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Pluralism and Diversity: For the Sake of Equal Respect

Disertační práce

Školitelé: dr. Pavel Dufek, prof. Jan Holzer

Brno, Vídeň 2020

FINO

Consorzio di Filosofia del Nord Ovest

Curriculum Ethics and Political Theory

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Pluralism and Diversity: For the Sake of Equal Respect

Dissertation

Supervisor: prof. Anna Elisabetta Galeotti

Brno, Wien 2020

Declaration

I hereby declare that this dissertation, *Pluralism and Diversity: For the Sake of Equal Respect*, has been composed solely by myself, and I confirm that I have only used the resources listed in the bibliography.

Chapter 3 and Chapter 4 include parts from the article, "Equal Respect, Liberty, and Civic Friendship: Why Liberal Public Justification Needs a Dual Understanding of Reciprocity," that has been written together with dr. Pavel Dufek and that will be published in *Czech Journal of Political Science.* My author's contribution constitutes 70%.

Chapter 2 and Chapter 4 include parts from the manuscript, "Respect in Public Reason Liberalism: A Way of Expanding the Theory," that is currently being reviewed.

Acknowledgments

For my grandma who passed away too early.

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Introduction

Pluralism and diversity define our present world. They are all about us, as Jacqueline Woodson writes, and it is thus only up to us to figure out how to walk through this world together.[1] In fact, living peacefully side by side despite our differences is one of the biggest challenges people face. The fact of pluralism concerns not only basic interpersonal relationships, as it also applies to the general social order and political arrangement. Yet that pluralism and diversity are the main determinants of our world is not as new a fact as it may seem. Pluralism has been the defining characteristic of the social and political order since at least the sixteenth century: at that time differences in beliefs caused some of the bloodiest wars in history. It was this clash between people's convictions that gave rise to the origins of liberal political theory. In this context, it is not too presumptuous to assert that liberal political theory is almost unimaginable without allowing for the impacts of pluralism and diversity, as they have determined the crucial concepts that define it: tolerance, neutrality, autonomy, respect, and legitimacy, among other things. Pluralism and diversity have also influenced internal differentiations within liberal political theory: its individual branches differ only in regard to their approaches to pluralism. Last but not least, pluralism and its consequences are the key focus of Rawls's *Political Liberalism*, the most influential book in contemporary political philosophy today, even twenty-five years after first being published. In it, Rawls reconsidered some of his ideas from *A Theory of Justice* and focused directly on the issue of pluralism and its essence in detail. Accordingly, he posed one of the most pressing questions in political philosophy: he asked how it is possible to organize a stable and just society comprised of free and equal citizens who are, nevertheless, divided by their conflicting – and often incommensurable – conceptions of the good life.[2] In his book, Rawls introduced the impressive project of political liberalism and offered answers to questions about the legitimate exercise of political power and the achieving of stability under the conditions of pluralism. He concluded by introducing the idea of public reason, which requires that

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[1] Kirch, *BEA 2014: Jacqueline Woodson: Remembering a Brown Girl's Childhood.*
[2] Rawls, *Political Liberalism,* p. 133. See also Wenar, "John Rawls."

citizens be able to justify their use of political power to each other using only public values.

I sympathize with Rawls's project of political liberalism and with most of its pivotal ideas. Compared to other branches within contemporary liberal political theory, it provides the best way of dealing with the fact of pluralism. At the same time, however, I am not a boundless admirer of it, as I also see some of its weaknesses. To be more specific, when responding to the communitarian critique, Rawls emphasized that political liberalism avoids addressing metaphysical issues and is focused solely on the arrangement of a political community. Rawls was not interested in the character of human beings or the highest good to achieve, as he zeroed in on exclusively political issues. Accordingly, with regard to the very fact of pluralism, one of his central presumptions was that all members of a political community are free and equal in the same way, regardless of the differences between them. However, the problem is that Rawls – and other political liberals who follow him[3] – did not take into account the fact that the public character of a political community is determined not only by so-called essentially political questions addressing the issue of justifying the exercise of political power (and thus ensuring equal right and liberties to all citizens) but also by structural (i.e., societal or cultural) questions.[4] As Will Kymlicka acknowledges, the public sphere of a liberal political community is not as neutral as it appears, since it is inevitably based on cultural, linguistic, or institutional features that cause some citizens to be somehow more equal than others.[5] In other words, despite the ensuring of formally equal citizenship to all, there may be differences between a citizen who is a wealthy white Anglo-Saxon Protestant man and one who is a poor black Muslim woman. Although both are formally equal citizens, the structural arrangement of the public sphere of a particular political community causes them to be treated differently due to the cultural and societal differences between them.

This discrepancy in the understanding of equal citizenship implies my default claim: to deal with the facts of pluralism and diversity appropriately, it is not enough for political

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[3] Among others, see Larmore, *The Morals of Modernity*; Larmore, "The Moral Basis of Political Liberalism"; Larmore, *The Autonomy of Morality*; Quong, *Liberalism without Perfection.*

[4] Rawls mentions the meaning of the public political culture of democratic society. However, when defining it, he refers solely to political values. Rawls, *Political Liberalism*, p. 133. See also the first chapter, p. 31.

[5] In this context, Kymlicka (but also Margalit and Raz) talks about minority rights. Kymlicka, *Multicultural Citizenship*; Margalit and Raz, "National Self-Determination."

liberalism to understand the public sphere of a political community solely in essentially political terms. It also needs to reflect on the so-called societal level, which is determined mainly by sociocultural factors and can cause some people to be favored over others. To prove such a claim, I argue that both spheres defining the character of a political community are based on the same default principle – that of respect. Respect is thus the purpose of both justifying the exercise of political power at the essentially political level and achieving justice at the societal level. This is precisely where the core of the inner discrepancy within political liberalism lies: although political liberalism refers to the principle of respect when addressing the justification of the exercise of political power, it overlooks manifestations of disrespect at the other – societal – level of a political community. Are these different approaches to respect consistent? Is it correct to promote equal citizenship only based on essentially political questions but to overlook other factors influencing the character of citizenship? I do not think it is correct: if respect is not ensured also at the societal level, the very essentially political level is in fact undermined. Respect is a universal moral principle that can hardly be understood only partially. Accordingly, if the manifestations of disrespect within a liberal political community remain even after the process of justification of political power, the purpose of the essentially political level – that is equal respect – has not been actually achieved. Therefore, I claim that in order to be in conformity with the default principle of respect, political liberalism must take into consideration both the essentially political and societal levels of a political community.

The aim of this thesis is to use the argumentation of political (public reason) liberalism and come to such an understanding of respect that would embrace both the essentially political and societal levels of a political community. In this context, I consider the criterion of reciprocity – as the basis of political legitimacy and the principle underlying the whole project of political liberalism – to be the right tool for achieving such an aim. Specifically, when elaborating on the ideas of public justification and public reason, I call for a dual interpretation of the criterion of reciprocity that should be interpreted to imply both the imperative of respect and civic friendship. Accordingly, I argue that the role of the criterion of reciprocity interpreted by means of civic friendship is that it retrospectively influences the very character of respect.

This is because civic friendship inherently shifts the understanding of the character of respect from a third-person imperative to a second-person act of recognition. In this way the interpretation from the civic friendship perspective does two things. First, it is an argument that proceeds directly from the conceptual apparatus of political liberalism (accordingly, the idea of civic friendship is understood strictly in the Rawlsian sense). Second, it enables the achieving of respect at both the essentially political and societal levels of a political community.

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In the **first part** of this thesis, I present a general introduction of the impact of pluralism and diversity on liberal political theory. I explore history and show how liberal political theory dealt with the fact of pluralism in the past. Specifically, I address changes in the understanding of sovereignty, the development of the concept of toleration, and the shift in the character of pluralism (from pluralism as diversity in religious beliefs to pluralism as diversity in conceptions of the good). Accordingly, I show how such this shift influenced the inner differentiations within contemporary liberal political theory. I round off this theoretical outline by introducing political (non-comprehensive, non-perfectionist) liberalism as a sphere where the major debates on pluralism within liberal political theory take place and as my central field of study.

In the **second part**, I concentrate solely on political liberalism and on the idea of public reason. I challenge political liberalism's limited focus on only the essentially political level when dealing with the fact of pluralism and argue that to adequately deal with the issue of pluralism and to comply with the default moral principle of respect, it must allow that the societal level also determines the character of a political community. I claim that respect is a universal principle, and if we want to be in conformity with it, it is not enough to understand it only partially.

In the **third part**, I elaborate on the essentially political level and address the question of the justification of the exercise of political power. Specifically, I focus on the *public justification principle* and show what public justification should look like to conform with

the principle of respect. At the same time, I highlight that in this case respect is understood as a third-person – and thus impersonal – imperative.

In the **fourth part**, I analyze the critique of this understanding of respect, especially how it is applied to the criterion of reciprocity. I mention two objections to the criterion of reciprocity interpreted from the perspective of the imperative of respect. First, it is a critique of the claim that, for the sake of respect, people refrain from their particularities when publicly deliberating. Second, it is the objection that the criterion of reciprocity interpreted from the perspective of the imperative of respect insufficiently takes into account the role of the political community. Following this, I call for a dual interpretation of the criterion of reciprocity. Apart from the interpretation by means of the imperative of respect, I argue that there is also the interpretation by means of civic friendship. I claim that the importance of the second interpretation lies in the fact that civic friendship not only inherently assumes respect but that it also helps understand it in the second-person form required at the societal level of a political community.

Finally, in the **fifth part**, I apply theoretical claims to a concrete example. Specifically, I point to the situation of young Muslims of immigrant origin in France and show the destructive consequences of misrecognition at the societal level for a political community as a whole. I argue that only a dual interpretation of the criterion of reciprocity may reverse the poor conditions of people disadvantaged at the societal level of a political community, as it helps to achieve respect even at this level.

Chapter 1

The genealogy of pluralism's impact on the formation and development of liberal political theory

Before unpacking the main argument of this thesis, I will show the reader its background. Everything that we have today has not arisen out of the blue, but it is the consequence of a long process lasting several centuries. Therefore, in this chapter I outline the general theoretical grounding of the relationship between pluralism and liberal political theory. My aim is to provide a genealogy of pluralism's impact on the formation and development of liberal political theory. Accordingly, I will conclude this historical excursion by introducing the approach that will be the object of my interest in the forthcoming chapters – political (non-comprehensive non-perfectionist) liberalism. In the first part of this chapter I will focus primarily on religious pluralism and argue that it gave rise to liberal political theory. Specifically, I will show how religious pluralism influenced the understanding of sovereignty and how it was the germ of the conception of tolerance. I will then assert that although tolerance was originally considered to be a right of the sovereign, later on it evolved into freedom of conscience as a universal human right (implying the state's duty to tolerate people's consciences). As freedom of conscience moved toward becoming a universal human right, it began to encompass a much wider scope. Hence, as time went on, pluralism, as it related to convictions, no longer concerned only religious beliefs. Together with the notion of autonomy, the right to free conscience became to be understood much more as the capability of having one's own idea of life and the capacity to create one's conception of the good. This shift in the nature of pluralism affected its very understanding within liberal political theory. Using the framework proposed by Jonathan Quong, in the second part of this chapter, I will thus distinguish between three contemporary versions of liberalism that deal with the fact of pluralism differently: I will elaborate on comprehensive perfectionist liberalism; comprehensive non-perfectionist liberalism; and non-comprehensive, non-perfectionist liberalism. Hereby, I will complete the theoretical foundations and pave the way for concretizing the main topic of this text.

1.1. Religious pluralism and its consequences for political order: Sovereignty and the conception of toleration

1.1.1. Toleration as the right of the sovereign

Until the sixteenth century there was relative homogeneity in Western Europe with regard to religious belief. Despite the external influence of Islam, Catholicism was the central religion, and the Catholic Church played a dominant role. The situation changed when Martin Luther, a German theologian, released his ninety-five theses (*Disputatio pro declaration virtutis indulgentiarium*).[6] In his disputation, not only did he repudiate the Catholic Church's indulgence-granting policies, but he also disclaimed the dominant teachings of the Church. Luther rejected the Thomistic assumption that people had the capacity to sense and follow the laws of God, and he instead advocated a more pessimistic Augustinian emphasis on man's fallen nature.[7] According to Luther, since all our actions are determined by our sinful natures, there is nothing that could justify us – and our actions – before God.[8] These thoughts instigated the Reformation. So-called Protestant reformers followed Luther and came to believe that the Catholic Church was no longer the church established by Jesus. Consequently, they rejected its authority. Apart from charging the Catholic Church with institutional abuses and immorality as signs of its flawed foundations, they also claimed that the Catholic Church was teaching errors and lies as if they were truths.[9] The accusations against the Catholic Church not only led to the division of the Christian religion and the dissemination of pluralism in religious beliefs, but they were also one of the main causes of the wars of religion, which had far-reaching impacts on both moral and political developments in Europe.

All these events brought about the need to reformulate the role of religion in the public sphere. This not only led to the establishment of modern theories and practices of toleration;[10] dealing with the fact of religious pluralism also enabled – partially just through the concept of toleration – the establishment of the modern liberal state. Initially,

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[6] Luther, *Ninety-five Theses.*

[7] Augustine, *Confessions*; Aquinas, *The Summa Theologica of Saint Thomas Aquinas*. See also Skinner**,** *The Foundations of Modern Political Thought*, p. 4.

[8] Skinner**,** *The Foundations of Modern Political Thought*, p. 6.

[9] Gregory, *The Unintended Reformation: How a Religious Revolution Secularized Society*, p. 86.

[10] For a complex history of toleration, see Forst, *Toleration in Conflict: Past and Present.*

the main objective of the predecessors of liberal political thought and of early liberal authors was to propose such a vision of political society that would avoid the conflicts caused by pluralism of religious belief and that would ensure peace. This was to be done by reassessing the role of the sovereign, which was supposed to be an authority above religious denominations.[11] The modern concept of sovereignty was originally proposed by Jean Bodin, who experienced the Wars of Religion in France. Bodin argued that the destructive consequences of a society riven by a religious conflict could only be reversed by integration into a unitary body with a supreme authority. The central characteristic of such a unitary body was that it was endowed with a sovereign power that, according to Bodin, was necessarily perpetual. As he specifically argued: "the true sovereign remains always seized of his power."[12] Reflecting on the origins of political authority, Bodin proposed a voluntarist conception derived from the assumption that all power is of God.[13] It implied that the sovereign had the right to push through his commands: law was simply a command issued by the sovereign that was independent of the consent of those commanded. Political society was to be modeled on the natural society of the family. Bodin claimed that every family had its own sovereign – the father – who decided about the life and death of his wife and children. This meant that other family members – the wife and children – were mere subjects, as their liberty was limited by the sovereign power of father. The same order applied to the state. According to Bodin, every citizen was a subject, and his liberty was limited by the sovereign power to whom he owed obedience. Still, Bodin did not assume a one-sided obligation of the subject to the sovereign. Bodin asserted that in return for the faith and obedience rendered to the sovereign, the sovereign had to protect his subjects and provide them with justice.[14]

Nevertheless, Bodin not only proposed a conception of the sovereign as a supreme authority, but he also made a case for toleration. In *Six Books*, Bodin took two seemingly contradictory steps: he argued that religion was an important foundation of the commonwealth, as it induced obedience, but at the same time, he rejected religious persecution.[15] Consequently, although he advocated toleration, he nevertheless

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[11] Ibid., p. 138.
[12] Bodin, *Six Books of the Commonwealth*, p. 25.
[13] Ibid., pp. 27–28.
[14] Ibid., pp. 18–20.
[15] Tooley, "The Argument of the Six Books of the Commonwealth."

considered it to be the imperative of the prince, and it was up to him to establish the conditions under which religion would be tolerated. As Forst later argues[16] in *Colloquium,* however, Bodin also developed an interpersonal perspective of tolerance when he addressed how individuals should treat each other given their religious differences. According to Forst, Bodin admitted that due to religious disagreement, unity in faith was no longer possible. Therefore, Bodin sought to ensure that others were respected as moral persons even if they did not share the same religion.[17] Yet, as Forst claims, though Bodin in *Colloquium* took a step toward mutual toleration between individuals, "it was not the insight into the mutuality of tolerance situation which he transposed to the political level but the anxiety that religious conflict leads to unrest and civil war."[18]

Justus Lipsius was a Flemish philosopher who was also personally affected by the wars of religion. Although Lipsius did not mention Bodin in his *Politica*, he was well aware of what Bodin had written in his *Six Books*.[19] Specifically, although Lipsius was more concerned with the ethical context of the state when he emphasized the necessity of virtue and prudence,[20] he not only followed Bodin in claiming that the political community was to be understood in terms of family, but he also developed the argument that sovereignty was a way out of the destructive consequences of religious pluralism.[21] Considering the impact of religious conflicts on sovereignty, Lipsius – like Bodin in *Six Books* – argued that peace was central to government. Hence, when facing conflict caused by religious disagreement, the sovereign should use all possible political techniques to prevent war.[22] However, even though one of these possibilities involved the state repressing religious opinions, Lipsius was not directly against religion. In fact, he promoted public worship controlled by the sovereign that would strengthen the power of the state. Lipsius's sole aim was to protect civil peace. If this could be achieved by reducing the influence of other religions in the political sphere, Lipsius would have advocated it. Yet, it did not mean that other faiths practiced in private should not be tolerated.[23]

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[16] Forst, *Toleration in Conflict: Past and Present,* pp. 146–152.
[17] Ibid., p. 148.
[18] Ibid., p. 152.
[19] Lipsius, *Politica.*
[20] Ibid., pp. 241–247.
[21] Waszink, "Context and Interpretation," p. 92.
[22] Tuck, "Scepticism and the Tolerance in the Seventeenth Century," pp. 25–26.
[23] Forst, *Toleration in Conflict: Past and Present,* p. 160.

The argument that public worship is an attribute of sovereignty and the (limited) toleration of religious pluralism is also at the heart of the thoughts of other leading authors of the concept of sovereignty. In this context, especially Hugo Grotius and Thomas Hobbes must be mentioned. Grotius proposed a concept of sovereignty quite similar to Bodin's and Lipsius's. He too argued that the sovereign was he who was not subordinated to the power of anyone else.[24] At the same time, Grotius refused the claim that the sovereign's power consisted in the will of the people.[25] To eschew the violence of religious conflicts, Grotius based his conception of sovereignty on the separation of morality from theology, which included the assumption of an independent moral basis common to all, irrespective of religion.[26] This basis was formed by the law of nature. According to Grotius, natural law was a dictate of right reason that predetermined all acts – whether moral or immoral, whether permitted by God or not.[27] Therefore, natural law was not derived from the Old Testament, as people were able to gain knowledge of this law through "right reason."[28] No matter what religion, the law of nature was common to all human beings. Grotius even added that his notion of natural law would be valid even if there was no God.[29] Nevertheless – to avoid the conflicts caused by religious diversity – Grotius argued that the unified power of the state in religious matters had to be upheld.[30] He claimed that no individual could defy the assertion of religious dogmas if the state considered it to be necessary for political reasons.[31] Still, although the state (i.e., the sovereign) had the right to determine religion within its territory, Grotius emphasized that it should exercise this right prudently and not impose additional constraints on the conscience of individuals.[32] Furthermore, at the interpersonal level, Grotius – like both Bodin and Lipsius – asserted mutual toleration when he argued that no individual was entitled to force anyone else to

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[24] Grotius, *The Rights of War and Peace,* p. 261.
[25] Ibid., p. 49.
[26] Forst, *Toleration in Conflict: Past and Present*, p. 168.
[27] Grotius, *The Rights of War and Peace,* p. xxvi.
[28] Zuckert, *Natural Rights and the New Republicanism,* p. 121. See also Haakonssen, *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment*, p. 29.
[29] Grotius, *The Rights of War and Peace,* p. xxvi. See also Edmundson, *An Introduction to Rights*, p. 17.
[30] Tuck, "Scepticism and Toleration in the Seventeenth Century," p. 30. See also Zuckert, *Natural Rights and the New Republicanism*, p. 121.
[31] Ibid.
[32] Forst, *Toleration in Conflict: Past and Present*, p. 167.

profess her religion.[33]

Thomas Hobbes was the first modern philosopher to outline the social contract theory. Reflecting on the dreadful events taking place during the English Civil War, Hobbes provided a hypothesis about the state of nature. He argued that in such a state there was no common rule. All people were perfectly free and equal, and everyone was endowed with natural rights arising from natural law.[34] At the same time, people were also rational by nature. This assumption not only implied that everyone pursued only his or her own interests, but it also suggested individuals attack first because they could not trust anyone in the absence of common rule. Hence, according to Hobbes, the state of nature always deteriorates into war. The only way people could escape war was to make a contract and establish a sovereign. Hobbes summarized the process of forming the sovereign with the notorious claim: "I Authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner."[35] The difference, compared to the authors mentioned earlier, was that Hobbes – through his concept of the state of nature alone – made the people themselves a source of sovereignty. With regard to pluralism in people's convictions, a fact that was particularly important when establishing the sovereign – and given the relationship between people and the sovereign – was Hobbes's understanding of conscience and its development. In the state of nature, Hobbes considered an individual's conscience to be shared knowledge based on connivance.[36] Specifically, he argued that when two or more people were aware of the same fact, they were mutually conscious of it.[37] At the same time, however, Hobbes identified one's conscience with judgment (opinion) and claimed that it could not be deemed to be true or measurable by truth. He claimed that conscience and judgment were the same things and that both might be erroneous. Still, despite the fallibility of conscience, Hobbes argued that in the state of nature, it was sinful to act against one's conscience. In fact, acting against one's conscience was acting against natural law, since Hobbes argued that there was no rule other than human reason in the state of nature and that knowingly disrespecting one's conscience

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[33] Tuck, "Scepticism and Toleration in the Seventeenth Century," p. 30.
[34] Hobbes, *Leviathan*, pp. 86–87.
[35] Ibid., p. 88.
[36] Weber, "Thomas Hobbes's Doctrine of Conscience and Theories of Synderesis in Renaissance England," p. 55.
[37] Hobbes, *Leviathan*, p. 48.

was a violation of natural law.[38] Besides addressing the sinfulness of acting against one's conscience in the state of nature, Hobbes also argued that following our conscience was the only way out of the miserable conditions present in this state.[39] Things changed when individuals departed from the state of nature, entered into a social contract, and established a political society. Thereafter, the various consciences of individuals were united into a single – public – conscience. Hobbes argued that this unification of consciences gave rise to the establishment of public reason, which he considered to be the reason of "God's Supreme Lieutenant" and which became the only judge after people entrusted him with sovereign power.[40] According to Hobbes, the sovereign's judgment was the "last opinion in search of the truth of past and future," and the people were obligated to follow it and not to dissent.[41] This implies that while Hobbes claimed that a private conscience might be erroneous, the judgment of the sovereign was the public determination of the truth.[42] Still, although by establishing the sovereign the private conscience had to submit to the public conscience, Hobbes assumed that when a person obeyed the laws, she was in fact following her own conscience.[43] This way, Hobbes merged respect for one's conscience with the duty to obey public power.[44] He attempted nothing less than to justify the unity of the sovereign, the subject, and even God, for he thought that such unity was the only way to maintain social order in the face of religious diversity.[45] Yet, when sovereignty and public unity were assured, even Hobbes advocated (limited) tolerance of diversity of private opinions, particularly of religious beliefs. Abizadeh remarks that it was this duality of public sovereignty and private worship that made Hobbes not only one of the most impressive theorists of absolute sovereign power

[38] Put another way, as there was no rule in the state of nature except one's own reason, a person would have denied the assumption that she obeyed only herself in the state of nature if she had not followed her conscience. This was the reason acting against one's conscience was sinful. Ibid., p. 223.

[39] Ibid. See also Hanin, "Thomas Hobbes's Theory of Conscience," p. 60.

[40] Ibid., p. 306.

[41] Ibid., p. 47.

[42] Gaus, "Public Reason Liberalism," p. 115.

[43] Hanin, "Thomas Hobbes's Theory of Conscience," p. 75.

[44] That is why he claimed that a person condemned herself to sin by either acting against her conscience or injuring public order. Hobbes, *Leviathan,* p. 223. See also Hanin, "Thomas Hobbes's Theory of Conscience," pp. 76–78; Gaus, "Public Reason Liberalism," p. 115.

[45] The logic of political identity had a far-reaching impact on other authors, especially on Rousseau and his idea of common will. As Forst – in my view correctly – points out, "Rousseau would agree with Hobbes not only that the body politics needs a single, united will, but also that a reduced political religion in the form of a 'civil religion' was necessary to maintain sovereignty." Forst, *Toleration in Conflict: Past and Present*, p. 196.

of his time but also one of the first proponents of the private/public distinction in religion.[46]

From what has been written so far, it follows that the initial solution to religious conflict was a reconsideration of the concept of sovereignty that consisted in 1) the advocacy of supreme power and 2) the traditional doctrine of territorialism when the state advanced unified public worship to suppress religious diversity in the public sphere. Nonetheless – to eschew religious conflicts – when the political authority of the sovereign was guaranteed, limited toleration of private beliefs was to be enabled.[47] Even John Locke attempted to deal with religious conflict by revising the concept of sovereignty. With regard to the establishment of sovereign power, Locke – like Hobbes – proceeded from the state of nature.[48] Although he did not view this state so disastrously, he argued that as there was no independent judge the state of nature might easily deteriorate into a state of war. Hence, Locke called for the establishment of a civil government that was, according to him, an appropriate remedy for the inconveniences of the state of nature.[49] Yet, despite some similarities, Locke's conception of sovereignty was different from that of Hobbes (and thus from the conceptions of the authors mentioned earlier). For not only did Locke reject the absolute power of the sovereign, but he also denied the influence of the state in religious matters and the claim that the sovereign was the personification of God. Considering this, it is important to grasp Locke's conception of faith. Locke argued that true religion consisted in the inner conviction of the mind, which implied that everyone was the sovereign in judging for himself. Yet, it did not deny the importance of the relationship between man and God. On the contrary – Locke claimed that the happiness of everyone depended on believing in God and behaving in a way that was necessary for obtaining God's favor.[50] In this context, Locke relied on Protestant ethics and the

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[46] Still, despite Hobbes's willingness to accept limited toleration of private worship, we have to keep in mind that his aim was not to protect religious diversity but to avoid conflict and maintain civil peace. Hobbes was well aware that coercive suppression of private belief was one of the main reasons for further conflict. Abizadeh, "Publicity, Privacy and Religious Toleration in Hobbes's Leviathan," p. 264.

[47] As Galeotti argues, "the political authorities felt no compunction in favouring a particular church or endorsing a state religion, as long as other churches and creeds were not persecuted." Galeotti, *Toleration as Recognition*, p. 25.

[48] Locke, *Two Treatises on Government*, pp. 106–112.

[49] Ibid., p. 110.

