

LIBERALISM AND POLITICAL VIRTUE

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A persistent criticism of political liberalism is that liberal neutrality entails skepticism.¹ If this charge is correct, liberalism would not only have counter-intuitive commitments, it would fail to meet its own aim of remaining neutral on the epistemic status of other moral and political views. In this paper I survey three quite different arguments for skepticism in political liberalism (I concentrate on Rawls' version of political liberalism, since the problem is at its most acute here). I argue that each of these arguments rests on a fundamental misinterpretation of liberalism, specifically the notion of *reasonableness*. Rather than interpret reasonableness as an epistemological concept, I suggest that reasonableness is best understood as a political virtue. We can thereby avoid the problem of skepticism entirely, without commitment to any of the ethical or metaphysical particulars of virtue theories.

I. POLITICAL LIBERALISM

The central question of Rawl's *Political Liberalism* is: "How is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable though incompatible religious, philosophical, and moral doctrines?"² Rawls believed that those concerned with justice in a constitutional democracy must address this question, due to the *fact of pluralism*.³ A democratic society, Rawls claims, is "always marked by a diversity of opposing and irreconcilable religious, philosophical, and moral doctrines."⁴ This doctrinal pluralism is the result of the exercise of free human reason under the free institutions of a democratic society, and thus a "natural outcome" of human reason and a "permanent condition" of a democratic public political culture.⁵

This leads Rawls to posit the *liberal principle of legitimacy*. This principle states that "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 acceptable to their common human reason.”⁶ In a democratic constitutional regime, state power is the power of free and equal citizens as corporate body,⁷ so the exercise of state power is legitimate only when it is endorsable, in principle, by all reasonable citizens.

Reasonable citizens are citizens who recognize two standards: the *criterion of reciprocity* and the *burdens of judgment*. The criterion of reciprocity states that citizens are reasonable insofar as they are prepared to offer and accept fair terms of cooperation provided that others likewise accept them. The burdens of judgment are obstacles to the full exercise of human reason, and help to explain the fact of pluralism. Some of the diversity in our views may be attributed to self-interest, or bias, or irrationality.⁸ But there is disagreement even among equally rational agents, due to the difficulties of moral and political theorizing.⁹ The burdens of judgment help explain why doctrinal pluralism cannot be explained solely by reference to the irrationality. A citizen is reasonable when she takes the burdens of judgment into account when discussing social policy.

These two standards of reasonableness, when coupled with the liberal principle of legitimacy and the fact of pluralism, lead to the notion of *liberal neutrality*. Because a plurality of comprehensive doctrines cannot find common ground through their irreconcilable truth claims, a conception of justice which would be the subject of an overlapping consensus must appeal to something other than truth. Liberalism uses *public reason* instead. Public reason is constituted by the claims that persons with conflicting comprehensive doctrines can make on each other in order to settle fundamental political questions.¹⁰ Thus liberalism is neutral regarding the truth or falsity of reasonable comprehensive doctrines.

II. LIBERAL SKEPTICISM

Rawls denies that reasonableness entails or requires skepticism.¹¹ Indeed, Rawls denies that reasonableness is an epistemological notion at all.¹² Yet many of Rawls’ critics make the charge that liberal neutrality entails skepticism, Rawls’ caveats notwithstanding. I will briefly survey three such arguments to give some indication of the scope of the issue for liberalism. I will then discuss the threat that skepticism poses for Rawls’ theory.

According to Steven Wall, liberalism is committed to skepticism because the liberal is not permitted to believe her own views are true.¹³ Reasonable persons accept the burdens of judgment, and, therefore, accept that her own views can be the subject of rational disagreement.¹⁴ But in admitting that other reasonable persons can plausibly disagree with her, it becomes unclear how to justify her own views. Wall believes there are two (ultimately unsatisfactory) options.

If justification means persuading all reasonable people that one’s relevant beliefs are true, then accepting the burdens of judgment automatically precludes justification. For in accepting the burdens of judgment, the reasonable person accepts that reasonable persons can legitimately disagree. But if justification means demonstrating the veracity of one’s views regardless of one’s ability to persuade, there are still important cases where one’s claims cannot be made good. Can it really be *proven*, we might ask,

that liberty is a more fundamental value than equality, or that the evils of oppression are worse than the prospects of eternal damnation? If one should come to believe that beliefs like these cannot be proven, then one must admit that there is “no decisive reason” why one should accept them over some other view.¹⁵ Moreover, it is not implausible to assume that all comprehensive doctrines contain such unprovable claims.¹⁶ So either way liberalism understands justification, the reasonable person cannot claim that her views are true, committing liberalism to skepticism.

