Exercising Political Power Reasonably

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ABSTRACT   *For liberal political philosophers the notion of 'reasonableness' has provided a moral and legal standard for judging the acceptability and, by extension, legitimacy of government behaviour: In order for a government directive to constitute a legitimate obligation on citizens, it must be compatible with the dictates of reason and treat all citizens in a reasonable manner. Arguably, such an approach achieves its most powerful presentation (to date, at least) in the theories of 'political' liberals, who typically assert that reasonableness must be the 'final court of appeal' in relation to decisions concerning matters of public import—i.e., those that place demands upon all citizens of the polity. According to political liberals, only by adopting and maintaining a governance framework that assigns primacy to reasonableness is it possible to obtain and preserve the desired protection against the abuse of political power. The purpose of this essay is to offer a brief review of the 'reasonableness' paradigm promoted by political liberals (in particular), and in the course of doing so, identify and assess a number of difficulties that would seem to undermine its ability to achieve its stated goal.*

KEY WORDS: Liberalism, reasonableness, political power, political liberalism, abuse

The philosophical-political project of liberalism was born out of a desire to protect individuals against the arbitrary and tyrannical exercise of political power. A liberal political framework was (and continues to be) promoted as the foundation for a society in which all citizens could be free from the fear, injustice and sociopolitical turmoil produced by capricious judgments and punishments enforced via the subjective use of state power.

The efforts of early liberal political philosophers such as Thomas Hobbes,[1] Baruch de Spinoza and John Locke—to name only three—were motivated by a wish to escape and avoid a recurrence of the seemingly endless cycle of intractable civil wars and

subsequent political instability produced by the religious intolerance, persecution and oppression that plagued much of sixteenth- and seventeenth-century Europe. Accordingly, their principal concern was the effective resolution of the political problems generated by religious pluralism. Both for personal and practical reasons, each successive generation of liberal philosophers has tended to broaden the scope of concerns which it seeks to address. In the course of the preceding four centuries the original occupation with the political difficulties produced by religious pluralism has expanded to encompass moral and philosophical disputes about the nature of the good life in general.

Not surprisingly, the broadening of the scope of concerns of liberal political philosophers has been accompanied by a corresponding evolution in their understanding of what constitutes an abuse of political power. Whereas early liberals typically focused on 'abusive' (i.e., unreasonable) behaviour in the form of actions that deny to individuals the conditions necessary for self-preservation, modern and contemporary (i.e., post-1850[2]) liberals have argued that, for various reasons, such a focus is too narrow; power is also abused, for example, when it is employed to establish and maintain conditions that unreasonably prevent citizens from either pursuing or achieving 'self-fulfilment'.

Such differences aside, all liberals have agreed that securing the conditions essential to a just and stable society requires establishing certain institutional and regulatory arrangements to control undesirable behaviour both on the part of individuals and government. In particular, if individuals are to be accorded the respect and liberty due to them as free and equal beings and thereby provided with the conditions that will enable self-preservation *and* self-fulfilment, then it is necessary to limit the power of governments to restrict individual freedom 'unreasonably'. The difficulty has been in identifying limits that not only achieve such a goal but can also be voluntarily and reliably supported by individuals who affirm a plurality of often conflicting and irreconcilable conceptions of the good.

For Hobbes, Spinoza, Locke and subsequent generations of liberal political philosophers, the notion of 'reasonableness' has provided a moral and legal standard for judging the acceptability and, by extension, legitimacy of government behaviour: In order for a government directive to constitute a legitimate obligation on citizens, it must be compatible with the dictates of reason and treat all citizens in a 'reasonable' manner.[3] Arguably, such an approach achieves its most powerful presentation (to date, at least) in the theories of 'political' liberals, who typically assert that reasonableness must be the 'final court of appeal' in relation to decisions concerning matters of public import[4]—i.e., those that place demands upon all citizens of the polity.[5] It is necessary that reasonableness be the 'litmus test' for legitimate public policy/behaviour if the governance framework[6] is to be and remain equally respectful of all citizens and their beliefs and thereby provide the conditions needed to secure and sustain sociopolitical justice and stability. To employ a different standard, such as a single understanding of the 'truth', would be to disrespect and degrade others' beliefs, and, in so doing, effectively preclude the achievement of a *well-ordered*—which is to say, just and stable—liberal democracy (e.g., Rawls 1996: xviii, 38).