[50] Locke, *A Letter Concerning Toleration*, p. 31.

voluntarist conception of God.[51] He supposed that man – as the creation of one omnipotent God – was sent into the world by God's order and was thus his property.[52] Therefore, according to Locke, man and his life depended on being in conformity with God's commands. At the same time – following the property logic resulting from the Almighty and his will – Locke supposed that "every man has his property in his own person."[53] Not only did it mean that no one else but God had any right to man, but it also signified that everyone was responsible for himself, his conscience, and deeds. Only a fully responsible person was able to achieve salvation, the highest obligation of the human being to himself and to God.[54]

Due to the inwardness of the relationship between men and God, Locke was against the state's engagement in religious matters and rejected any public worship. He argued that the essence of temporal power lied primarily in ensuring all rights following from the social contract to citizens. Specifically, Locke claimed that the aim of the commonwealth was to procure, preserve, and advance the civil interests of people (including life, liberty, health, and property).[55] He emphasized that the jurisdiction of the magistrate only covered these civil concerns and could in no way be extended to salvation or religious issues.[56] Put otherwise, the power of the civil government only related to men's civil interests and had nothing to do with the world to come. This – and all religious issues – should be addressed by religious organizations, churches in particular. The main aim of such organizations was to help attain eternal life. Nevertheless, Locke emphasized that no one could be forced to be bound to any particular church. He contended that joining a church should be voluntary for everyone and based on everyone's own worship and its acceptability to God.[57]

The separation of the influence of the church and state brings me to one of Locke's most famous claims – the one concerning tolerance. In fact, Locke argued that tolerance was a

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[51] Forst, *Toleration in Conflict: Past and Present*, p. 209. See also Schneewind, *The Invention of Autonomy*, pp. 141–159.
[52] Locke, *Two Treatises on Government*, p. 107.
[53] Ibid., p. 116.
[54] Forst, *Toleration in Conflict: Past and Present*, p. 219.
[55] Locke, *A Letter Concerning Toleration*, p. 6.
[56] Waldron, "Locke: Toleration and the Rationality of Persecution," p. 67. See also Gaus, "Public Reason Liberalism," p. 117.
[57] Ibid., p. 9.

characteristic of the true church and added that as the Gospel of Jesus Christ assented to toleration of those who differed in religious belief, it would be foolish for men to deny it. Accordingly, Locke claimed that toleration was a duty. Firstly, he mentioned toleration at the level of personal relationship and argued that no one had any right to harm another in his civil enjoyments owing to his different beliefs. Secondly, Locke applied the argument of mutual toleration to individual churches. Locke claimed that no church had jurisdiction over any other church, not even if the civil magistrate was a member of one of the churches. Finally, Locke mentioned the magistrate's duty in the business of toleration. He reflected on the relationship between the magistrate and private persons and claimed that although the magistrates were superior in terms of power, they were equal in nature. Therefore, the right to rule did not imply adherence to the true religion. In addition, Locke also addressed the magistrate's duty to tolerate churches. He argued that as the aim of churches is not to seize power but to take care of people's souls and salvation, the magistrate ought to tolerate them.[58]

Compared to previously mentioned authors, although Locke's understanding of tolerance was more radical, he still considered the object of toleration to be the same. For even Locke in *A Letter Concerning Toleration* was not concerned with the rights of the tolerated (and thus did not challenge the immorality of intolerance): his arguments for toleration only addressed the power of those who could either suppress or tolerate, especially the magistrate.[59] Mention some of the reasons for tolerators to tolerate, Jeremy Waldron argues that, apart from the claim that toleration was possible, Locke also assumed that it was rational for the magistrate to tolerate different religions. In other words, according to Waldron, Locke's reasons for toleration were based on the rationality of tolerators.[60] In this context, Waldron points to Locke's example of practices that some religions may engage in. Specifically, Locke claimed that if people of any confession wanted to sacrifice a calf, they should not be prohibited by a law from doing so, for such an act would do no harm to anyone else. Yet, he asserted that if the national cattle stock had been drained by some extraordinary disease and the civil government were to impose a moratorium on

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[58] Ibid., pp. 6–22.
[59] Mendus, *Toleration and the Limits of Liberalism,* p. 35.
[60] As Waldron argues, "coercion [...] is in Locke's view unfitted to religious ends," and it thus would be irrational to coerce people about matters of religion. Waldron, "Locke: Toleration and the Rationality of Persecution," p. 76.

the slaughter of cattle, it would then be legitimate to ban such an act even though some it would prevent some people from practicing religious rites.[61] Waldron concludes that this example implies that the legitimacy of the ban depends on the reasons that motivate it: if the reasons for the regulation of cattle slaughter are economically motivated, then such coercion is rational, but if the reasons are religious, then such coercion is irrational.[62]

Another reason for toleration was that it was convenient – especially for the sake of peace. As Galeotti claims, toleration was politically more convenient than persecution, which, in any case, did not grant salvation.[63] Locke himself argued that there could be no peace and security – and not even common friendship – if the opinion that rule be based on grace and that religious belief be enforced prevailed.[64] Consequently, he added: "take away the partiality used in matters of common right; change the laws, take away the penalties unto which they are subjected, and all things will immediately become safe and peaceable. […] Those that are averse to the religion of the magistrate will think themselves so much the more bound to maintain the peace of the commonwealth as their condition is better in that place than elsewhere."[65] Yet, Locke's willingness to tolerate religion was not unlimited, as he claimed that tolerance should not be advanced in cases where it would have dangerous political consequences. In particular, he claimed that Catholics and atheists should not be granted tolerance.[66] Catholics were not trustworthy, for they owed their allegiance to the pope.[67] Atheists were not to be trusted because promises, covenants, and oaths – the cement of society – could have no hold upon them.[68] In other words, they owed allegiance to no one. This, according to Locke, implied that both Catholics and atheists were likely to breach the civil peace and destroy the basis of the

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[61] Locke, *A Letter Concerning Toleration*, pp. 25–26.
[62] Waldron, "Locke: Toleration and the Rationality of Persecution," p. 77.
[63] Galeotti, "Toleration," p. 57.
[64] Locke, *A Letter Concerning Toleration,* p. 15.
[65] Ibid., p. 38.
[66] Lorenzo argues that the reason Locke excluded Catholics and atheists from toleration was that he advocated a prudential approach and practical judgment that led him to traditional texts. Hence, Lorenzo asserts that for Locke, the issue of tolerance was a matter of prudence and historical experience. Lorenzo, "Tradition and Prudence in Locke's Exception to Toleration," pp. 248–258.
[67] Specifically, Locke claims that Catholics "can have no right to be tolerated by the magistrate which is constituted upon such a bottom that all those who enter into it do thereby deliver themselves up to the protection and service of another prince." Locke, *A Letter Concerning Toleration*, p. 35.
[68] Ibid., p. 36.

social order – and that was why they should not be beneficiaries of religious toleration.[69]

1.1.2. Toleration as the universal, equal right to free conscience

How tolerance was conceived – particularly the objects of tolerance – changed in the eighteenth century due to the revolutionary events in America and France. For example, the central figures in the American Revolution – especially Thomas Paine and Thomas Jefferson – were deeply influenced by the ideas of John Locke. Thomas Paine developed the theory of natural rights. Although Paine claimed that natural rights belonged to man as a right of his existence and that they were at the foundation of civil rights, he argued that they could only be enjoyed in civil society. Paine distinguished between natural rights that were to be transferred to civil society and those that were to be retained. He argued that the natural rights that should be transferred were those in which the power to execute them was defective. On the contrary, the natural rights which man retained were those in which the power to execute them was a perfect in the individual at the right itself.[70] Particularly, Paine put intellectual rights, rights of mind (conscience), and religious rights among the natural rights to be kept. As he argued, these rights could not be absorbed by political power. Yet, even though Paine followed Locke in claiming that political power had no authority to engage in such things as the individual's conscience, he refused Locke's understanding of tolerance as the product of the arbitrary power of the tolerator. Paine did not see tolerance as the opposite of intolerance but as the counterfeit of it.[71] According to him, both were despotisms – "the one assumes to itself the right of withholding liberty of conscience, and the other granting it."[72] Instead, Paine advocated the idea of a bill of rights – championing the French Constitution in particular – which would abolish both tolerance and intolerance for the sake of universal rights of conscience.[73]

Thomas Jefferson also worked with the assumption of natural rights, and he – like Paine

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[69] Mendus, *Toleration and the Limits of Liberalism*, p. 35; Gaus, "Public Reason Liberalism," p. 119; Forst, *Toleration in Conflict: Past and Present*, pp. 222–223; Forst, "Toleration."

[70] Paine, *Rights of Man*, pp. 33–34.

[71] See also Galeotti, *Toleration as Recognition*, p. 3.

[72] Paine, *Rights of Man*, p. 49.

[73] Paine proposed a different conception of tolerance. He assumed tolerance was placed between God and man: "Man worships not himself, but his Maker; and the liberty of conscience which he claims is not for the service of himself, but of his God." Ibid.

– argued that there were some natural rights that people retained even after entering civil society and that could not be violated by temporal power. Jefferson claimed that one of them was the right of conscience. He contended that as the ruler could only have authority over such natural rights that people submitted to him, he could not have authority over the right of conscience, for people never submitted this right.[74] According to Jefferson, freedom of conscience was grounded only in the individual's responsibility to God. In this context, Jefferson proposed a Lockean assumption about the inner relationship between man and God. In *An Act for Establishing Religious Freedom,* he asserted that since the Almighty had created the free mind, all attempts to influence it by temporal power are a departure from the plan and the intentions of God.[75] Hence, according to Jefferson, the power of government could only extend to such acts that were harmful to others.[76] Following the emphasis on freedom of conscience and limitation of political power in matters of conscience, not only did Jefferson advocate religious freedom irrespective of the kind of religion (which enabled him – contrary to Locke – to advocate even atheism), but he also indicated a modern version of secularism. Specifically, he argued that the fact that all men were guaranteed freedom of conscience in matters of religion should in no way diminish, enlarge, or affect their civil capacities.[77] Accordingly, even though both Paine and Jefferson based their advocacy of freedom of conscience on the religious assumption of man's inner relationship to God and his accountability to him, they fundamentally influenced the shift of the object of tolerance.[78] For while Locke still left tolerance – despite the expansion of its scope – in the hands of those holding power, it was the founders of the United States who finally abandoned the traditional permission-based conception of tolerance, emphasized freedom of conscience, and made it a universal human right.

Another event that significantly contributed to the turn toward human rights was the French Revolution. The *Déclaration des droits de l'homme et du citoyen* clearly declared human rights to be natural, imprescriptible, and inalienable. It also supposed that men were born free and equal in terms of rights and that the objective of all political

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[74] Jefferson, "Notes on the State of Virginia: Religion."

[75] Jefferson, "An Act for Establishing Religious Freedom."

[76] He argued that "it does me no injury for my neighbor to say there are twenty gods, or no god; it neither picks my pocket, nor breaks my leg." Jefferson, "Notes on the State of Virginia: Religion."

[77] Jefferson, "An Act for Establishing Religious Freedom."

[78] See also Forst, *Toleration in Conflict: Past and Present,* p. 335.

associations was the preservation of such natural rights.[79] With regard to the conscience of the individual, the declaration assured that no one should be "molested on account of his opinions – not even on account of his religious opinions – provided his avowal of them does not disturb the public order established by law."[80] Similar claims were then repeated in the French Constitution of 1791, which rejected all manifestations of superiority and advocated the ideas of natural freedom and the equality of all men. It also guaranteed freedom of speech (including the liberty to speak, write, print, and publish) and prohibited censorship.[81] In the context of human rights, the declaration and the constitution followed in the footsteps of Lockean ideas originally put into practice during the American Revolution. Nonetheless, the declaration and the constitution also elaborated the ideas introduced by Jean-Jacques Rousseau. It concerned mainly the concept of sovereignty. The constitution claimed not only that natural rights were inalienable and imprescriptible but also that sovereignty was indivisible, inalienable, and imprescriptible. Consequently, in both the declaration and constitution, it was argued that the essential source of sovereignty was the nation and its citizens.[82] Hence, sovereign power was no longer in the hands of the ruler, nor were rights bestowed by him. For it was now the nation and its citizens who were legislators and who mutually guaranteed basic rights to each other. In fact – as Rousseau assumed[83] – the nation was the only place where rights (including human rights existing prior to the state) could achieve validity.

The declaration and the constitution thus merged the idea of individuals as human beings equipped with human rights with the assumption that people as citizens constitute a sovereign nation.[84] The shift in understanding of sovereignty and its connection to human rights is crucially important as sovereignty was no longer in the hands of a ruler but in the hands of people endowed with human rights. Accordingly, not only did the ruler have

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[79] "The Declaration of the Rights of Man and of the Citizen."
[80] Ibid.
[81] It was argued in the constitution that "the unrestrained communication of thoughts and opinions being one of the most precious rights of man, every citizen may speak, write, and publish freely, provided he is responsible for the abuse of this liberty, in cases determined by law." "The Constitution of 1791."
[82] Ibid. See also "The Declaration of the Rights of Man and of the Citizen."
[83] Rousseau, *The Social Contract and the First and Second Discourse*, pp. 165–192.
[84] Forst points out that it was the well-known combination of individual rights and democratic sovereignty. Specifically, Forst argues that "we arrive at a secular conception of individual rights which acquire reality only as reciprocally justified and mutually conferred and guaranteed rights." Forst, *Toleration in Conflict: Past and Present*, p. 341.

no power to decide whether to enable or forbid people's entitlements, but he could also no longer interfere in the relationship between man and God as it was not his business. In other words, it was no longer the tolerator who arbitrarily decided whether to tolerate or not, as toleration was transformed into the universal equal right of all citizens to free conscience, and the state's duty was consequently to tolerate this right.[85]

1.2. Pluralism in modern liberal political theory: A comprehensive, perfectionist, or political approach?

To summarize what has been written so far, in the previous part, I showed how the fact of pluralism – religious pluralism in particular – influenced the establishment and development of liberal political theory. Not only did it affect the understanding of sovereignty, but it also framed the conception of tolerance that later transformed into freedom of conscience. This move toward a universal human right to free conscience was crucial for the further development of pluralism and how it is now comprehended in contemporary liberal political theory, as pluralism no longer concerned only religious beliefs: together with the conception of autonomy, freedom of conscience enabled people to live their lives as they wished. It was Immanuel Kant who – as a follow-up to Rousseau[86] – elaborated the notion of autonomy. Kant rejected the idea that the principles that people complied with when making decisions were determined by external factors (i.e., political actors or the Church). According to him, a person should only be obedient to her self-imposed laws. Consequently, it is the idea of autonomy that assures that a person's own

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[85] Nonetheless, the equal right to free conscience not only generated the duty of the state to tolerate people's consciences, but it simultaneously implied the duty of not favoring (or disfavoring) any personal convictions (particularly religious ones) in the public sphere, which meant the neutrality of the state. On this count, while toleration now provided people with freedom of conscience, neutrality guaranteed them the right not to be discriminated due to their conscience. As Galeotti puts it, while toleration prevents political power from intervening in some areas, neutrality represents a positive clue for public action. Hence, to avoid discrimination, the concept of neutrality completed the process of secularization launched by Locke and his call for the distinction of the power of the church and the state. It caused religion to be definitively excluded from politics and the public sphere to be based solely on the values of citizenship shared by everyone, regardless of personal belief. Hereby, the foundation of the liberal state was completed. Galeotti, "Toleration," pp. 58–62; Galeotti, *Toleration as Recognition,* pp. 25–26.

[86] Rousseau understood autonomy in the context of the political sphere. He described it as self-legislation based on connecting citizens to make laws that would reflect their collective understanding of the common good. See Rousseau, *The Social Contract*.

will is the source of authority of the principles that bind her.[87] Autonomous people are thus ends in themselves in the sense that they have the capacity to determine their own destinies. Autonomy as the ability to determine one's own actions is also the basis of John Stuart Mill's *On Liberty.* In short, Mill understood autonomy to be the capacity to choose one's life plan and to act in accordance with one's own values.[88] Although there are conceptual differences between Kant's and Mill's interpretations of autonomy – and unfortunately, I do not have the space to pay more attention to them[89] – what is important for my subsequent analysis of the impact of pluralism on contemporary liberal political theory is that the assertion that autonomy underpins freedom of conscience was a step toward the modern liberal conviction that people should be free – that is, autonomous – to create conceptions of the good that are in accordance with their own consciences.

In the following section, I take a deeper look at pluralism in the sense of diversity in conceptions of the good. Specifically, I will retrospectively analyze modern liberal political theory[90] and outline approaches that differ in how they interpret the character of pluralism and its consequences for liberal political theory. In this context, I consider it appropriate to build on the framework offered by Jonathan Quong, who distinguishes between several types of liberalism based on how they address pluralism in the sense of diversity of the conceptions of the good.[91] Quong claims that the types of liberalism differ in how they answer two fundamental questions: first, whether liberal political philosophy must be based on some particular moral ideal of what constitutes a valuable human life, and second, whether it is allowable for a liberal state to promote or discourage some ideals or ways of life on grounds related to their inherent values.[92] Quong argues that if the answer to both questions is "yes," we are committed to *comprehensive* (with regard to the first question) *perfectionist* (considering the second question) *liberalism.* If "yes" is the answer to only to the first question, we advance *comprehensive non-perfectionist*

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[87] Kant, *Groundwork of the Metaphysics of Morals*, p. 57. See also Christman, "Autonomy in Moral and Political Philosophy."

[88] Mill, *On Liberty*, pp. 55–56.

[89] One of the most distinct differences between Kant's and Mill's approaches is that while Kant rejected that passions and emotions influence the conception of autonomy, Mill – on the contrary – emphasized their meaning for autonomy. Ibid., p. 56.

[90] I will mainly focus on the twentieth and twenty-first century.

[91] Quong, *Liberalism without Perfection,* p. 15; Nussbaum, "Perfectionist Liberalism and Political Liberalism," pp. 3–45.

[92] Ibid.

liberalism. Finally, if the answer to both questions is "no," we then advocate *non-comprehensive non-perfectionist liberalism.*[93]

1.2.1. Comprehensive perfectionist liberalism

As indicated, comprehensive perfectionist liberalism answers "yes" to both of Quong's questions: it assumes that liberal political philosophy is based on a particular moral ideal of what constitutes a valuable human life and that a liberal state promotes ways of life that help to achieve such a life.[94] The moral ideal that forms a valuable human life and that should be promoted by the state then consists of the very value of pluralism, which enables people to choose their conceptions of the good and accomplish an autonomous life.[95] In this context, Martha Nussbaum asserts that it was already Isaiah Berlin who advocated such an approach to liberalism. Basically, Berlin's aim was to assess the nature of value and reflect whether there was only one ultimate source of value or whether there were many sources. Berlin rejected the Platonic ideal that all genuine questions must have one true answer, that there was a dependable path toward the discovery of these truths,

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[93] Nonetheless, it is possible to mention comprehensive/non-comprehensive (political) and perfectionist/non-perfectionist liberalism separately. Considering this, other forms of liberalism could exist, i.e., solely non-comprehensive liberalism, the mentioned *modus vivendi* version of non-comprehensive liberalism (with David Gauthier as a proponent of such an approach), or the public justification version of non-comprehensive liberalism (apart from Rawls, Gerald Gaus and Thomas Nagel are philosophers who advance such a position). If I focus on perfectionist liberalism, then Thomas Hurka or George Sher advocate this position. However, since I consider (non-)comprehensive and (non-)perfectionist approaches to pluralism to be intertwined, I follow Nussbaum and work with the varieties of liberalism that interconnect these positions. Gauthier, *Morals by Agreement*; Gaus, *Justificatory Liberalism*; Nagel, *Equality and Partiality*; Hurka, *Perfectionism*; Sher, *Beyond Neutrality*. See also Quong, *Liberalism without Perfection,* pp. 17–20; Nussbaum, "Perfectionist Liberalism and Political Liberalism."

[94] With regard to the perfectionist facet of comprehensive perfectionist liberalism, it was Charles Larmore who indicated the core of perfectionist liberalism for the first time. Specifically, he argues that it is a kind of liberalism that aims to shape our overall conception of the good life – not just our role as citizens. Perfectionist liberalism adopts a specific (liberal) moral outlook assuming that liberal society should be comprised of people who are independent, capable of forming their own judgments and pursuing their own conceptions of the good. Thus, such a liberalism wants politics to promote and protect such a liberal outlook. Larmore, "Patterns of Moral Complexity," pp. 40–130; Larmore, *The Morals of Modernity,* pp. 121–151.

[95] Still, it is not the only interpretation of comprehensive perfectionist liberalism. Gaus distinguishes four versions of comprehensive liberalism: liberalism as a secular philosophy, liberalism as a philosophy of the good life, liberalism as a political theory derived from a specific moral theory, and liberalism as itself a distinctive theory of the right or justice. Gaus, "The Diversity of Comprehensive Liberalisms," pp. 100–112.

and that true answers are compatible with one another and form a single whole.[96] Not only did he claim that such assumptions were mistaken, but he also highlighted that monism about values led to tyranny and bigotry.[97]

In contrast, Berlin believed that the genuine question of how people should live had more than one answer. He provided an ontological thesis about the inevitably plural character of moral reality and argued that there was a world of objective values, by which he meant a plurality of objective and incompatible ends pursued by different, yet fully rational people capable of understanding each other.[98] Berlin thus connected pluralism with the conflict between the diverse values and ends that people pursue. Consequently, he argued that such conflict is beneficial, for it requires people to make choices, which he considered to be one of the most important things in human life, since they indicate what people were to be and do. In other words, diversity of choice enables people to be autonomous.[99] Therefore, although Berlin refused one monistic ideal, his assumption of pluralism as an inevitable fact predetermining people's lives was itself a particular conception of the good life that Berlin considered to be correct.[100] Berlin presented a comprehensive moral doctrine based on a controversial conception of the good that determined what life would be considered to be valuable. Accordingly, Berlin argued that such a life was the "one according to which objective value is ultimately not of a single kind but of many kinds."[101] Still, even though I accept Nussbaum's claim about the comprehensiveness of Berlin's theory, its perfectionism is not as obvious as Nussbaum assumes. I believe that the

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[96] Berlin, *The Crooked Timber of Humanity: Chapters in the History of Ideas*, pp. 5–6; Berlin, *The Proper Study of Mankind*, p. 5.

[97] Berlin referred to the history of the twentieth century – particularly to those who advocated one monistic ideal – and pointed to all the fatal consequences that the promotion of one ideal had. Berlin, *The Proper Study of Mankind*, pp. 13–14. See also Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 9.

[98] Berlin, *The Crooked Timber of Humanity: Chapters in the History of Ideas*, pp. 11, 79. See also Galston, *Liberal Pluralism,* pp. 4–38; Talisse, *A Pragmatist Philosophy of Democracy*, p. 79.

[99] Still, in conformity with pluralism, Berlin stressed that due to the conflict between values and ends, there might be no single right choice. More than one choice might serve genuine human values. Chernis, Hardy, "Isaiah Berlin."

[100] Berlin, *The Crooked Timber of Humanity: Chapters in the History of Ideas,* pp. 79–80. See also Galston, *Liberal Pluralism,* p. 30; Talisse, *A Pragmatist Philosophy of Democracy,* p. 79.

[101] Berlin adds: *"*There are many objective ends, ultimate values, some incompatible with others, pursued by different societies at various times, or by different groups in the same society, by entire classes or churches or races, or by particular individuals within them, any one of which may find itself subject to conflicting claims of incompatible, yet equally ultimate and objective, ends." Larmore, *The Morals of Modernity*, p. 154.

problem lies in Nussbaum's very definition of perfectionism: she defines perfectionist liberalism as a type of comprehensive liberalism that bases political principles on a comprehensive doctrine about human life covering both the political domain and the domain of general human conduct.[102] Thus, Nussbaum identifies perfectionism with comprehensiveness. Not only does she not take into consideration Quong's remark on perfectionism as a doctrine promoting or discouraging certain ways of life on grounds relating to their inherent value, but she also does not allow for the fact that a positive answer to the first question does not inevitably imply a positive answer to the second question. Hence, because Berlin never claimed that pluralism should be promoted politically, it is dubious to describe him as a perfectionist liberal.

Although classifying Berlin as a perfectionist liberal is controversial, it is incontestable that he influenced other genuinely perfectionist liberals. This is especially true of Joseph Raz. Raz starts directly with autonomy, which he deems to be an assumption that makes people's lives valuable. Still, Raz points out that autonomy is not valuable in itself; it is people's choices that make it valuable.[103] At the same time, however, not all choices are equally valuable: for choices to be meaningful and valuable, there must be a variety of options to choose from.[104] Autonomy thus inevitably assumes the existence of a plurality of conflicting values. When specifying such a plurality, Raz asserts that it presupposes a variety of incompatible ways of life that not only are morally acceptable but also display distinct virtues, each capable of being pursued for its own sake.[105] Like Berlin, Raz supposes that the possibility of a conflict of values can never be excluded from human life. In fact, Raz contends that pluralism of values should be understood as true in the sense that people's believing in the truth of pluralism enables them to extend autonomy to others, although they pursue ends that other people do not value.[106] Apart from such a comprehensive argument implying that pluralism is a moral ideal covering all spheres of human life, Raz – in this case, unlike Berlin – also fulfills Quong's prerequisite for perfectionism: he calls for the active promotion of pluralism of values and argues that it

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[102] Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 5.
[103] Accordingly, a person must understand how various choices will influence her life. Raz, *The Morality of Freedom*, p. 371.
[104] Raz claims that in order to be able to make valuable choices, people are to be provided with a variety of alternatives. Ibid., p. 398.
[105] Ibid., pp. 395–396. See also Raz, *The Practice of Value*, p. 43.
[106] Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 12.

should be the role of the state and the government to offer people an adequate range of options to choose from that lead to achieving an autonomous life.[107]

Besides Raz, Steven Wall also responds positively to both of Quong's questions and thus meets the conditions for being classified as a proponent of the comprehensive perfectionist approach to liberalism. Like Raz, Wall considers pluralism to be the basis of autonomy. Wall argues that pluralism adverts to four assumptions: 1) that there is a plurality of conflicting goods contributing to a good human life, 2) that not all of these goods can be reduced to one common good, 3) that the choices between conflicting goods need not be rationally determined,[108] and 4) that it is not true that all goods derive from a common source.[109] Accordingly, Wall claims that by recognizing the value of pluralism and its truth, people are psychologically less inclined to repress the development of new conceptions of good.[110] In other words, this recognition compels people to act autonomously.[111] Owing just to its meaning for autonomy, Wall claims that pluralism should be deemed as independently valuable. Hereby, Wall substantiates the comprehensive role of pluralism within liberal political theory. Due to the intrinsic value of pluralism, Wall also rejects the notion that the state should not use an objective conception of the good to justify state action.[112] On the contrary, he develops a perfectionist argument and contends that the state should actively promote pluralism because it helps develop individual autonomy. Wall thus denies the mainstream form of state neutrality[113] and argues that perfectionists do not consider any general principle in

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[107] Nonetheless, according to Raz, the ideal of autonomy requires the availability of only morally acceptable – and thus genuinely valuable – options, since autonomy "is valuable only if exercised in pursuit of the good." Hence Raz asserts that the state must encourage people to pursue only valuable conceptions of the good and discourage them from pursuing evil ends. Raz, *The Morality of Freedom*, pp. 381, 133.

[108] By this, Wall means that the plurality of ways of life is to be interpreted as the natural result of the use of free practical reason.

[109] Wall, "Neutralism for Perfectionists: The Case of Restricted State Neutrality," p. 235.

[110] Wall, *Liberalism, Perfectionism and Restraint*, p. 176.

[111] Ibid., p. 177.

[112] Wall, "Perfectionism in Politics: A Defence," p. 101.

[113] Wall argues that the main assumptions of the dominant formulation of state neutrality are the following: "**1.** The state should not promote the good, either coercively or non-coercively, unless those who are subject to the state's authority consent to its doing so, **2.** The state should not aim to promote the good unless there is a societal consensus in support of its doing so, **3.** The state should not justify what it does by appealing to conceptions of the good that are subject to reasonable disagreement, **4.** The state should not justify what it does by appealing to conceptions of the good that are subject to reasonable disagreement. Nor should it promote neutral ends by

political theory to prohibit the state from promoting the good – even if there is a disagreement about the character of the good.[114] At the same time, however, he argues that, as a perfectionist advocating the truth of the value of pluralism, he can simultaneously adhere to the restricted principle of state neutrality that he describes as follows: "If two or more ideals of the good are eligible for those who live in a particular political society, and if these ideals have adherents in that political society, and if these ideals cannot be ranked by reason as better or worse than one another, then the state, to the extent that it aims to promote the good in this political society, should be neutral between these ideals in its support of them."[115]

To sum it up, Joseph Raz and Steven Wall, whose theories I have just depicted, demonstrate how pluralism is conceived within comprehensive perfectionist liberalism. In short, they claim that it is the very value of pluralism that should be considered a moral ideal determining all spheres of human life. At the same time, they argue that it is the role of the state to actively promote such an ideal. Still, as follows from Quong's differentiation, the comprehensive perfectionist approach is not the only way to apprehend the fact of pluralism. In the next section, I will elaborate on comprehensive non-perfectionist liberalism.

1.2.2. Comprehensive non-perfectionist liberalism

Comprehensive non-perfectionist liberalism rejects the perfectionist claim that the state should promote (or discourage) certain ideals or ways of life that have inherently different values. Contrary to comprehensive perfectionist liberalism's active enforcement of the value of pluralism, it deals with pluralism through the concept of neutrality. At the same time, however, comprehensive non-perfectionist liberalism considers neutrality to be a comprehensive conception based on a moral ideal that is decisive for a valuable human life.[116] Authors who have addressed the fact of pluralism through neutrality, but

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aiming to promote some permissible conceptions of the good over others." Wall, "Perfectionism in Moral and Political Philosophy."

[114] Ibid. See also Wall, "Neutralism for Perfectionists: The Case of Restricted State Neutrality," pp. 232–256.

[115] Ibid.

[116] Quong, *Liberalism without Perfection*, p. 19.

who nevertheless understand neutrality in a comprehensive way as they bind it to a certain moral ideal, include Bruce Ackerman and Ronald Dworkin.[117]

Ackerman acknowledges the inevitably plural character of liberal societies, but he denies the perfectionist claim about state promotion of the value of pluralism. Accordingly, he asserts the principle of neutrality and introduces the concept of neutral conversation between people holding different conceptions of the good.[118] Ackerman argues that although a liberal community is based on the desire of people to communicate with others, at the same time, these people are also striving to promote diverse conceptions of the good. Ackerman assumes that this conflict can be resolved through neutral communication that would give the struggle a meaningful form. According to Ackerman, communication defined by neutral dialogue is then the most extensive form of a dialogic community. Yet, Ackerman's understanding of neutrality – as a solution to the problems inherent in the pluralism of values – refers to a specific moral ideal that makes his position comprehensive. Consequently, such a conception of neutrality only convinces those holding certain attitudes toward human life: those who assert a skeptical point of view given the conception of the good, those who advocate the value of experimentation, and those who promote the value of individual autonomy. To be more specific, Ackerman assumes that a power-holder cannot claim that her conception of the good is better than the conceptions pursued by her fellow citizens. She thus cannot consider her good to be superior to the conception of anyone else. Although Ackerman claims that this should not imply that a person has to be a skeptic even in the non-political sphere, he argues that this person must acknowledge "several good reasons for imposing liberal constraints on political conversation."[119] Apart from skepticism about conceptions of the good, Ackerman also contends that one of the reasons government should be neutral and not pursue only one conception of the good life – or some of the conceptions – is that doing so would prevent people from believing that the best way to arrive at a correct conception of the good life is to take part in various forms of life. Finally, he advocates neutrality on the basis of the claim that if government pursued only a particular conception of the good, it would thwart people's autonomy because it would make it impossible for them to make

[117] Quong also mentions that J. S. Mill and Will Kymlicka are adherents of comprehensive non-perfectionist liberalism. Ibid.
[118] Ackerman, *Social Justice in the Liberal State*, pp. 11–12.
[119] Ibid*.,* p. 11.

their own choices and to achieve a valuable conception of the good life by themselves.[120] Therefore, although Ackerman proposes the conception of neutrality given the diverse conceptions of the good, it is a comprehensive conception adverting to certain moral ideals that are unacceptable to some people.

