moral doctrines while reaching an agreement about a restricted set of principles of justice to govern their lives. His resolution is no mere peacekeeping effort, no *modus vivendi*, but is instead supported by a principled affirmation of shared political values. It does not, however, require that all individuals be liberal or secular in their broader worldviews. In fact, according to Rawls political liberalism should not compete with worldviews or comprehensive doctrines at all, since political liberalism is not itself a worldview or comprehensive doctrine; it is instead a freestanding, independent conception of the principles and procedures that make possible a just and stable society of free and equal citizens. This ensures that a political conception of justice can be one that is shared by all reasonable persons and narrows the scope of disagreement on public matters.

The broad family of political views classed under the heading of political liberalism are marked by two closely related commitments: state power must be shared by all citizens in order to be legitimate (the liberal political ideal of legitimacy), and in a pluralistic society we can share political power only if we accept a distinction in our deliberative obligations when in the public domain (the idea of public reason). Rawls provides both a practical and an epistemic defense of public reason. From a practical perspective, public deliberation in pluralistic societies is unlikely to be productive if citizens must first resolve deep disagreements about metaphysical or religious matters. Instead, politically liberal citizens ought to focus on those political issues that can be reasonably expected to be accepted on the basis of an overlapping consensus without aiming to settle deeper controversies. From an epistemic perspective, politically liberal citizens ought to support the flourishing of reasonable disagreement because this kind of pluralism reflects a difficulty embedded in moral, metaphysical, and religious reasoning. In this section my aim is to
emphasize this line of reasoning in order to demonstrate the extent to which reasonable
disagreement can be motivated for largely epistemic, extra-political reasons.

Political liberalism aims to structure the political relationships among free and equal
citizens so that coercive power is shared by all. Rawls assumes that political society is closed and
that it involves coercive political power. Citizens are born into a particular political society and
cannot easily exit from it. To this extent membership in a political society is involuntary and,
according to Rawls, this fact requires a conception of justice shared by all those affected.\(^v\) The
fact that citizens have coercive power over one another in political relationships raises the
question of the legitimacy of such power. According to Rawls, this power is legitimate to the
extent that the power is shared equally by all citizens:

Since political power is the coercive power of free and equal citizens as a corporate body,
this power should be exercised, when constitutional essentials are at stake, only in ways
that all citizens can reasonably be expected to endorse publicly in the light of their own
common, human reason.\(^vi\)

Central to this “liberal political ideal of legitimacy” is the liberal priority of autonomy in
determining a just rule of law. Within a political society that aims to treat all citizens as free and
equal, the only coercive power that would not involve the arbitrary force of a heteronomous rule
of law is the power citizens (rationally) impose upon themselves.\(^vii\) The liberal political ideal of
legitimacy implicitly conceives of persons as reasoners, in the sense that I will describe below,
insofar as it presupposes that all citizens value their ability to reflectively endorse goals, projects,
and limits on their freedom. This requires of a politically liberal regime that it recognize the
requirement of equally shared coercive power, but it does not require that each individual
citizen’s conception of justice be realized per se. Instead, Rawls argues that citizens share
coercive power equally by conceiving of justice in terms all reasonable people can agree to.\(^viii\)

This liberal political ideal translates into a specific requirement for Rawls’ project — that it
uphold the principle of legitimacy, according to which coercive power should be exercised only in ways that are acceptable to all reasonable people.

According to Rawls, however, modern pluralistic democracies are often incapable of reaching the liberal political ideal described above, for epistemic reasons. Reaching agreement about a conception of justice is particularly difficult when liberal ideals flourish, for a wide range of comprehensive doctrines are defended by citizens. These doctrines comprise citizens’ background commitments with respect to a wide variety of concerns, including everything from child-rearing practices to whether there is an afterlife. In liberal societies, preserving the freedom and equality of citizens encourages the growth and security of many conflicting religious, moral, and philosophical comprehensive doctrines: “This pluralism is not seen as a disaster but rather as the natural outcome of the activities of human reason under enduring free institutions.” Rawls ascribes the sources of this pluralism of worldviews to facts internal to modern democracy.

Rawls considers “the fact of pluralism” to be an inevitable feature and accomplishment of modern life; but what remains to be considered is the extent to which the sources of reasonable disagreement are epistemic. Against other possible explanations for persistent disagreement he argues,

We might suppose that most people hold views that advance their own narrow interests; and since their interests are different, so are their views. Or perhaps people are often irrational and not very bright, and this mixed with logical errors leads to conflicting opinions. But these explanations are too easy, and not the kind we want. We want to know how reasonable disagreement is possible, for we always begin work within ideal theory.

Rawls’ account of the “burdens of judgment” underlies his conception of reasonable disagreement and his claim that doctrinal diversity is a result of conscientious judgment about political and moral matters. Rawls mentions several sources of reasonable disagreement, each of which produces a difficulty involved in judging moral and political issues: the complexity of
evidence, differing priorities of considerations, differing background experiences among citizens, and the prevalence of hard cases. These epistemic hazards explain why there will be disagreements among comprehensive doctrines. The fact of reasonable disagreement reflects an achievement of society — namely the freedom of conscience secured by liberalism. Moreover, the disagreement is itself valuable, since “Citizens learn and profit from conflict and argument, and when their arguments follow from public reason, they instruct and deepen society’s public culture.” But, in the end, our political judgments are subject to the burdens of judgment and it is “highly unlikely that conscientious and fully reasonable persons, even after free and open discussion, can exercise their powers of reason so that all arrive at the same conclusion.”