However, the ability of the concept of reasonableness to serve the function entrusted to it by political liberals is questionable, at best. Indeed, it seems equally likely

that efforts to secure the sought after protection against disrespectful (i.e., abusive) public/political behaviour will actually be undermined in a number of ways if reasonableness is employed as the ultimate benchmark for acceptable government behaviour. In particular, such an approach generates what could be labelled a *paradox of reasonableness*: In demanding that the governance framework assign primacy to reasonableness, political liberalism actually facilitates the emergence of unreasonableness (i.e., abusive behaviour) to a degree that critically enfeebles the former's capacity to sustain the political justice and stability deemed necessary to establish and preserve a well-ordered polity.

The principal purpose of this essay is to offer a brief review and critique of the 'reasonableness' paradigm promoted by political liberals (in particular). In the course of doing so, I will identify and explain the fundamental components of the paradox of reasonableness and comment on the potential for its resolution.

Reasonableness in Political Liberalism

The notion of 'reason(ableness)' has been a central feature of liberalism since the latter first emerged as a coherent philosophical project. Indeed, arguably, reasonableness is the core value animating the liberal outlook (e.g., Moore 1996: 167; see also, for example, Macedo 2000). That is not to suggest that 'reasonableness' has been defined in an identical manner by all liberal philosophers. A perusal of even a portion of the vast discourse that directly engages the idea of 'reasonableness' emphasises that, like 'equality', 'respect', and 'justice'—for example—'reasonableness' is a complex, fluid and 'essentially contested' concept; it has been understood differently not only across time and place, but also within a given epoch. Not surprisingly, then, early liberals and their successors have often differed in their conclusions regarding the specific character and demands of reason(ableness). Despite such variations, liberal political philosophers have typically argued that establishing the conditions needed to enable all individuals to achieve a secure and meaningful life (however that might be understood) requires that the governance framework embody reason and allow for the pursuit and possible realisation of all 'reasonable' conceptions of the good.

Though the idea of reasonableness is a fundamental feature of all forms of liberalism, it exerts an unparalleled degree of influence on the character of conceptions of political liberalism. In essence, political liberals are concerned to offer a *reasonable* governance framework that can accommodate the demands of *reasonable* people situated in an environment of *reasonable* pluralism and *reasonable* disagreement. The importance of reasonableness for political liberalism is perhaps best exemplified by the fact that reasonableness is the supreme standard against which the citizens of a polity guided by the principles of political liberalism must judge the acceptability and, by extension, legitimacy of the governance framework and all claims and decisions concerning its validity. Political liberals argue that the diversity of 'reasonable' moral, religious, and philosophical beliefs—i.e., the 'fact of reasonable pluralism' (e.g., Rawls 1996: 36)—that characterises contemporary liberal democracies renders such an approach necessary if one wishes to treat

all individuals with the respect they deserve as free and equal beings, and, subsequently, secure the type of widespread, voluntary public agreement (i.e., an *overlapping consensus*) on a single governance framework needed to establish and preserve a just and stable liberal democracy.[7]

The notion of 'reasonableness' is thus an indispensable component of political liberalism. Indeed, the capacity of political liberalism to achieve its stated goal is a measure of the 'reasonableness' of the governance framework it promotes, which is understood to be a direct reflection of the reasonableness of the citizens that must live under its constraints. Essentially, political liberals define 'reasonable' citizens 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 (e.g., Larmore 1999: 602). Such individuals will voluntarily agree to seek 'a social world in which they … can cooperate with others on terms all can accept' (Rawls 1996: 50); they will recognise that in contemporary liberal societies a plurality of competing, conflicting, often incommensurable and irreconcilable views is an ineliminable fact of life, and such being the case, adequately 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 turn, reasonable citizens also agree that it is unreasonable to use state power to enforce adherence to the dictates of a single understanding of the good; 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—as such are understood by political liberals (e.g., Rawls 1989: 242; see also Larmore 1999: 607; and Shklar 1989: 29). In other words, 'reasonable' citizens freely and willingly accept the notion of *reasonable disagreement* and its associated demands and recognise the need to endorse a governance framework that embodies such an acceptance.

The extent to which a governance framework possesses the necessary 'character of acceptance' will determine its capacity to secure an environment in which all reasonable individuals will have the opportunity to realise the personal freedom needed to pursue a conception of the good of their own choosing and design—the only type of freedom that adequately respects human dignity (Shklar 1989: 30; similarly, see Larmore 1996: 123-24; Larmore 1999: 607-08; and Rawls 1996: 48-50, 53-54). According to political liberals, such freedom can be achieved only if the governance framework restricts its concerns to matters of public import and embodies only those values that all 'reasonable' people can 'reasonably' be expected to endorse voluntarily and faithfully— i.e., *political values* (e.g., Rawls 1996: 139-40). Such values include 'equal political and civil liberty; fair equality of opportunity; [and] the values of economic reciprocity' (Rawls 1996: 139).