Ronald Dworkin also proposes neutrality as a way to deal with pluralism, but his attitude differs from Ackerman's. While Ackerman argues that the constitutive value of his understanding of liberalism lies in neutral dialogue, Dworkin asserts that his version of neutrality – the so-called neutrality thesis – is derived from equality as the founding principle of his version of liberalism.[121] Yet, although Dworkin insists on the priority of equality and argues that it has priority over liberty, equality and liberty seem to be interdependent. In *A Matter of Principles*, Dworkin explicitly argues that it means the same for the government to treat its citizens as equals as it does to treat them as free.[122] In *Sovereign Virtue*, he repeats that equality cannot be defined without assuming liberty.[123] Therefore, even though Dworkin deems equality to be the founding principle, at the same time, he describes equal people (those who should receive equal respect) as those "capable of forming and acting on intelligent conceptions of how their lives should be lived."[124] In other words, Dworkin presupposes that the assumption that people are equal is connected with their ability to achieve personal autonomy (implying the responsibility for making the choices about one's conceptions of life). According to Dworkin, a person is autonomous so long as her life has not been forcibly changed by the judgment of others who attempt to persuade her that their way of life is right even for her.[125] This finally brings me back to the very conception of neutrality, for Dworkin argues that for the liberal government to treat citizens as equals, it must leave them to assert their own conceptions of the good. Hence, "political decisions must be independent of any particular conception of the good life."[126] All this suggests that although Dworkin advocates neutrality among

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[120] Ibid., pp. 11–12. See also Larmore, "Patterns of Moral Complexity," p. 52.
[121] Dworkin, "What Liberalism Is Not," pp. 47–49; Dworkin, *Sovereign Virtue: The Theory and Practice of Equality*, pp. 154–155. See also Neal, "Liberalism & Neutrality," pp. 664–668.
[122] Dworkin, *A Matter of Principle*, p. 191.
[123] Dworkin, *Sovereign Virtue: The Theory and Practice of Equality*, p. 182.
[124] Dworkin, *Taking Rights Seriously*, p. 272.
[125] Dworkin, *Sovereign Virtue: The Theory and Practice of Equality*, p. 6; Dworkin, *Taking Rights Seriously,* p. 272. See also Finegan, "Dworkin on Equality, Autonomy and Authenticity," pp. 145–148.
[126] Dworkin, "Liberalism," p. 127. See also Finegan, "Dworkin on Equality, Autonomy and Authenticity," p. 145.

diverse conceptions of the good and does not want the state to promote any specific doctrine of the good life, his understanding of neutrality is comprehensive, for it is based on the specific conception of a valuable human life depending on the principle of autonomy that may not be acceptable to everyone.[127]

Comprehensive non-perfectionist liberalism, which I have described by means of the theories of Ackerman and Dworkin, thus emphasizes that under the conditions of pluralism, it should not be the role of the state to actively promote a particular moral ideal. According to this approach, the state should maintain neutrality. Still, the very conception of neutrality is understood in a comprehensive way as it refers to a particular moral ideal of what constitutes a valuable human life. In the case of Ackerman and Dworkin, it is the ideal of autonomy, which assumes people's ability (freedom) to create their own conceptions of the good. Yet, the comprehensive non-perfectionist approach is not the last way to perceive the fact of pluralism. In what follows, I will focus on non-comprehensive non-perfectionist liberalism.

1.2.3. Non-comprehensive non-perfectionist liberalism

The last branch of liberalism that offers a way of coping with the fact of pluralism is a liberalism that answers "no" to both Quong's questions. Accordingly, it provides a purely political resolution to the fact of pluralism. The central proponent of this approach is undoubtedly John Rawls. Rawls establishes pluralism as the main issue in his *Political Liberalism*: he considers it to be an inevitable fact that citizens living in a free democratic society inevitably differ with regard to their worldviews. Consequently, Rawls asks whether and how it is possible to have a stable and just society comprised of free and equal citizens divided by conflicting – and sometimes incommensurable – conceptions of the good life.[128] In other words, he examines how it is possible to establish a common, unified law in a diverse society. Rawls mentions two main challenges that a society characterized by pluralism of values must overcome. The first challenge concerns the legitimate use of coercive political power. Rawls introduces a liberal principle of legitimacy based on the criterion of reciprocity, claiming that the exercise of political

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[127] See Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 5; Quong, *Liberalism without Perfection*, p. 9.

[128] Rawls, *Political Liberalism*, p. 133. See also Wenar, "John Rawls."

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."[129] Citizens must thus trust that others can reasonably accept the endorsement of basic laws. Following the principle of legitimacy and the criterion of reciprocity, the conception of reasonableness comes into play. To understand it, Rawls states two basic assumptions: 1) that matters of constitutional essentials and basic justice refer only to political values and 2) that political values have sufficient weight to override all other values that may conflict with them. In this context, one may ask, how is it possible for political values to outweigh other values, even people's comprehensive doctrines? Rawls answers that political values are so important because they specify the fundamental terms of political and social cooperation. He adds that political values are also expressed "in the guidelines for public inquiry and the steps taken to make such inquiry free and public, as well as informed and reasonable."[130] Basically, these answers indicate Rawls's definition of a reasonable citizen as a person who 1) accepts the principle of fair cooperation and 2) respects the so-called burdens of judgment, which implies that reasonable people will always disagree about moral, political, religious, and philosophical issues under the conditions of liberty. Rawls is thus interested not in simple pluralism but in reasonable pluralism – that is, pluralism between reasonable people holding different but reasonable comprehensive doctrines – and reasonable people's inability to agree upon one conception of the good.[131]

Yet, even though the assumption of reasonableness sets down certain conditions that make the legitimization of coercive power in a society defined by pluralism easier, it does not fully resolve the issue. Therefore, Rawls turns to the public political culture of a democratic society, which should be the basis of any further attempts to justify liberal political philosophy and by extension the political conception of justice. Rawls describes the political conception of justice as a "shared fund of implicitly recognized basic ideas and principles"[132] that is present in public political culture. According to him, the default principles of the public political culture of a democratic society are the assumption of society as a fair system of cooperation, the idea of citizens as free and equal persons, and

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[129] Ibid., p. 137.
[130] Ibid., p. 139.
[131] Ibid., pp. 36–37. See also Gaus, "The Turn to a Political Liberalism," p. 243.
[132] Rawls, *Political Liberalism*, p. 8.

the idea of a well-ordered society regulated by a political conception of justice.[133] Nonetheless, what is important is that the political conception of justice is not inferred from a particular comprehensive doctrine, nor is it a *modus vivendi* among a variety of comprehensive doctrines. It is freestanding, which means that "it is left to citizens individually – as part of liberty of conscience – to settle how they think the values of the political domain are related to other values in their comprehensive doctrine."[134] Rawls asserts that political power is legitimate only due to individuals' appraisals of political values.

This brings me to the second challenge of a society characterized by pluralism – the question of stability, which Rawls responds to with the notion of overlapping consensus. He argues that "an overlapping consensus is not merely a consensus on accepting certain authorities [...] founded on a convergence of self or group interests."[135] All those who affirm the constitutional essentials and principles of justice should start within their own comprehensive doctrines. In other words, to achieve overlapping consensus, citizens affirming a political conception do not abandon their moral, religious, and philosophical views, since these views ground the very nature of the affirmation. Although everyone endorses the political conception of justice for different reasons and from her own perspective, this fact enables an overlapping consensus that is stable for the right reasons. Rawls then links this understanding of overlapping consensus to his conception of neutrality. He distinguishes between procedural neutrality and the neutrality of aim and admits that justice as fairness is not procedurally neutral. Specifically, Rawls claims that since the principles of justice as fairness are substantive, they express more than solely procedural values. Furthermore, he also recognizes that his political conception of justice includes certain political virtues (fair social cooperation, reasonableness). Still, Rawls denies that it implies that his conception of neutrality is based on a particular comprehensive doctrine adhering to moral ideals that may be unacceptable for some people.[136] In other words, although Rawls's justice as fairness refers to substantive values, it is not based on one comprehensive doctrine defining a valuable human life (i.e., autonomy). Therefore, Rawls advocates the neutrality of aim, which he depicts as

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[133] Ibid., p. 14.
[134] Ibid., p. 140.
[135] Ibid., pp. 147–148.
[136] Ibid., pp. 191–194.

neutrality that prohibits the state from making decisions based solely on a comprehensive argument or one conception of the good. Given this – as Rawls denies that his conception is based on a particular comprehensive doctrine – he argues that justice as fairness satisfies such neutrality.[137]

After resolving both main challenges, Rawls turns his attention to the ideas of public justification and public reason. In his *Reply to Habermas*, Rawls mentions three different kinds of justification. First is *pro tanto* justification of the political conception, which takes into account only political values concerning constitutional essentials and basic justice. Second is full justification, which is carried out by citizens as members of civil society: citizens adopt a political conception and justify it by embedding it into their comprehensive doctrines. Third is public justification of the political conception by political society. Rawls asserts that not until now do all the ideas mentioned earlier – reasonable overlapping consensus, stability for the right reasons, and legitimacy – come into play.[138] After this conceptual clarification, Rawls comes back to the principle of legitimacy and the criterion of reciprocity, assuming that "our exercise of political power is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational."[139] Consequently, he presents the so-called moral duty of civility as "a willingness to listen to others and a fairmindedness in deciding when accommodations to their views should reasonably be made"[140] and the ability of citizens to explain to one another how the principles and policies they advocate may be supported by public values and standards.[141] This – and the ideas of public justification and public reason in general – concludes Rawls's reflection on the fact of pluralism and his promotion of solely political liberalism.

Charles Larmore is another author who elaborates a non-comprehensive non-perfectionist approach to pluralism. Larmore holds a stance similar to Rawls's, yet he proposes a further conceptualization of the idea of pluralism. He does not contest the very

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[137] Ibid., p. 190.
[138] Rawls, "Reply to Habermas," p. 385–387.
[139] Rawls, *Political Liberalism*, p. 217.
[140] Ibid.
[141] Yet, it is just the moral duty of civility that problematizes solely religious/moral/philosophical arguments in public debate.

fact of pluralism and accepts that liberal societies are naturally plural. Nevertheless, he remarks that pluralism as a fact may easily be confused with pluralism as an independent value that is to be advocated and publicly promoted (as perfectionists do).[142] According to Larmore, such an understanding of pluralism is just a type of comprehensive doctrine about which people will disagree.[143] In order not to misunderstand the simple fact of pluralism and pluralism as a comprehensive doctrine, Larmore claims that the central issue that should interest political liberals is *reasonable disagreement*. As he argues, it has become a salient feature of modern experience that discussion among reasonable people tends not toward consensus but toward disagreement.[144] Still, Larmore asks why reasonable people tend to naturally disagree about the meaning of life. Although he sees Rawls's burdens of judgment as a promising explanation, at the same time, he argues that it falls short of the sort of explanation he seeks, for the burdens of judgment are not peculiar to reasoning about values.[145] Therefore, Larmore states that reasonable disagreement is a fact that we should expect when dealing with complex questions, and he adds a bit laconically that we do not need any explanation to recognize this phenomenon.[146] He thus understands reasonable disagreement as something that cannot be eliminated. Accordingly, Larmore argues that liberalism's primary ambition should be to search for principles that would express fundamental moral values that reasonable people could accept despite different conceptions of the good life.[147] Yet, due to unavoidable disagreement among people, it would be unjustifiable to base liberal political principles on one comprehensive view as there would be the danger of harming the

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[142] Larmore, *The Morals of Modernity*, p. 153.

[143] Ibid., pp. 122–123, 153.

[144] Ibid., p. 168.

[145] Specifically, although Larmore thinks that Rawls's point that "our total experience, which shapes how we assess the evidence and weigh values, is likely in complex modern societies to be rather disparate from person to person" is an appropriate explanation of reasonable disagreement, he still believes that "we will miss an important truth if we suppose […] that the peculiar fact requiring explanation is the likelihood of reasonable disagreement about complex questions of how we should live." In this context, Larmore refers to reasonable agreement as a peculiar feature of modern science. Still, he asks how we can be sure of it and what if "scientific truth" is "simply what a community of investigators will accept when they agree to subject their observation of nature to forms of reasoning designed to secure agreement." Ibid., pp. 170–171.

[146] Ibid., p. 171.

convictions of others. As Larmore explicitly argues, liberalism's fundamental justification must forgo any appeal to controversial ideals.[148]

This brings me to Larmore's conception of neutrality. Larmore advocates a similar conception as Rawls. He admits that even his version of political liberalism cannot be procedurally neutral. Consequently, he advocates the neutrality of aim, which requires that political principles cannot be justified by assuming the validity (truth) of the views of the good on which people reasonably disagree.[149] However, Larmore assumes that the justification of liberal neutrality – which enables a political conception acceptable to people holding different views about the good life – relies on two basic norms that can be accepted and shared by everyone, regardless of the particular conceptions of the good life people hold.[150] In this context, Larmore introduces a minimal moral conception based on the norms of rational dialogue and equal respect. Rational dialogue implies that when people discuss a problem and when there is disagreement among them, they should withdraw to neutral ground, to what they still share. Hence, this norm shows people what to do when they want to talk together about political principles. Still, the process of talking is only enabled due to the second norm of equal respect for people. Specifically, Larmore follows Rawls's criterion of reciprocity and argues that political principles must be as justifiable to others as they are to oneself. Accordingly, he concludes that as these norms are not based on any particular conception of the good and are thus acceptable for everyone, the conception of neutrality that political principles must conform to is justified. [151]

Finally, I will mention Jonathan Quong as another proponent of the non-comprehensive non-perfectionist approach to pluralism. Quong distinguishes between the external and internal conceptions of liberalism. With regard to the external conception, Quong argues that it considers pluralism to be a mere fact about the world to which liberalism must conform. In other words, the external conception requires the very foundational norms

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[148] Larmore, "Patterns of Moral Complexity," p. 51. See also Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 15.
[149] Larmore, *The Morals of Modernity*, p. 126.
[150] It means even those rejecting the value of personal autonomy. Here, Larmore's conception differs from the one proposed by Dworkin and Ackerman. Ibid., p. 134.
[151] Ibid., pp. 134–141.

and principles of liberalism to be justified by a diverse constituency.[152] Quong points out that such a view is too ambitious as it "seeks to vindicate liberal norms and principles in the face of a potentially fatal external challenge: the deep disagreement about the good life that characterizes modern societies."[153] That is why he advocates the internal conception of liberalism, which deems pluralism to be a consequence of liberalism itself. Quong claims that as liberal principles allow citizens to think, speak, and associate freely, they themselves engender pluralism and disagreement.[154] At the same time, Quong asserts that liberal principles cannot be justified to those who have not already accepted the foundational liberal values that enable such "thinking, speaking and associating," that is, those who are illiberal or unreasonable. Therefore, Quong calls for a certain idealization. He argues that when justifying liberalism, we cannot rely on the actual constituency (where at least part of it may not accept basic liberal values), but on the idealized constituency of a well-ordered liberal society characterized by *reasonable* pluralism or disagreement. In this context, Quong follows Rawls and argues that a well-ordered society is one where 1) everyone accepts – and knows that others accept – some conception of justice; 2) the basic structure of society is publicly known to satisfy that conception of justice; and 3) citizens have a sense of justice, which means a willingness to propose and abide by fair terms if others do likewise.[155] In other words, the conception of liberal justice as a legitimate reason for state action must be acceptable to all reasonable citizens characterized as free and equal (with a capacity for two moral powers[156]) and as those who accept 1) political society as a fair system of cooperation and 2) the burdens of judgment.[157] Considering the burdens of judgment as a condition of reasonableness, Quong denies the accusation that political liberals cannot explain the priority of justice over other values without mentioning a controversial epistemic argument implying skepticism about our ability to know the good.[158] This skeptical objection says that the burdens of judgment cause uncertainty about our conceptions of the good and other non-

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[152] This means that the external conception wants the foundational norms and principle to be justified to both liberal and non-liberal people.
[153] Quong, *Liberalism without Perfection*, p. 139.
[154] Ibid., p. 6.
[155] Ibid., p. 139.
[156] The two moral powers are comprised of the capacity for a sense of justice and the capacity to have a conception of the good. Rawls, *Justice as Fairness: Restatement*, pp. 18–19.
[157] Quong, *Liberalism without Perfection*, p. 38.
[158] Ibid., p. 6.

public beliefs. Nevertheless, Quong contends that the burdens of judgment do not require citizens to be skeptical about their own beliefs to endorse the principle of epistemic restraint.[159] Reasonable people are only required to accept 1) that, given the burdens of judgment, it is reasonable to recognize that other citizens will hold other views despite the fact that people can still see their own views as true and others as false and 2) that it would therefore be unreasonable to base political power on a particular conception of the good. Hence, Quong concludes that epistemic restraints in political liberalism are a consequence not of skepticism about one's own belief but of the moral motivation to find and abide by principles that our fellow citizens can reasonably accept.[160]

To sum it up, despite partial differences, the aforementioned authors (representing the non-comprehensive non-perfectionist approach as such) agree that pluralism is a fact that people cannot avoid. Consequently, they seek to legitimize political power in such conditions. When focusing solely on the political sphere, they reject not only the idea that the state should actively pursue some ideals or ways of life on grounds related to their inherent values, but also the notion that political power should rely on one comprehensive moral ideal as the basis of its legitimization. By way of introducing non-comprehensive non-perfectionist (thus solely political) liberalism, I have finally come to the approach that I will analyze in the subsequent parts of this text. Although other approaches also play an important role – apart from other things, they are manifestations of the diversity of liberal political theory – it is undeniable that the majority of discussions about the fact of pluralism in contemporary liberal political theory take place only within the political approach, specifically, the ideas of public reason and public justification developed mainly by Rawls in his later work that has become the core of the debates on pluralism.[161] Therefore, in what follows, I will focus only on this concept.

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[159] Ibid., pp. 244–254.
[160] Ibid., p. 254; Quong, "Political Liberalism without Scepticism," p. 330.
[161] See Rawls, *Political Liberalism*; Gaus, *The Order of Public Reason*; Lister, *Public Reason and Political Community*; Quong, *Liberalism Without Perfection*; Vallier, *Liberalism and Public Faith*; Estlund, *Democratic Authority*.

The aim of this chapter has been to provide the reader with a detailed examination of pluralism as the source of both the establishment and the development of liberal political theory. On the preceding pages, I have mentioned several authors, theories, and concepts associated with the fact of pluralism and its relationship to liberalism. I concluded my exploration by subscribing to the political approach to liberal political theory. Further on, I will elaborate on this approach. Specifically, I will outline the ideas of public reason and public justification and analyze their interpretations of the fact of pluralism and its impact on the liberal political community. Accordingly, I will argue that by considering only the essentially political level, public reason liberalism overlooks the implications of pluralism at the other fundamental level determining the character of a liberal political community. For the consequences of pluralism influence not only the justification of political power, but they also affect the arrangement of political communities (which specifically concerns differences among citizens as a result of their membership in diverse groups). I will argue that even though these issues have been predominantly addressed separately, both are equally important for an appropriate understanding of the liberal political community and its character. But this is not the only reason I argue that they should be examined together, since I will claim that if we look at the very purpose of both the essentially political and societal levels (by which I mean what is to be achieved at them), they share the same default principle.

Chapter 2

Respect as a default moral principle under the conditions of pluralism

Having depicted the genealogy of the impact of pluralism on liberal political theory as such, in this chapter I will now consider only the political (non-comprehensive non-perfectionist) approach as the dominant sphere of the current debates on pluralism. Specifically, I will elaborate on the idea of public reason – in this context, I will use the term *public reason liberalism* – and argue that, when dealing with pluralism, public reason liberalism restricts itself to the essentially political level and addresses the issue of the justification of the exercise of political power among people. The question to be answered is *how* to justify the exercise of political power under the conditions of pluralism. I will argue that searching for an answer to this question is an unavoidable step for public reason liberalism and its conception of political community. I will also contend, nonetheless, that by focusing exclusively on justifying the exercise of political power, public reason liberalism overlooks the fact that the character of a (liberal) political community is also influenced by other factors related to pluralism. I call the level that public reason liberalism fails to notice the *societal level* (if I borrow Kymlicka's term); this level reflects the actual public character of a particular political community given the differences among people as a consequence of their membership in particular groups. Accordingly, I will argue that since there may be huge inequalities among people even after the process of justifying political power, public reason liberalism does not deal with the issue of pluralism adequately. At the same time, however, I contend that both the political and societal levels share the same default principle: that of respect. Since – as I will attempt to show – not only is the principle of respect the very aim of justifying the exercise of political power, but it is also the purpose of achieving equal standing among citizens (as a form of justice) given pluralism and the differences among people (as a result of their membership in different groups) at the societal level. Consequently, as I argue that respect is a universal principle, I challenge the assumption that it is enough for a liberal political community to guarantee respect only when justifying the exercise of

political power. In other words, I doubt the very purpose of justifying political power – that is, respect – can be achieved if some people remain in an unequal and disrespected position within a particular political community. That is why I argue that if public reason liberalism wants to be in conformity with its basic principle, it must also reflect on the so-called societal level.

2.1. The essentially political level: The justification of coercion for the sake of respect for liberty

As I indicated in the previous chapter, the main issue that Rawls tries to resolve in *Political Liberalism* is what would it mean for citizens living in pluralism to legitimately exercise coercive political power over one another.[162] Accordingly, the default principle of the justification of political power under such conditions that is shared among public reason liberals is the so-called *public justification principle*, which claims that "[a] coercive law L is justified only if each member I of the public P has some sufficient reason(s) R to endorse L." Because the production and enforcement of laws is the main task of political authority in a constitutional (liberal) democracy, the public justification principle in effect requires political power to always be justified to everyone who is subject to its exercise. Although there may be different interpretations of what makes reason sufficient, what is the scope of the public, what types of justificatory reasons R do we recognize, how is public justification achieved, how are members of public idealized, and what is the specification of L, the general wording of the principle – that the coercive power of the state is justified only under some conditions – is widely shared. What is not always spelled out in detail, however, is *why* unjustified political power (coercion) is bad or undesirable in the first place.[163] While it makes sense that such a fundamental principle tends toward parsimony, it remains normatively incomplete if the logically prior question about the undesirability of coercion lacks a convincing answer.[164]

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[162] Rawls, *Political Liberalism*, p. 133. See also Wenar, "John Rawls."

[163] Vallier, *Liberal Politics and Public Faith*, pp. 24–30. See also Vallier, "Public Justification"; Rawls, *Political Liberalism*, p. 12.

[164] As Vallier argues, the public justification principle as such does not include any further normative principle about why coercion is undesirable that would simultaneously explain when coercion would be morally acceptable and thus justifiable. Ibid., p. 30.

Liberal political philosophy does have a response, though, in the form of the *argument from liberty*, or the *liberty principle* that has been elaborated by a number of theorists.[165] The argument from liberty shows that the reason that the very exercise of power is coercive is that it potentially disrespects people's natural liberty. The same reason also explains the badness, undesirability, and illegitimacy of unjustified coercion; it is thus respect for people and their liberty that requires that interference with any individual's will must always be justified. Such an argument then applies to both moral and political levels. With regard to the moral level, Stanley Benn is probably the most prominent theorist promoting the argument in favor of liberty.[166] To understand Benn's argumentation, I will elaborate on his reasoning. Benn starts with the idea of the natural person. He asserts that a natural person is a causal agent that possesses – and is aware of possessing – certain causal capacities. Accordingly, he distinguishes this agent from things that are simply the subject of happenings.[167] Benn argues that not every human being falls under the category of a natural person. A natural person is able to have her self-conception and to differentiate herself from others; as some autistic people do not do this, they are not natural persons.[168] Benn adds that although there are some people without the ability to have a self-conception, the majority of people can have one. Consequently,

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[165] Ibid. See also Vallier, "Public Justification."

[166] Apart from Benn, Gerald Gaus has also worked out a theory of justification at the level of morality. Nevertheless, Gaus argues that what is to be justified is not coercion but authority. He understands claims as authoritative commands and argues that Betty can command Alf only if she has the authority to issue claims. In other words, a person without authority cannot issue claims. The recognition of authority is determined by the shared rules of social morality that Gaus considers to be an assumption. He argues that social morality is a system of moral requirements determining when one is accountable to others. In social morality, one must necessarily respect others as free and equal. Therefore, Gaus argues that respect for people is not a grounding principle of public justification since it is an inherent feature of a system of moral rules as a determinant of claims and their justification. In other words, the public justification for claims – by virtue of it being dependent on the rules forming social morality – inevitably leads to respect for persons. Gaus summarizes his argument with the categorical claim "[t]hat i) R is the basis of summonses in social morality in G, implies that ii) R is publicly justified and iii) appeals to R categorically respect everyone in G as a free and equal moral person. Only if each person is respected does social morality possess legitimate authority." Gaus, "Respect for Persons and Public Justification," pp. 1–23.

[167] Contrary to things, the natural person can take intentional actions and decisions – as Benn claims, "the agent's intention, not itself an event, gives a special character to the action." Benn, *A Theory of Freedom*, pp. 90–91.

[168] As Benn contends, without this self-conception and the ability of differentiation, it would be conceptually impossible for a person to move to the next stage. By this, Benn means the possibility to discover that the world can be changed and that a person can change it by behaving in one way rather than another. Ibid., p. 64.

Benn deduces the relationship among natural persons. Although here Benn claims that it is not inevitable for a natural person to conceive others as natural persons, he argues that almost all of us understand ourselves as natural persons living in a world of natural persons.[169] Still, the bare awareness of others as natural persons says nothing about our commitment to others and the appreciation of their capability to generate reasons for actions, as well as for forbearance.[170] Benn argues that it is the existence of reactive feelings[171] that makes mutual commitments among people possible; reactive feelings enable people to recognize others as free causal agents and conceivers of their own projects who should not be deprived of their liberty by subordinating them to the goals of others.[172]

This finally brings me to the very argument from liberty and the principle of non-interference as the fundamental principle regulating relations among moral persons.[173] In this context, Benn presents the story of Alan, who is splitting pebbles on a public beach. He argues that if Alan was asked by Betty to justify his activity, he would not be obliged to do so. On the contrary, if Betty prevented Alan from splitting pebbles by – for example – handcuffing him, Alan could properly demand justification from Betty. According to Benn, the difference consists in the fact that while Alan's splitting pebbles in no way interferes with Betty's actions, Betty's preventing Alan from splitting pebbles does interfere with his. Since Benn assumes that moral persons should respect the liberty of others and not subordinate others to their own goals, any interference with the actions of another moral person always requires justification, where the onus of justification falls always on the interferer, not the person interfered with.[174] That is precisely why Betty is obliged to justify her action to Alan. Should she fail to do so, she would shape Alan's activity

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[169] Ibid., pp. 95–96. See also Gaus, "Respect for Person and Public Justification," p. 6.
[170] Benn refers to the Hobbesian state of nature where everyone is aware that others have their own points of view and enterprises and where people may even cooperate in a limited way, although without further appreciation of others, people will face the free-rider problem and be unable to ensure continuing cooperation. Ibid., p. 96.
[171] Benn follows Strawson's account to reactive attitudes. As Strawson asserts: "What I have called the participant reactive attitudes are essentially natural human reactions to the good or ill will or indifference of others towards us, as displayed in their attitudes and actions." Strawson, *Freedom and Resentment*, p. 5. See also Gaus, "Practical Reason and Moral Persons," p. 137.
[172] Benn, *A Theory of Freedom*, p. 98.
[173] Ibid., pp. 87–90. See also Gaus, "Respect for Person and Public Justification," p. 8.
[174] Ibid., p. 87.

according to her will and thus *subordinate* him.[175] Hereby, she would make his freedom impossible and disrespect him.