Rawls’ affirmation of reasonable disagreement does not, however, extend to the acceptance of unreasonable disagreement as a kind of conflict to be accommodated by political liberalism. On his view, “Persons are reasonable in one basic aspect when, among equals say, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that other will likewise do so.” Citizens may be unwilling to consider each other’s positions, unwilling or incapable of defending their values, or may allow prejudices to drive their judgments; but the fact that people disagree for bad reasons should not occlude the extent to which disagreement is sometimes reasonable. For instance, if someone else thinks dinosaurs never existed because such a belief would conflict with his religious convictions one need not conclude that disagreement with this person on this issue is reasonable, nor must dogmatically held beliefs be respected in general, especially if they conflict with uncontroversial scientific claims. In *A Theory of Justice* Rawls explicitly denies that unreasonable views should be respected: “From the standpoint of justice as fairness it is not true that the conscientious judgments of each person ought absolutely to be respected; nor is it true that individuals are
completely free to form their moral convictions.” It is not the mere fact of disagreement that should restrain our public justifications of laws; it is the fact that such disagreement arises for the right kinds of reasons. Rawls’ view, which I share, is that there are epistemic grounds for some kinds of disagreement about moral and political matters such that pluralism is a natural consequence of free thinking. Citizens reasonably disagree about whether the value of autonomy is more important than the value of community, for example, and they reasonably disagree about whether eating meat is morally permissible.

In one sense, conflict resolution is the goal of political liberalism, as it provides a procedure of public deliberation through which outcomes will be legitimate from the perspective of all reasonable citizens. Conflict arising from the application of political principles is resolved through agreement about the acceptable norms of justification of laws and policies. However, another familiar route to settling disagreements is eliminated from the outset — the modus vivendi defense of toleration. This is central to his claim that political liberalism enjoys a long-term, principled defense of reasonable pluralism, avoiding temporary settlements citizens only begrudgingly accept. The model for his solution to the problem of conflicting comprehensive doctrines is religious toleration, as defended following the European religious wars of the 16th and 17th centuries. The latter took as a point of departure the need for political compromise to stave off inevitable warfare. Freedom of conscience secured the rights of citizens to practice their own religion. In this form, religious toleration rests in a compromise — the acceptance by all citizens that no single religious doctrine should govern all citizens. In Rawls’ words:

In this society political issues might be discussed in terms of political ideas and values so as not to open religious conflict and arouse sectarian hostility. The role of public reason here serves merely to quiet the divisiveness and encourage social stability. However, in
this case we do not have stability for the right reasons, that is, as secured by a firm allegiance to a democratic society’s political (moral) ideals and values. xxiii

Religious toleration was defended as a way of getting along that did not require anyone to compromise his or her own religious beliefs. But this form of toleration did not go so far as to defend the reasonability of the religious disagreements. Consequently, the mere separation of church and state, without an acknowledgment of the burdens of judgment as sources of reasonable disagreement, fails to defend tolerance in philosophically significant terms. xxiv But Rawls is not interested in merely avoiding religious warfare; he aims to support the flourishing of reasonable pluralism as the basis of agreement about a political conception of justice.

As an alternative to the early modern defenses of religious toleration, Rawls argues that citizens can reach reasonable agreement, instead of political compromise, on a conception of justice that serves as the basis of justification for a constitutional regime. He assumes that all citizens, insofar as they are invested in background cultures, are committed to various comprehensive doctrines. What is important about comprehensive doctrines is that they inform a wider range of concerns than what Rawls calls the political conception of justice. xxv A citizen’s conception of the good may be informed by any number of views that she cannot reasonably expect to be shared by all citizens in a democratic society. Whether or not a child should be circumcised, for instance, is a question often informed by one’s religious beliefs; and insofar as the religious beliefs themselves are open to reasonable disagreement, this practice could only be made obligatory by an oppressive regime. By contrast, the political conception of justice only applies to constitutional essentials and basic matters of justice common to all citizens.

At this point the centrality of a shared conception of justice should be clear. Citizens facing persistent reasonable disagreement and committed to the liberal political ideal of legitimacy have to find a common ground on which to base coercive laws and public policies.
The fact of reasonable disagreement rules out the reliance on any particular comprehensive doctrine for a conception of justice that all citizens could accept. Accordingly, Rawls develops an approach in which, unlike *A Theory of Justice*, a political conception of justice is justified in purely *public* terms. xxvi

2. Respect in Politically Liberal Societies

In *A Theory of Justice* Rawls defends a natural duty to respect others as moral persons. “Mutual respect is shown in several ways: in our willingness to see the situation of others from their point of view, from the perspective of their conception of their good; and in our being prepared to give reasons for our actions whenever the interests of others are materially affected.” xxvii Rawls also repeatedly describes self-respect as “perhaps the most important primary good.” xxviii By self-respect he means both an endorsement of one’s plan of life and a confidence in one’s ability to carry out that plan. As he explains, self-respect relies on other respect-worthy people appreciating and confirming our plans. xxix This notion of respect encourages persons to appraise the value of life plans adopted by others. xxx This does not mean that Rawls does not also think that we ought to respect the human dignity of all persons regardless of their particular life plans. Self-respect and respect for others are based on our estimation of the value of persons both as such and insofar as they adopt better or worse projects.