A second argument, advanced by Brian Barry, is that skepticism is required for stability.¹⁷ Barry divides a comprehensive doctrine into two parts: its first-order content and a second-order view of the doctrine’s epistemological status. He then introduces a distinction between two kinds of epistemological views, “skeptical” views which accept that other reasonable persons may reject the comprehensive doctrine’s first-order content, and “dogmatic” views which do not accept that reasonable persons could make this rejection.¹⁸ Armed with these distinctions, Barry makes the following argument:¹⁹ In order for there to be an overlapping consensus on a conception of justice, reasonable comprehensive doctrines will have a skeptical second-order component, or have first-order content compatible with Rawls’ principles of justice. But it would be unreasonable to be dogmatic about one’s first-order content, even if this first-order content is compatible with liberalism. Thus all reasonable comprehensive doctrines must hold second-order skepticism, if they are to serve as the subject of an overlapping consensus. And if an overlapping consensus is necessary for stability, then stability requires skepticism.²⁰

David McCabe presents a third argument for skepticism in Rawls, that liberalism must assume skepticism if it is to remain an alternative to perfectionism.²¹ McCabe begins with the assumption that reason can provide objective knowledge of the human good.²² He then argues that liberalism may not understand justification in public reason as either justification in theory or justification in practice.²³ If liberalism uses in-theory justification, it must proceed directly to skepticism, lest it allow for perfectionist claims about the good.²⁴ But if public reason uses in-practice justification, there are still problems, even if the domain of in-practice justification is restricted to reasonable persons. For the very idea of reasonableness, McCabe suggests, implicitly relies on skepticism. The burdens of judgment, he argues, must either be so weak that they cannot exclude illiberal beliefs,²⁵ be moderate and therefore allow for perfectionist claims about the good, or be so strong that they lead to skepticism. Thus if liberalism is to be an alternative to perfectionism, it must assume skepticism.²⁶

We have, then, three quite different arguments for liberal skepticism. Wall argues that reasonable persons cannot justify their own political beliefs. Barry argues that stability requires second-order skepticism about the truth of one’s first-order comprehensive doctrine. And McCabe argues that the only way for liberalism to remain an alternative to perfectionism is to resort to skepticism.

That such diverse arguments can be brought to bear against liberalism, all accusing it of having the same flaw, suggests that there is a serious problem here that the liberal must address. If liberalism requires skepticism, liberalism becomes self-defeating in two ways. Liberalism purports to take to no stand on the truth or falsity of other views, but skepticism is just such a stance. Thus a commitment to skepticism would cause

liberalism to fail to meet its own established aims. Further, many reasonable comprehensive doctrines reject skepticism, and so skepticism is incompatible with an overlapping consensus. If liberalism's commitment to skepticism precludes overlapping consensus, then there can be no stability save through oppression, and, hence, no legitimate use of state power. In other words, with skepticism, there can be no justice.

III. POLITICAL VIRTUE

I believe the best way to understand Rawls' concept of reasonableness is as a political virtue. Reasonableness would function much as virtues function in normative ethical theories: they are character traits or dispositions of a certain sort which play some important role in the life of the agent who possesses the trait.²⁷ In political liberalism, the role reasonableness plays is to facilitate cooperation and mutual benefit in a social world filled with persons holding irreconcilable comprehensive doctrines. The disposition reasonableness represents is respect for the political standing of one's fellow citizens, a necessary requirement for cooperation and mutual benefit in a democratic constitutional regime. This understanding of reasonableness can be elaborated by returning to Rawls' two standards of reasonableness: the criterion of reciprocity and the burdens of judgment.