Considering the political level, Joel Feinberg advances the argument from liberty. He argues that whenever "a legislator is faced with a choice between imposing a legal duty on citizens or leaving them at liberty, other things being equal, he should leave individuals free to make their own choices. The liberty should be the norm, coercion always needs some special justification."[176] In other words, for Feinberg, respect for individual freedom is the starting point implying that any departure from it always requires justification. Gerald Gaus reasons in the same way. Specifically, he introduces *the presumption in favor of liberty*, which states that "1) agents are under no standing moral obligation (in social morality) to justify their choices to others; 2) it is wrong to exercise one's liberty so as to interfere with, block, or thwart the agency of another without justification."[177] Apart from these rather classical liberals, however, even John Rawls deems the argument from liberty to be the basis of the explanation of justifying political power. Rawls claims that since government alone has the authority to use force in upholding its laws, there must be a general presumption in favor of liberty serving as a benchmark of political legitimacy.[178] Precisely in this context, Rawls introduces his liberal principle of legitimacy, stating that the 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 lights of principles and ideals acceptable to their common human reason."[179] He simultaneously interconnects this principle with the criterion of reciprocity, asserting that "our exercise of political power is proper only when we sincerely believe that the reason we would offer for our political actions are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons."[180] As a result, political power that is not reasonably acceptable to everyone denies the criterion of reciprocity and thus lacks legitimacy. Hence, if coercive political power that someone finds unreasonable is exercised anyway, it is illegitimate as it

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[175] Ibid., pp. 87–90.
[176] Feinberg, *Harm to Others,* p. 9. See also Gaus, *Justificatory Liberalism,* p. 165; Vallier*, Liberal Politics and Public Faith*, p. 30; Wolterstorff, *Understanding Liberal Democracy*, p. 54.
[177] Gaus, *The Order of Public Reason*, p. 341.
[178] Rawls, *Political Liberalism*, p. 136; Rawls, *Justice as Fairness*, p. 44.
[179] Ibid., p. 137. See also the first chapter.
[180] Ibid., pp. 446–447.

disrespects her ability to act freely and accept only decisions that she herself agrees with.[181] When elaborating on Rawls's principle of legitimacy, Charles Larmore shifts the argumentation about the justification of coercion to a more general idea of respect covering a person's moral personality as a whole (including her liberty). Specifically, Larmore asserts that "if we try to bring about conformity to a rule of conduct solely by the threat of force, we shall be treating persons merely as means, as objects of coercion, and not also as ends, engaging with their distinctive capacity as a person."[182] Consequently, he adds that "to respect another person as an end is to require that coercive or political principles be as justifiable to that person as they presumably are to us."[183] The same trajectory of reasoning is then pursued also by Martha Nussbaum. She also deems respect for persons stemming from "the idea of treating humanity as an end and never as a mere means"[184] to be the moral basis of public justification. The shift toward a more universal idea of respect seems to be an appropriate generalization of the argument from liberty: not only does it naturally frame the argument from liberty,[185] but it also prevents public reason liberalism from being considered in a comprehensive way. In fact, Rawls himself was aware of the danger of the comprehensiveness of the principle of liberty; that is why he emphasized that despite the fact that there is a general presumption in favor of liberty (which prohibits imposing legal or other restrictions on conduct without a sufficient reason), it does not create any special priority for any particular liberty.[186] Contrary to the principle of liberty, although respect also has a moral (ethical) content, it – as Galeotti and Nussbaum rightly note – is shared across the plurality of people regardless of whether they are liberals.[187]

If I come back to the *public justification principle* that is at the core of any consideration of public reason, it then follows that even though the principle as such does not include any

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[181] Ibid., p. 137; Rawls, *Justice as Fairness*, p. 44.

[182] Larmore, "The Moral Basis of Political Liberalism," p. 607; See also Larmore, *The Morals of Modernity*, p. 137.

[183] Ibid., p. 608.

[184] Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 18.

[185] Even Gaus would not doubt that his *presumption in favor of liberty*, which assumes that freedom is the presumption and that any departure from it requires justification, is in fact framed by the principle of respect for persons. Gaus, *The Order of Public Reason*, p. 341; Gaus, "Liberal Neutrality," p. 139. See also Lister, *Public Reason and Political Community*, pp. 67–79.

[186] Rawls, *Justice as Fairness*, p. 44.

[187] Galeotti, "Equal Respect: A Fundamental Principle of Liberal Democracy," pp. 127–138; Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 18.

normative connotations, the argument from liberty claiming that unjustified coercion is bad and undesirable because it disrespects people – particularly their ability to act freely – is an appropriate elucidation of the very reasons for justification.[188] Accordingly, since the argument from liberty falls into a more general idea of respect for persons, it is legitimate to say that it is just respect for persons that explains the reasons for the justification of coercion and that thus forms the moral basis of public reason. However, if respect is really the default moral principle explaining the very need for the justification of the exercise of political power – and thus backing up public reason liberalism as a whole – public reason liberalism simultaneously encounters a serious problem. For how is it possible that even after the process of justifying the exercise of political power there still remain many people in an unequal and disrespected position within a particular political community? What I have in mind is the so-called societal level as – apart from the essentially political level I have been describing so far – another formative level determining the character of a political community.[189]

2.2. The societal level: Struggles for recognition as struggles for respect

Originally, the criticism that despite ensuring respect at the essentially political level (where the question of the justification of the exercise of political power is addressed) there are still plenty of people who are unequal and disrespected was articulated by multiculturalism, which is closely associated with identity politics, the politics of difference, and the politics of recognition.[190] The central claim in this respect is that the dominant liberal political order and its culture are oppressive since they disadvantage some people (primarily due to their membership in a certain group). Although liberal political power claims to respect the equal liberty of all citizens in the same way, it is in fact the reflection of a particular culture that marginalizes – and thus disrespects – certain groups and their members.[191] Charles Taylor is one of the main theorists advocating such a claim.[192] He compares the traditional liberal politics of equal respect with the politics of

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[188] See also Valentini, "Justice, Disagreement and Democracy," pp. 177–199.
[189] Taylor, *The Politics of Recognition*, pp. 25–64; Kymlicka, *Multicultural Citizenship*, pp. 83–89.
[190] Song, "Multiculturalism."
[191] Taylor, *The Politics of Recognition,* pp. 38, 44. See also Galeotti, *Toleration as Recognition.*
[192] See also Gutman, *Identity in Democracy*; Levy, *Multiculturalism of Fear*; Modood, *Multiculturalism: A Civic Idea*; Song, *Justice, Gender, and the Politics of Multiculturalism*; Young, *Justice and the Politics of Difference.*

recognition and argues that although liberalism considers itself to be difference-blind and offering a neutral ground on which people of all cultures can coexist – where *the public justification principle* personifies such a ground – it is the political expression of one range of culture incompatible with other ranges.[193] Taylor thus claims that liberal politics is in fact inhospitable to differences as it promotes the uniform application of rules and is suspicious of collective goals. Unlike liberal politics, the politics of recognition is, according to him, based on an assumption about the good life. It is grounded in judgments in which the integrity of cultures has an important place. Although it accepts the defense of certain rights, it also emphasizes a broad range of immunities and presumptions in favor of cultures. Furthermore, it endeavors to recognize the equal value of different cultures and acknowledges their worth.[194] The natural consequence of such a politics are then struggles for recognition. Taylor argues that when a culture lacks acknowledgment of its worth, its members may feel misrecognized. This can have a fundamental impact on people's lives as Taylor claims that individual identity is inevitably connected with recognition. According to Taylor, our identity is always defined dialogically and is dependent on the act of recognition performed by other people. Hence, a person (or a group of people) can suffer real damage if others overlook or demean her. Taylor claims that "nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being."[195] Consequently, he distinguishes between two levels of the discourse of recognition. First is the intimate sphere, where the formation of identity depends on dialogue and struggles with significant others. Second is the public sphere where identity is formed in open dialogue, unshaped by a predefined social script. [196] Taylor focuses on just the second level and argues that equal recognition is important for a healthy democratic society. At the same time, he points out that its refusal may cause serious damage to those who are denied it.[197]

Yet it cannot be said that the critique of the character of a liberal political community – the assertion that despite its alleged promotion of equal respect for all citizens, there are

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[193] Taylor, *The Politics of Recognition,* p. 62.
[194] Ibid., pp. 60–64.
[195] Ibid., p. 25.
[196] Ibid., pp. 36–37.
[197] Ibid., p. 36.

many people in a disrespected position due to their membership in certain groups – has not been taken into account among liberals. In fact, Taylor's critique (and the critique offered by multiculturalism in general[198]) has had an impact on liberal theory and has helped to develop a specific branch of liberalism, so-called liberal multiculturalism. Will Kymlicka is one of its central proponents.[199] Kymlicka accepts Taylor's thesis that the liberal state is organized around the culture of a dominant group. Specifically, he has built up the concept of a societal culture defined by shared language, history, social practices, and institutions.[200] Kymlicka accepts Raz's claim that the main condition for autonomy is an adequate range of options from which to choose and argues that it is only a societal culture that provides such a context of choice.[201] Kymlicka also asserts that societal culture plays a crucial role in people's self-identities. He agrees with the argument of Margalit and Raz, who contend that culture is a kind of anchor for people's self-identification.[202] Kymlicka himself claims that "cultural membership has a high social profile, in the sense that it affects how others perceive and respond to us, which in turn shapes our self-identity."[203] Accordingly, he is well aware that groups that are not part of a dominant liberal societal culture may be disadvantaged. Hence, he proposes a liberal defense of group-differentiated rights that would reflect an individual's bond with his societal culture and that would simultaneously enable people to fulfill their identity.[204]

In spite of Kymlicka's important contribution concerning the adoption of so-called societal culture within liberal political theory, his reasoning goes in a different direction than mine. Kymlicka focuses mainly on two groups influenced by the societal character of a particular political community: on immigrants and indigenous people in particular. In this context, he is willing to recognize the need of minority rights for indigenous people as their disadvantaged position is caused by external factors and – mainly – against their

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[198] See also Benhabib, *The Claims of Culture*; Gutmann, *Identity in Democracy*; Modood, "Anti-Essentialism, Multiculturalism, and the "Recognition" of Religious Groups"; Parekh, *Rethinking Multiculturalism*; Song, *Justice, Gender, and the Politics of Multiculturalism*; Young, *Justice and the Politics of Difference*.
[199] See also Margalit and Raz, "National Self-Determination"; Raz, *Ethics in the Public Domain.*
[200] Kymlicka, *Multicultural Citizenship*, p. 8.
[201] Yet Kymlicka asserts that societal cultures are not valuable in and of themselves, as their value consists in making a range of meaningful options accessible to people. Kymlicka, *Multicultural Citizenship*, p. 83; Raz, *The Morality of Freedom*, pp. 417–418. See also the first chapter.
[202] Ibid. See also Margalit and Raz, "National Self-Determination," pp. 447–449.
[203] Ibid., p. 89.
[204] Ibid., p. 84.

will. On the contrary, Kymlicka argues that it is in the interest of immigrants to integrate into the majority society because it was their own choice to join a new political community.[205] However, my aim is not to address the issue of minority rights as a way to redress inequalities and injustice. I only want to follow the argument about the existence of a dominant culture ruling the societal sphere of a political community that may disadvantage (disrespect) certain groups of people, and use it in connection with the claim from the previous part of this chapter: that the principle of respect is the default moral principle explaining the need to justify the exercise of political power. Accordingly, I ask whether it is possible to respect people only partially. In other words, is it in conformity with the very justification of political power explained by means of the principle of respect to have some people disrespected within a particular political community even after such a process?

As to the posed question, I argue that, concerning the justification of the exercise of political power, it is not enough for respect to be ensured only at the essentially political level. For one, both political and societal levels determine the public character of a particular political community. As Taylor and Kymlicka have shown, it is not only about the justification of political power, since it is also influenced by other (structural/cultural) factors. Second – and all the more important in my view – the principle of respect is the default principle also at the societal level. To prove this, I will focus primarily on the claim that liberal political order is oppressive, since it disadvantages and subsequently misrecognizes certain people; this misrecognition stems from the false notion of the difference-blind and neutral ground of liberalism. Specifically, I will point to so-called struggles for recognition. The reason I consider such struggles to be significant consists in the fact that – as Heyes argues – groups and political movements striving for recognition base their argumentation on shared experiences of the injustices that have been done to them: they advert to historical injustices related to structural inequalities between the state and them.[206] In other words, struggles for recognition are in fact struggles for the just arrangement of a political community at the societal level.[207] Hence,

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[205] In addition to Kymlicka, see also Margalit and Raz, "National Self-Determination." For a slightly different view, see Galeotti, *Toleration as Recognition*, pp. 209–219.

[206] Heyes, "Identity Politics"; See Valentini, "Justice, Disagreement and Democracy," p. 188.

[207] Galeotti, *Respect as Recognition*, pp. 78–97; Galeotti, "Equal Respect," pp. 127–138.

by uncovering the purpose of struggles for recognition (as struggles for justice), I will get to the very core of the societal level.

The term *recognition* brings me to the moral theory of Stephen Darwall. To briefly introduce it, Darwall advocates a second-person standpoint toward morality, which he describes as a perspective that "you and I take up when we make and acknowledge claims on one another's conduct and will."[208] He assumes that people are capable of addressing claims to other people and are also capable of being addressed claims by others. Hence, both the addresser and addressee must assume that they share a common second-person authority and accountability: when being accountable, people give each other the authority to address demands to one another.[209] The addresser and addressee thus have a reciprocal relationship that they should be aware of.[210] This influences the very character of the claims, for they ensue from the relationship between the addresser and addressee when they reason and deliberate together and when both of them recognize the other as a "you" to whom she is "you" in return. In other words, these are claims providing each other with second-person reasons for action based on the relationship of authority and accountability between the addresser and addressee. Accordingly, the second-person engagement between the addresser and addressee commits both parties to seeing their relationship as governed by their standing as equals.[211]

Following this, Darwall assumes that the second-person relationship between the addresser and addressee – when a person recognizes the moral authority of the other – is the basis of dignity and respect among people. Darwall considers respect and dignity to be complementary entities. He defines dignity as the status of free and rational persons as equal members of a moral community that enables them to hold one another accountable for compliance with norms determining relations between them. Consequently, when someone respects another person, she in fact respects his dignity as a free and rational person.[212] In other words, according to Darwall, respect means the

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[208] Darwall, *The Second-Person Standpoint*, p. 3.
[209] A person "accords one another the standing to demand certain conduct of each other as equal members of the moral community." Ibid., p. 119.
[210] As Darwall asserts, they must have the capacity to put oneself in another's shoes. Ibid., pp. 43–44. See also Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*; Smith, *The Theory of Moral Sentiments.*
[211] Ibid., pp. 256–262.
[212] Ibid., pp. 243.

recognition of the dignity of the other.[213] By connecting respect with recognition, Darwall introduces so-called recognition respect, which he distinguishes from appraisal respect, the object of which is not dignity but rather excellence or merit.[214] Darwall deems recognition respect to be a pro-attitude as it is "the disposition to give appropriate consideration to the object of respect in moral deliberation and action."[215] Therefore, the response to disrespect – as a violation of dignity – is a reactive attitude[216] demanding recognition of dignity (and thus respect).[217] As for reactive attitudes, Darwall touches on the same thing as Benn[218] when speaking about reactive feelings. However, contrary to Benn, who connects reactive feelings with the imperative to respect an individual's liberty, Darwall claims that recognition respect is not a form of third-person (impersonal) imperative related to moral principles, as it follows from the direct moral authority that a person has over another one.

Carla Bagnoli and Elisabetta Galeotti further develop Darwall's approach. Bagnoli also associates moral relations with the assumption of second-person authority and accountability. Bagnoli argues that morality as mutual accountability means that "when we enter a moral relation we offer and demand reasons of justification because we hold each other responsible for what we do."[219] From such a relation of reciprocal – thus second-person – accountability, Bagnoli then deduces her understanding of respect. She argues that respecting others does not simply mean being aware of others and their freedom, but recognizing them as a source of authority. In other words, she claims that respect is not only the experience of being free but also the experience of being bound by the recognition that others have equal standing. Consequently, since respect as mutual recognition requires that people engage in dialogue with others, it provides morality with a relational structure, which enables the uncovering of the social roots of the self and the constitutive role of personal relations.[220] As regards Galeotti, although she also follows

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[213] Dignity is a distinctive object of respect, and respect is the fitting response to dignity. Ibid., pp. 39–61, 121–123. See also Galeotti, "Respect as Recognition," p. 79.
[214] "Appraisal respect is esteem that is merited or earned by conduct or character." Darwall, *The Second–Person Standpoint,* pp. 120–123. See also Darwall, "Two Kinds of Respect," pp. 36–49.
[215] Galeotti, "Respect as Recognition," p. 88.
[216] Specifically, Darwall mentions blame, reproach, resentment, and indignation.
[217] Darwall, *The Second-Person Standpoint*, p. 60.
[218] And Strawson, whom Benn follows.
[219] Bagnoli, "Respect and Membership in the Moral Community," p. 116.
[220] Ibid., pp. 114–121.

Darwall's second-person perspective of recognition respect, at the same time, she argues that Darwall's own understanding of the second-person nature of respect is in fact raised in virtue of a third-person morality; by this, Galeotti means either "a second-person instantiation of a general duty, or the (second-person) application of the universal principle (hence third-person) of human dignity."[221] What she considers to be particularly problematic in Darwall's theory is that despite the respect–recognition link, Darwall simultaneously displays respect in terms of rights and duties. Specifically, he makes a connection between the moral obligation we have due to the impersonal authority of moral law and the moral obligation we have due to the reciprocal moral authority of each person. Galeotti contends that the rights-duty perspective not only always falls into an impersonal morality, but it also distorts recognition as a central objective of respect as a result. According to her, rights and respect are two distinct claims, and even though rights are necessary for equal respect, they are not sufficient since a person can acknowledge another's rights but still disrespect her. As to duties, Galeotti claims that no one wants to be respected out of duty, whether it be a third-person or second-person one. She emphasizes that a person wants to be respected by everyone, under all circumstances. Therefore, Galeotti rejects the right-duty perspective that partially forms Darwall's theory and claims that respect should be understood solely as the quality of the second-person act of recognition.[222] In this context, she admits that she follows Bagnoli in her reasoning. Yet she argues that while Bagnoli's conception of recognition concerns the source of normativity, her conception concerns the person as a center of moral worth that – as she asserts – commands reciprocal respect.[223] Accordingly, Galeotti argues that although respect is a universal claim of everyone, it can only be expressed indirectly through something else that signifies it. Respect thus always requires an attitude of regard that accompanies the very act specifying respect; it is this attitude that makes the act the proper response to the claim to be respected. In other words, according to Galeotti, respect is a universal claim of a person toward others that can, nevertheless, only be achieved through an individualizing act of recognition of me by you as your equal.[224]

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[221] Galeotti, *Respect as Recognition*, p. 83.
[222] Ibid., pp. 80–82. See also Galeotti, "Equal Respect," pp. 127–138."
[223] Ibid., p. 96.
[224] Ibid., pp. 79–83.

Galeotti contends that contemporary claims to recognition of difference within the politics of recognition are a proper example of such a relationship between respect and recognition. This way, Galeotti eventually shifts the term of *recognition respect* from a purely normative level – where both Darwall and Bagnoli stay – to a level that I call the societal level, where real struggles for recognition take place. Specifically, she argues that since the claims to recognition of differences are individualized – they are requested by special claimants and their particular practices – they fulfill the second-person nature of respect. At the same time, however, they are directed at universalizing unconditional respect for all persons as moral equals.[225] As a result, Galeotti not only concludes that claims to recognition are in fact claims for equal respect, but she also argues that as equal respect is a universal principle, it has a pre-moral dimension.[226] By this, she means that equal respect does not follow from some previous principle that may be unacceptable for some: it is a principle shared by all people, regardless of their points of view.

2.3. Recognition respect: The third-person or second-person form?

Galeotti's reformulation of both Darwall's and Bagnoli's moral theories shows us that as the aim of misrecognized people at the societal level of a political community is to achieve respect, respect is also the default moral principle of this level. Accordingly, if I come back to the findings from the previous section, respect is the universal moral principle underlying the political community as a whole. If it is so, however, how is it then possible that achieving respect at the essentially political level does not imply respect also at the societal level? How is it possible that there are many disrespected people, even after ensuring respect at the essentially political level? And what is the cause of this discrepancy?

If I take a look at the very principle of respect in more detail, at both levels, we are talking about recognition respect,[227] for it endeavors "to give appropriate consideration to the object of respect in moral deliberation and action."[228] There are, nonetheless, differences

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[225] That is why – as she claims – the politics of recognition includes a universal claim to equal respect embodied in a particular request.
[226] Ibid. See also Galeotti, "Equal Respect," pp. 127–138.
[227] As an opposite of the appraisal (esteem) respect. Darwall, *The Second-Person Standpoint*, pp. 120–123. See also Darwall, "Two Kinds of Respect," pp. 36–49.
[228] Galeotti, "Respect as Recognition," p. 88.

between interpretations of such respect at both levels. To be more specific, whereas Darwall, Bagnoli, and Galeotti hold the *second-person form* of recognition respect, assuming that respect can only be achieved through an attitude of regard – an individualizing act of recognition of me by you as your equal[229] – respect at the essentially political level has the *third-person form.*[230] When justifying the exercise of political power, respect is depicted as an impersonal imperative determining people's duties toward others: it is the principle of liberty – the very fact of our moral personality – establishing our duty to respect others. However, as Galeotti argues, although people's claims – and consequent duties – are important for achieving respect, they are not sufficient: we may concede such claims and duties but still disrespect others.[231] This comment points exactly to the discrepancy I have been talking about. Consequently, the limited impact of respect as understood at the essentially political level stems from its third-person form.

Even though I am sympathetic to the second-person form of recognition respect, I do not contend that the entire explanation of the justification of political power is mistaken. On the contrary, as I will show in the next chapter, I accept the justification of the exercise of political power that relies on the imperative of respect. Still, I will argue that to live up to the expectation that respect as a universal moral principle will be applied to the political community as a whole – at both the essentially political and societal levels – public reason liberalism needs to find its way also to the second-person form of respect. This is because as I argued earlier, if public reason liberalism enables that there are people disrespected at the societal level, it in fact thwarts the very purpose of the essentially political level. The way to achieve the second-form of respect will be the aim of the fourth chapter. I will contend in it that it is the criterion of reciprocity interpreted from the perspective of civic friendship that helps to achieve a second-person form of respect even at the essentially political level.

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[229] Ibid., p. 83.

[230] However – as it was mentioned – Galeotti claims that at the end of the day, even Darwall adheres to the third-person form of recognition respect as he emphasizes the right-duty perspective. Ibid., pp. 80–83.

[231] Ibid.

To conclude this chapter, I will summarize the argumentation I have proposed so far. When focusing on political – public reason – liberalism, I have claimed that, in order to understand the character of a liberal political community under the conditions of pluralism appropriately, not only the essentially political level concerning the justification of the exercise of political power should be taken into consideration. For the fact of pluralism plays an important role also at the so-called societal level, which reflects the structural/cultural setting of a particular political community. Accordingly, I have argued that both of these levels share the default moral principle of respect in response to the fundamental questions I have posed: the question of the purpose of justifying the exercise of political power in pluralism and the question concerning the purpose of struggles for recognition – as struggles for justice – as a consequence of the unequal treatment of some people due to their differences caused by membership in certain groups. Following this, I have argued that in order to be in conformity with the principle of respect, respect should be guaranteed at both these levels of a political community. Therefore, since currently there are still huge inequalities and forms of disrespect between people even after the process of justifying political power, public reason liberalism should attempt to ensure respect also at the societal level. This is the main claim of the whole text that I will attempt to substantiate in the following chapters. In the next one, however – in order to understand the whole argument – I will come back to the public justification principle and analyze the standards of justifying political power in more detail.

Chapter 3

The justification of the exercise of political power and the formation of public reason

After having presented a rather general description of the two levels that a liberal political community must take into account when dealing with the fact of pluralism, in the forthcoming chapter I will focus in more detail on the essentially political level: I will reflect on the claim that the exercise of political power must be justified to all who are to be coerced, where the purpose of justifying the exercise of coercion is respect for persons. Specifically, I will further elaborate on the public justification principle as a principle widely shared by public reason liberals and show what public justification should look like in order to be in conformity with the principle of respect. I will advocate the Rawlsian conception of reasonableness – as a consequence of the argument from liberty – and argue for the requirement of both moral and epistemological reasonableness of persons. Even though I will partially accept the critique of the overly demanding character of the conception of reasonableness – which concerns the requirement for reasonable comprehensive doctrines in particular – at the same time, however, I will show that both the moral and epistemological reasonableness of persons are necessary for ensuring respect for all subjects of political power.

3.1. Standards of the justification of political power and its legitimacy

If I come back to the public justification principle, which claims that a coercive law is only justified if everyone – each member of the public – has *sufficient* reason to endorse the law, the question that comes to mind is how to actually interpret sufficiency.[232] Despite the importance of this question, Vallier points out that only a few authors have taken it into account.[233] One of them, Gerald Gaus, interprets sufficiency in terms of the open

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[232] Vallier, *Liberal Politics and Public Faith,* p. 24.
[233] Ibid., p. 27. See also Vallier, "Public Justification."

justification of good reasons.[234] Gaus argues that one has sufficient reason to endorse a law only when it is openly justified, which means when one's belief system is stable in the face of new information and criticism by others.[235] In this context, Vallier asserts that although not everyone must share Gaus's entire account of epistemic justification, all public reason liberals should accept its access internalism,[236] assuming that "whenever one is entitled to affirm reason R, one can become aware by reflection of all (or at least many of) one's justifiers for R."[237] This, nonetheless, implies that as the public is comprised of a diversity of individuals, their reasons – as well as reasons' justifiers – may differ. Therefore, Vallier claims that public reason liberals must acknowledge that people can be fully rational to assent to reasons that others reject. Different reasons may thus be epistemically justified for different people. This concerns also coercive laws. The fact that the reason for coercion is sufficient for one member of the public does not mean that it is sufficient for all members of the public. At the same time, however, a coercive law is only justified when *each* member of the public has sufficient reason to endorse it.[238] Considering this, there is a variety of forms of sufficiency. Specifically, Vallier outlines possible interpretations of sufficiency as intelligibility, accessibility, or shareability, implying that a person's reason can become a justification of a coercive law only if it is intelligible/accessible/shareable to all members of the public.[239] In this context, although

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[234] Gaus describes open justification as follows: "The core idea of open justification is that, at any given time, a justified belief system is, ideally, stable in the face of acute and sustained criticism by others and of new information. Full explication of the idea of open justification would thus require a counterfactual test, and once again we would meet all difficulties that idea poses. But the intuitive point is, I think, clear enough. Open justification asks the question: 'Are there any considerations of which Alf could be made aware that are grounded in his system of beliefs and, if integrated, would they undermine the justification of β given his revised system of beliefs?'" Gaus, *Justificatory Liberalism*, p. 31.

[235] Ibid., p. 32.

[236] Internalism is one way of epistemic justification; the second one is externalism. While internalism claims that justification is only determined by factors that are internal to a person, externalism asserts that justification depends on additional factors external to a person. Access internalism claims that a person has access to the basis for knowledge and justified belief. Externalism, by contrast, denies that a person has access to the basis for knowledge and justified belief. Poston, "Internalism and Externalism in Epistemology"; Pappas, "Internalist vs. Externalist Conceptions of Epistemic Justification."

[237] Vallier, *Liberal Politics and Public Faith*, p. 104.

[238] Vallier, "Public Justification."

[239] Vallier argues that 1.) A's reason Ra is *intelligible* to members of the public if and only if members of the public regard Ra as justified for A according to A's evaluative standards; 2.) A's reason Ra is *accessible* to the public if and only if all members of the public regard Ra as justified for A according to common evaluative standards; 3.) A's reason Ra is *shareable* with the public if and only if members of the public regard Ra as justified for each member of the public, including

the very type of sufficiency is an important matter in its own right, what interests me more is the general link between sufficiency and the legitimacy of coercive power. It follows from the public justification principle that when each person has a sufficient reason (in the required sense), the exercise of coercion is then acceptable to every member of the public, and thus legitimate. Yet the meaning of acceptability – or more precisely, of acceptability to *everyone* – needs further unpacking. What do we mean by "everyone"? The criterion of acceptability is explained most neutrally, normatively speaking, by David Estlund.[240] Although Estlund's aim is primarily to avoid the expert/boss fallacy[241] – and thus epistocracy – in the case of forming democratic authority, his claim for the acceptability requirement has wider implications. Specifically, Estlund introduces what he calls the *qualified acceptability criterion*, which importantly tweaks the definition of the public justification principle: political power is now only legitimate if it is acceptable to all *qualified* points of view, no matter what type of sufficiency a particular individual has opted for.[242] But of course, everything now turns around the meaning of the notion of

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A, according to common standards. Vallier, *Liberal Politics and Public Faith,* pp. 104–106. See also Vallier, "Public Justification."

[240] In principle, Estlund does not advocate a particular version of the requirement since he argues for the very idea of it. Estlund, *Democratic Authority*, pp. 40–44. See also Schwartzman, "Estlund Reading Group Chapter 3."

[241] Estlund rejects the assumption that authority is presupposed by expertise. He calls it the *expert/boss fallacy* and argues that just because someone knows more than others does not make him boss. It also concerns democratic authority: the fact that someone knows more is not a reason to have a stronger voice in a democracy.