Maintaining a 'respectful' degree of accommodation and freedom requires that in the case of a conflict between the values animating the governance framework and those populating citizens' comprehensive doctrines,[8] the former always be assigned primacy. Political liberals contend that, provided the governance framework guarantees certain basic liberties (e.g., freedom of thought, freedom of expression, freedom of association,

etc) which enable all reasonable individuals to pursue their chosen way of life without undue interference from either the state or their fellow citizens,[9] it can be assumed that in those instances when it is necessary to do so, reasonable citizens will voluntarily assign primacy to the values that comprise the public conception of justice. That 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—thus enabling all individuals to assign primacy to the values comprising the conception of justice[10] without having to compromise adherence to the values animating their own comprehensive doctrines (Rawls 1996: 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 values guiding the conception of justice (Rawls 1996: 157). Such 'facts' are complemented by the knowledge that 'reasonable' citizens will freely and willingly support and faithfully adhere to what John Rawls has labelled the *precept of avoidance*. In doing so, 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 1996: 150); they are agreeing to apply 'the principle of toleration to philosophy itself' (Rawls 1996: 10).

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 purposely avoids passing judgment as to the truth of religious, philosophical, and moral views. By incorporating the precept of avoidance into its governance framework and securing certain basic rights and liberties and assigning them 'a special priority' (Rawls 1996: 157; see also 161), 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 1996: 157)—such issues include, for example, the provision of 'equal liberty of conscience and the rejection of slavery and serfdom' (Rawls 1996: 151n16). 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 1996: 151n16). 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 that are much less likely to generate any problematic degree of sociopolitical division or instability (e.g., Rawls 1996: 151-52).

Combined, the above 'facts' are claimed to make it possible for all reasonable citizens to defer freely and willingly to the values animating the conception of justice when such deference is necessary. Moreover, the conditions secured by the presence of such facts are sufficiently fair and beneficial 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 1996: 155). Importantly, such a situation enables the adherents of the various comprehensive doctrines that are *likely* to survive in a *just* constitutional democracy to agree voluntarily on a single conception of justice to regulate society's *basic structure*—i.e., its main political and social institutions (Rawls 1996: 15; see also Rawls 2001: 4, 7-8, 32). Political liberals contend that only by securing such an 'overlapping consensus' is it possible to obtain a stable political environment, which, in turn, is necessary if all reasonable individuals are to be given a meaningful opportunity to realise freely chosen goals. Without political stability, there can be no reasonable assurance that existing circumstances which allow the pursuit and achievement of particular interests and ends will not suddenly and unexpectedly change producing a drastically different situation that is much less hospitable or even antagonistic to those interests and ends. Recognising that fact, reasonable citizens will understand the need to develop and support a governance framework that facilitates the establishment and preservation of an overlapping consensus, and, in so doing, secures the requisite political stability.

According to political liberals, a governance framework that embodies both the notion of reasonable disagreement and the precept of avoidance and, consequently, assigns primacy to reasonableness, is best suited to achieve an overlapping consensus. In turn, the conditions that enable the achievement of an overlapping consensus substantially reduce the need to employ coercive state power in order to secure obedience to government directives, and thus minimise to the greatest extent possible the likelihood of 'abusive' behaviour by government. Indeed, only by adopting and maintaining a governance framework that secures such conditions is it possible to obtain and preserve the desired protection against the unreasonable use (i.e., abuse) of political power.

Political Power in Political Liberalism

Political liberalism embraces a very specific understanding of what constitutes the legitimate (i.e., reasonable) exercise of political power. According to political liberals, if we are to ensure that all citizens are treated with the respect they deserve as free and equal beings, then the conditions regulating the use of coercive political power must be acceptable to all those subject to that power.[11] To forsake such a requirement would be to treat individuals 'merely as means, as the objects of coercion, and not also as ends', and in so doing unacceptably disrespect individuals' distinctive capacity as persons (Larmore 1999: 607). Only by demanding that the principles informing the coercive use of political power be the object of 'reasonable agreement' among those they are to govern is it realistic to expect 'reasonable' people to support the governance framework voluntarily and reliably. Political liberals contend that such support is necessary if one is to secure the political stability required to establish and maintain the safeguards that will enable all reasonable individuals to pursue and (hopefully) realise a life-plan of their own design.