In meeting the criterion of reciprocity, one demonstrates a willingness to propose fair terms of cooperation and abide by those terms, even at cost to oneself, provided others do likewise. One difference between reasonable agents, who meet this criterion, and merely rational agents, who do not, is that rational agents lack the "moral sensibility that underlies the desire to engage in fair cooperation as such, and to do so on terms that others as equals might reasonably be expected to endorse."²⁸ This "moral sensibility", I believe, is grounded in what we might call the *political autonomy* of individual citizens. In a democracy, state power is the power of individual citizens as a collective body.²⁹ It follows that citizens must be the sort of thing that has political power: i.e., they can conceive, develop, express, and change their political views, and can act on these views through democratic political processes. To be politically autonomous is to possess these capacities (or at least to be treated as if one possesses these capacities). A reasonable person recognizes that the political autonomy of individual citizens is something to be taken seriously. She appreciates (both cognitively and conatively) the importance comprehensive doctrines play in the lives of those who hold them, and the value of participation in and identification with a conception of justice that is the subject of overlapping consensus. In other words, she understands that a person's political autonomy does not depend on the content of that person's views.

A similar story can be told for the burdens of judgment. In recognizing the burdens of judgment, one does not say that necessary or sufficient conditions for knowledge will never be met.³⁰ Rather, recognizing the burdens of judgment is a recognition of two facts about the world: a) that not all disagreements are the result of bias, ignorance, or irrationality,³¹ and b) that the issues which are most important to us are also those that tend to be the most difficult to prove and the most difficult to revise or abandon. Recognizing these facts leads the reasonable person to humility in the face of the fallibility of human knowledge, open-mindedness about one's own views, self-

awareness with regard to one's own biases and arbitrary influences, and patience and charity with regard to the views of others. A reasonable person will not concede that the truth of her beliefs is sufficient to warrant the use of state power in a way that others cannot endorse.³²

In both aspects of reasonableness, we see reasonable persons expressing the disposition to respect the political standing of their fellow citizens. They seek to find terms all citizens can agree to, because they appreciate what it means for state power to be the power of individual citizens as a corporate body. Reasonable persons, in other words, have a certain kind of political character. They are respectful, humble, charitable, well-intentioned, patient, self-aware and self-critical, and so on. In having this character, they recognize the value in certain political concepts and practices, like overlapping consensus and liberal legitimacy. They "desire for its own sake a social world in which they, as free and equal, can cooperate with others on terms all can accept."³³ In short, insofar as persons are reasonable, they are politically virtuous.

IV. THE IDEA OF LIBERAL SKEPTICISM REVISITED

In this section, I will show how interpreting reasonableness as a virtue term allows the liberal to circumvent or defeat accusations of skepticism. Understanding reasonableness in this way not only clears up worries about skepticism, it also fits Rawls' text more closely and may help explain why Rawls thought the worry was so clearly mistaken.

Wall argues that reasonable persons cannot justify their own political beliefs. If reasonableness is not an epistemological concept, but, as I have argued, a virtue concept, then this problem never gets off the ground. The criterion of reciprocity and the burdens of judgment were never about one's beliefs; they are about how to treat citizens and how to use state power. Wall accuses Rawls of equivocating between the moral and epistemological dimensions of reasonableness.³⁴ But, if the interpretation of reasonableness I have given is the right one, then Wall should be faulted for positing an extra dimension to reasonableness that does not belong.³⁵ Many reasonable persons will believe their doctrines are true, and demonstrably so. But they will not believe that they may override the political will of other citizens simply on the basis of the epistemological status of their beliefs. Truth does not trump political autonomy.

A proper understanding of reasonableness can also undercut Barry's objections. Barry claims that there are only two possible second-order views for a comprehensive doctrine: a "skeptical" second-order view that is compatible with the fact of pluralism, and a "dogmatic" second-order view that is not compatible. This is clearly a false dichotomy. The reasonable person can believe that her beliefs are true and still not endorse their imposition because the reasonable person respects the political autonomy of her fellow citizens regardless of the epistemological status of their beliefs. She believes her own views are true. She also believes that people have the right to be wrong.

Some may find this line of reasoning strongly counter-intuitive. "Why," they might ask, "should we give any credence to false beliefs? They're false!" I can only reply that this response misses the point. Political liberalism is concerned with finding a way

for people with disparate and irreconcilable views to live together—it is not concerned with finding “the Truth.” Truth is not necessary for a just and stable society to exist over time given the fact of pluralism.³⁶ But even if we were to insist on the truth of our conception of justice, we could still allow for a plurality of reasonable though false comprehensive doctrine. For “the truth of any one doctrine in the consensus guarantees that all the reasonable doctrines yield the right conception of political justice. . . . [I]f one of their doctrines should be true, all citizens are correct, politically speaking.”³⁷ That is, since all reasonable comprehensive doctrines endorse a single “modular” conception of justice, the one true doctrine and the many false ones all agree to the same principle of justice.³⁸