[242] Estlund overcomes two potential objections to the qualified acceptability criterion, criticizing the very form of "qualification." He objects to overinclusion and overexclusion. According to Estlund, the overinclusion objection claims that the qualified acceptability criterion enables doctrines that should be admissible in political justification to be defeated by false views. He states that "by including [...] a range of incompatible, and so often false, views inside the circle of qualified and decisive objections, the qualified acceptability requirement is too inclusive." The overexclusion objection then asserts that the qualified acceptability criterion is too restrictive since for political power to be legitimate, the reasons for it must be acceptable to all coerced persons. However, Estlund argues that such an attitude may lead to absurd consequences as there is a danger that political power will never be legitimate as there will always be someone who will object to it. He analyzes it in more detail and distinguishes between possible objections and simply actual objections. He argues that what we have to reject is the validity of possible objections, for if we were to take them into account, we would not attain any legitimacy since political power would always be unacceptable for some possible views. Estlund claims that even actual objections are radical as there are actual objections to almost everything too. Therefore, even the actual acceptance view might imply that almost no law would ever be legitimate. However, Estlund accepts that such a claim is not decisive. Specifically, he refers to the context of sex as a situation when an actual objection defeats the admissibility of behaviour despite the objection being otherwise immoral or irrational. That is why Estlund asserts that it is not possible to reject actual objections as such. Still, he argues that there is a way how to deal with actual objections as it is possible to bypass them. Estlund claims that if we consider both the actual acceptance view and

qualified. The most familiar version of qualified acceptability is Rawls's conception of *reasonableness*: all qualified points of view are indeed all reasonable points of view.[243] I have briefly described Rawls's term *reasonable(ness)* in the first chapter; however, to understand the argument, I need to focus on it in more detail here.

Rawls uses the term *reasonable* along with the term *rational*.[244] Public justification, as I have defined it, obtains in Rawls's world when each member of the public justifies from within his/her diverse comprehensive doctrine a political conception of justice *and* knows (is assured) that all others have done the same thing.[245] The resulting "overlapping consensus" thus unites rationality and reasonableness: while rationality (based on Rawls's second moral power, i.e., the capacity for a conception of the good) compels the agent to seek his own ends and interests, as expressed by his comprehensive doctrine, reasonableness (based on the first moral power, i.e., the capacity for a sense of justice) is a "social virtue" assuming that a person takes into consideration other agents and the fact that they attempt to achieve their own ends. As Liveriero puts it, while an agent may be rational even when living alone on the Earth, for being reasonable, she needs others (or at least a second person) to cooperate with.[246]

Rawls's idea of reasonableness is in fact a mosaic consisting of several elements, the foremost one being the *reasonable person*. Rawls distinguishes two aspects of reasonable persons. The first is the *moral* dimension of the reasonableness of persons, which claims that a person is reasonable if she is "ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will

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the qualified acceptability criterion as necessary but not sufficient conditions for legitimacy, they are compatible. According to him, this position enables him to defend the qualified acceptability requirement without denying the relevance of actual objections, for it simply claims that although there may be other justification defeaters, any qualified objection is a justification defeater. Ibid., pp. 41–48.

[243] A somewhat less idealized version of reasonableness is then proposed by Gaus. His constituency comprises *members of the public*; they are not so idealized that their reasoning is inaccessible to their real-world counterparts. They hold the beliefs that their real-world counterparts would be justified in holding after engaging in a respectable amount of good reasoning. Gaus, *The Order of Public Reason*, pp. 250–277. See also Quong, "Public Reason."

[244] Rawls, *Political Liberalism*, pp. 48–54. See also Boettcher, "What Is Reasonableness?"; Weithman, *Why Political Liberalism?*, pp. 273–287.

[245] See the first chapter.

[246] Liveriero, "The Epistemic Dimension of Reasonableness," p. 526. See also Moore, "On Reasonableness," p. 169.

likewise do so."[247] What merely rational agents lack is just the form of moral sensibility underlying the desire to engage in fair cooperation with others.[248] Apart from the first dimension of the reasonableness of persons, which implies their willingness to propose fair terms of cooperation and abide by them if others do so too, Rawls mentions the second – *epistemic* – aspect consisting in the burdens of judgment as an epistemological tool explaining the inevitability of reasonable disagreement.[249] They – as "the many hazards involved in the correct (and conscientious) exercise of our powers of reason and judgment in the ordinary course of political life"[250] – explain why reasonable people permanently disagree. Specifically, Rawls describes the sources of the burdens of judgment as follows:

    a. The evidence – empirical and scientific – bearing on the case is conflicting and complex, and thus hard to assess and evaluate.

    b. Even where we agree fully about the kinds of considerations that are relevant, we may disagree about their weight, and so arrive at different judgments.

    c. To some extent all our concepts, and not only moral and political concepts, are vague and subjects to hard cases; and this indeterminacy means that we must rely on judgment and interpretation (and on judgments about interpretations) within some range (not sharply specifiable) where reasonable persons may differ.

    d. To some extent (how great we cannot tell) the way we assess evidence and weigh moral and political values is shaped by our total experience, our whole course of life up to now; and our total experiences must always differ. Thus, in a modern society with its numerous offices and positions, its various divisions of labor, its many social groups and their ethnic variety, citizens' total experiences are disparate enough for their judgments to diverge, at least to some degree, on many if not most cases of any significant complexity.

    e. Often there are different kinds of normative considerations of different force on both sides of an issue and it is difficult to make an overall assessment.

    f. Finally, [...] any system of social institutions is limited in the values it can admit so that some selection must be made from the full range of moral and political

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247 Rawls, *Political Liberalism*, p. 49.

248 What also distinguishes rationality and reasonableness is that the reasonable is public in a way the rational is not. As Rawls argues, "it is by the reasonable that we enter as equals the public world of others and stand ready to propose, or to accept, as the case may be, fair terms of cooperation with them. These terms specify the reasons we are to share and publicly recognize before one another as grounding our social relations. Insofar as we are reasonable, we are ready to work out the framework for the public social world, a framework it is reasonable to expect everyone to endorse and act on, provided others can be relied on to do the same. If we cannot rely on them, then it may be irrational or self-sacrificial to act from those principles. Without an established public world, the reasonable may be suspended and we may be left largely with the rational, although the reasonable always binds in foro interno, to use Hobbes's phrase." Ibid., pp. 53–54.

249 Liveriero, "The Epistemic Dimension of Reasonableness," p. 526.

250 Rawls, *Political Liberalism*, pp. 55–56.

values that might be realized. This is because any system of institutions has, as it were, a limited social space. In being forced to select among cherished values, or when we hold to several and must restrict each in view of the requirements of the others, we face great difficulties in setting priorities and making adjustments. Many hard decisions may seem to have no clear answer.[251]

On the basis of the burdens of judgment argument, Rawls states that reasonable persons thusly defined *only* uphold *reasonable comprehensive doctrines*. These doctrines have the following characteristics: 1.) they exercise theoretical reason that consistently and coherently covers major religious, philosophical, and moral aspects of human life; 2.) they use both theoretical and practical reason in their formulation; and 3.) they are stable over time yet evolving in the light of what they consider to be good and sufficient reasons.[252] Put otherwise, a reasonable comprehensive doctrine exercises both theoretical and practical reason in formulating a coherent, consistent, and intelligible account of the major religious, philosophical, and moral aspects of life.

It is precisely the character of reasonable comprehensive doctrines and their alleged dependence on reasonable persons that has given rise to multiple critiques of Rawls's conception of reasonableness. Leif Wenar, for example, argues that not only is Rawls's conception of reasonableness too demanding – as there will be a variety of comprehensive doctrines that will reject Rawls's criteria of reasonableness – but it is also at least partially comprehensive: it is itself "a doctrine that could support a political conception within an overlapping consensus, but that is itself too exclusionary to be the focus of such a consensus." Consequently, Wenar contends, only very few comprehensive doctrines will in fact support Rawls's political project.[253] To be more specific, Wenar infers from Rawls's theory that the basis for understanding the very term *reasonableness* is the conception of the reasonable person. He claims that it grounds "the meanings of all Rawls's other 'reasonable' terms."[254] Accordingly, Wenar identifies five attributes of the Rawlsian reasonable person: 1.) the possession a) of the two moral powers; b) of intellectual powers of judgment, thought, and inference; c) of a determinate conception of the good interpreted in the light of a comprehensive doctrine; and d) of the ability to be a normal and cooperating member of society; 2.) readiness of people to propose and willingly abide

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[251] Ibid., pp. 56–57.
[252] Ibid., p. 59.
[253] Wenar, "Political Liberalism: An Internal Critique," p. 33.
[254] Ibid., p. 36.

by principles and standards that are fair terms of cooperation, given assurance that others will likewise do so; 3.) recognition of the burdens of judgment; 4.) reasonable moral psychology; and 5.) recognition of the five essential elements of a conception of objectivity.[255] Following the assumption that the reasonableness of person(s) determines other levels of reasonableness, Wenar claims that in order to be considered as reasonable, any comprehensive doctrine must acknowledge that reasonable persons have the aforementioned attributes.[256] However, this is precisely what Wenar deems to be problematic because, according to him, particularly attributes 3 to 5 are too demanding for doctrines. With regard to the attribute of the burdens of judgment, he claims that they disqualify firm religious faiths from being reasonable as they cannot fulfill all the assumptions of the burdens of judgment. Considering the attribute concerning reasonable moral psychology, Wenar argues that "the conception of the person underlying the reasonable moral psychology conflicts with the conception to other philosophical theories." Hence, it also precludes many comprehensive doctrines from being reasonable. Finally, regarding the five essential elements of a conception of objectivity, Wenar asserts that as they "exclude prevalent accounts of the sources of normative authority," they, again, prevent many comprehensive doctrines from being reasonable.[257] Following this, Wenar claims that since political liberalism in fact gets by employing only attributes 1 and 2, to make political liberalism less expansive – and to secure the viability of justice as fairness as a political conception – we should discard elements 3, 4, and 5 from the definition of reasonable persons.

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[255] The first essential is that "a conception of objectivity must establish a public framework of thought sufficient for the concept of judgment to apply and for conclusions to be reached on the basis of reasons and evidence after discussion and due reflection." The second essential is that "a conception of objectivity must specify a concept of a correct judgment made from its point of view, and hence subject to its norms." The third essential is that "a conception of objectivity must specify an order of reasons as given by its principles and criteria, and it must assign these reasons to agents, whether individua or corporate, as reasons they are to weigh and be guided by in certain circumstances." The fourth essential is that "a conception of objectivity must distinguish the objective point of view – as given, say, by the point of view of certain appropriately defined reasonable and rational agents – from the point of view of any particular agent, individua or corporate, or of any particular group of agents, at any particular time." Finally, the fifth essential is that "a conception of objectivity has an account of agreement in judgment among reasonable agents." Rawls, *Political Liberalism*, pp. 111–112.
[256] Wenar, "Political Liberalism: An Internal Critique," pp. 37–38.
[257] Ibid., p. 57. For more details, see pp. 41–57.

A similar objection has been raised by Erin Kelly and Lionel McPherson. They distinguish between political and philosophical reasonableness (which parallels moral and epistemic reasonableness as employed here) and argue that relying on both political and philosophical reasonableness leads to an overly narrow conception of toleration as it excludes too many people from the process of public justification.[258] What they consider to be particularly questionable is the requirement for philosophical reasonableness, which is, according to them, overly excessive and may cause the exclusion of otherwise (i.e., politically) reasonable people from public deliberation solely due to their unreasonable comprehensive doctrines.[259] Accordingly, they assert that in order to be less restrictive, political liberalism should abandon the requirement of philosophical (epistemological) reasonableness and stick solely to political reasonableness.[260]

Finally, Martha Nussbaum also argues that the reasonableness of persons grounds the reasonableness of comprehensive doctrines and hence that the character of the latter is determined by the former. Again, employing slightly different terminology, Nussbaum distinguishes between ethical and epistemic reasonableness, the former consisting primarily in the assumption of equal respect shared by a diversity of people. Interestingly, Nussbaum concedes that the burdens of judgment may be interpreted in the ethical sense, implying that as long as reasonable citizens do not try to impose their comprehensive doctrines through law, they exhibit respect to their fellow citizens. At the same time, however, she sees burdens of judgment closely associated with the epistemic understanding of reasonableness. This becomes clear in regard to the definition of

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[258] Kelly and McPherson assume that the more people are included in public justification, the more tolerant political society is. They distinguish themselves from liberals like Joshua Cohen, Charles Larmore, or Barbara Herman, who put forward a wide conception of reasonableness and thus limit the range of those involved in the social contract. Kelly and McPherson claim that "[t]he idea that justification of political arrangements need not be addressed to unreasonable persons should be rejected, for these persons could be due a say in the arrangement of institutions binding them. Their exclusion from the social contract would thus violate the requirement of toleration in a liberal society." Kelly and McPherson, "On Tolerating the Unreasonable," p. 39.

[259] Similarly, David Enoch complains that the technical meaning of reasonableness has sectarian consequences because it excludes people who are otherwise perfectly reasonable in the ordinary sense of the term (they continually educate themselves, are willing to engage in conversation rather than violence to resolve disputes, etc.) and even the "smartest, nicest people" around. Unfortunately, they have this pathological trait of believing in the truth of their doctrine and saying it publicly – like Enoch, who is metaphysically a staunch moral realist (while being a mainstream liberal on political matters). See Enoch, "Against Public Reason," pp. 120–126.

[260] Kelly and McPherson, "On Tolerating the Unreasonable," pp. 39–44.

reasonable comprehensive doctrines.[261] Not only does the requirement of reasonableness, as applied to comprehensive doctrines, render many ethically reasonable citizens excluded from public justification, but it may also lead, in her view, to undesirable perfectionism.[262] Therefore, although Nussbaum is willing to accept the role of the burdens of judgment within the ethical understanding of reasonableness, she argues that the epistemic interpretation of the burdens of judgment undermines the whole project of political liberalism, precisely because it brings Rawls uncomfortably close to the perfectionist position.[263] She believes that political liberalism can afford to rely on ethical reasonableness based on the principle of equal respect, which is why the burdens of judgment should be abandoned.[264]

To sum up the critique of the overly demanding nature of Rawls's conception of reasonableness, all the aforementioned theorists argue that the requirement for both moral and epistemic reasonableness is too extensive and causes the exclusion of many people from public justification. Criticism is mainly directed at the demand for reasonable comprehensive doctrines. However, since the authors assume that the reasonableness of comprehensive doctrines is dependent on the epistemic reasonableness of persons (which is also the presumption of Rawls himself), they claim that in order to be less restrictive – to enable more comprehensive doctrines to become part of public justification – we should give up the demand for the epistemic (philosophical) reasonableness of persons, the burdens of judgment in particular. In fact, they assert that political liberalism gets by only with ethical (moral/political) reasonableness, which – as Martha Nussbaum claims – is itself able to ensure equal respect as the default moral principle of political liberalism.

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[261] Nussbaum, "Perfectionist Liberalism and Political Liberalism," pp. 22–31. See also Freeman, *Rawls,* pp. 345–346.
[262] She contends that "reasonable citizens should not be in the business of looking over the shoulder of their fellow citizens to ask whether their doctrines contain an acceptably comprehensive and coherent exercise of theoretical reason." Ibid., p. 29.
[263] As she argues, "[t]he problem with Rawls's formulation is that there would appear to be many doctrines affirmed by reasonable citizens (in the ethical sense, respectful of one another) that do not meet these rather exacting theoretical standards." Ibid., p. 25.
[264] Ibid., p. 20.

3.2. The principle of respect and the requirement of both the moral and epistemological reasonableness of persons

The critique of Rawls's conception of reasonableness is convincing to a certain extent. To be more specific, Wenar, Kelly and McPherson, and Nussbaum make the legitimate claim that Rawls's requirement for reasonable comprehensive doctrines may be too restrictive and can cause the exclusion of otherwise reasonable people from public justification merely because they happen to hold unreasonable comprehensive doctrines. Apart from this, Wenar and Nussbaum are correct in claiming that the requirement of reasonable comprehensive doctrines may lead to undesirable comprehensiveness and perfectionism, as someone may legitimately argue that such a requirement is based on a characteristically liberal point of view regarding the rationalistic and scientific requirements on the structure of the doctrine.[265] Furthermore, upon closer examination the notion of comprehensive doctrines turns out to be indeterminate because doctrines differ in the degree of their comprehensiveness. Also, agents holding the same comprehensive doctrine may diverge as regards the degree of their attachment to the doctrine and its interpretation. This may result in both reasonable and unreasonable persons sharing the same comprehensive doctrine.[266]

Yet, even if I accepted critical comments on the requirement of reasonable comprehensive doctrines, I do not think that it simultaneously entails rejecting the burdens of judgment and the idea of the epistemic reasonableness of persons as such. Firstly – and this is contrary both to the critics of Rawls and to Rawls himself – I cannot see why the notions of epistemically reasonable *persons* and reasonable comprehensive *doctrines* need to be so strongly entangled that the demise of the latter forces abandonment of the former as well. Why throw the baby out with the bathwater? Here I follow Federica Liveriero's idea that it is important to draw a line between the appraisal of the reasonableness of persons and the assessment of comprehensive doctrines in terms of reasonableness.[267] What is even more important for my purposes is that as a result, abandoning epistemic reasonableness not only causes inappropriate reflection on the fact of pluralism as the

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[265] Wenar, "Political Liberalism: An Internal Critique," p. 38; Nussbaum, "Perfectionist Liberalism and Political Liberalism," pp. 26–27.
[266] Liveriero, "Rationality and Reasonableness in Practice: The Epistemic Basis of Equality."
[267] Ibid.

central issue that political liberalism deals with, but solely moral (ethical) reasonableness cannot in fact ensure respect for persons.[268] As I will argue, the principle of respect requires *both* the moral and epistemic dimensions of reasonableness to be considered.

To show why this is so, I will briefly elaborate on the nature of the epistemic reasonableness of persons. According to Rawls, one of the roles of the burdens of judgment characterizing epistemic reasonableness – and the exercise of human reason as such – is that they prove that there is genuine normative disagreement that cannot be overcome.[269] R. J. Leland and Han van Wietmarschen call it *universal disagreement* and argue that such a disagreement is an inevitable consequence of our limited cognitive (epistemic) capacities that persist even among the most competent people.[270] Fabienne Peter talks about the *opacity view*, according to which reasonable disagreement is bound to persist even after citizens have each responded to the fact of disagreement among themselves and adjusted their beliefs; reasonable disagreement thus remains in existence even after citizens have considered it and consequently regulated their convictions in accordance with their cognitive capacities.[271] Hence, one of the consequences of a genuine disagreement is that there is no level of competence above which convergence on a single answer could be expected.[272] As a result, citizens have a reason both to accept the fact of disagreement and to tolerate the views of others. Consequently, they acknowledge their own fallibility and the value of intellectual modesty: not only do they accept that in principle they have no greater epistemic authority than others, to the effect that one's own beliefs have no special claim to correctness (not to mention their imposition upon other

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[268] Nussbaum, "Perfectionist Liberalism and Political Liberalism," p. 20.

[269] Rawls, *Political Liberalism*, p. xvi.

[270] Leland and van Wietmarschen, "Reasonableness, Intellectual Modesty, and Reciprocity in Political Justification," pp. 731–732.

[271] Accordingly, Peter claims that if such bases cannot be shared to generate a unique correct belief, people "need to attribute some probability to the possibility that all the relevant evidence, if it had been shared, would justify a different belief." Peter, "Epistemic Foundations of Political Liberalism," pp. 598–620.

[272] Leland and van Wietmarschen, "Reasonableness, Intellectual Modesty, and Reciprocity in Political Justification," pp. 731–732; Peter, "Epistemic Foundations of Political Liberalism," pp. 598–620; Gaus, *Political Concepts and Political Theories,* p. 42; Liveriero, "The Epistemic Dimension of Reasonableness," p. 523; Ferretti, *The Public Perspective.*

people), but they also respect the epistemic authority of other participants in the process of deliberation.[273]

By emphasizing the insurmountable nature of disagreement among people on the grounds of the very exercise of their reasoning, the epistemic aspect of reasonableness highlights an important issue related to the fact of pluralism. Therefore, although the moral conception of reasonableness, which assumes that people are willing to propose principles and standards as fair terms of cooperation and abide by them, is an important element in dealing with the fact of pluralism, it is still not sufficient, as moral principles cannot adequately take into consideration pluralism within people's reasoning. To be more specific, a solely moral conception of reasonableness does not impose sufficient limits on what reasonable people can *expect* their fellow citizens to accept.[274] The suggestion to abandon the epistemic dimension of reasonableness of persons, put forward as a solution to the problem of comprehensive doctrines, thus obscures the very nature of pluralism in liberal societies, which permeates also the cognitive level of human life.[275]

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[273] This way, intellectual modesty opens up a space for the idea of epistemic peerhood. This term was introduced by Gary Gutting, who defined it as equality given to epistemic virtues consisting in intelligence, perspicacity, honesty, thoroughness, etc. Kelly then adopts Gutting's definition and extends it. Specifically, he adds that epistemic peerhood is also defined by familiarity with evidence and arguments that bear on the question at issue. Christensen develops Kelly's definition; however, he denies Kelly's claim that people can be epistemic peers even without being cognitive equals. Elga argues that a person considers her fellow as an epistemic peer if she thinks that he is as good as she is at judging a claim. By this, Elga means that both are equally likely to be mistaken. Simpson defines epistemic peers as agents who are equally well-qualified to express their opinions on matters in a particular domain. Finally, Fabienne Peter then follows Elga and also claims that epistemic peers are those who are equally likely to make mistakes. Gutting, *Religious Belief and Religious Scepticism,* pp. 82–83; Kelly, "The Epistemic Significance of Disagreement," p. 168; Christensen, "Epistemology of Disagreement: The Good News," pp. 187–217; Elga, "Reflection and Disagreement," p. 487; Simpson, "Epistemic Peerhood and the Epistemology of Disagreement," p. 563; Peter, "Epistemic Foundations of Political Liberalism," pp. 598–620. See also Liveriero, "The Epistemic Dimension of Reasonableness," p. 523.

[274] Leland and van Wietmarschen, "Reasonableness, Intellectual Modesty, and Reciprocity in Political Justification," p. 724.

[275] At the same time, however, insisting on the epistemic reasonableness of persons does not force us to accept Rawls's three criteria of reasonable comprehensive doctrines. People are not doctrines, which is why reasonable people may not only hold reasonable comprehensive doctrines as defined by Rawls's three criteria (and vice versa, why unreasonable people may not only adhere to unreasonable comprehensive doctrines). As argued above, doctrines are diverse and so are their interpretations by different agents. Furthermore, just because a doctrine sounds strange – for instance, one that believes that aliens have invaded Earth – and qualifies as unreasonable according to Rawls's criteria (since it may lack coherence, be impervious to

Apart from insufficient sensitivity to pluralism, exclusive concern with the moral reasonableness of persons also overlooks that the requirement for their epistemic reasonableness is – similarly to the demand for moral reasonableness – crucial for respecting people. Here, *the criterion of reciprocity* comes into play as it helps to explain how abandoning the epistemic element of reasonableness potentially collides with respect for persons.[276] Following Rawls's principle of legitimacy, the criterion of reciprocity states that in order to respect persons, citizens must only appeal to those arguments that other citizens can reasonably accept when deliberating about fundamental political issues. In this regard, however, Leland and van Wietmarschen present the fitting example of the "rationalist fundamentalist" – someone who is morally reasonable yet does not recognize intellectual modesty.[277] Although such a person is willing to abide by fair cooperation, he believes that everyone with a good but unexceptional level of competence on some matter would endorse the same view as him. Because there are no limits on what epistemic expectations he is allowed to place on his fellow citizens, he can legitimately assume that all reasonable people (i.e., those reaching his threshold) will accept the same view as he does. Hence, not only is the very requirement of reciprocity violated, but consequently, people are also potentially being

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evidence, unintelligible, and so on), it does not follow that adherents of such a doctrine cannot be epistemically reasonable in the weaker sense – that is, they may very well accept that disagreement with their fellow citizens is insurmountable and acknowledge intellectual modesty. Rawls, *Political Liberalism,* pp. 133–172; Leland and van Wietmarschen, "Reasonableness, Intellectual Modesty, and Reciprocity in Political Justification," p. 722; Peter, "Epistemic Foundations of Political Liberalism," pp. 598–620; Liveriero, "The Epistemic Dimension of Reasonableness," pp. 518–519; Valentini, "Justice, Disagreement and Democracy," pp. 182–187.

[276] Although Rawls uses the term *reciprocity* in several places in *Political Liberalism* and speaks also about the "ideal of reciprocity," his usage of the term *criterion of reciprocity* adverts just to the assumption that when making shared political decisions, citizens must refer only to considerations that they can reasonably expect all reasonable citizens to accept. Hence, the criterion of reciprocity is deeply connected with Rawls's conception of legitimacy, which has led some authors (e.g., Michael Perry and Christopher Eberle) to claim that the principle of legitimacy and the criterion of reciprocity are in fact the same. Even though authors following Rawls do not always use the same terminology (Larmore – similarly to Perry and Eberle – seems to synonymize reciprocity with legitimacy, while Leland and van Wietmarschen use the term *reciprocity principle*), all of them defend the same claim concerning the wrongness of imposing reasonably unacceptable arguments upon others during public deliberation. Rawls, *Political Liberalism*, pp. xliv, 16–17, 137, 446–447; Perry, *Religion in Politic*s, p. 58; Eberle, *Religious Conviction in Liberal Politics*, p. 141; Larmore, *The Morals of Modernity*; Larmore, "The Moral Basis of Political Liberalism"; Lister, *Public Reason and Political Community*; Leland and van Wietmarschen, "Political Liberalism and Political Community"; Weithman, *Why Political Liberalism? On John Rawls's Political Turn*; Wenar, "John Rawls."

[277] Leland and van Wietmarschen, "Reasonableness, Intellectual Modesty, and Reciprocity in Political Justification," pp. 730–731.

disrespected. The danger of denying the criterion of reciprocity is precisely why I maintain that the principle of respect requires epistemic reasonableness to remain an essential part of the conception of the reasonableness of persons.

The interconnection between the criterion of reciprocity and the principle of respect does not only help to prove the importance of the epistemic reasonableness of persons for the idea of public reason, but it also demonstrates that when justifying political power, the principle of respect is understood as an impersonal (third-person) moral imperative embedded in the right-duty perspective.[278] It assumes that everyone has the right to only reasonably acceptable arguments being used in public deliberation. At the same time, it states that everyone has the duty to provide others only with reasonable acceptable arguments in public deliberation. Besides Rawls, it has mainly been Charles Larmore who bases his understanding of the criterion of reciprocity on such respect. In fact, Larmore has presented the conception of the third-person form of respect probably most systematically. Following the assumption that coercive political power *must* be as justifiable to others as it is to us, Larmore argues that it is precisely the imperative of respect that explains why people must adhere only to considerations that they can reasonably expect all reasonable citizens to accept.[279] For if they forced others to comply with political principles reasonably unacceptable to them, they would treat them as means and thus disrespect their moral personality.[280] Apart from Larmore, James Boettcher and Martha Nussbaum also explicitly advert to the imperative of respect when elaborating on the criterion of reciprocity. Boettcher asserts that using comprehensive arguments when discussing fundamental political questions means that people disregard the status of their fellow citizens as free and equal. Therefore, he contends, "citizens who respect others as free and equal should refrain from deciding fundamental political

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[278] The third-person form of recognition respect that citizens are supposed to be led by is something like the Kantian categorical imperative, which commands that they (their actions) must respect the worth of others. As Kant states: "Act in such a way as to treat humanity, whether in your own person or in that of anyone else, always as an end and never merely as means." Kant, *Groundwork for the Metaphysics of Morals*, p. 29. See also Wood, *Kant's Ethical Thought,* p. 117; Darwall, "Two Kinds of Respect, pp. 36–49"; Darwall, *The Second-Person Standpoint*; Galeotti, "Respect as Recognition," p. 83.
[279] Larmore, *The Morals of Modernity,* p. 137; Larmore, *The Autonomy of Morality.* See also the first chapter.
[280] They would thus deny their duty to respect people.

questions directly and solely on the basis of a comprehensive doctrine."[281] Nussbaum says the same thing: to respect others, citizens must only support "political principles that do not endorse the truth of any particular comprehensive doctrine of the good."[282]

The reference to the third-person framing of the principle of respect brings me back to the moral basis of public reason, which provides the reasons for justifying the exercise of political power. As I contended earlier, the problem with this argument is that despite the validity of the third-person form of respect at the essentially political level, it does not have direct implications also for the societal level. Hence, even after formal assurance of respect in the process of justifying political power, there may still be many disrespected people at the public level of a political community. In what follows, I will try to find out how to overcome this problem and to interconnect both the essentially political and societal levels of a political community even within the idea of public reason. Specifically, I will come back to the criterion of reciprocity and argue that it in fact does not have to be interpreted as referring only to the third-person imperative of respect: the reason citizens adhere only to reasonable considerations – that is, considerations that all reasonable citizens can accept – may also be for the sake of civic friendship. In the following chapter I will elaborate on this claim and show how exactly it can help to achieve respect also at the societal level.