If the governance framework is to exhibit the respect needed to obtain and sustain the necessary support, all reasonable citizens must believe that the political process—i.e., not only the right to vote, but also the 'opportunity to hold public office and influence

political decisions' (Rawls 1996: 327)—is fair to the adherents of *all* reasonable comprehensive doctrines, 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; see also, for example, Rawls 1996: 143-44).

Political liberals argue that the governance framework they promote is 'fair' insofar as it is *neutral* among the plurality of reasonable conceptions of the good likely to be present at anytime in contemporary liberal democracies. It is important to note that political liberals generally distinguish between three different understandings of '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 that means is that the public conception of justice must refrain from purposely favouring a particular comprehensive doctrine that contains any controversial view(s) concerning the nature and content of the good life;[12] to act otherwise would be to fail to provide the equal respect due to all reasonable persons and thus preclude the achievement of an overlapping consensus. Political liberals argue that a 'properly laid out' (e.g., Rawls 1996: 386) political conception of justice will ensure, to the greatest extent possible, that the political process remains equally accessible to all. By doing so, political liberalism is claimed to protect against such things as the adoption of illiberal policies and the emergence of a tyranny of the majority. Such protection will be secured insofar as the conception of justice guarantees to all individuals certain basic rights, liberties and opportunities.[13] Proponents of political liberalism contend that it offers a governance framework that embodies the necessary neutrality and, by extension, exhibits the type of fairness required to secure adequate protection against abusive behaviour and, subsequently, establish and preserve a just and stable liberal democracy.

However, the arguments employed 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 that bring into serious doubt the ability of their proposed governance framework to achieve and preserve the type of neutrality it requires if it is to offer the desired protection against 'abusive' behaviour and thus secure and maintain the support essential to a well-ordered society.

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 assert [the primacy of] at least certain aspects of … [their] own comprehensive religious or philosophical doctrine' and, in so doing, deny the acceptability of beliefs that conflict with the political conception of justice (e.g., Rawls 1996: 152; Larmore 1996: 139; and Shklar 1989: 24). Basically, such an assertion 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 that belief. Such a situation will arise 'whenever someone insists that certain questions are so fundamental that to ensure their being rightly settled justifies civil strife' (Rawls 1996: 152). In such instances, there may be 'no alternative but to deny this, or to imply its denial and hence to maintain the kind of

thing … [political liberals hope] to avoid' (Rawls 1996: 152).[14] 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 and, by extension, 'reasonable' (e.g., Rawls 1996: 153; Larmore 1987: 68).

However, political liberals essentially remain silent with respect to identifying precisely who is to determine *what* aspects of *which* doctrine(s) are to be asserted, exactly 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. In the absence of any explicit declaration as to who will make such decisions, it seems logical to assume that they will be the strict domain of those who hold political power. In turn, in a polity governed by the principles of political liberalism, only those who satisfy the corresponding definition of 'reasonable' will have the opportunity to obtain any noteworthy degree of political power. Yet, such restrictions would seem to undermine the neutrality/reasonableness of the governance framework and knowingly permit 'abusive' behaviour insofar as they purposely allow for inequality in terms of access to political power and opportunity to influence public policy.[15]

Nevertheless, political liberals argue that it is quite acceptable to place such 'reasonable' restrictions on the access to political power and influence. Though such an approach has the effect of requiring that all who wish to obtain political power affirm comprehensive doctrines that are considered 'reasonable' according to political liberalism, that stipulation is presented as being unproblematic. Given that there is 'no social world that does not exclude some ways of life that realize in special ways certain fundamental values' (Rawls 1996: 197; see also, Rawls, 2001: 36n26, 154, 155n30; and Larmore 1999: 624n27), the fact that the governance framework promoted by political liberalism is unable to accommodate equally the totality of views that will exist in a contemporary liberal democracy is not, it is argued, proof of an unacceptable degree of bias or exclusion. Indeed, by making 'reasonableness' the standard of inclusion and access, political liberalism is claimed to provide for the greatest degree of accommodation and equality of access to political power, and thus represents what is arguably the least 'abusive' regulatory framework possible under conditions of extreme diversity like those found in contemporary liberal democracies.

Not surprisingly, then, political liberals insist that a governance framework may legitimately promote 'reasonable' beliefs and values and in so doing 'shape' other doctrines (and, indeed, transgress the precept of avoidance!) without violating or undermining its neutrality or engaging in an 'unreasonable' use of state power (e.g., Rawls 1996: 194, 246; see also Larmore 1987: 44-46, 54, 67; 1996: 139-41, 145; and Shklar 1989: 29). It is therefore not an abuse of political power when it is exercised 'reasonably' (which is to say, legitimately) over those who refuse to adopt or maintain 'reasonable' comprehensive doctrines (e.g., Rawls 1996: xix; Larmore 1987: 60, 66-68). Thus it would seem that political liberals accept as legitimate a bias in favour of 'reasonable' doctrines.