Lastly, to respond to McCabe’s arguments, the liberal may point out that there is a big difference between the assumption that objective knowledge of the human good is possible, and the assumption that any one of us is in possession of that knowledge. The reasonable person will gladly grant the former while questioning the latter. She will specifically question whether, even if she has that knowledge, her faith in her own veracity is sufficient to override the political autonomy of her fellow citizens. McCabe claims that those who think their beliefs are true must also believe that people who disagree are either deficiently rational or not in possession of adequate evidence.³⁹ This claim is simply mistaken. The reasonable person may think that her beliefs are true and that other comprehensive doctrines are false. But even false doctrines need to be respected as the view held by her fellow citizen, who has an equal share in the political power of the democracy they both inhabit.

Viewing reasonableness as a political virtue allows us to see that charges of skepticism against political liberalism miss their mark. The standards of reasonableness are not epistemological considerations, as critics have thought, but moral considerations for how to treat other citizens and how to use state power. Thus, Rawls’ claim that reasonableness is not an epistemological idea is not offered “mysteriously,” as Barry claims, nor is it “not very clear,” as Wall suggests.⁴⁰ Rather, we can take Rawls’ claim quite literally when he says that reasonableness is not epistemological.⁴¹ Reasonable persons are not concerned with the truth of comprehensive doctrines but with the political autonomy of citizens.

V. REASONABLENESS: POLITICAL, NOT METAPHYSICAL

I would like to conclude by briefly considering a possible objection to the interpretation of liberalism I have suggested. One might worry that reading virtues into *Political Liberalism* would commit the liberal to some sort of virtue ethical comprehensive doctrine which would obviously violate liberal neutrality. This worry is easily avoided.

There are two points to consider here. The first is that reasonableness is specifically a *political* virtue. The domain does not extend to further virtue ethical considerations like the role virtues play in the life of an organism viewed as a natural kind,⁴² whether virtue is prior to rightness or rightness prior to virtue,⁴³ whether virtues must be understood determinately or pluralistically,⁴⁴ and so on. Rawls limits his theory of justice to the realm of political rather than metaphysical. It should be no surprise that the various

components of a liberal view, including reasonableness, should be similarly restricted in scope.

Secondly, the concept of political virtue may be understood modularly in much the same way that a conception of justice is modular in various comprehensive doctrines. Thus, Kantians might think that virtues are manifestations of a good will; consequentialists might think virtues are happiness-maximizing character traits; anti-realists might think they are simply useful or socially valued traits; etc. I see no reason why we could not reach something like an overlapping consensus on understanding reasonableness as a political virtue, and fill out exactly what a virtue is based on our own comprehensive doctrines.

Understanding reasonableness as political virtue not only clears up the worry about skepticism, it also fits Rawls' text more closely and may help explain why Rawls thought the worry was so clearly mistaken. Since this understanding of reasonableness does not commit liberalism to a virtue ethical comprehensive doctrine, I see no reason why liberals should not adopt a political virtue ethics.

NOTES

1. John Rawls, *Political Liberalism* (New York: Columbia UP, 1993:2005), and John Rawls, *Justice as Fairness: A Restatement* (Cambridge, MA: The Belknap P, 2001).

2. Rawls, *Political Liberalism* xvii. Other formulations of the question are: How is it possible that deeply opposed though reasonable comprehensive doctrines may live together and all affirm the political conception of a constitutional regime? (xvii); how is it possible for those affirming a religious doctrine that is based on religious authority, for example, the Church or the Bible, also to hold a reasonable political conception that supports a just democratic regime? (xxxvii); how is it possible for citizens of faith to be wholehearted members of a democratic society when they endorse an institutional structure satisfying a liberal political conception of justice with its own intrinsic political ideals and values (xxxviii); what is the most appropriate conception of justice for specifying the fair terms of social cooperation between citizens regarded as free and equal, and as fully cooperating members of society over a complete life, from one generation to the next? (3); how is it possible for there to exist over time a justice and stable society of free and equal citizens, who remain profoundly divided by reasonable religious, philosophical, and moral doctrines (4)?