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To summarize the claim of this chapter, I have described the *public justification principle* in detail and shown how it should look in order to be in conformity with the principle of respect for persons, which explains the very need for the justification of political power. Accordingly – when specifying the character of public reason – I have emphasized that both the moral and epistemological reasonableness of persons, which determine the acceptability of coercion, are important, for not only do they adequately allow for the fact of pluralism, but they are also both crucial for ensuring the principle of respect as such. In this context, I have concluded that the principle of respect applied to the criterion of

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[281] Specifically, Boettcher asserts that "to respect the other politically is to acknowledge the other as a free and equal citizen, with an interest in exercising the two moral powers, and to adjust one's own choices and actions accordingly." Boettcher, "Respect, Recognition, and Public Reason," pp. 230–233.

[282] Nussbaum, "Perfectionist Liberalism and Political Liberalism," pp. 18–20.

reciprocity has the form of a third-person imperative informing the very process of public deliberation. At the same time, however – referring to the second chapter – I have pointed out that such an interpretation of respect lacks consequences also for the societal level of a political community. In the next chapter, I will thus analyze the problems connected with the criterion of reciprocity as interpreted from the imperative of respect in more detail. Consequently, I will present the criterion of reciprocity as interpreted from the perspective of civic friendship and argue that it may be a bridge that ensures respect at both the essentially political and societal levels.

Chapter 4

Criticism of the imperative of respect and the dual interpretation of the criterion of reciprocity

At the end of the previous chapter, I showed that the standard interpretation of the criterion of reciprocity refers to the principle of respect understood as a third-person imperative: to respect others, citizens *must* not use unreasonable arguments in public deliberation. Apart from other things, it implies that they must be willing to retreat from their particularities if the arguments based on them are not reasonably acceptable to all. Such a requirement, nonetheless, has led to extensive criticism. Basically, there are two objections to the criterion of reciprocity as interpreted from the perspective of the imperative of respect. For one, it is a critique of the very claim that for the sake of respect, people should abstract away from their particularities in public deliberation. Critics argue that the principle of respect does not in fact require citizens to do so and if some theorists think it is needed, they understand the principle incorrectly. Secondly, there is the objection that the explanation of the criterion of reciprocity only by means of the argument from respect for one's liberty insufficiently takes into account the role of the political community. Along the following lines, I will discuss both objections in more detail. Accordingly, I will call for a dual interpretation of the criterion of reciprocity when justifying the exercise of political power. I will contend that it is not necessary to explain it solely in terms of the imperative of respect. Indeed, I will argue that there is an interpretation that is compatible with the imperative of respect but that also takes into account the role of the political community. It is an understanding of the criterion of reciprocity as the basis of civic friendship. Following this claim, I will contend that the criterion of reciprocity interpreted from the perspective of civic friendship is not only an argument from within the essentially political level, but it also inherently assumes respect in its second-person form. Thus, I will argue that a dual interpretation of the criterion of reciprocity clears the way for respect to be achieved at both the essentially political and societal levels.

4.1. The criterion of reciprocity: The imperative of respect and the role of people's particularities

First, I will examine the first objection to the consequences of the criterion of reciprocity interpreted from the perspective of the imperative of respect. This criticism concerns inadequate reflection on the meaning of people's particularities. As indicated, what is considered to be particularly problematic is the claim that for the sake of respect, people should abstract away from their particularities when publicly deliberating. This claim has led Jeffrey Stout to the assertion that this way of interpreting respect is flawed. He argues that it overlooks not only the meaning of particularities for people but also the ways in which a person can show her respect for others in their particularity. According to him, "real respect for others takes seriously the distinctive point of view each other occupies. It is respect for individuality, for difference."[283] Stout follows Nicholas Wolterstorff, who specifically criticizes the doctrine of religious restraint (as a consequence of the criterion of reciprocity) in public deliberation and argues that such restraint is by itself disrespectful because it pays no respect to people's particularities: Wolterstorff contends that it treats a person and her particularity as of no account.[284] By contrast, he argues that "we need a politics that not only honours us in our similarity as free and equal, but in our particularities. For our particularities – some of them – are constitutive of who we are, constitutive of our narrative identities."[285] Hence, Wolterstorff asserts that people should be enabled to use even solely religious arguments when making decisions concerning fundamental political issues, for according to him, religious belief is not chosen: it is the essence of people's identities.[286] Finally, Christopher Eberle also refuses the claim that citizens in a liberal democracy should not support a coercive law for which they have only a religious justification.[287] Eberle argues that the assumption that respect for others

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[283] Stout, *Democracy and Tradition*, p. 73.

[284] Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," p. 111. See also Stout, *Democracy and Tradition*, pp. 63–77; Boettcher, "Respect, Recognition, and Public Reason," pp. 234–235.

[285] Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," p. 111.

[286] A quite similar objection has been made by David Enoch, who asserts that there are independent moral truths that individuals do not influence. Although Enoch rejects the very idea of public reason, the rationale of his argument is the same as Wolterstorff's: people's beliefs and convictions are not optional. Enoch, "Against Public Reason," pp. 130–137.

[287] Eberle, *Religious Conviction in Liberal Politics*, p. 14.

requires public justification of coercion in fact refers to two different claims: to the principle of pursuit[288] and the doctrine of restraint.[289] Although Eberle advocates an obligation to pursue public justification, he asserts that it does not imply an obligation to exercise restraint. In other words, even though citizens are obliged to pursue public justification for a coercive law, they are not committed to leave off supporting a law if "public justification is not in the offing."[290] Eberle claims that the principle of pursuit only requires that citizens sincerely[291] and conscientiously aspire to public justification.[292] Specifically, he points to the ideal of conscientious engagement[293] and argues that if a religious citizen meets all the assumptions of conscientious engagement, he does not disrespect others when he imposes a coercive law for which he has only a religious justification.

It can surely be argued that public reason only concerns very specific questions – the justification of political power in particular. Furthermore, Rawls himself limits the scope of public reason to the constitutional essentials and matters of basic justice.[294] Therefore,

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[288] "A citizen should pursue public justification for his favoured coercive laws." Ibid. p. 68.
[289] "A citizen should not support any coercive law for which he lacks a public justification." Ibid.
[290] Ibid., p. 70.
[291] The assumption of sincerity is also advocated by Paul Weithman. Even Weithman permits that citizens can rely solely on religious arguments. However, he mentions two principles that must be upheld: "1) citizens of a liberal democracy may base their votes on reasons drawn from their comprehensive moral views, including their religious views, without having other reasons which are sufficient for their vote – provided they sincerely believe that their government would be justified in adopting the measures they vote for; 2) citizens of a liberal democracy may offer arguments in public political debate which depend upon reasons drawn from their comprehensive moral views, including their religious views, without making them good by appeal to other arguments – provided they believe that their government would be justified in adopting the measures they favor and are prepared to indicate what they think would justify the adoption of the measures." Weithman, *Religion and the Obligations of Citizenship*, p. 121.
[292] "It is entirely silent regarding what a citizen may or may not do so long as she succeeds in pursuing a public justification for her favoured coercive laws." Eberle, *Religious Conviction in Liberal Politics*, p. 75.
[293] "In fact, I believe that a citizen who adheres to the norm of respect will abide by at least six constraints on the reasons she employs in political decision making and advocacy. 1) She will pursue a high degree of rational justification for the claim that a favored coercive policy is morally appropriate; 2) She will withhold support from a given coercive policy if she can't acquire a sufficiently high degree of rational justification for the claim that that policy is morally appropriate; 3) She will attempt to communicate to her compatriots her reasons for coercing them; 4) She will pursue public justification for her favored coercive policies; 5) She will listen to her compatriots' evaluation of her reasons for her favored coercive policies with the intention of learning from them about the moral (im)propriety of those policies; 6) She will not support any policy on the basis of a rationale that denies the dignity of her compatriots." Ibid., pp. 104–105.
[294] Constitutional essentials include the principles that structure the government and political process and the basic rights and liberties of citizens; matters of basic justice involve principles

the demand for abstracting away from people's particularities that are not reasonably acceptable to their fellow citizens in public deliberation only applies to a limited number of issues. In other words, it does not imply that, within the non-public sphere of the so-called background culture of society, citizens cannot advert to their particularities.[295] It may seem to be a relevant argument. Moreover, Rawls's scope of the application of public reason is highly restrictive. For comparison, Charles Larmore argues that as political power is always coercive, the imperative of respect for persons requires that the scope of public reason should extend to all political actions.[296] Similarly, Jonathan Quong claims that the idea of public reason should be understood more extensively than what Rawls has in mind as it should apply to all political decisions in a liberal democracy.[297] Gerald Gaus argues for public reason having an even broader scope as he asserts that it should include social morality as such. Hence, according to Gaus, the idea of public reason applies to all social relations in which people want to influence how others should behave.[298] Yet Gaus is well aware of the problem of side-lining the particularities, and, as I will show later, he proposes a specific view on public reason that enables citizens to include comprehensive arguments – and thus people's particularities – in public deliberation under certain conditions.

However, even if we accept the objection that the requirement for retreating from people's particularities only concerns a very restrictive number of issues, it is still problematic. For if I go back to the wording of the criterion of reciprocity, it tells people not to impose their beliefs on others if these beliefs are not acceptable to them. Acceptability thus plays a crucial role. When focusing on it in more detail, nonetheless, one may argue that it is inseparable from a person's convictions: to consider an argument to be acceptable, it must be in compliance with one's convictions. This is where I come to the heart of the problem, for it may be contended that as the very requirement for abstracting away from particularities determines acceptability, it simultaneously interferes with people's convictions. The question is thus to what extent is one's consent

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that regulate the distribution of important resources that are not covered in the list of basic rights and liberties. Rawls, *Political Liberalism*, pp. 227–229.

[295] Ibid., p. 220. See also Quong, *Liberalism without Perfection*, p. 43.

[296] Larmore, "The Moral Basis of Political Liberalism," pp. 607–608. See also Quong, "Public Reason."

[297] Quong, *Liberalism without Perfection*, p. 258.

[298] Gaus, *The Order of Public Reason*, p. 2.

really authentic and to what extent is it predetermined by this requirement. Accordingly, I may also ask if it is in fact possible to artificially sway people's convictions. This is directly related to the so-called integrity objection already voiced by Wolterstorff, who doubts that people's convictions and beliefs are a matter of choice. As has been indicated, Wolterstorff refers specifically to religion and argues that religious belief is not something optional that people can voluntarily abstract away from. On the contrary, religion is a constitutive part of people's identity[299] that determines who they are.[300] Hence, when people are forced to abstract away from their religious beliefs during public deliberation, it has destructive consequences for their identity. The integrity objection has been summarized by Patrick Neal, who claims that the Rawlsian idea compels citizens to split themselves in a way that can damage their religious integrity.[301] Specifically, Neal argues that "in being asked to conduct his political activity in accordance with public reason and to treat his religious views as being fundamentally non-political, the citizen, so it may be claimed, is being asked to repress or deny a fundamental part of himself when he enters the public realm."[302]

4.1.1. The convergence approach as a solution?

To be fair, nonetheless, even within the public reason tradition, there have recently been authors who have been reflecting on the aforementioned objections. A few lines earlier, I said that Gerald Gaus argues that the idea of public reason does not apply only to the

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[299] The identity view of integrity was developed especially by Bernard Williams. He argues that for people to abandon an identity-conferring commitment is to lose what gives their lives its identity. According to Williams, the commitment determining my identity is "the condition of my existence, in the sense that unless I am propelled forward by the conatus of desire, project and interest, it is unclear why I should go on at all." Williams, *Moral Luck*, p. 12. See also Vallier, *Liberal Politics and Public Faith*, p. 57; Cox, "Integrity."

[300] "It belongs to the religious convictions of a good many religious people in our society that they ought to base their decisions concerning fundamental issues of justice on their religious convictions. They do not view it as an option whether or not to do so. It is their conviction that they ought to strive for wholeness, integrity, integration, in their lives: that they ought to allow the Word of God, the teachings of the Torah, the command and example of Jesus, or whatever, to shape their existence as a whole, including, then, their social and political existence. Their religion is not, for them, about something other than their social and political existence; it is also about their social and political existence." Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," p. 105.

[301] Neal, "Is Political Liberalism Hostile to Religion?," p. 166. See also Neal, "Political Liberalism, Public Reason, and the Citizens of Faith," pp. 171–201.

[302] Ibid.

justification of political power, but to overall social morality as "the set of social-moral rules that require or prohibit action, and so ground moral imperatives that we direct to each other to engage in, or refrain from, certain lines of conduct."[303] As a result, Gaus partially captures the problem I have been addressing: that focusing simply on the justification of political power overlooks the fact that many people may remain disrespected even after the justification process. Apart from this, Gaus also – together with Kevin Vallier – acknowledges the objections to the omission of differences and particularities during public deliberation. Specifically, Gaus and Vallier accept the criticism of religious restraint and contend that religious reasons may be appealed to when justifying political power and within political debate. Although they also refer to a moral imperative of respect for persons and to the presumption in favor of liberty, at the same time, they claim that "a commitment to public justification provides no grounds for excluding religious reasons from politics."[304]

Gaus and Vallier identify three common errors present in the dominant view on public reason: *the error of consensus*, *the error of symmetry*, and *the error of deliberation as constitutive of justification.* With regard to the error of consensus, Gaus and Vallier argue that respect for persons as free and equal does not require that all citizens have the same reason for public justification. According to them, what is needed is that every citizen has some conclusive reason to accept public justification.[305] Given the error of symmetry, Gaus and Vallier deny the standard assumption that reasons for supporting a proposal, and reasons for objecting to it, are subject to the same requirements. They argue that in fact there is asymmetry between reasons to justify to another a law and reasons to reject that law.[306] Finally, considering the error of deliberation as constitutive of justification, Gaus and Vallier object to the dominant view of public reason that a justified polity can arise only out of a deliberative politics aimed at public justification. In contrast, they emphasize the role of institutions and argue that justified political outcomes are much more the result of electoral and legislative institutions and procedures.[307] Kevin Vallier

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[303] Gaus, *The Order of Public Reason*, p. 2.
[304] Gaus, Vallier, "The Role of Religious Convictions in a Publicly Justified Polity," p. 52.
[305] Ibid., pp. 52, 56–62.
[306] This line of argument is quite similar to Eberle's distinction between the principle of pursuit and the doctrine of restraint. Ibid., pp. 52, 62–65. See also Eberle, *Religious Conviction in Liberal Politics*, pp. 14–75.
[307] Ibid., pp. 52, 65–71.

then develops in more detail the argument he proposed with Gaus in *Liberal Politics and Public Faith*. Specifically, Vallier – following Patrick Neal – summarizes all the religious objections to public reason liberalism. He mentions 1) *the integrity objection*,[308] 2) *the fairness objection*, which argues that the doctrine of public reason is itself an expression of unfairness as it subjects religious citizens to restraints that are not applied to non-religious citizens; 3) *the denial of truth objection*, which states that public reason mistakenly requires religious citizens to avoid the truth claims; and 4) *the divisiveness objection*, which holds that religious restraint does not reduce social disruption.[309]

Vallier considers all these objections to be valid. However, he rejects that they deny the public justification principle as such (and thus the very doctrine of public reason). Still, he admits that in order to defend public reason liberalism, the public justification principle must detach itself from religious restraint.[310] Hence, Vallier follows Gaus's and his argument from their previous article and claims that what is needed is to abandon the dominant consensus conception of justificatory reasons, which holds that the reasons for justification must be accessible to or shareable with reasonable citizens. Consequently, he advocates the so-called convergence conception, which claims that justificatory reasons need merely be intelligible.[311] Contrary to the mainstream view assuming that justificatory reasons are to be shared by all members of the public, the convergence interpretation holds that justificatory reasons are merely the reasons that all citizens can see as justified according to reasonable evaluative standards, even if they do not accept those standards themselves. Put otherwise, while the consensus conception requires that all citizens share a set of reasons to endorse a coercive law, a convergence interpretation requires that individuals have their own individual reasons to support a coercive law.[312] Following this, Vallier argues that the convergence view allows both religious arguments

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[308] For more details, see pp. 4–5.
[309] Vallier, *Liberal Politics and Public Faith*, p. 48. See also Neal, "Is Political Liberalism Hostile to Religion?," pp. 153–176.
[310] Vallier, *Liberal Politics and Public Faith*, p. 45.
[311] Ibid., pp. 103–145. Gaus, Vallier, "The Role of Religious Convictions in a Publicly Justified Polity," pp. 51–76. See also Gaus, *The Order of Public Reason*, pp. 261–276.
[312] Vallier, *Liberal Politics and Public Faith*, pp. 103–144. See also Vallier, "Public Justification."

in public deliberation to be used and the idea of public reason – as described by means of the imperative of respect – to be saved.[313]

The convergence view advocated by Gaus and Vallier may be convincing to a certain extent: not only is Gaus's theory of public justification more complex as it does not concern only the essentially political level, but Gaus and Vallier also respond to the objection regarding the demand for refraining from particularities when publicly deliberating. Still, despite these assets, I do not consider the convergence approach to be an appropriate way to justify public reason. This is mainly because renouncing the requirement for shared reasons has a negative impact on the compactness of a political community in which the exercise of political power is to be justified. To understand this idea, we can look at the convergence model's view of political community in more detail. The basic assumption of the convergence view is that citizens do not have to appeal to any shared or common reason when justifying a law, for they may support the same law for different – and even incompatible – reasons.[314] The law is thus justified not by referring to standards shared by all but by viewing it from the particular perspective of each citizen and according to her own evaluative standards. However, the absence of at least some level of shareability and citizens' commitment to consensus means that the conception of political community within the convergence approach is quite fragile and insecure, since support of a law may only be a matter of coincidence. In other words, the convergence view's attitude toward the political community is very liable to changes in the assessment of one's comprehensive doctrines.[315] For it follows from the convergence approach that citizens acknowledge the political community – a political partnership with their fellows – only as long as they endorse the same laws according to their own evaluative standards. Nevertheless, as every change in citizens' beliefs may result in citizens ceasing to support the laws, the implication is that citizens can cease to support the political community unless they can find reasons for its laws that will be in conformity with their new evaluative standards. If they find no such reasons, the political partnership with their fellow citizens will no longer hold good. This, nonetheless, means that within the

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[313] In this context, however, Vallier emphasizes that even though he focuses particularly on religious arguments, the convergence view in fact applies also to other comprehensive arguments. Vallier, *Liberal Politics and Public Faith,* p. 46.

[314] Quong, *Liberalism without Perfection*, p. 258; Lister, *Public Reason and Political Community*, p. 115.

[315] Lister, *Public Reason and Political Community*, p. 115.

convergence approach the political community plays a much more instrumental role and its viability depends on consistency in people's convictions.

Apart from the political community's dependence on the stability of citizens' beliefs, Quong claims that the role of the political community within the convergence view is also weakened due to the fact that the assumption of sincerity is ignored.[316] Quong considers this assumption to be vital for the political community. He asserts that by offering arguments that we sincerely believe others can accept as such, we express our relationship with our political partners and our commitment to the political community. However, as the convergence view denies the requirement of shared reasons that enables reasonable citizens to sincerely believe that their reasons will be acceptable to their fellows, it also denies the assumption of sincerity. To be more specific, the convergence view only supposes that the reasons given by citizens must be intelligible to others according to their own evaluative standards.[317] It says nothing about how sincerely people believe that the reasons they propose are acceptable to their fellows.[318] Nonetheless, as Quong argues, if we do not fulfill the requirement of sincerity, not only do we fail to distinguish public reason from manipulation or mere agreement, but we also diminish the value of the relationship with our political partners.[319]

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[316] Quong, *Liberalism without Perfection*, p. 265.

[317] Gaus, Vallier, "The Role of Religious Convictions in a Publicly Justified Polity," pp. 56–59; Vallier, *Liberal Politics and Public Faith*, p. 183.

[318] In fact, if there is no requirement of shareability, it is almost impossible under the conditions of reasonable pluralism to assume that citizens will sincerely deem other people's comprehensive doctrines as justified. Quong, *Liberalism without Perfection*, p. 272.

[319] Quong summarizes his argument against the convergence model as follows: "1. Convergent justification amongst people adhering to different comprehensive doctrines can only be made consistent with PJS (a principle of justificatory sincerity) provided each person involved sincerely believes that the other people involved are justified in adhering to their different comprehensive doctrines; 2. The belief required in (1) is generally not possible unless citizens accept certain epistemological or axiological doctrines; 3. The fact of reasonable pluralism means we cannot and should not expect citizens in a liberal society to adhere to any particular epistemological or axiological theory; 4. Therefore, as a general rule, we cannot expect convergent forms of justification to be consistent with PJS in a liberal society." Ibid., p. 272.

4.2. The role of the political community and the dual interpretation of the criterion of reciprocity

The convergence approach's insufficient consideration of the role of the political community brings me to the second objection to the criterion of reciprocity interpreted from the perspective of the imperative of respect. As argued, this imperative assumes that the reason citizens should not use reasonably unacceptable arguments in public deliberation is that it would be disrespectful to other citizens. Nonetheless, although such an interpretation allows for the threat of coercive political power against individuals, it does not consider its benefits (or even its desirability).[320] It is thus legitimate so say that it insufficiently reflects on the role of the political community within public reason. Hence, if we remained content with the argument as it now stands, we would end up with a fairly impoverished and perhaps fragile view of the political community. That is why some authors tend to interpret the criterion of reciprocity by means of the argument from civic friendship.[321]

In fact, it was already John Rawls who hinted in one of his later essays on the idea of public reason that the role of reciprocity was not only to explain the character of the justification of political power (and its legitimacy), but also "to specify the nature of the political relation in a constitutional democratic regime as one of civic friendship."[322] In *The Idea of Public Reason Revisited*, Rawls construes the criterion of reciprocity in terms of a *duty of civility*, implying that the criterion imposes on us a moral obligation to explain to other citizens how the principles and policies we advocate could be supported by the political values of public reason.[323] Citizens would thus violate their obligations toward their fellows if they appealed to arguments in public deliberation about which there was reasonable disagreement.

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[320] See Leland and van Weitmarschen, "Political Liberalism and Political Community," pp. 142–167.
[321] Ebels-Duggan, "The Beginning of Community," pp. 50–71; Lister, *Public Reason and Political Community*; Leland and van Weitmarschen, "Political Liberalism and Political Community," pp. 142–167.
[322] Rawls, "The Idea of Public Reason Revisited," p. 447.
[323] Rawls adds that "the duty also involves a willingness to listen to others and a fairmindedness in deciding when accommodations to their views should reasonably be made." Rawls, *Political Liberalism*, p. 217.

Recently, mainly Kyla Ebels-Duggan, Andrew Lister and R.J. Leland, and Han van Wietmarschen have elaborated an interpretation of the criterion of reciprocity referring to the idea of civic friendship.[324] Although Ebels-Duggan disputes whether the duty of civility should be understood as a genuine – that is, unconditional – moral *duty*, she advances the claim that the reason people are willing to accept the criterion of reciprocity is for the sake of civic friendship.[325] Lister follows the same line of reasoning. Nevertheless, contrary to Ebels-Duggan, he explicitly distinguishes between the argument from respect for persons and the argument from civic friendship, where he criticizes the former.[326] Specifically, he doubts its assumption that the principle of respect requires that the exercise of political power (coercion) be reasonably justifiable – and thus acceptable – to all coerced persons.[327] In this context, Lister follows Eberle and argues that the main problem with the argument from respect is that it equates the exercise of political power for unreasonable reasons with the naked exercise of power.[328] Such reasoning is incorrect, he writes, because people who exercise political power for unreasonable reasons do not have to simply threaten others: they may sincerely believe that these (bad) reasons are good reasons. Lister therefore argues that people using non-public reasons in this way engage the rational faculties of their fellow citizens in the same way they engage their own.[329] For Lister it follows that people prove their respect for others by the very fact that they attempt to engage in moral justification – that they are willing to take part in the process of public justification – where the further specification of such a process is

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[324] Ebels-Duggan, "The Beginning of Community," pp. 50–71; Lister, *Public Reason and Political Community*; Lister, "Public Reason and Reciprocity"; Leland and van Weitmarschen, "Political Liberalism and Political Community," pp. 142–167.

[325] Ebels-Duggan promotes *permissive political liberalism*, rejecting the notion that people have an obligation to defend their views in public reason. Although she agrees that people have strong reasons to conduct their political inquiry within the guidelines of political liberalism, she denies they have an obligation to do so. Ebels-Duggan, "The Beginning of Community," pp. 50–71.

[326] Lister adds that such a distinction is accompanied by a question about the proper object of justification. In this context, he distinguishes between the reasons-to-decision frame and the coercion frame. According to the reason-for-decision frame, decisions are to be reasonably acceptable; therefore, reasons must pass the reasonableness test. The coercion frame then assumes that it is coercion – thus laws – that must be reasonably acceptable. Lister argues that while the respect approach is typically connected with the justification of coercion, the argument for civic friendship wants reasons-for-decision to be justified. Lister, *Public Reason and Political Community*, pp. 8–23.

[327] Ibid., p. 61.

[328] Specifically, Lister criticizes Larmore's advocacy of respect of persons as the basis of political liberalism. Lister, *Public Reason and Political Community,* p. 63. See also Larmore, "The Moral Basis of Political Liberalism," pp. 605–606; Eberle, *Religious Convictions in Liberal Politics*, pp. 109–114.

[329] Lister, *Public Reason and Political Community*, pp. 63–64.

not needed. Lister also attacks the conviction that coercion is *pro tanto* bad. Such a position assumes individual freedom to be the benchmark from which any departure requires justification.[330] In Lister's view, the presumption against coercion is weak: not only does the *pro tanto* badness of coercion say nothing about the nature of the reasons necessary to justify coercion, but it also implies that "if all coercion is bad in one respect, the absence of laws that would prevent coercion is also bad-in-one-respect, the same respect in which coercion is bad."[331] This means that the argument about the *pro tanto* badness of coercion in fact itself leads to the necessity of coercion. Instead of claiming that the unjustified exercise of political power is disrespectful, Lister thus suggests that the joint commitment to political power based on public grounds (public reason) realizes a valuable kind of relationship among citizens.[332] This eventually enables the establishment of a unified political community despite persisting disagreement among citizens.[333] Lister thus concludes that the reason citizens accept the criterion of reciprocity and avoid using unreasonable arguments in public deliberation is not that it would be disrespectful: it is for the sake of their valuable relationship with others.

Leland and van Wietmarschen put forward another variant of the argument for reciprocity in terms of civic friendship. They claim that adherence to the criterion of reciprocity makes possible robust forms of joint rule and civic friendship despite deep disagreement: because fidelity to the imperative of reciprocity signifies a commitment to make political decisions on the basis of public considerations, reciprocity allows for the emergence of a robust sense of shared deliberation and joint rule.[334] Viewed through the lens of civic friendship, reciprocity provides a shared conception of mutual interests. In other words, since this criterion requires citizens to publicly deliberate in light of a core

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[330] Here Lister argues against Gaus and his fundamental liberal principle. See Gaus, *Justificatory Liberalism,* p. 165; Gaus, "Coercion, Ownership, and the Redistributive State," pp. 239–240.
[331] Lister, *Public Reason and Political Community*, p. 70.
[332] Ibid., p. 106.
[333] Lister gives the example of Alf who "cannot have a relationship of civic friendship with Betty if she does not recognize the principle of public reason, but Alf can have that relationship with Charlie if he does so. Even if there are more Betty's than Charlie's, Alf should support laws that are publicly justifiable, for the sake of his relationship with Charlie." Ibid., p. 124.
[334] As Leland and van Wietmarschen argue, "reasonable citizens are committed to deliberate about political issues together with their fellow citizens in terms of a particular set of considerations, conditional on their fellow citizens being likewise committed, and in the knowledge that they are so committed. This structure of interlocking attitudes realizes a robust sense of shared deliberation." Leland and van Wietmarschen, "Political Liberalism and Political Community," p. 21.

set of liberal-democratic values, it defines a conception of the good shared by all reasonable citizens, which is, nevertheless, compatible with the diversity of other commitments that citizens have.[335] Such a common good then helps realize an ideal of stable cooperation, meaning that citizens consider the exercise of political power to work to the benefit of everyone.[336] Leland and van Wietmarschen thus conclude that "citizens' general compliance with the Reciprocity Principle realizes important political values, and citizens have *pro tanto* reason to comply with the principle, provided enough of their fellow citizens likewise comply."[337]

I deem the interpretation of the criterion of reciprocity in terms of civic friendship to be of great significance for political liberalism as it points to an important – but often overlooked – issue concerning the role (and value) of political community within the very idea of public reason. Furthermore, while avoiding the problems of other conceptions of political community,[338] it introduces a model that coheres with the basic tenets of political liberalism, including the central idea of public reason. In other words, civic friendship following from the criterion of reciprocity – as the basis of political legitimacy in political liberalism – does not lead to the ancient understanding of the concept. It is conceived strictly in the Rawlsian terms implying that civic friendship allows a liberal political community to be stable for the right reasons. The interconnection of the idea of civic friendship with the central principles of political liberalism is simultaneously the reason why I reject Lister's assertion that the argument from civic friendship is incompatible with the imperative of respect for persons. I maintain that that by refusing the argument from respect for persons, Lister in fact denies the fundamental liberal element inevitably present in public reason. To be more specific, I will return to Lister's reasoning for a while. When criticizing the presumption of the *pro tanto* badness of coercion, Lister departs from some quite abstract reasoning on moralized and unmoralized (thus political) senses

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[335] Ibid., pp. 31–32.
[336] Ibid., pp. 4, 35.
[337] Ibid, p. 35.
[338] These are all above the aggregative and the nationalistic alternatives. In the aggregative model of political community, citizens simply aggregate their preferences and judgments. The problem arising here is that such a conception of political community is too thin since deeper bonds between citizens are missing. On the contrary, the bonds between citizens in the nationalistic model are strong as citizens are united by a common language, history, territory, culture, etc. However, such a view of political community is too thick and may deteriorate into a xenophobic version of nationalism. Ibid., pp. 11–12.

of coercion.[339] He denies that public justification is intertwined with a moralized conception of coercion as it would "presuppose an account of what rights people have. Yet, our principle of public justifiability is meant to help us figure out what rights we have."[340] In other words, Lister claims that if we have already presupposed certain rights, the very appeal to public justifiability will not make any sense.