Inequality and the Fair Value of Political Liberties

According to political liberals, the political inequality that they tolerate is an unfortunate but unavoidable fact of life in contemporary liberal democracies. Hence, so long as political liberalism minimises such inequality to the degree humanly possible, it does nothing to jeopardise its neutrality, or 'reasonableness'. One of the principal ways in which the governance framework secures the necessary degree of equality is by providing the same political liberties to all individuals and ensuring the 'fair value' of those liberties. What that means is that, regardless of an individual's socioeconomic status, the 'basic liberties'[16] 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 guaranteeing such 'fair value' prevents '[t]hose with greater responsibility and wealth ... [from controlling] the course of legislation to their advantage' (Rawls 1996: 325; see also 360).

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 provide any suggestions as to how such an assurance might be concretely realised. Lacking such a guarantee, it does not seem unreasonable to believe that those who affirm a comprehensive doctrine/conception of the good that embodies the notion of 'reasonableness' promoted by political liberalism will be better able than others to both capitalise on the basic liberties provided by the governance framework and, consequently, secure political power and influence. So while it is supposed that all citizens will have 'a fair opportunity to hold public office and influence political decisions' (Rawls 1996: 327), there is no clearly identified mechanism to ensure the realisation of that goal, and, subsequently, no effective way to guarantee that political power will not become primarily the domain of those citizens who are best able to take advantage of the basic liberties secured by the conception of justice—i.e., 'those with greater responsibility and wealth'. In turn, those possessing such an advantage 'can combine together and exclude [from political influence] those who have less' (Rawls 1996: 328). Given the history of politics in modern democratic regimes, it does not seem overly pessimistic or unduly sceptical 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), with little or no meaningful concern for how such actions might detrimentally affect others. 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 1996: 233, emphasis added).

Political liberals try to allay such fears by arguing that so long as citizens and (especially) decision-makers 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, for example, 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 observed character and behaviour of the citizens of existing contemporary liberal democracies makes it reasonable to expect the continued satisfaction of such

conditions.[17] However, to accept the possibility that a group may withdraw its support for the principle of reasonable disagreement when it found itself in a position where to do so would (seemingly) be to its advantage, does not 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).

The belief that one can effectively minimise or manage such problems by limiting the scope of what can be legitimately 'denied' publicly—i.e., only those claims that jeopardise the security of the overlapping consensus—is itself based upon an extremely debatable and fragile presumption: namely, that in a well-ordered society political power will not be intentionally perverted for partisan purposes. Such a constraint on government authority offers an effective means for reducing or controlling both 'unreasonable' exclusion from the means of political influence and, subsequently, the illegitimate use of coercive state power, 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. Yet, surely an individual will be motivated to behave in such a manner only to the extent that she values reasonableness more than she values the truth, and there exists no persuasive evidence to suggest that many individuals will voluntarily affirm and faithfully maintain such a disposition, even if requests to do so are restricted to 'political' enterprises. If anything, empirical research would seem to suggest that it is at least equally as likely that in instances of conflict between the pursuit of one's fundamental 'truths' and the realisation of publicly 'reasonable' goals, individuals will opt to act in a way that supports the former, regardless of the consequences for the latter.[18] Regrettably, throughout the course of the twentieth century and continuing into the twenty-first century, 'liberal democratic' governments have been quite willing, when they deemed it expedient, desirable or necessary, to transgress or suspend various of the basic liberties promoted by political liberals, if doing so might help to facilitate the advancement of a particular (i.e., partisan) goal.

In essence, political liberals respond to the above-noted concerns and criticisms by suggesting that '[w]e must accept the facts of commonsense political sociology' (Rawls 1996: 193); the potential for the perversion of political power 'is simply a fact about political power as such' (Rawls 1996: 233; see also, for example, Shklar 1989: 28). Such a concession, however, seems to acknowledge the inability of political liberalism to offer 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, political liberalism would seem knowingly to allow for the *political ghettoisation*[19] of the least advantaged.