Rawls has good reason to avoid using a comprehensive concept of respect for persons in *Political Liberalism*, because it is not a political notion of respect that can be accepted by all reasonable people. Perhaps we should have this kind of mutual respect in the background culture when discussing contentious nonpublic matters. But in the political domain it would be
tantamount to siding with a particular comprehensive account of natural duties to uphold this kind of mutual respect:

[A]s citizens we are to reject the standard of perfection as a political principle, and for the purposes of justice avoid any assessment of the relative value of one way of life. Thus what is necessary is that there should be for each person at least one community of shared interests to which he belongs and where he finds his endeavors confirmed by associated. And for the most part this assurance is sufficient whenever in public life citizens respect one another’s ends and adjudicate their political claims in ways that also support their self-esteem. xxxi

He explains, “This democracy in judging each other’s aims is the foundation of self-respect in a well-ordered society.” xxxii Our political respect for one another should not be based on perfectionist appraisals of one another’s projects or life plans. For Rawls, various communities in the background culture suffice to appraise our life plans and projects in that way, and it would be inappropriate for citizens to base political respect for fellow citizens on such grounds. While Rawls does not explicitly develop a political conception of respect for persons, there are several options that seem compatible with his view. xxxiii

James Boettcher offers a reconstruction of a Rawlsian notion of political respect for persons that avoids any commitment to a perfectionist comprehensive doctrine. Boettcher argues that political respect for persons requires recognition of the moral status or standing of all persons and the recognition of the identity-constituting commitments of persons. This recognition respect for persons attempts to incorporate universalist Kantian understandings of the dignity and worth of all persons while also accepting the force of particularist critiques of Kantian respect by requiring that all persons be recognized for their particular identities and affiliations. xxxiv Boettcher goes on to defend Rawls against the charge that the ideal of public reason is disrespectful of religious citizens insofar as it requires them to deny their religious identities in public deliberation. xxxv Rawls repeatedly defends the idea of public reason in
recognition of the free and equal status of all persons, a morally significant standing that, he argues, all reasonable people accept. In fact, one of the rare references to mutual respect in *Political Liberalism* arises in the context of a defense of public reason. Rawls states, “If free and equal persons are to cooperate politically on a basis of mutual respect, we must justify our use of our corporate and coercive political power, where those essential matters are at stake, in the light of public reason.” This suggests that a Rawlsian case for respect for persons can be derived from his political liberalism, though he did not develop it in those terms himself.

But neither universalistic notions of respect for the dignity and worth of all persons nor particularistic notions of respect for persons in their uniqueness and individuality are the chief concerns of this paper. Respect for persons in terms of the universal worth and dignity of persons is certainly compatible with respect for reasonable disagreement. But a person could reject reasonable disagreement, could for instance believe that they have infallible access to the fact that a fetus is a person at conception, while still affirming universal human dignity. What I am interested in is a kind of respect specifically tailored to Rawls’ notion of the burdens of judgment and the fact of reasonable pluralism. My question is: If we accept the burdens of judgment and if we live in a society marked by persistent reasonable disagreements, then what does respect for oneself and for other persons require?

A Rawlsian response to this question would center on what Rawls calls the “duty of civility.” In *Political Liberalism* he argues citizens have an obligation to justify constitutional essentials and matters of basic justice in terms others could accept. This follows from his endorsement of the liberal ideal of legitimacy discussed above – that coercive laws are legitimate to the extent that they can reasonably be expected to meet the assent of all governed by them. Since all reasonable people accept the burdens of judgment, by definition, and since the only
legitimate coercive power is shared coercive power, we must all accept that our particular comprehensive doctrines are inadequate grounds for the development of a shared political conception of justice. We must accept a distinction between our nonpublic and our public use of reason and restrain ourselves to the use of the latter when justifying constitutional essentials and matters of basic justice. To do otherwise would be to unfairly force our own controversial comprehensive doctrine on others and hence cut short reasonable disagreement.

But Rawls also makes clear that the idea of public reason is not a gag rule, nor does it discourage people from voicing their nonpublic reasons in the course public deliberation. His “proviso” allows that all citizens may rightly include declaration of nonpublic views in the public domain, so long as they are willing to provide public reasons in the course of justifying their support for constitutional essentials and matters of basic justice. Following the introduction of the proviso in “The Idea of Public Reason Revisited,” citizens maintain an obligation to restrain themselves to public reasons only when offering public justifications for constitutional essentials and matters of basic justice. xxxvii

Despite the shift in his description of the public domain as more welcome to nonpublic comprehensive doctrines, in the end the purpose of his distinction between public and nonpublic matters is precisely to limit the ambition of public deliberation in order to enhance cooperation. The duty of civility requires that citizens not attempt to evaluate one another’s reasonable comprehensive religious or moral doctrines in the public sphere. xxxviii We rightly avoid such evaluation out of respect for the fact of reasonable disagreement itself. xxxix Rawls’ defense of reasonable pluralism is not, therefore, a merely socio-historical explanation of the development of modernity; it is instead an epistemic argument concerning the kind of knowledge we can have
about religious and moral matters. The survival of such reasonable disagreement rests on the freedom of reasonable comprehensive doctrines from state intrusion.

It seems that what citizens react to in adopting “reasonable” attitudes is something general: they react to their judgment that people can defend a wide range of competing beliefs and values about religious and moral matters without being guilty of erroneous or irrational thinking. I suggest that we describe this deliberative attitude as respecting the fact of reasonable disagreement. In other words, the acceptance of the burdens of judgment should lead citizens to respect reasonable disagreement.\textsuperscript{x1}

But respect for the fact of reasonable disagreement is only obliquely a form of respect for persons themselves. What I am looking for is a notion of \textit{respect for persons} that is implicated by respect for reasonable disagreement. At this point I will sketch an account of respect for persons that is not only compatible with respect for reasonable disagreement, but is indeed inseparable from it. What I call respect for persons as reasoners does not aim to compete with either respect for persons as having dignity or with respect for persons in their unique identities. Instead, I offer an additional dimension of respect in order to motivate a civic duty of engagement with nonpublic arguments in the public sphere.