However, I doubt that the process of public justification only makes sense if no rights – or more generally, no normatively relevant principles – are presupposed. It seems difficult to construe *liberal* justification of the exercise of political power strictly in the unmoralized way, because liberal understanding of the legitimacy of political authority – as expressed in liberal public reason – is implicitly based on the presumption of natural liberty existing independently of the sphere of the political.[341] The straightforward case would go like this.[342] The asymmetrical (moralized) version is equivalent to a principle "whatever is not prohibited is permitted", which sounds quite familiar to any citizen of a constitutional (liberal) democracy that has a functional rule of law. Its rejection then entails acceptance of any of a family of contrasting principles whose spirit is nicely captured in Rainer Forst's fundamental requirement of "reciprocal and general justification": this entails that each person has a moral duty to provide moral justification for her actions which cannot be reasonably (i.e. reciprocally and generally) rejected.[343] Unless such justification has been given, the action is morally wrong. As Gaus notes, many foremost egalitarian liberals such as Dworkin or Macedo accept similar versions of the principle, to the effect that no prior baseline of non-interference is admitted into the theory.[344] However, behind the noble language of mutual justification there is simply the

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[339] "In a descriptive, unmoralized sense, coercion involves threats of harm intended to replace the threatened agent's judgment about what she should do with the judgment of the threatening agent. In a moralised conception, coercion involves threats of harm that violate the threatened person's rights." Lister, *Public Reason and Political Community*, pp. 68–69.

[340] Ibid., p. 69.

[341] In fact, Rawls himself has it that political power is always coercive: as government alone has the authority to use force in upholding its laws, there must be a general presumption in favour of liberty serving as a benchmark of political legitimacy. Rawls, *Political Liberalism,* p. 136.

[342] I draw here on Gaus, *The Tyranny of the Ideal,* p. 187.

[343]Forst, *The Right to Justification,* p. 21.

[344] Gaus, *The Tyranny of the Ideal,* p. 191.

imperative "whatever is not permitted is prohibited". I believe this should sound ominous to any putative liberal (Forst is not one of them, to be fair).

Besides these rather fundamental matters concerning the very core of public justification, what I also see as problematic is Lister's willingness to give up the epistemic reasonableness of persons (being a consequence of his argument that people who exercise political power for unreasonable reasons may sincerely believe these reasons to be good reasons).[345] This is because, as I argued above, scratching the burdens of judgment from one's theory implies not only overlooking pluralism in people's reasoning and cognition – as a result, the fact of pluralism as a central issue that public reason liberalism deals with is not taken seriously –, but it also enables forms of disrespect at the essentially political level. In my view, this an unavoidable consequence of Lister's argument.

I thus believe it is important not to consider both approaches to the criterion of reciprocity – and public reason in general – as being in opposition. In fact, as the argument from respect for persons understood as the third-person imperative frames reasoning on political legitimacy in its entirety (and thus the very criterion of reciprocity), there would be no argument from civic friendship without it. Hence, both interpretations of the criterion of reciprocity are not only compatible but in fact essentially intertwined. As Leland and van Wietmarschen rightly point out, the differences between them then lie in the different values they refer to: while the argument from respect for persons refers to the liberal value of liberty, the argument from civic friendship refers to the democratic value of political community. This way, the dual interpretation of the criterion of reciprocity only demonstrates the co-originality of liberal and democratic ideas in public reason liberalism.

4.3. Civic friendship and a way to achieve respect at both the essentially political and societal levels

Emphasizing democratic values even within the idea of public reason is not the only asset of the argument from civic friendship. In what follows, I will argue that it can also respond

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[345] Lister, *Public Reason and Political Community*, pp. 63–64.

to the objection to insufficient consideration on the role of particularities when respecting people. To better explain my point, I will summarize the first objection to the criterion of reciprocity – as interpreted from the perspective of respect for persons. I have argued that, according to some theorists, the principle of respect backing up the criterion of reciprocity does not in fact require citizens to abstract away from their particularities when publicly deliberating. These theorists claim that those who think that refraining from people's particularities is an inevitable consequence of the criterion of reciprocity interpreted from the perspective of the principle of respect understand the principle incorrectly. Respect, they contend, allows for people's particularities.[346] In fact, the objection to respect understood as an impersonal imperative determining the criterion of reciprocity is legitimate to some extent. First, by enabling the role of particularities of people to be overlooked, the imperative of respect points much more at an impersonal value, not at a particular person. Consequently, it says nothing about a person's relationship with another person she respects. Hence, the demand for respect that would take into consideration an individual including her particularities – so-called second-person respect understood as an attitude of regard[347] – is entitled. Still, as I pointed out with regard to Gaus and Vallier's theory, I do not believe that the right way to achieve such a form of respect is to renounce the requirement for abstracting away from people's particularities when publicly deliberating (that is the assumption of shared reasons). I will argue that the way to achieve the second-person form of recognition respect that takes into consideration people's particularities is through the criterion of reciprocity: in this case, however, the criterion of reciprocity interpreted from the perspective of civic friendship. Specifically, I will contend that to achieve a valuable relationship – the purpose of the argument from civic friendship – at all, the second-person form of recognition respect must be ensured across the political community as a whole.

The criterion of reciprocity interpreted from the perspective of civic friendship, as has been indicated, is based on the same presumption as the interpretation from the perspective of the imperative of respect: people cannot use arguments reasonably unacceptable to their fellow citizens during public deliberation. At the same time, it insists just on the consensus view (meaning that justificatory reasons are to be shared by all

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[346] Stout, *Democracy and Tradition*, p. 73; Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," p. 111.
[347] See the second chapter.

members of the public) that Gaus and Vallier consider to be the object of their criticism and that they thus attempt to avoid in order to overcome the problematic consequences of the imperative of respect for persons.[348] Accordingly, one may doubt that such an approach solves the problem of disrespect due to ignorance of people's particularities. Yet, although this assertion is valid with regard to the imperative of respect, the very argument from civic friendship is not framed by claims about respect. For if citizens are to refrain from some arguments in public deliberation, they are not required to do so to respect others (that may be, according to critics, in itself disrespectful). They should do so to achieve a valuable relationship with their fellows, where the fact that the relationship among citizens is *valuable* has much broader consequences. The valuable relationship of civic friendship inevitably implies that people do not see others simply as independent units; they consider them to be particular fellows with whom they create something they all value. Such a personalized relationship among citizens then enables them to see others not as anonymous political partners but as particular fellows they know, whom they look into the eyes,[349] and to whom they make claims. In what follows, I will contend that it is this complex relationship valued by its members that retrospectively determines the form of respect.

To explain this idea in more detail, I will give an example. Specifically, I will examine another valuable relationship – marriage. There are, of course, conceptual differences between a political community and marriage. While marriage is a voluntary relationship, membership in a political community is randomly determined by place of birth.[350] Consequently, people can easily exit a marriage if they decide to do so, which is not the case with a political community. Even though people can renounce their citizenship and obtain a new one, it is a very demanding process with uncertain prospects. Hence, I am well aware of the fact that marriage and political community differ. Still, what I want to emphasize is what these relationships share: the general assumption that members of

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[348] See Ebels-Duggan, "The Beginning of Community," p. 50–71; Lister, *Public Reason and Political Community*; Lister, "Public Reason and Reciprocity"; Leland and van Weitmarschen, "Political Liberalism and Political Community," p. 142–167.

[349] It is a rephrasing of the assertion of Elisabeth Badinter, who emphasizes the importance of looking into the eyes of others. However, she uses her argument in a different context. Specifically, she criticizes the wearing of the full-face veil as it prevents all communication among citizens. Badinter, "Rapport d'information fait en application de l'article 145 du règlement au nom de la mission d'information sur la pratique du port du voile intégral sur le territoire national," p. 32.

[350] Rawls, *Political Liberalism*, pp. 135–136.

both a political community and a marriage have – or at least should have – equal standing.[351] Following these remarks – and also what I said earlier – suppose that two partners are in an equal relationship of marriage. Both value the relationship they form together. They thus acknowledge that during their shared decisions, they will not use arguments that are unacceptable to the other since they know that it would disenable (disrupt) the relationship they have. Put otherwise, for the sake of their relationship, they will strive for consensus and use only reasons shared by both. To be even more specific, let us look at an example of a devout Catholic and a devout atheist. Following what I have said so far, if they want to be in an *equal* relationship that both of them value, each must be ready to restrict himself or herself when making shared decisions. That is why the Catholic cannot insist that their child attends a Catholic school as it is unacceptable to his atheist partner. If he pursued his opinion anyway, not only would he disrespect the moral personality of his wife, but he would also depreciate their shared relationship. At the same time, however, the fact that for the sake of their relationship both partners do not use reasonably unacceptable arguments when making shared decisions and are thus willing to refrain from their particularities within such a process does not mean that the particularities of each of them are not important for them and their relationship. For the relationship as a whole cannot work well – and cannot actually be considered valuable – in case one of the partners accepts some restrictions to agree on the fundamental issues with his spouse but he otherwise mocks and depreciates her and her beliefs (or other particularities). If he did so, the mocked spouse would have in fact no reason to follow the very criterion of reciprocity and thus abstract away from her particularities when making shared decisions. Accordingly, she would have no reason to value this relationship. Such an understanding of marriage would thus not only deny the assumption of equality of partners, but it would also disparage the very value of the relationship.

Despite the aforementioned differences between marriage and political communities, I think that the situation within political communities is similar. A political community, too, is supposed to be a relationship among *equals*. Following the criterion of reciprocity interpreted from the perspective of civic friendship, it is also assumed that citizens strive for a valuable relationship; they thus aim for consensus, are willing to abstract away from

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[351] I refer to the modern notion of citizenship based on the principles of the freedom and equality of all subjects and thus the denial of privileges. Similarly, I advert to a modern understanding of marriage embedded in civil law.

their particularities, and do not use arguments that are reasonably unacceptable to their fellows when publicly deliberating. However, even in this case, it does not mean that the particularities that citizens refrain from in order to achieve consensus are not important for them and their relationship. For if (some) citizens are belittled due to their particularities, they would in fact have no reason to consider the relationship as valuable. As a result, disparaging the particularities of some citizens and their importance for them would undermine the very idea of civic friendship. Therefore, although the interpretation of the criterion of reciprocity from the perspective of civic friendship emphasizes the creation of a valuable relationship among particular people, for these people to be willing to adhere to the criterion and value the relationship among them and others, it must be reasonable for them. If they know that they will not be taken seriously and considered as equal, they will lack a reason – and thus the motivation – for both supporting the relationship and deeming it as valuable. At the same time, however, since the criterion of reciprocity interpreted from the perspective of civic friendship inherently assumes that people are aware that the support of others is crucial for such a valuable relationship, it does not really make sense for citizens to disparage their fellows (with their particularities) and thereby provide them with reasons not to accept the criterion of reciprocity. In other words, as citizens know that the valuable political community they seek to achieve depends on support from their fellows, they are interested in assuring these fellows that that they will have equal standing within a shared relationship.[352]

To sum it up, I see two general – yet interconnected – consequences following from such an interpretation of the criterion of reciprocity. The first is that attempts to achieve a valuable relationship, which is the purpose of the criterion of reciprocity, encourage people to look at each other comprehensively. Accordingly, the interpretation of the criterion of reciprocity from the perspective of civic friendship provides a more complex understanding of the political community than the interpretation based solely on the imperative of respect. As a result, at the essentially political level already – where the criterion of reciprocity is applied – further factors determining the character of a political community as a whole must be taken into consideration. To be more specific, as I have

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[352] Still, it does not mean that people have to agree with the particularities defining their fellows or promote them. It only says that since other fellow citizens are indispensable for the very formation of the relationship that all citizens value, people must accept that without their fellows there would be no valuable relationship at all.

argued, people must be motivated to abide by the criterion of reciprocity and value the political community. Due to the complex nature of the political community, however, motivation is determined not only by essentially political matters concerning the justification of political power but also by other factors influencing this shared relationship. Consequently, the motivation to accept the criterion of reciprocity is undermined – or even rendered impossible – in the case of members of the political community who have unequal standing. Hence, for citizens to have reasons to abide by the criterion of reciprocity and value the political community, the argument from civic friendship endeavors to guarantee their equality within the political community as a whole: any inequality within the political community – no matter whether at the essentially political or societal level – may affect how its members evaluate this relationship. This way the idea of civic friendship ensures that a liberal political community is stable for the right reasons.

This brings me to the second consequence of the criterion of reciprocity as interpreted from the perspective of civic friendship. Because it provides a more comprehensive understanding of the very justification of political power – as it takes into consideration the complex character of the relationship within the political community –, it also consequently creates space for achieving respect in it. This claim coincides with what has been said about equality: if people are disrespected within the political community, they will in fact lack reasons (and motivation) to consider it as valuable. Accordingly, as both the essentially political and societal levels influence the acceptance of the criterion of reciprocity, there is an implicit presumption that people will be respected at these levels. In other words, by its very character, the criterion of reciprocity interpreted from the perspective of civic friendship prevents people from being in unequal and disrespected positions within the political community after the process of justifying the exercise of political power. For it would be precisely these unequal and disrespected people who – as members of a political community – would have in fact no reason to advocate this valuable relationship as the very purpose of the justification. Hence, there would be no valuable relationship at all.

From the indicated, I derive two conclusions. First, with regard to the criticism of refraining from particularities when manifesting respect at the essentially political level, the criterion of reciprocity interpreted from the perspective of civic friendship avoids this

criticism: as the criterion of reciprocity explains the reasons for abstracting away from particularities to be for the sake of civic friendship, the objection that respect in fact allows for people's particularities is not valid here. It, however, does not mean that such an interpretation has no implications for the principle of respect. This is because the complexity of the relationship of civic friendship within the political community – and the consequent perception of fellow citizens – implies that for there to be any valuable relationship at all, people must be respected. Due to the character of a political community based on civic friendship, respect pervades the whole relationship within the political community and thus concerns both the essentially political and societal levels. At the same time, since respect is inherently directed at particular people (fellow citizens), it consists in an individualizing act of recognition of others as having equal standing.[353] Thus, the interpretation from the perspective of civic friendship not only fulfills the demands of the second-person form of the recognition respect, but also simultaneously reacts to the problematical consequences of the mainstream public reason argumentation (that there are people in unequal positions within a particular political community, even after the addressing of fundamental political issues). In other words, the argument from civic friendship leads back to the principle of respect within public reason, which, however – influenced by the relationship of civic friendship – has a wider scope than the original interpretation: it now takes into consideration even the societal level forming the political community. Therefore, if I come back to the main criticism concerning the character of the societal level of a liberal political community – that it is a manifestation of the culture of the dominant group that oppresses others – it is in fact the fundamental focus of the argument from civic friendship that there are no people who would agree with such an objection. For if there are oppressed – and thus unequal and disrespected – people within a political community, they will lack reasons to deem it as valuable. Accordingly, the argument from civic friendship crumbles away.

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To conclude this chapter, I will summarize the argumentation I have proposed. I have analyzed the criticism of the criterion of reciprocity interpreted from the perspective of

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[353] See Bagnoli, "Respect and Membership in the Moral Community," pp. 114–121.

the imperative of respect. The first objection is that the principle of respect in fact does not require citizens to refrain from their particularities when publicly deliberating. The second criticism concerns the fact that the argument based on the imperative of respect insufficiently takes into account the role of the political community. To deal with both these objections, I have argued that that there is also another interpretation of the criterion of reciprocity. Specifically, I have introduced the criterion of reciprocity interpreted from the perspective of civic friendship, which can, in my view, respond to the aforementioned criticism. Not only does the relationship of civic friendship emphasize the role of the political community, but it also presupposes that people must be respected in order to have reasons to value the political community. Accordingly, since by definition respect pervades the political community as a whole – including both the essentially political and societal levels – the argument from civic friendship deals with the problem of unequal and disrespected people even after the process of justifying political power. In other words, as the criterion of reciprocity interpreted from the perspective of civic friendship supposes that both the essentially political and societal levels influence the very acceptance of the criterion, and as only people respected at these levels have reasons to accept the criterion, it is in the interest of the argument from civic friendship to achieve respect at both levels. To better understand such implications, however, it is appropriate to mention a concrete example of the possible consequences of a situation where there is formally equal citizenship, but many people remain unequal and disrespected. Specifically, I will point to the situation of young Muslims of immigrant origin in France.

Chapter 5

Disrespect and misrecognition as a path to radicalization: The case of young Muslims of immigrant origin in France

In this chapter, I will apply my so far theoretical reasoning to a concrete example. I concluded the previous chapter by saying that the interpretation of the criterion of reciprocity from the perspective of civic friendship plays an important role in achieving the second-person form of respect covering both the essentially political and societal levels. Specifically, I emphasized the value of political community as such and argued that it is just the shared project of political community that citizens value which leads them to respect. At the same time, however, I claimed that citizens must have a reason to commit to such a community and consider it to be valuable. If they lack a reason, they will simultaneously have no motivation to support it. I therefore concluded that if some people are deemed merely as formal citizens of a particular political community but are otherwise misrecognized and disrespected – and do not thus see themselves to be full members of it – they (logically) lack reasons to support and value it. In the following lines, I will go a little further and show that the consequences of such misrecognition and disrespect need not only be a lack of support for a particular political community: they can also result in violent activities against one's own state. I will give a specific example and point to the situation of young Muslims of immigrant origin in France. I will refer to their poor background and assert that as France leaves these people in a disadvantaged position – and does not thus provide them with adequate recognition respect (at both the socioeconomic and religious-cultural levels) – they not only lack reasons to value their political community – since the situation of some of them is truly miserable – but they are also liable to commit subversive and violent activities against the state of which they are formally citizens. To be more specific, I will advert to the fact that the vast majority of terrorist attacks against the French state over the last five years have been committed by young French Muslim citizens of immigrant origin who grew up in dismal socioeconomic conditions. In addition to their poor socioeconomic background, they were also culturally and religiously disadvantaged, since the conception of *laïcité* (as the official state

doctrine) forced these people to cut off their roots (particularly their beliefs) in public to become genuine citizens. At the same time, *laïcité* has had more considerable consequences for these people than for the social majority. I will, therefore, argue that what is needed is to reverse the conditions of misrecognition and disrespect of young Muslims of immigrant origin and provide them with reasons to value the political community they are part of. Accordingly, I will contend that the solution to the problems connected with Muslim integration is not unity in universality – personified by the concept of *laïcité* – but unity in diversity, which not only ensures respect for everyone (including an individual's particularities) but also involves them in a common political process.

5.1. Muslim immigration to France: A brief overview

Franco-Muslim relations are a complex issue with a long history. During the Middle Ages and Early Modern Period, there were various Muslim invasions particularly in southern France.[354] In the nineteenth century, the situation changed with the French conquest of Algeria, when France built colonies with large Muslim populations. The first waves of French colonial subjects migrating to continental France occurred during World War I and World War II as a response to French military losses and labor shortages.[355] However, migration at that time was not that significant and was thus not an issue for French society. The immigration that has had an impact on the character of France began after the Algerian War. What is referred to as the first generation of Muslim immigrants started coming to France in the 1960s and 1970s. They were mostly workers. Initially, it was supposed that they would earn some money and then return to their countries of origin.[356] Thus, the "myth of return" was created as it was assumed that these workers would stay in France only temporarily. Accordingly, there was no official integration policy. As Barou claims, accommodation was the best description of "the policies implemented towards these workers, who have resided in France for long periods while their families remained in the home countries."[357] Nonetheless, things changed in the

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[354] Clément, "L'Islam en France," pp. 89–98; Poly, "Les Deux France," pp. 133–155; Poly, Riché, "La Fin d'Errance," pp. 65–80.
[355] Fetzer, Soper, *Muslims and the State in Britain, France, and Germany*, p. 63.
[356] Most migrants at this time came from the Maghreb. Schain, "Managing Difference," p. 208.
[357] Barou, "Integration of Immigrants in France: A Historical Perspective," pp. 642–657.

1980s and 1990s, when the myth turned out to be just a myth and when the workers brought their families to France.[358] Despite the subsequent effort of France to tighten up the rules or even exclude immigrants, it has become one of the most multi-ethnic countries in Europe.[359]

The first major issue associated with the newcomers that has influenced the character of French society was that most of them settled in poor – typically working-class – neighborhoods. Consequently, they have always been in a bad socioeconomic situation related not only to unemployment, poverty, ghettoization, and social segregation, but also high rates of criminal delinquency.[360] Although France launched official public policies[361] to help migrants improve their socioeconomic status, they still have quite poor prospects. At the same time – due to the worsening economic situation in the country and increasing tensions between immigrants and the so-called *Français de souche*[362] – society has been radicalized, which the Front national in particular has taken advantage of.[363] Still, the poor socioeconomic situation of Muslim immigrants and the resulting tensions between them and majority society are not unique to France; in other countries with high rates of Muslim immigration, Muslim immigrants live in poor and socially disadvantaged areas.[364] What, however, has been specific to France has been the fact that apart from socioeconomic hurdles, Muslim immigrants have also faced official hostility to public displays of their faith. This is a result of *laïcité*, the official French policy toward religion in the public

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[358] It is worth pointing out that it was partly a consequence of the quite flexible immigration law in France at that time. Ibid. See also Schain, "Managing Difference," p. 208.

[359] Fetzer, Soper, *Muslims and the State in Britain, France, and Germany*, p. 65.

[360] Barou, "Integration of Immigrants in France: A Historical Perspective," pp. 642–657.

[361] In 1982, a new policy (*Politique de la ville*) inspired by a similar policy in Britain was launched to improve the living conditions in these poor districts. Specifically, France increased funding for education and social service organizations in them. Under the Zones d'Éducation Prioritaire (ZEP) program, public schools with 30 percent or more immigrant students were more likely to receive extra money for more teachers and better facilities. The FAS (Fobds d'Action Sociale pour le Travailleurs Immigrés et leurs Fammilles) program then targets poorly qualified immigrant-origin residents for additional vocational training and also assists integration-oriented ethnic associations. Fetzer, Soper, *Muslims and the State in Britain, France, and Germany*, p. 68; Withol de Wenden, "The Case of France," p. 82; Barou, "Integration of Immigrants in France: A Historical Perspective," pp. 642–657; Schain, "Managing Difference," p. 209. See also Hargreaves, *Immigration, Race, and Ethnicity in Contemporary France.*

[362] Ethnic French.

[363] A study from 2011 found that the children of immigrants were twice as likely as their parents to report discrimination linked to their origin. Bulos, "Why France Has a More Fraught Relationship with Its Muslim Communities Than the U.S."

[364] Fetzer, Soper, *Muslims and the State in Britain, France, and Germany.*

sphere. The concept of *laïcité* has, nonetheless, a long history in French politics and initially had nothing to do with Muslim immigration. It was originally a consequence of the long struggle between clerical and anticlerical forces that culminated in 1905 with the passing of the Separation Law, which stated that the French government would not recognize – or financially support – any form of worship.[365] Owing to this complex history, it is thus too simplistic to claim that *laïcité* instrumentally harms Muslims. At the same time, however, vehement insistence on *laïcité* within contemporary French society implies that France has ignored that it has become a multicultural society that – as such – can hardly live up to the requirements of the concept of *laïcité*.[366]

The problematic consequences of *laïcité* have turned up particularly in education. Since the late 1980s,[367] there were disputes over headscarves that culminated in 2004 when the French Parliament enforced a ban on ostentatiously wearing religious symbols in public schools.[368] In the name of *laïcité*, it was argued that public schools should not be spaces for manifesting religious belief. Consequently, it was claimed that the role of public schools was to create French citizens as free and equal individuals regardless of their religion. Despite neutral rhetoric, it was, nonetheless, clear that, due to the use of the term *ostentatious*, the ban would affect mainly Muslims (specifically, Muslim girls). Still, the consequences of *laïcité* for young Muslims stem not only from this particular law, for the concept of *laïcité* has forced them to turn away from their roots in public (i.e., in school) and become culturally French. This might have worked if these students had grown up in different socioeconomic conditions. However, with no considerable improvement of their socioeconomic situation,[369] it has caused these youngsters to be not only socioeconomically disadvantaged but also culturally misrecognized.[370]

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[365] Le Tourneau, *L'Église et l'État en France*, pp. 96–97.

[366] Fetzer, Soper, *Muslims and the State in Britain, France, and Germany*, p. 65.

[367] The so-called scarf affair (*affaire du foulard*) started in 1989, when the principal of a public high school in Creil suspended three Muslim students for refusing to remove their *hijabs* upon entering the school building and argued that allowing it would violate *laïcité*. Fetzer, Soper, *Muslims and the State in Britain, France, and Germany,* p. 78.

[368] Withol de Wenden, *The Case of France*, p. 81.

[369] Although there are huge differences between young immigrants and their parents with regard to their educational level and skills, the differences between people of immigrant descent and the majority society – the so-called *Français de souché* – have always been noticeable. Barou, "Integration of Immigrants in France: A Historical Perspective," pp. 642–657.

[370] The question, of course, is what the situation in France would look like if the socioeconomic situation of Muslim immigrants (young French-born citizens of immigrant origin) were better. In

It is thus not surprising that these conditions started becoming a breeding ground for the radicalization of young Muslims in the 1990s.[371] The situation escalated in 2005[372] and culminated in the past decade in a series of terrorist attacks. At the same time, it is also not surprising that it has been just the religion of these people that has become a counterculture of resistance against the complex misrecognition from the side of French majority society. We can certainly argue about the authenticity of their beliefs, since the young people rioting or even killing in the name of Islam often have troubled pasts and seem to be deeply non-religious.[373] Still, what has been unquestionable has been the fact that Islam has managed to provide them with the recognition and respect they lack: it has become an anchor around which these people have formed their identity, an anchor more important than abstract – and for a lot of them unjust – French citizenship. Consequently, it is thus not that startling that, according to a survey[374] from 2016, quite a large proportion of young Muslims hold a hard-line view of their faith and its relationship with

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this context, Simon Reich believes that economic integration of Muslims is crucial for further integration. He argues that "France has done a woeful job of economically integrating young Muslims. In the most part, they remain poor and marginalized, both economically and politically. […] American history demonstrates that minority and immigrant groups first become economically integrated, then they become culturally and politically integrated. If they remain poor, then they generally remain unrepresented and often resort to civil disobedience measures. In rare instances they become radicalized." Reich, "Muslims in France Must Be Considered Ordinary Citizens." See also Dubet, Lapeyronnie, *Les quartiers d'exil.*

[371] In 1995, young Muslim terrorists led by Khaled Kelkal blew up a Paris RER train at the Musée d'Orsay railway station. Fetzer, Soper, *Muslims and the State in Britain, France, and Germany*, p. 66. See also Leiken, *Europe's Angry Muslims*, pp. 3–16.

[372] There was a series of urban riots in the suburbs of Paris and other big cities that resulted from the death of two teenagers coming from an immigrant background.

[373] Many perpetrators of terrorist attacks have a criminal record; many also led unrestrained lives full of alcohol and drugs.

[374] It is, nonetheless, worth mentioning that in France it is officially prohibited to conduct surveys that refer to ethnicity or religious belief. Therefore, the interpretation of such surveys is quite problematic.

the French state.[375] Prioritizing Islamic rules over French civil law[376] is, however, only a step away from committing violent acts against their own country.