Importantly, even if one accepts political liberals' justifications for allowing unequal access to political power and disregards the potential questions and concerns stimulated by the associated exclusions, problems remain. In particular, the belief that the

governance framework promoted by political liberalism can secure the type and degree of voluntary support deemed essential for the establishment and preservation of a well-ordered society 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' 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 her understanding of the demands of reasonableness. Consequently, creating and preserving the sought after sociopolitical conditions (e.g., 'reasonable' individual liberty and equal respect) will require that the majority of citizens affirm and maintain an identical definition of 'reasonable', including what constitutes both the reasonable exercise of coercive political power and a reasonable inequality of access to such power.

Yet, surely it is implausible to suggest, as do political liberals, that such a prerequisite could ever be effectively satisfied, even among 'reasonable' people. Ineliminable 'reasonable' differences of opinion will exist concerning the political culture's 'most salient elements' (Klosko 1993: 352; see also Klosko 2000; Bohman 1995: 268; Neal 1995; and Young 2001) and, subsequently, the definition of what constitutes a 'reasonable' demand will itself be a noteworthy source of controversy and conflict among 'reasonable' people. While it *might* be possible to secure a broad, voluntary public agreement on what constitutes 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' (e.g., basic liberties). To illustrate: Both my neighbour and I may agree that the right to freedom of expression is an essential component of a 'reasonable' governance framework. However, while I may believe that the right to freedom of expression does not include the right to publish pornography or racist literature, my neighbour may deem any censorship an unreasonable restriction upon her freedom of expression. Hence, though both my neighbour and I endorse the concept of freedom of expression, we nevertheless significantly disagree about its 'reasonable' application. Political liberals acknowledge the inevitability of such disagreement, conceding that it is 'unreasonable' not to recognise 'the practical certainty' of irreconcilable disagreements between 'reasonable' people (e.g., Rawls 1996: 240, and 57-64; see also Rawls 2001: 35-36; Larmore 1987: 52; 1996: 169; and Shklar 1984: 8, 227; 1989: 35).

In the final analysis, the unavoidably contestable character of reasonableness makes it unrealistic to presume that all 'reasonable' people will freely and willingly endorse and *remain faithful to* any single definition of 'reasonable' and its associated demands. However, only by ensuring such a homogeneity can one be 'reasonably' assured of securing the type of reliable protection against 'unreasonable' (i.e., abusive') behaviour and, subsequently, the unwavering voluntary support required to guarantee the continuation of the overlapping consensus and, by extension, the maintenance of a well-ordered society.

Conclusion

The approach advocated by political liberals (and, indeed, liberals in general) effectively renders one's ability to follow and realise a life-plan of her own design dependent upon the reasonableness of both the governance framework and her fellow citizens. In particular, providing a 'reasonable' opportunity for all citizens to adopt and pursue self-chosen interests and ends requires that the capacity of government to restrict individual freedom be subjected to 'reasonable' limitations, and the opportunity to abuse political power be minimised to the extent humanly possible. Only by instituting and preserving a governance framework that embodies such constraints and thereby safeguards against the arbitrary violation of certain fundamental individual rights and liberties can one hope to establish and sustain a just and stable liberal democracy. Accordingly, from the perspective of political liberalism, the crucial consideration for all concerned is the *reasonableness* of the restrictions on 'public' behaviour. Essentially, political liberals suggest that if individuals reject the principles of political liberalism 'unreasonably', that is their problem, not a problem for political liberalism (Holmes 1993: 46); the governance framework promoted by political liberals is not 'unreasonable', or 'abusive', merely because it refuses to accommodate unreasonable expectations (e.g., Rawls 1996: 189).

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? Further, if only those affirming 'reasonable' comprehensive doctrines are, in effect, able to obtain any noteworthy 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 unreasonable and *unjust* enforcement of the comprehensive views of those who affirm (certain) reasonable comprehensive doctrines? (e.g., Rawls 1996: 153-55) Contra the suggestions (or hopes) of political liberals, the number of individuals likely to suffer such 'exclusion' is significant. As Patrick Neal (among others) 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). Indeed, it has been suggested that somewhere between 20 percent and 40 percent of the US population (approximately 50-100 million people!), for example, affirms doctrines that would be incompatible with the demands of political liberalism (e.g., Klosko 1996: 258-59; see also Klosko 2000).[20]

While it is undoubtedly true that most individuals would prefer to prevent certain people or groups from acquiring any 'dangerous' degree of political power or influence (however that might be defined), surely, if *all* citizens are to be treated as free and equal beings able to exercise the basic capacities of reason, then the decision as to who should be allowed to acquire political power cannot be predetermined and, in effect, isolated from public debate. In other words, treating people in the manner advocated by political liberalism would seem to render invalid any *a priori* attempt to limit access to political power and influence. At minimum, by restricting the acquisition of political power to those who affirm 'reasonable' comprehensive doctrines, political liberalism generates what amounts to a *forced* doctrinal homogeneity necessitated and legitimated by the

political conception of justice[21]—precisely the type of outcome that political liberalism is meant to prevent. And, as Rawls observes, 'a comprehensive doctrine, whenever widely, if not universally shared in society, tends to become oppressive and stifling' (Rawls 1992: 597n3).[22] Hence, whether doctrinal homogeneity emerges as a consequence of explicit coercion or reasonable 'shaping', the result is the same: an 'oppressive and stifling' environment.