\textbf{3. Respect for Persons as Reasoners}

I have developed a Rawlsian defense for the claim that duties of civility require that citizens respect the fact of reasonable disagreement. This consists in an acceptance of what Rawls calls the burdens of judgment. In this section I will argue that respect for reasonable disagreement is predicated on a particular kind of respect for persons insofar as we conceive persons as \textit{reasoners}. After developing a sketch of the conception of persons as reasoners I will
then argue that respecting the fact of reasonable disagreement requires that we respect persons as reasoners.

As discussed above, respect for the fact of reasonable disagreement is entailed by Rawls’ argument that moral and political matters are such that people can come to contradictory conclusions about them without making errors in reasoning. It does not entail that there is no fact of the matter about moral and political matters. On the contrary, Rawls remains agnostic with respect to the possibility of objective moral and political truths. Instead, respecting reasonable disagreement requires that we accept the limitations of our knowledge about moral and political matters: because the evidence for and against different moral positions is deeply (and rightly) affected by people’s different experiences and ways of valuing and ranking evidence, we should understand our positions and beliefs as fallible.

This involves a particular conception of oneself and others as reasoners. All persons are (at least potentially) reasoners insofar as:

1. Reasoners conceive of themselves and other reasoners as at least potentially capable of understanding and weighing the merits of all possible reasons for the endorsement of beliefs and the adoption of ends and projects.
2. Reasoners value their ability to understand and weigh evidence when reflectively endorsing beliefs and when reflectively adopting ends and projects.
3. Reasoners accept that there are better and worse reasons and processes of reasoning for endorsing certain beliefs and for adopting certain ends and projects.
4. Reasoners seek to find and improve upon their reasoning in an effort to increase the reliability of their beliefs and improve their ends and projects.
5. Reasoners conceive of other persons as potential sources of reasons and thus are invested in understanding, appreciating, and evaluating the reasons for and against divergent beliefs and ends and projects.

According to the first claim, reasoners are involved in a universally accessible process of reasoning. This means that all persons, insofar as they are reasoners, have the ability to understand and evaluate reasons in favor of any belief or aim adopted by others. Universal access does not deny that some personal experiences cannot be fully shared with others, and accordingly that a full understanding of personal experiences may not be communicable. But a commitment to universal access to reasons does mean that there are no personal experiences that are completely ineffable from the perspective of reasoning. There may be ineffable experiences, but insofar as they are ineffable they give reasoners less reliable reasons for endorsing a belief or adopting a project.

According to the second claim, reasoners are involved in a process of finding bases for endorsing beliefs and adopting ends and projects. Here the term process is meant to emphasize that reasoning is open-ended and continual, involving the activity of understanding different kinds of evidence and making judgments from that evidence. Conceiving of reasoning in this way does not deny that non-rational feelings or emotions appropriately play a role in our judgments about which beliefs to endorse and which projects to adopt, but reasoning itself is meant to identify the cognitive aspect of judgment.

According to the third claim, reasoning is an inherently criticizable process. Acceptance of the first claim, that reasoning is a universally accessible process, does not mean that reasoners ought to treat all reasons as equally valid. On the contrary, reasoners value their ability to discern better from worse reasons when endorsing one set of beliefs or adopting one plan of action.
against the backdrop of other options. Insofar as we attribute this same reasoning ability to others
we ought to conceive of them as also responsible for discerning better and worse reasons. In
consequence, we should accept that the only way to convince others of the merits of our own
beliefs and projects is to provide them with reasons that bear on the options available to them.
We should also conceive of our own process of reasoning as fallible and open to criticism from
other reasoners.

According to the fourth claim, reasoning is a progressive process. To the extent that we
accept the third claim, that there are better and worse reasons in favor of beliefs and projects,
reasoners ought to value their ability to exercise improved judgments, in part by acquiring
expanded evidential sets. As reasoners, we look on our beliefs and projects as justified by
reasons and, to the extent that we value more reliable beliefs and more worthwhile projects, we
ought to seek to improve our processes of reasoning. This also implies that reasoners are
reflectively engaged with their reasoning process and value their ability to critically examine the
grounds on which they base their beliefs and projects. This does not deny that as persons we are
embedded in cultural, historical, and political contexts deeply inform our reasoning processes.
But as reasoners we also conceive of ourselves as capable of critically reflecting upon (and
changing) the role our cultural, historical, and political context plays in our reasoning process.
We ought also to attribute this same ability to other reasoners rather than presuming that they
cannot escape the grasp of their cultural, historical, or political context.

According to the fifth and final claim, reasoning is a process that is potentially improved
by collective reasoning. This is compatible with the idea that some forms of collective reasoning
are sufficiently distorted and warped by extra-rational considerations (the desire for money,
power, fame, etc.) that they tend to undermine processes of reasoning. However, given that
reasoners conceive of themselves as fallible, and conceive of other reasoners as having unique experiences and insights that could potentially improve their own beliefs and projects, reasoners have strong incentives to seek processes of collective reasoning. In particular reasoners ought to strive to understand why other reasoners disagree with them, and to be invested in being understood by others so that others might usefully reflect on their views. The fifth claim entails that public deliberation is valuable to reasoners not merely for political purposes, but also for the sake of improving their beliefs and projects.