5.1.1. The case of the Kouachi brothers

Since 2015, around fifteen terrorist attacks have been committed in the name of Islam in France.[377] The majority were committed by French citizens – those born or raised in France – who had been radicalized directly in France. This was also the case of the Kouachi brothers, who at the beginning of 2015 attacked the editorial office of *Charlie Hebdo* magazine and committed the deadliest terrorist attack on French soil in fifty years.[378] The life of the Kouachi brothers – and the background they came from – is a prototype of the process I described earlier. Saïd and Chérif Kouachi were born in the early 1980s in Paris to Algerian immigrants. They lost their father at a young age. Their mother died shortly after him, and Saïd and Chérif allegedly found her after she committed suicide.[379] Subsequently, they were sent to a foster center and lived also in an orphanage in Corrèze, where they attended a local school.[380] When they turned eighteen, these abandoned brothers came back to Paris. At that time, they did not seem to be staunch Muslims. As one of Saïd's classmates conveyed to *The New York Times*, he could not remember their

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[375] However, it is important to point out that the problematic relationship between Muslims and the French state concerns mainly just young people. In fact, the mentioned survey argues that Muslims as such (which means across the age spectrum) are quite well integrated in France. It distinguishes between three groups of Muslims based on their relationship to the French state. First is a group representing 46% of the Muslims in France who are more or less secularized and identify with French republican values. However, young people are strongly underrepresented within thus group. The second group represents 25% of Muslims in France who are more religious than Muslims in the first group, but who, nevertheless, accept secularism and French laws. The third group, which prefers its religious values over French republican ones (and is sometimes hostile to the French state), consists of 28% of the Muslims in France and is formed mainly by young people. El Karoui, "Un Islam Français Est Possible," pp. 27–28. See also Tabet, "Religion, Famille, Société: Qui Sont Vraiment les Musulmans de France"; Taylor, "What French Muslims Think about France's Secular Laws"; Leiken, *Europe's Angry Muslims*, p. 71; Khosrokhavar, *Suicide Bombers*, pp. 149–224; Cesari, "Islam in France," pp. 36–51.
[376] Specifically, they give precedence to Islamic rules over French civil law, which means that they, e.g., are in favor of wearing the full-face *niqab* and of practicing polygamy. Ibid.
[377] "France: A Timeline of Terror."
[378] The scope of the attack was, however, soon surpassed by the even more massive attack on Bataclan at the end of the same year. Chrisafis, "Charlie Hebdo Attackers: Born, Raised, and Radicalized in Paris."
[379] Ibid.; Bronstein, "Cherif and Said Kouachi: Their Path to Terror"; Lichfield, "The Trauma that Helped Create Charlie Hebdo Killers."
[380] Lichfield, "The Trauma that Helped Create Charlie Hebdo Killers"; Tourancheau, "Un Commando Organisé."

ever praying: "If they had a religion, it was Paris."[381] Here, they moved to an apartment in the 19th arrondissement, a working-class neighborhood populated mainly by Muslim immigrants and troubled by a high crime rate and gang turf wars. In the early twenty-first century, the brothers, with no education and no prospects, were hanging around Paris trying to find jobs.[382] Soon afterward, the U.S.A. attacked Iraq, which triggered both brothers to find Islam. They began to attend prayers in the local mosque, where they met other young people with the same fate. One of them was Farid Benyettou, a charismatic guru whom Chérif became fond of. As one source told *The Guardian*, "he [Benyettou] made him [Chérif] feel important, he listened to him, recognized him as an individual. [...] Chérif Kouachi was fragile, looking for a family, he didn't have a family he could turn to for support."[383] Benyettou held discussion groups in his flat about fighting for jihad; he also organized the so-called Buttes Chaumont group, a group of like-minded individuals who met in the local park to jog and plot the sending of young Islamic immigrants from France to Iraq to fight the Americans.[384] Jacques Follorou, a journalist for *Le Monde* and an author, said: "This was a group of kids with very little education, without a political project, inexperienced, de-socialized, on the margins, delinquent, unemployed. In their mentor, who was their own age, they had a manipulator. They were looking for identity."[385] Some of their friends left to fight a holy war against the Americans in Iraq.[386] This should have also been the case of Chérif Kouachi. He was, however, arrested with another man on his way to Damascus and sent to prison, where he spent less than two years. Kouachi later said he was relieved about being arrested: "Several times, I felt like pulling out. I didn't want to die there. [...] I told myself that if I chickened out, they would call me a coward, so I decided to go anyway, despite the reservations I had."[387] Whether his beliefs were really that moderate or not, what was obvious was that his time spent in prison radicalized him ever more. He was incarcerated with other hard-liners, including Djamel Beghal, a central figure in Al Qaeda networks in Europe, who was jailed for plotting the attack to the U.S.

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[381] Callimachi, Yardley, "From Amateur to Ruthless Jihadist in France."
[382] Chérif, the younger brother, worked as a pizza deliveryman. Bronstein, "Cherif and Said Kouachi: Their Path to Terror."
[383] Chrisafis, "Charlie Hebdo Attackers: Born, Raised, and Radicalized in Paris."
[384] Bronstein, "Cherif and Said Kouachi: Their Path to Terror."
[385] Chrisafis, "Charlie Hebdo Attackers: Born, Raised, and Radicalized in Paris."
[386] Consequently, some of them were killed, and some returned severely injured and badly maimed. Ibid.
[387] Callimachi, Yardley, "From Amateur to Ruthless Jihadist in France."

Embassy in Paris in 2001.[388] At that time, Beghal replaced Beneyettou as Chérif's guru. He led not only Kouachi but also other young imprisoned French radicals, who later committed terrorist attacks. This was also the case of Amédy Coulibaly,[389] a friend of Chérif, who synchronized his own terrorist attack with the Kouachi brothers.[390] In 2006 Chérif was released from prison[391] and reunited with his older brother, Saïd, who in the meantime had also been radicalized. Although Saïd's path to radicalization is less better documented than Chérif's, what is known is that from 2009 to 2010, Saïd visited Yemen to study at the San'a Institute for the Arabic Language.[392] In 2010, police launched a new investigation into the group around Beghal as it suspected him – together with Coulibaly and Chérif Kouachi – of organizing a plot to free Ali Belkacem, who had been sentenced to life in prison for the bombing at the Musée d'Orsay railway station in Paris in 1995. Beghal and Coulibaly were eventually convicted and returned to jail; due to a lack of evidence, the case against Chérif was dropped. In 2011, one – or perhaps both – of the Kouachi brothers traveled to Yemen to train with Al Qaeda. Initially, it was supposed that it was Saïd who had gone there. Later on, however, the police believed it was Chérif who had traveled to Yemen instead of Saïd, using Saïd's passport.[393] Chérif and Saïd's journey was completed on 7 January 2015, when they broke into the offices of Charlie Hebdo, a French satirical weekly newspaper, killed twelve people, and injured eleven others. Hereby, the Kouachi brothers triggered an avalanche of further terrorist attacks against the French state. The most massive so far were a series of attacks in November of the same year during which more than 130 people were killed and another 413 were injured.

5.2. Disrespect and misrecognition as reasons for outrage

The case of the Kouachi brothers is quite extreme: not only did they grow up under extremely poor socioeconomic conditions, but they also became orphans in early

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[388] Bronstein, "Cherif and Said Kouachi: Their Path to Terror."

[389] Amédy Coulibaby had a history similar to that of the Kouachi brothers. He was a French-born citizen with Malian ancestors. In late childhood he began committing robberies. He was sentenced to six years for armed bank robbery. In prison he met Chérif Kouachi. Meichtry, "Paris Attacker Amedy Coulibaly's Path to Terror."

[390] Callimachi, Yardley, "From Amateur to Ruthless Jihadist in France."

[391] His radicalization was, nonetheless, completed. For example, he refused to stand at a court hearing because the judge was a woman. Ibid.

[392] Coker, Almasmari, "Paris Attacker Said Kouachi Knew Convicted Nigerian Airline Bomber."

[393] Callimachi, Yardley, "From Amateur to Ruthless Jihadist in France."

childhood, which further exacerbated their situation. One can thus say that they are exceptions, since they were destined to the live the lives they did from the very beginning. At the same time, however, it is indisputable that in France there are many other young people of immigrant origin with similar fates. Although they may not be orphans, they have very often grown up in dismal socioeconomic conditions in socially excluded locations barely entered by the French majority and attend socially segregated schools of poor quality, which results in them receiving only a limited education. Their life prospects are thus – like in the case of the Kouachi brothers – miserable.[394] Even though these young people – born in France, as a rule – are rightful citizens, formally equal with all other citizens, they, in fact, lack enough reasons to identify themselves with the French state and actively support the political community they are part of.[395] This is also because the state is a symbol of their misrecognition and disrespect.

The first question that arises is, what would the relationship of young Muslims of immigrant origin to the French state be like if France successfully integrated them socioeconomically? Simon Reich, a professor of global affairs at Rutgers University, believes that the (socio-)economic integration of Muslims is essential for any further integration. He argues that if people remain poor, they also remain unrepresented and are thus prone to civil disobedience.[396] The shift in the socioeconomic background of young Muslim immigrants, as well as its impact on their relationship with the state, is much more a sociological issue that requires detailed empirical study.[397] The widely shared default

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[394] Nonetheless, it cannot be said that the French state has been totally idle. As I mentioned earlier, France launched programs to improve education and social services for young Muslims of immigrant origin. Apart from this, there have also been special programs in higher education. Specifically, in 2001, the former director of Sciences Po, the prestigious French university producing government elites, created a program making the school accessible to students coming from disadvantaged backgrounds (the so-called *ZEP – zones d'education prioritaite*). Barou, "Integration of immigrants in France: A Historical Perspective," pp. 642–657; Racine, "Cour Administrative d'Appel de Paris, Formation Plénière, du 6 Novembre 2003, 02PA02821, Inédit au Racueil Lebon."

[395] Still, it is important to point out that across the age spectrum, most Muslims consider themselves to be French. The bond with the state is, however, severely weakened among the young generation of Muslims growing up in France and attending French schools. El Karoui, "Un Islam Français est Possible," pp. 27–28. See also Tabet, "Religion, Famille, Société: Qui Sont Vraiment les Musulmans de France"; Taylor, "What French Muslims Think about France's Secular Laws"; Salbi "The Radicalization of Youth in France."

[396] Reich, "Muslims in France Must Be Considered Ordinary Citizens." See also Dubet, Lapeyronnie, *Les quartiers d'exil.*

[397] See Fleischmann, Dronkers, "The Socioeconomic Integration of Immigrants in the EU"; Safi, "The Immigrant Integration Process in France"; Chebel d'Appollonia, Reich, *Immigration,*

hypothesis, nonetheless, is that the better socioeconomic status and the higher education young immigrants achieve, the better life prospects they will have.[398] Accordingly, as Reich assumes, if young immigrants were socioeconomically integrated, they would be less liable to radicalization and subversive attitudes toward the state. Therefore, it seems to be clear that the socioeconomic recognition of (and thus respect for) young Muslim immigrants in France – if they were better socioeconomically integrated into majority society and had equal prospects and opportunities[399] – would not only reduce discontent with their situation, but it would also at least eliminate the space for dissatisfaction with the country of which they are citizens.

The second problematic aspect of the French way of integrating young Muslim immigrants that I have mentioned concerns their cultural-religious misrecognition. Specifically, I have argued that the principle of *laïcité*, the aim of which is to create a unified citizenship regardless of people's particularities, disadvantages primarily young French Muslims of immigrant origin.[400] Correspondingly, these people are not only socioeconomically disadvantaged but also culturally and religiously misrecognized as *laïcité* forces them to cut off their identities – which can have very important, but also unstable meaning for such young people – in public and adhere only to universal French values. In this context, the crucial question[401] is how – whether or to what extent – successful socioeconomic integration would solve (or at least temper) the problem of cultural-religious misrecognition and disrespect, since they are basically communicating vessels.[402] However, regardless of the exact impact of socioeconomic integration on

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Integration, and Security; Algan, Dustmann, Glitz, Manning, "The Economic Situation of First and Second-Generation Immigrants in France, Germany, and the United Kingdom"; Ager, Strang, "Understanding Integration: A Conceptual Framework"; Engbersen, "Spheres of Integration"; Wallace Goodman, Wright, "Does Mandatory Integration Matter?"

[398] See Fleischmann, Dronkers, *The Socioeconomic Integration of Immigrants in the EU*.

[399] It would primarily imply that there would not be socioeconomic segregation and ghettoization of Muslim people. Accordingly, young Muslims of immigrant origin would no longer have only poor educational prospects.

[400] Here, I come back to the scarf affair and the claim that the ban on wearing religious symbols in an ostentatious way in public schools influences Muslims (especially Muslim girls) the most.

[401] Answering it would, nonetheless, require a sociological study.

[402] This point directly relates to the debate between Nancy Fraser and Axel Honneth concerning the interconnection between socioeconomic maldistribution and cultural misrecognition. In this context, Fraser claims that although nowadays they tend to be interrelated, they are, nonetheless, two different axes of justice not reducible to each other. Hence, socioeconomic maldistribution does not necessarily imply cultural misrecognition (and vice versa). Consequently, Fraser calls for a *perspectival dualist* approach that would enable us to appraise social practices as a question of

cultural-religious integration, if France withdrew from the falsely universalizing principle of *laïcité* that simply cannot work in contemporary *de facto* multicultural France[403] – or if it at least moderated its interpretation to avoid its negative consequences primarily for young Muslims of immigrant origin – and assured young Muslims the same level of cultural-religious recognition (respect) that majority society[404] receives, then the remaining group of misrecognized people would disappear and so would the space for radicalization based on people's religious convictions. In other words, by its very nature, Islam would not have the potential to become a culture countering the dominant French republican values framed only by the concept of *laïcité*[405]: it would be an accepted and recognized part of the identity of people forming a shared political community.

It follows that if misrecognized (and thus disrespected) people – young Muslims of immigrant origin in this case – living on the margins of society were no longer in such a subordinated and unequal position then they would not only lack reasons for radicalization and subversive activities against their own state, but they could also finally start to *feel* like full members of the political community they are formally part of. Nonetheless – as it ensues from what I have written so far – the possibility of redressing a subordinated position is not a matter of the will of misrecognized/disrespected people. It is a reciprocal process involving all members of a particular political community: as Galeotti claims, respect can only be achieved through an individualizing act of recognition of me by you as your equal.[406] Hence, in order to achieve recognition, it is supposed that

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both economy (distribution) and culture (recognition). On the contrary, Honneth claims that a theory of recognition can cover both economic and cultural issues. According to Honneth, recognition is a concept that forms the normative life of society as a whole. Specifically, Honneth argues that mutual recognition between agents is a precondition for identity formation and self-realization. He adds that there are three principles determining recognition: love, equality, and achievement. These principles "represent normative perspectives with reference to which subjects can reasonably argue that existing forms of recognition are inadequate or insufficient and need to be expanded." As such, they are also used in distributive struggles. Personally, I do not want to enter this debate as I mention socioeconomic disadvantages only with regard to a particular example: I point to the fact that in the case of French Muslims of immigrant origin, it is a combination of socioeconomic and cultural-religious misrecognition. Hence, even though my position is closer to Honneth's, I do not claim that socioeconomic misrecognition inevitably implies cultural misrecognition. Fraser, Honneth, *Redistribution or Recognition?*

[403] Fetzer, Soper, *Muslims and the State in Britain, France, and Germany*, p. 65.
[404] The majority does not suffer from structural inequalities as the Muslim minority does.
[405] Fetzer, Soper, *Muslims and the State in Britain, France, and Germany*, p. 67.
[406] Galeotti, "Respect as Recognition," p. 83. See also Darwall, who argues that respect means that the addresser and addressee reason and deliberate together, and both recognize the other as a "you" to whom she is "you" in return. Darwall, *The Second-Person Standpoint*, pp. 256–262.

people share a common – public – space where they meet and lay claims against each other. The recognition of others thus does not imply acknowledgment of the existence of a number of separate groups – something like 'closed museums' – that particular people are members of and that parallelly live side by side but do not communicate with each other,[407] for this would mean that respect is directed not so much toward individuals but toward the groups that represent them.[408] The recognition I am talking about is the recognition of particular individuals within the shared political process, where all citizens recognize that the political community is comprised of a number of people who differ. Accordingly, they acknowledge that if such a community is to be stable, unified, and prosperous, its support from others is crucial. They are thus aware of the fact that there would be no stable political community if some people lack reasons to advance it. That is why respecting others cannot mean keeping them closed in their particularity (or in the particularity of the group they are members of) with no contacts with others. On the contrary, political community is based on mutual meeting in terms of people's diversity and valuing what connects them. Thus, unity is achieved neither in universality (as the French concept of *laïcité* attempts), nor in the vision of "letting be" (which is the case of the project of multiculturalism in Britain and in the Netherlands). Unity is achieved in diversity when everyone – including one's particularities – is entitled to be seen and – most importantly – respected within the common political community one shares with one's fellow citizens.

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[407] Recognition understood as a creation of such separated groups not only does not solve the problem of social segregation, but it – as it means these separated groups do not identify with wider society – also does not reduce the possibility that members of these groups will radicalize. As Heath and Demireva claim, this is why "social segregation was a major theme in the Cantle report on the disturbances (basically riots) in Oldham, Burnley and Bradford, and the report emphasized the way in which social segregation had had adverse implications for conflict and disorder." Heath, Demireva, "Has Multiculturalism Failed in Britain?," p. 162. See also Cantle, *Community Cohesion.*

[408] It has become a problem primarily in Britain (but also in the Netherlands). As Sniderman and Hagendoorn argue, "Britain and the Netherlands have promoted multiculturalism to expand opportunities for minorities to enjoy a better life and to win a respected place of their own in their new society. It is all the more unfortunate, as our findings will show, that the outcome has been the opposite – to encourage exclusion rather than inclusion." Similarly, Barry points out that "a situation where groups live in a parallel universes is not one well calculated to advance mutual understanding or encourage the cultivation of habits of co-operation or sentiments of trust." Sniderman, Hagendoorn, *When Ways of Life Collide*, p. 5; Barry, *Culture and Equality*, p. 88. See also Heath, Demireva, "Has Multiculturalism Failed in Britain?"

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In this concluding chapter, my aim has been to demonstrate the theoretical ideas I have proposed elsewhere in the text using a concrete example. Based mainly on rational reasons – and referring to empirical evidence – I have pointed to the case of France and the problems it faces with integrating young French-born Muslims of immigrant descent. I have argued that since these young people in particular are exposed to both socioeconomic and cultural-religious disadvantages that cause their misrecognition and disrespect, they lack reasons to value the political community within which they suffer from poor treatment. Accordingly, not only do they often give precedence to their religious convictions, but they are also willing to use violence against their country. We have seen this in the context of a series of terrorist attacks in France in the past few years. I thus suggest that to avoid such subversive activities against the state of which these people are citizens, they must be freed of both socioeconomic and cultural-religious misrecognition and disrespect. Only then can they start to build a mutual relationship with their fellow citizens, value the political community they create, and consider themselves to be genuine members of this community.

Conclusion

Ensuring the fair and equal standing of all citizens within a political community despite the differences between them is a never-ending challenge. It becomes current whenever there is a change in the political, social, or cultural character of a political community. As far as liberal political theory – political liberalism in particular – is concerned, this is even more the case as the principles backing it up inherently require such ensuring. As I have shown in this thesis, the central question that political liberalism deals with related to the fact of pluralism – the question of justifying the exercise of political power under such conditions – revolves around the principle of respect for persons. However, the principle of respect reveals that political liberals' overly narrow focus on essentially political issues is not sufficient for an adequate coming-to-terms with pluralism. In other words, the principle of respect requires that political liberalism considers the character of a political community in a more comprehensive – that is to say, multi-layered – way: political liberalism cannot address only the issue of the legitimacy of political power, since many citizens may remain disrespected even after the process of justifying the exercise of political power. Furthermore, with regard to the universal character of respect, it is incoherent to refer to it only in connection with a particular sphere but otherwise ignore it (or even tolerate disrespect). I have thus argued that to be in conformity with its default moral principle, political liberalism must find a way to ensure respect across political communities as a whole, which means at both the essentially political and societal levels. One of the solutions to the discrepancy in the understanding of respect may be minority rights, which are advanced by some liberal authors.[409] However, although minority rights have the potential to rectify some forms of disrespect among citizens, they present a very problematic concept lacking convincing support in liberal argumentation. Not only do they defy the liberal assumption of the universality of rights, but there is also the danger of their illiberal consequences.[410]

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[409] Kymlicka, *Multicultural Citizenship*; Margalit, Raz, "National Self-determination"; Raz, *Ethics in the Public Domain.*

[410] Galeotti, *Toleration as Recognition*, pp. 206–209.

In this thesis, I have thus chosen a different solution. My aim has been to proceed from the theoretical background of political liberalism and base my argumentation solely on its own claims. Accordingly, referring to the ideas advanced by political liberalism, I have argued that it can comprehensively reflect on the manifestations of pluralism across a political community as a whole. It means that it is able to ensure respect at both the essentially political and societal levels that constitute such a community. Hereby, I have concluded that political liberalism can take on a more coherent form while still adverting exclusively to its theoretical sources. Specifically, I have argued that it is a dual interpretation of the criterion of reciprocity that creates the prerequisites for achieving respect at both levels of a political community: I have ascribed a special role to the interpretation from the perspective of civic friendship as I have claimed that it is civic friendship that not only interconnects both levels but that also helps to ensure respect at these levels.

To avoid criticism, I mention some potential shortcomings that may be pointed out. First, one can argue that the argumentation I have provided requires quite a high level of idealization: the argument from civic friendship – a presumption that citizens themselves want to create something valuable – assumes a proactive element in people's reasoning. Consequently, it may be objected that it is too demanding to presume that people would have the motivation to behave in this way. On the other hand, it is precisely the search for this proactive impulse within the very liberal political theory that I consider to be an important element when facing communitarian inclinations – nationalistic ones in particular – within current liberal democracies.[411] In other words, it is the role of liberal theory to seek out ways to resist these potentially destructive tendencies. In this context, an asset of the argumentation I have provided should be that it proceeds solely from the background of liberal political theory.

There is another potential objection to my project: one may argue that although I outline a theoretical tool that leads people to adhere to civic friendship, I do not show what exactly it should look like and what nourishes it. Given this, I have two explanations. First, my aim has been to prove that political liberalism itself is able to ensure respect at both

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[411] In fact, several authors have attempted to join liberal political ideas with patriotic (republican) values. See Nussbaum, *Political Emotions*; Dagger, *Civic Virtues*; Krause, *Civil Passions*. See also Skinner, *Liberty before Liberalism*; Pettit, *Republicanism*.

the levels determining the character of a political community. Consequently, the criterion of reciprocity is a suitable device for achieving respect. Focusing on a specific manifestation of civic friendship was thus not essential for my argument in this regard. In fact, it would take me away from the main aim of my thesis. Still, none of this denies that a specification of the character of civic friendship is crucial for further development of the argument referring to it. Considering this, I state my second – rather more pragmatic– excuse. Since I deem the character of civic friendship within liberal political theory to be a highly complex issue requiring a detailed analysis, I believe it is not appropriate to take it into account only restrictively. In this context, Leland and van Wietmarschen, for instance, claim that civic friendship should be based on mutual concern for one another's interests.[412] Yet, although I generally agree with their line of reasoning, at the same time, I consider the topic of mutual concern to be a much more comprehensive issue, the explanation of which inevitably covers a wide range of other topics, for example, the role of emotions in clarifying the incentives for such concern. I am sympathetic to this possible course of liberal political theory (in fact, I believe that invoking emotions might even strengthen my own argument for respect). Still, I think that this is an open field of exploration deserving its own thorough analysis. For starters, the works of Martha Nussbaum and Sharon Krause can serve as inspiration.[413]

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[412] Leland and van Wietmarschen, "Political Liberalism and Political Community."
[413] Nussbaum, *Political Emotions*; Krause, *Civil Passions*.

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Abstract

The dissertation addresses the issue of pluralism in liberal political theory and within a liberal political community. It challenges political liberalism's focus solely on the essentially political level – that is on the justification of the exercise of political power under the conditions of pluralism –, as it overlooks other manifestations of pluralism equally important for a liberal political community. That concerns the so-called societal level as another formative level of a liberal political community characterized mainly by the differences among people due to their membership in diverse groups. One of the consequences of such a limited focus is that although political power is justified to citizens, still many them may feel being treated unfairly within a liberal political community. Since the author argues that the objective of the justification of political power is primarily to ensure equal respect, the possibility of having some people disrespected within a liberal political community is problematic for political liberalism. Accordingly, the objective of the dissertation is to find out the way to cover both spheres forming the public sphere of a liberal political community. By using the argumentation of political (public reason) liberalism, it aims to come to such an understanding of respect that would embrace both the essentially political and societal levels of a liberal political community. The author turns to the criterion of reciprocity – as the basis of political legitimacy and the principle underlying the whole project of political liberalism – and calls for its dual interpretation: the criterion of reciprocity is explained not only by means of the imperative of respect, but also by means of the idea of civic friendship. The role of the criterion of reciprocity interpreted by means of civic friendship is that it retrospectively influences the very character of respect. This is because civic friendship inherently shifts the understanding of the character of respect from the third-person imperative to the second-person act of recognition. This way, the argument from civic friendship allows to achieve respect both at the essentially political and societal levels of a liberal political community.

Keywords: pluralism, political liberalism, respect, recognition, reciprocity, civic friendship

Abstrakt

Disertační práce se věnuje tématu pluralismu a diverzity v liberální politické teorii a v rámci liberální politické komunity. Práce problematizuje zaměření politického liberalismu pouze na esenciálně politickou úroveň – tedy na otázku ospravedlnění výkonu politické moci v podmínkách pluralismu –, jelikož jsou přehlíženy další, pro liberální politickou komunitu stejně důležité, projevy pluralismu. To se týká především takzvané societální úrovně, jakožto další formativní roviny liberální politické komunity, jež je charakterizována odlišnostmi mezi lidmi danými jejich členstvím v rozličných skupinách. Jedním z důsledků omezené reflexe pluralismu je skutečnost, že ačkoli politická moc může být ospravedlněn všem občanům, mnoho z nich se přesto může považovat za nerovné v rámci dané politické komunity. Jelikož autorka tvrdí, že cílem ospravedlnění politické moci je především zajištění rovného respektu, možnost že se někteří lidé budou považovat za nerespektované v rámci liberální politické komunity musí být pro politický liberalismus nutně problematická. Cílem disertace je najít způsob, jak zajistit respekt na obou rovinách formujících liberální politickou komunitu. Autorka se obrací ke kritériu reciprocity – jakožto základu politickému legitimity a principu podepírajícímu projekt politického liberalismu –, přičemž volá po jeho dvojí interpretaci: kritérium reciprocity může být vysvětleno nejen prostřednictvím imperativu respektu, avšak také prostřednictvím ideje občanského přátelství. Význam druhé interpretace spočívá v tom, že ve skutečnosti dokáže zpětně ovlivnit charakter respektu. Idea občanského přátelství totiž inherentně posouvá chápání principu respektu z formy imperativu do formy uznání. Tímto způsobem argument odkazující k občanskému přátelství umožňuje dosažení respektu jak na esenciálně politické, tak i societální rovině liberální politické komunity.

Klíčová slova: pluralismus, politický liberalismus, respekt, uznání, reciprocita, občanské přátelství

Abstract

La tesi analizza la questione del pluralismo all'interno delle comunità politiche, con una speciale attenzione alla tradizione liberale in teoria politica. Nello specifico, la tesi critica l'attenzione del liberalismo politico sulle ricadute puramente politiche del fatto del pluralismo – ovvero il tentativo di giustificare il potere politico in condizioni di pluralismo profondo –, non prestando sufficiente attenzione su altre questioni attinenti il fatto del pluralismo che sono altrettanto importanti per le comunità politiche liberali. Ad esempio, è fondamentale investigare le ricadute sociali di contesti altamente pluralistici, dove diviene necessario interrogarsi sull'appartenenza degli individui a gruppi sociali tra loro diversificati. Laddove non si problematizzi a sufficienza l'impatto del pluralismo per la convivenza sociale in comunità politiche, si perde il senso di come il potere politico possa in effetti risultare giustificato ai cittadini, e pur tuttavia alcuni di esse possano sentirti trattati iniquamente dalla medesima comunità politica. L'autrice della tesi sostiene che uno degli obiettivi primari di un paradigma giustificativo del potere politico sia garantire eguale rispetto a tutti i membri della comunità politica. Di conseguenza, comunità politiche liberali che non garantiscono l'eguale rispetto di tutti i cittadini rischiano di non soddisfare pienamente i criteri della legittimità politica. A partire da questo background teorico, l'obiettivo principale della tesi è quello di ampliare il modello giustificativo del liberalismo politico tenendo conto degli aspetti sociali del fatto del pluralismo che impattano la formazione della sfera pubblica delle comunità politiche liberali. Utilizzando argomenti tratti dalla letteratura concernente la ragione pubblica liberale, la tesi argomenta in favore di una lettura specifica del principio dell'eguale rispetto che tenga conto sia degli aspetti politici che di quelli sociali delle comunità politiche liberali. In questa analisi, l'autrice investiga il criterio della reciprocità – inteso come il criterio alla base della legittimità politica e del principio fondativo dell'intero progetto del liberalismo politico – e propone una duplice interpretazione di tale concetto: il criterio della reciprocità è espressione politica non solo del concetto normativo dell'equale rispetto, ma anche dell'ideale dell'amicizia tra cittadini. Secondo questa interpretazione, il criterio della reciprocità assume un significato più profondo, laddove legato alla nozione politica di amicizia tra cittadini, di conseguenza influenzando anche il rapporto con il concetto di rispetto. Laddove i vincoli di amicizia tra cittadini siano sottolineati, il concetto di rispetto viene più facilmente inteso nei termini di un imperativo che impone un atto di

riconoscimento in seconda-persona, piuttosto che un più indiretto atto di rispetto in terza-persona. Di conseguenza, investigare il tema dell'amicizia tra cittadini ci consente di sostenere un'interpretazione più ricca di eguale rispetto, in grado di rendere conto degli aspetti sia politici che sociali del vivere collettivo in una comunità politica di stampo liberale.