3. Rawls usually talks of the fact of *reasonable* pluralism rather than simply the fact of pluralism. But as the notion of "reasonable" is the subject of the present discussion, introducing it from the outset would create more problems than it solves. My discussion of the fact of pluralism will apply *a fortiori* to the fact of reasonable pluralism.

4. Rawls 3-4.

5. Rawls xxiv, 129. See also 37, 144.

6. Rawls 137.

7. Rawls xliii, 62, 214. See also Rawls, *Justice as Fairness* 40, 90.

8. Rawls, *Political Liberalism* 55.

9. Rawls outlines these difficulties with the following (admittedly incomplete) list: a) conflicting and complex evidence, b) differing weight of evidence, c) vague concepts and indeterminacies, d) total life experience, e) differing normative considerations, and f) limited value space (56-57).

10. Rawls, "The Idea of Public Reason Revisited" 766.

11. Rawls, *Political Liberalism* 150-154. He gives the topic its own sub-section: (IV, §.4 An

Overlapping Consensus not Indifferent or Skeptical).

12. He writes, “Observe that here being reasonable is not an epistemological idea (though it has epistemological elements). Rather, it is part of a political ideal of democratic citizenship that includes the idea of public reason” (62).

13. Steven Wall, *Liberalism, Perfectionism, and Restraint* (Cambridge: Cambridge UP, 1998) 91-100.

14. Wall 73.

15. Wall 92.

16. Wall 93.

17. Brian Barry, “John Rawls and the Search for Stability,” *Ethics* 105 (1995): 874-915.

18. Barry 901.

19. Barry 901.

20. Barry does not think that an overlapping consensus actually is required for stability. The argument presented here takes places when he discusses how to reconnect the two concepts.

21. David McCabe, “Knowing about the Good: A Problem with Antiperfectionism”, *Ethics* 110 (2000): 311-338.

22. McCabe 312.

23. McCabe 318-324.

24. Technically McCabe gives three options: subjectivism, skepticism, or knowledge through grace or revelation (313 n.3). We may safely concentrate on skepticism for present purposes.

25. For instance, the illiberal belief that homosexuality is morally corrupt or that the primary cause of poverty is laziness (McCabe 322).

26. One might wonder why liberalism must remain an alternative to perfectionism, especially if a liberal conception of justice requires the endorsement of reasonable perfectionists. The answer, I believe, is this: Perfectionist claims about the human good will not be the subject of an overlapping consensus because comprehensive doctrines will have many different conceptions of what the human good actually is. Hence, liberalism allows for perfectionist claims, but argues against the possibility of using such claims to formulate a conception of justice. But this presents yet another problem. McCabe assumes that objective knowledge of the human good is possible. Since at least one assumedly reasonable comprehensive doctrine believes this, namely, McCabe’s own doctrine, liberalism cannot reject the belief that knowledge of the human good is possible. I raise the issue only to set it aside for a later day.

27. See, for example, Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford, UP, 1999); Philippa Foot, *Natural Goodness* (Oxford: Oxford UP, 2001).

28. Rawls 51.

29. Rawls xliii, 62, 214. See also Rawls, *Justice as Fairness* 40, 90.

30. Rawls, *Political Liberalism* 63.

31. Rawls 58.

32. As Rawls notes, “holding a political conception as true, and for that reason alone the one suitable basis of public reason, is exclusive, even sectarian, and so likely to foster political division” (129).

33. Rawls 50.

34. Wall 93-94.

35. As Rawls notes, “The doctrine any reasonable person affirms is but one reasonable doctrine among others. In affirming it, a person, of course, believes it to be true, or else reasonable, as the case may be” (*Political Liberalism* 60).

36. As Rawls notes, “A constitutional regime does not require an agreement on a comprehensive doctrine: the basis of its social unity lies elsewhere” (63).

37. Rawls 128.

38. See: Rawls 12, 145; *Justice as Fairness*, 181-83 for discussion of the “modular” metaphor.
39. McCabe 321.
40. Barry 902; Wall 73.
41. Rawls, *Political Liberalism* 62.
42. See Hursthouse (1991) and Philippa Foot, *Natural Goodness* (Oxford: Oxford UP, 2001).
43. Michal Slote, *From Morals to Motives* (Oxford: Oxford UP, 2001).
44. Christine Swanton, *Virtue Ethics: A Pluralistic View* (Oxford: Oxford UP, 2005).