At this point one might raise an objection to this notion of persons as reasoners – namely, it does not appear to be a merely “political” account of personhood. According to Rawls, a wide variety of persons with competing liberal and non-liberal comprehensive doctrines will be able to accept the burdens of judgment. The account of reasoners presented here seems to rule out as unreasonable any person who relies on revealed knowledge as the source of their moral knowledge to the extent that they conceive of revelation as providing an indubitable and yet not publicly demonstrable foundation for their beliefs. This is indeed a consequence of the conception of personhood I am defending. This interpretation of the burdens of judgment is epistemic, not political. But in my view it is also a necessary component of Rawls’ principled defense of reasonable pluralism. Political liberalism is ambitious in that it attempts to defend pluralism as the natural outgrowth of freethinking people’s responsible exercise of their reasoning capacities. This is why Rawls rejects mere modus vivendi versions of tolerance. Someone who believes they have access to infallible moral beliefs and that others are culpable in their failure to agree with these beliefs is incapable of seeing religious or moral tolerance as anything but a peace-keeping compromise. Such a person may be able to respect persons as having a kind of universal human dignity, but cannot respect persons as reasoners. Tolerance for
the right reasons, as Rawls puts it, will only inhere in societies that enjoy a shared public culture in which persons accept the burdens of judgment. In what follows I argue that Rawls’ political conception of public deliberation, particularly insofar as it is structured by the idea of public reason, is in tension with the epistemic lessons of the burdens of judgment and potentially undermines the development of the right kind of shared public culture.

Having outlined what makes persons reasoners I will now turn to a moral question: What does respect for reasoners entail? And, in particular, how should we treat persons as reasoners in processes of public deliberation? The following three norms follow from the account of persons as reasoners outlined above.

1. Respect for reasoners requires that we treat all reasoners as capable of understanding and evaluating our beliefs and values.

2. Respect for reasoners requires that we engage with reasoners as potential learners.

3. Respect for reasoners requires that we engage with reasoners as potential teachers.

According to the first requirement, in recognition of the fact that processes of reasoning are presumed to be universally accessible to all reasoners, we ought to address one another as persons engaged in a shared process of reasoning in which evidence and arguments are evaluable by people across broad cultural, social, or religious affiliations. Moreover, we ought to have confidence in our own ability to ascertain the meaning, value, and in some cases validity of other people’s beliefs and projects, despite divergences in cultural, social, and religious affiliations; and we ought to accept that the meaning, value, and in some cases validity of our own beliefs and projects can be ascertained by others who do not share our own cultural, social, or religious affiliations.
According to the second requirement, in recognition of the fact that reasoners value their ability to understand and weigh evidence and to base their beliefs, ends, and projects on this evidence, we ought to provide space for reasoners to engage in processes of learning and to aid them in this process by providing evidence of our own, when relevant, in a way conducive to their understanding. We ought also to be cognitively open to increasing our understanding and to improving our reasoning. We respect ourselves as reasoners when we seek to improve our reasons for our beliefs and our reasons for adopting certain ends and projects.

According to the third requirement, in recognition of the fact that reasoners seek to increase the reliability of their beliefs and improve their adoption of ends and projects, we ought to critically evaluate the judgments of others. We ought to take seriously the objections and criticism offered by other reasoners and be open to changing our beliefs and projects based on their evaluation of our reasons. We ought also treat ourselves as potential resources for other people and offer our judgments in the course of deliberating with others.\textsuperscript{xliii}

One of the potentially controversial elements of my account is the idea that respect for persons as reasoners requires that we understand ourselves to be, in some sense, fallible in our judgments. One cannot fully demonstrate respect for oneself or others as reasoners without due fallibilism about the processes of reasoning that ground her beliefs, values, and judgments. But some might object that obliging people to accept that some of their most deeply held moral and political views could be wrong is too burdensome. Christopher Eberle raises this objection, arguing that we need not treat our nonpolitical views as fallible in order to count as respecting our fellow compatriots:

Note that I interpret the scope of [the] fallibility requirement narrowly: as applying to a citizen’s political commitments and to the grounds that directly bear on her political commitments. A citizen’s obligations to respect her compatriots does not commit her to
fallibilism regarding all of her convictions, or even to all those convictions that bear on her political commitments. xliv

In particular, Eberle argues that we cannot expect citizens to treat the processes of reasoning that lead to their belief in God’s existence as fallible:

> It seems to me far too onerous a burden to impose on citizens the expectation that they ought to take seriously the possibility that the convictions that define their respective moral identities might be false (whether those commitments are basic moral claims, such as that torture is prima facie morally wrong, or theological claims, such as that God exists). xlv

But it seems peculiar to suggest that whether people should treat beliefs as fallible should be determined by potential psychological damage done to those who have difficulty treating their deeply held convictions as fallible. We would not object to an ethicist’s claims that lying is wrong with the response that it is too onerous a burden on people that they not lie. Respect is diminished to the extent that a person takes certain beliefs and values off the table, so to speak, in the context of collective reasoning. It does not follow that treating some beliefs as infallible cannot be compatible with other kinds of respect for fellow citizens – we can still respect their human dignity. But respect for ourselves and others as reasoners is undermined by the refusal to take seriously the possibility that the processes of reasoning we employ in endorsing beliefs and values are subject to the burdens of judgment. xlv

Setting aside my disagreement with Eberle regarding the importance of fallibilism regarding nonpublic issues, his defense of what he calls “rational justification” over the notion of public justification appears compatible with the account of respect for reasoners in other ways. In his paper “What Respect Requires and What it Does Not,” Eberle argues that citizens do not fail to show adequate respect for one another if they support a coercive law on religious grounds, so long as they sincerely and conscientiously pursue a plausible non-religious rationale for their
position. In this way respect for reasoners seems compatible with his account of rational justification. In his terms,

[Whether a citizen is rationally justified in assenting to a particular claim depends on two factors: the way she forms her beliefs and the fund of beliefs and experiences on which she relies in evaluating that claim. A citizen is rationally justified in regarding some coercive law as morally appropriate only if she arrives at that conclusion in the appropriate manner […] and only if, as judged from the perspective provided by her own beliefs and experiences – her evidential set, she enjoys adequate reason to believe that that law is morally appropriate.]