In the final analysis, the ability of political liberalism to protect citizens against the 'abuse' of political power is sabotaged by what might be called the 'paradox of reasonableness.' Such protection is possible only if the governance framework equally respects the reasonableness of all those subject to its demands; however, insofar as it does so and relies upon the reasonableness of those involved to secure and sustain the necessary environment, 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.

Particularly problematic is the failure of political liberals to either seriously consider or adequately respond to the possibility that 'reasonable' people in possession of political power will, when the opportunity presents itself, use the mechanisms of state coercion to further a partisan agenda—whether their own or that of a particular group or segment of the citizenry—with little meaningful concern for how their actions might detrimentally affect those who affirm different or conflicting beliefs and values (reasonable or otherwise). Though different formulations of political liberalism acknowledge to varying degrees the problem of the potential perversion of political power, all fail to protect adequately against the abuse of political power by 'reasonable' people. Even in those instances when the problem of the abuse of political power is given centre stage—such as in Shklarian political liberalism—the resulting conception still neglects to engage more than the most blatant difficulties, and in so doing leaves problematic gaps which critically undermine the ability of political liberalism to both ensure the 'neutral' exercise of coercive political power and, subsequently, secure the type of protection against 'unreasonable' public behaviour required to establish and sustain an overlapping consensus and, by extension, a well-ordered polity (as such is generally defined by political liberals). Despite assumptions or hopes to the contrary, 'reasonable' people, too, pose a threat against which citizens need to be protected. In underestimating the threat posed by 'reasonable' people, political liberals fail to respond to the entire range of potential significant dilemmas associated with the possible abuse of political power. That failure unnecessarily leaves citizens vulnerable to such abuse.

The above remarks are not meant to suggest that it is possible to eliminate completely the threat of the abuse of political power. Rather, it is hoped that the preceding critique will help to demonstrate and emphasise the need for political philosophers to consider seriously the practical constraints within which they necessarily must operate if they wish to effect meaningful concrete change. Admittedly, many political philosophers are quite satisfied engaging in utopian philosophising; indeed, for some, it represents the only 'true' form of political philosophy.[23] Arguably, however, liberalism is animated by greater (practical) ambitions. Insofar as such a conclusion is valid, liberal political philosophers must avoid convenient conjecture and utopian philosophising and confront the often unpalatable sociopolitical realities that are the

offspring of contemporary liberal-democratic capitalist societies. Such an approach does not require that liberals abandon their emphasis on 'reasonableness', but it does demand that they unqualifiedly accept and more forthrightly acknowledge and respond to the ineliminable (and seemingly increasing) practical limitations that impede the realisation of the ideally 'reasonable' liberal polity.

Acknowledgements

Notes

1. It is, perhaps, worth noting that such a characterisation of Hobbes is not universally endorsed. Whereas numerous eminent political philosophers, including Leo Strauss, Michael Oakeshott, C. B. Macpherson, and Ian Shapiro—to name only a few—have argued that Hobbes is (in one sense or another) the progenitor of liberalism, others, such as Judith Shklar and Stephen Holmes, contend that it is a gross misinterpretation to label Hobbes a liberal (e.g., Shklar 1989; and Holmes 1995). Thankfully, the resolution of that debate is not required for the purpose of this essay.
2. I am here using the chronological categories employed by Bramsted and Melhuish (1978) in their detailed survey of the history of Western liberalism.
3. Briefly stated, the understanding of the relationship between 'reason' and 'reasonableness' that informs the arguments contained herein is as follows: The proper exercise of reason generates 'reasonable' results. Of course, the same results can be produced in the absence of such circumstances (e.g., purely unintentionally).
4. In the vernacular of political liberals, matters of 'public' import are also referred to as 'political' matters. Accordingly, unless specifically noted otherwise, I shall use the terms 'public' and 'political' interchangeably.
5. It might be protested that Judith Shklar, for example, not only makes no such claim but, indeed, she explicitly eschews such an approach (e.g., Shklar 1989). However, as I have elsewhere argued (e.g., Young 2002, esp. chp. 5), I believe that, despite her assertions to the contrary, her conception of political liberalism cannot help but embrace such an approach. I would suggest that the same holds true—to varying degrees—for all liberal theories of justice.
6. By 'governance framework' I mean the system of moral and legal principles and values that regulate behaviour in the public realm—i.e., what John Rawls labels the 'political conception of justice'. Unless specified otherwise, I will use the terms 'governance framework' and 'political conception of justice' interchangeably.
7. Simply put, an *overlapping consensus* is a free and willing agreement among the adherents of the various competing, conflicting and often irreconcilable comprehensive doctrines that are *likely* to survive in a *just* contemporary liberal democracy (e.g., Rawls 1996: 133-72).
8. A 'comprehensive doctrine' is one that 'applies to all subjects and its virtues cover all parts of life [e.g., public and nonpublic]' (Rawls 1996: xxxviii,n4)—it is 'a moral ideal to govern all of life' (Rawls 1985: 245).
9. 'Basic liberties' are the 'institutional rights and duties that entitle citizens to do various things, if they wish, and that forbid others to interfere' (Rawls 1996: 325). Such 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).