The first half of this quotation is consistent with what treating reasoning as an open and ongoing process that is informed by each person’s experiences. But there is an important difference marked by Eberle’s claim that citizens count as rationally justified whenever, from their perspective, they have adequate reasons to believe that a law is appropriate. Again, this gives too much weight to people’s (limited) current evidential sets, as contrasted with that which is available to them if they engage in open-ended reasoning processes with others. In one of his examples Eberle stipulates that a person could qualify as having a rational justification for their belief that a law inhibiting polygamous marriage is morally appropriate if he concludes “in good conscience, and after adhering to the appropriate canons of rationality, that the Bible portrays polygamy as unnatural and thus as destructive to self and others.” This, to my mind, exemplifies a lack of respect for oneself and others as a reasoner. Such a person proceeds on the irresponsible assumption that his interpretation of the Bible provides him with “indubitable premises,” when it clearly does not.

To use Stephen Darwall’s terms, respect for reasoners involves both recognition respect and appraisal respect. In line with recognition respect, being a reasoner is a fact about all persons that ought to be recognized in one’s dealing with them. Recognition of the fact that others are reasoners should lead us to change the way we collectively deliberate. We should seek to
evaluate others’ claims and should be willing to explain our reasons to them. We should also seek to improve upon the processes of reasoning and the evidential sets employed by reasoners, including ourselves. But in line with appraisal respect, being a reasoner is something we can be better or worse at, insofar as we engage in better or worse processes of reasoning. So, respecting reasoners also involves evaluating the quality, not simply the fact, of the reasoning we are engaged in.

The inclusion of a kind of appraisal respect need not lead to the worry that citizens should merely address other citizens who merit their esteem. While we may rightly view some citizens as more productive interlocutors than others, we also rightly view all persons as potential learners and potential teachers and have an obligation to respect all as reasoners. To borrow from Thomas E. Hill Jr.’s characterization of moral argument, public deliberation that is respectful of persons as reasoners, “however impassioned, is addressed to a person, acknowledged as ‘one of us’: perhaps delinquent, misbehaving, or outrageously deviant from our common standards, but still ‘one who can be reached’, or so we presume.”

This account of persons as reasoners and of respect for reasoners appears to follow from core aspects of Rawls’ account of the burdens of judgment and his endorsement of reasonable disagreement. Though he does not say so explicitly, Rawls provides resources for this account of respect for reasoners. When we accept the epistemic grounds for pluralism we accept that different people, in virtue of their reasoning capacity, will inevitably defend different ways of life and conceptions of the good. According to the burdens of judgment we have reason to presume that people’s experiences and personal values may rightly impact their judgments about moral and political matters in such a way that they will arrive at different conclusions than we do.
4. Respect for Reasoners and Public Deliberation

The question remains: is the Rawlsian ideal of public reason compatible with the notion of respect for reasoners? Respect for reasoners requires that citizens engage with themselves and others as reasoners in the ways outlined above. While Rawls supports the idea of engaging in debate regarding nonpublic matters in the course of public deliberation as a kind of civic virtue, he does not support it as a civic duty. To be clear, Rawls does not claim that the idea of public reason requires or recommends that citizens refrain from offering nonpublic arguments in the public sphere. In both “The Idea of Public Reason Revisited” and in Justice as Fairness: A Restatement, Rawls makes clear that the only restraint imposed by political liberalism is on the ultimate justification for laws or policies. In these later writings he distinguishes between the wide and narrow view of public reason. On the narrow view, articulated in Political Liberalism, comprehensive doctrines are only permitted in public deliberation in nonideal circumstances. On the wide view of public reason, and according to what Rawls calls the proviso, citizens are permitted (perhaps encouraged) to “declare” their comprehensive doctrines in the course of public debate, provided that all citizens accept the obligation of having to give suitably public reasons when justifying laws or policies (when voting, for instance). Rawls provides several rationales for the inclusion of nonpublic comprehensive reasons in the course of public debate:

It has the advantage of informing one another where they come from, so to speak, and on what basis they support the public conception of justice. All this may have desirable consequences and may strengthen the forces working for stability. It is also less restrictive and gives citizens a deeper understanding of their several points of view.¹

These reasons for including nonpublic reasons in the course of public debate about political matters echo his claims about the possibility of increases in public knowledge resulting from
public deliberation that includes disagreement about nonpublic matters. It also makes it possible to assess the sincerity of participants in public deliberation.

I would add two additional reasons in favor of including comprehensive doctrines in public deliberation about law and policies. First, the division between public and nonpublic matters is porous and should be challenged. As feminists have argued, the abuse of women was at one point considered a nonpublic matter that, some argued, should be dealt with in the privacy of the home; this widespread view offered a safe haven for abusers. What counts as “common reason” changes with the advancement of public knowledge (both scientific and moral) and so what counts as publicly appropriate reasons for the justification of laws must itself be a subject of deliberation. That will mean that some reasons previously seen as nonpublic must be converted to public reasons. That process of conversion requires that the public constantly assess the validity of reasons that may at first appear to be inappropriately nonpublic.

Second, political issues like abortion, euthanasia, and homosexual marriage seem inextricably tied to people’s comprehensive religious, moral, and philosophical doctrines. To respect citizens as reasoners would be to hold them accountable for their nonpublic as well as their public views that impact their political positions. If someone believes that homosexual marriage is not morally permissible for religious reasons it would seem to be more respectful of their capacity for reasoning to expect them to justify their convictions. Indeed, it is disrespectful of their capacity for reasoning to leave their nonpublic, religious justifications for such a belief out of the dispute. In turn, if a citizen is pressed about her nonpublic views that inform her political positions and refuses to offer her fellow citizens reasons for her position, then she acts disrespectfully of other reasoners.
To an extent Rawls’ wide view of public reason addresses critics’ concerns about being excluded from the debate or being forced to give arguments in bad faith. Citizens demonstrate respect for themselves and for others as reasoners when they offer nonpublic arguments derived from their comprehensive doctrines in the public sphere. They offer others an opportunity to learn from their beliefs and experiences and provide themselves with occasion to be criticized by others, importantly including strangers who do not already share their comprehensive doctrines. In these ways the wide view of public reason seems largely consonant with the lessons of the burdens of judgment as I have interpreted them here.

Rawls’ defense of the wide view of public reason is in terms of our freedom to enter into such nonpublic discourses, however, and does not follow from the duty of civility itself. In other words, nonpublic deliberation in the public sphere is not a civic duty. Respect for persons as reasoners provides a stronger argument in favor of entering the public sphere with an aim toward testing one’s comprehensive doctrines against those held by others. This paper has aimed to demonstrate that respect for reasoners can be derived from the Rawlsian concept of the burdens of judgment. My aim has been to highlight a cost endured by politically liberal societies insofar as they adopt the ideal of public reason in public deliberation. Such a society fails to provide adequate resources for the development of respect for citizens as reasoners. It might be a price we are willing to pay, perhaps for the sake of stability. But such a decision involves significant trade-offs.

If we conceive of citizens as reasoners we should be willing and eager to test our comprehensive doctrines against other views. If we accept the burdens of judgment we should conclude that different people’s experiences and values are epistemically significant to judgments about moral and political matters. Rawls accepts the burdens of judgment without
emphasizing the extent to which it is potentially revolutionary for public deliberation: if there are epistemic grounds for pluralism we should be more invested in deliberation with others about reasonable disagreements, even when they concern comprehensive moral and religious doctrines. The idea of public reason aims to remove from politics the majority of these disagreements. But this seems to miss the point of pluralism—we should respect citizens as reasoners and encourage them to evaluate the boundaries between reasonable and unreasonable disagreements. We should also respect ourselves as reasoners and invite public scrutiny of our views in the aim of improving them.

The burdens of judgment rightly limit the confidence we should have in some of our moral, religious, and philosophical positions. They also rightly limit the extent to which lawmakers should rely on claims that can be reasonably denied in justifying their use of coercive political power. Respect for persons as reasoners offers a normative framework appropriate to the epistemic lessons of Rawls’ account of the burdens of judgment, and thus amenable to a conception of deep pluralism.\textsuperscript{i}


\textsuperscript{ii} John Rawls, *PL* 4.


\textsuperscript{iv} Aside from John Rawls, the most widely known political liberals who accept some version of these positions include Robert Audi, Charles Larmore, Gerald Gaus, and Bruce Ackerman.

\textsuperscript{v} In a later essay, “The Idea of Political Liberalism Revisited,” he argues that there will be multiple reasonable political conceptions of justice, further distancing his later theory from the development of the notion of justice as fairness in *Theory of Justice*.

\textsuperscript{vi} Rawls, “Domain of the Political” 485.

\textsuperscript{vii} The reference to citizens as free and equal needs to be understood as a carefully defined principle embedded in our political culture. The political conception of personhood does not settle further questions about the correct conception of personhood all things considered because there is reasonable disagreement about this further matter and it is not pertinent to the subject of politics.
Rawls’ concept of “reasonable” people is not the same as my concept of persons as reasoners. In particular, I conceive of persons as reasoners in terms of their cognitive processes and capabilities, whereas Rawls’ includes in his concept of reasonable people substantive politically liberal beliefs about the fundamental equality and freedom of all people.

Rawls, PL xxvi.

The five facts about democracy are described in Rawls, “Domain of the Political” 474-5. In Justice as Fairness: A Restatement he drops mention of the fifth fact, but the first four remain the same (33-4). Here he describes these as commonsense facts of political sociology.

A prominent critic of political liberalism, Christopher Eberle echoes the Rawlsian concept of burdens of judgment. While he rejects what he calls the doctrine of religious restraint he begins at the same starting point as Rawls on the issue of reasonable disagreement. He argues, “[…] I am confident that, given the difficulty of the subject matter, relevant differences in our personal histories, and our limited capacities, morally and epistemically respectable peers will inevitably disagree on matters pertaining to the morality of war […].” Christopher Eberle, “Basic Human Worth and Religious Restraint,” Philosophy and Social Criticism 35 2009: 257.

Rawls, Justice as Fairness: A Restatement 35.

Rawls, “Domain of the Political” 476: “An explanation of the right kind is that the burdens of reason, the source of reasonable disagreement among reasonable persons, are the many hazards involved in the correct (and conscientious) exercise of our powers of reason and judgment in the ordinary cause of political life.”

Rawls, “Domain of the Political” 477.

Rawls, Political Liberalism lvii.

As Samuel Freeman puts it, “Unreasonable conceptions of the good are not to be accommodated by justice; they are to be contained by it.” Samuel Freeman, “Political Liberalism and the Possibility of a Just Democratic Constitution,” Chicago-Kent Law Review 1993-4: 643.

Rawls, PL 49. The reasonable, in Rawls’ sense, should not be mistaken for a claim about the rationality of persons. See lecture 2 section 1 of Political Liberalism for a full discussion of this distinction. In short, rational persons pursue their ends intelligently; reasonable persons pursue their ends in accord with principles that can be shared in common with other reasonable people.

Rawls, TJ 455.