10. Unless specified otherwise, I will use the terms 'conception of justice' and 'political conception of justice' interchangeably.

11. More specifically, coercive political power is exercised legitimately when it is employed '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' (Rawls 1996: 137; see also, for example, Larmore 1999: 606; and Shklar 1989: 37).

12. For a detailed description of the notions of *procedural neutrality*, *neutrality of aim*, and *neutrality of effect* or *influence* see Rawls (1996: 191-93).

13. For a partial general list of those rights please refer to note 9.

14. Rawls, for example, uses the concept of *rationalist believers* to illustrate the type of individuals who may necessitate such denials (Rawls 1996: 153n18). 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 enforce those beliefs (Rawls 1996: 152-153; see also Shklar 1989: 25; and Larmore 1987: 66). The suggestion is that rationalist believers and others like them will comprise a small minority of the population, at most.

15. Recall, political power is 'abused' not only when it is intentionally used to further the goals or values of a particular comprehensive doctrine or conception of the good to the detriment of others, but also when its employment 'unreasonably' prevents any person or group from having an equal opportunity to secure political influence/efficacy.

16. There is an ambiguous relationship between *basic liberties* and *political liberties*: Despite suggestions seemingly to the contrary (e.g., Rawls 1996: 291), it remains unclear whether the two are one and the same, if one contains the other, or if there is a distinctive difference in terms of the composition of the two (e.g., Rawls 1996: 289-371). The most persuasive interpretation, and the one used in this essay, denies the latter proposition.

17. This is not to suggest that political liberals believe that the citizens of existing liberal democracies completely satisfy the requirements of the political liberal understanding of 'reasonableness' (though I believe that the arguments of political liberals often allow for such an interpretation). However, at minimum, political liberals typically suggest that the *observed* character and behaviour of said citizens is sufficiently 'reasonable' and consistent (and promising) to justify the claim that it is not unrealistic, or 'utopian', to imagine a society that is populated primarily by citizens who are completely 'reasonable' in the necessary sense.

18. 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).

19. 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). For a recent, instructive examination of the problem of political marginalisation in the US, see Jacobs and Skocpol (2005).

20. Equally interesting, it has been argued that while anywhere from 60 percent to 80 percent of the US population affirms what could be labeled 'moderate' doctrines—that is, doctrines that do not generate 'unbridgeable gaps' among the citizenry (e.g., Klosko 1996: 258-59; see also Klosko 2000)—when trying to resolve contentious political questions, the general ignorance of the members of that cohort 'allows extremists and special interest groups to play on their emotions and so to manipulate them'

(Klosko 1996: 259), thereby enabling (purportedly) 'rational' but 'unreasonable' objectives to win the day.

21. For more on this point see Shaun Young (2002), esp. chap. 6.
22. It might be argued that such a criticism is here inapplicable or ineffective given that political liberalism is not a 'comprehensive' doctrine. However, such a characterization of political liberalism is certainly not universally accepted. Indeed, even political liberals seem to concede that it is not necessarily unreasonable to identify political liberalism as a 'partially comprehensive doctrine' (e.g., Rawls 1996: 29n31 and 154n20). For more on this claim see Young (1999: 183).
23. For example, Ronald Beiner has argued that '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). According to Beiner, true political philosophy is 'radical, extravagant, probing, biting, and immoderate' (Beiner 1997: x), and it is impossible to achieve those qualities and simultaneously seek to address practical questions.

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