This need not commit people to the claim that they feel any less strongly or are less committed to their own controversial convictions. Reasonable citizens may still believe that their moral commitments are based on true beliefs, and that their opponents hold false beliefs. Reasonable citizens need only accept that some disagreements are reasonable and not that there are multiple “right answers” to moral or religious questions.

The emphasis on norms of public justification is what leads Gerald Gaus to refer to political liberalism as justificatory liberalism in “Justificatory Liberalism: An Essay on Epistemology and Political Theory” (1996).

The rejection of this form of tolerance is an explicit aim of Rawls’ account of the ideal of public reason: “Citizens affirm the ideal of public reason, not as a result of political compromise, as in a modus vivendi, but from within their own reasonable doctrines,” Rawls, PL 218.

Rawls, PL 590.

As Jean Hampton put it, “A ‘mere’ modus vivendi, according to Rawls, is one that would provide a way for conflicting factions of people to get along despite their conflict, but which would not be a way that either side would be disposed to carry on if the conflict disappeared.” Jean Hampton, “Should Political Philosophy be done without Metaphysics?” Ethics 99/4 Jul. 1989: 800 (italics added).

Rawls, *PL* xix.

Rawls, *TJ* 297.

John Rawls, “Distributive Justice: Some Addenda” *Collected Papers*, 171, 158. “Without it nothing may seem worth doing, or if some things have value for us, we lack the will to strive for them. All desire and activity becomes empty and vain, and we sink into apathy and cynicism,” *Collected Papers*, 125-6.


Robin Dillon advances the objection to the universalist conception of self-respect a form of “self-erasure”: “The striking feature of the standard conception is that in viewing us as worthy of respect it abstracts from all particularities, regarding the details of ourselves as irrelevant to our intrinsic moral worth. The morally significant feature of persons is something abstract and generic, not what distinguishes one individual from another but what makes each equally and indistinguishably a person.” Robin Dillon, “Toward a Feminist Conception of Self-Respect”, 295.

Nicholas Wolterstorff is the particular critic Boettcher aims to overcome. There are a host of other Rawlsian critics who advance similar charges, including Michael Perry and Stephen Carter.


He does make more explicit in the latter works that he considers the majority of legislative acts to outstrip the scope of “constitutional essentials” and “matters of basic justice”, arguing that the norms of public reason should not apply in the same way or to the same extent in such cases.

It would be unfair to interpret Rawls as primarily motivated by a desire to avoid any conflict over contentious issues in the public domain. To such a charge he responds: “[Q]uestions are not removed from the political agenda, so to speak, solely because they are a source of conflict. We appeal instead to a political conception of justice to distinguish between those questions that can be reasonably removed from the political agenda and those that cannot. Some questions still on the agenda will be controversial, at least to some degree; this is normal with political issues” (*PL* 151, 4.4.1).

Rawls, *PL* 144 (4.3.1).

To respect reasonable disagreement would require that a person’s actions were, in some way, constrained by the acceptance of reasonable disagreement. This is, to borrow Stephen Darwall’s description, a kind of recognition respect. Darwall describes this as “weighing appropriately in one’s deliberation” some feature of that which is respected. On this view, any fact about something that one ought to consider in one’s deliberation is an appropriate object of recognition respect. To describe a citizen’s attitude toward reasonable disagreement in terms of recognition respect seems entirely compatible with Rawls’ view: because we have epistemic reasons for upholding the fact of
reasonable disagreement (the burdens of judgment), we should restrict our public justifications and give reasonable
disagreement a wide berth. The duty of civility is tantamount to a kind of recognition respect for reasonable
Robin Dillon, ed. (New York, NY: Routledge, 1995 [1977]): 181-97. See the following articles for a further
discussion of this point: Massey, Stephen J, “Is Self-Respect a Moral or a Psychological Concept?” In *Dignity,
Character, and Self-Respect*: 198-217; Sachs, David. “How to Distinguish Self-Respect from Self-Esteem,”
*Philosophy and Public Affairs*, vol. 10, no. 4 (Fall 1981): 346-60; Hill, Thomas E., Jr. “Servility and Self-Respect,”
In *Dignity, Character, and Self-Respect*: 76-92.

xli In the course of developing the details of respect for persons as reasoners I came across Thomas E. Hill Jr.’s
account of respect for persons as valuers in *Respect, Pluralism, and Justice*. I have borrowed elements of the
structure of this section from his discussion of his idea of respect for valuers, though the content of respect for
reasoners is distinct. Thomas E. Hill Jr., *Respect, Pluralism, and Justice* (New York, NY: Oxford University Press,
2000): 59-86.

xlii Whether we live in such a society, or whether such a society is sociologically or psychologically likely to exist
are issues that should not impede the development of the best theory of respect for such a society.

xliii My aim in articulating these norms of respect for reasoners is to make explicit norms that are already widely
accepted in scholarly circles. While I do not think it appropriate to treat public spheres as extensions of universities,
I do think valuable lessons about deliberation in public spheres can be gained from the ideals of scholarly
deliberation.

xliv Christopher Eberle, “What Respect Requires – And What It Does Not” *Wake Forest Law Review* 36 (Summer


xlvii Eberle later states that “any minimally reflective citizen” will be a fallibilist “about her conviction that a given
coercive policy is morally appropriate.” (Eberle 2001, 333). Though I do not have space to develop my concern
here, I find it unintuitive that fallibilism about political views is obvious while fallibilism about nonpolitical views in
onerous. If we don’t expect people to be fallibilists about the belief that Scripture gives adequate reason to believe
that homosexual marriage is unnatural and hence immoral how can we expect them to be fallibilists about laws
concerning same-sex marriage?


xlix Christopher Eberle (2001) 324.

lii I am grateful to Jon Garthoff for his helpful comments and notes. I also wish to express my gratitude to Richard
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