

Political Liberalism and Respect

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1. Introduction

Proponents of political liberalism argue that political decisions require public justification. Different accounts of political liberalism vary greatly, even on quite central matters, but they generally hold that political decisions must be sufficiently supported by distinctively public reasons. Characteristically, people's religious, moral, and philosophical views—their comprehensive or sectarian commitments—are regarded as nonpublic, and therefore unavailable for political justification. Political decisions should instead be based on public considerations, such as the liberal democratic values of freedom, equality, and fair social cooperation. I will call the demand for public justification the *Reciprocity Principle*.

The reciprocity principle places significant restrictions on political justification. It is therefore fair to ask for a justification of this principle. This question has been answered in various ways, but by far the most common and prominent reply is in terms of respect.¹ Political

¹ See Larmore (1999 and 2008), Neufeld (2005), Boettcher (2007), Nussbaum (2011). Of course, not all justifications of public reason centrally appeal to respect. Gaus, for example, argues that the idea of public reason is “grounded in our reflective understanding of bona fide social morality” (2011, 263), and a number of authors have claimed that public reason is supported by the values of civic friendship and joint political rule (Ebels-Duggan 2010, Lister 2013, Leland and van Wietmarschen 2017).

decisions must be publicly justified, otherwise the exercise of political power is incompatible with the respectful treatment of those over whom political power is exercised.

This paper revisits the relationship between political liberalism and respect for persons. I argue that we need to distinguish two kinds of request for justification of the reciprocity principle: requests for a grounding of the principle in pre-political moral values or principles, and requests for an account that renders the reciprocity principle intelligible as a part of a larger political conception. I will argue that attempts to ground the principle in respect for persons do not succeed. However, I will show how one particular understanding of the reciprocity principle forms a central component of a conception of mutual respect among citizens.

2. Political Liberalism and Mutual Justifiability

This paper is concerned with political liberalism's central requirement of mutual justifiability: it is not enough for political decisions to be justified *simpliciter*; political decisions must be justifiable to those who are subject to them. A number of specific variations of this requirement will become relevant to the argument below, but for now, the following will serve as a general characterization:

Reciprocity Principle: political decisions must be sufficiently supported by considerations that all citizens can reasonably be expected to accept.

This principle regulates political justification by drawing a line between considerations that can and considerations that cannot properly justify political decisions. The mark of the appropriate,

public, consideration is that all citizens can reasonably be expected to accept it, all other considerations count as nonpublic and are ruled out.

Five points of clarification are in order. First, the principle demands *sufficient* support by public considerations to allow for cases of overdetermination: the presence of nonpublic reasons in favor of a political decision does not undermine its justification, as long as there are sufficient public grounds for the decision as well. Second, the principle uses the word *citizens* to refer to all and only the members of a given political society. Of course, questions about who should count as members of a given political society, and about who should be granted citizenship, are important as well as controversial, but these are not the questions of this paper.² Third, the principle is *premise-targeting*. It imposes a restriction on the kinds of considerations that can properly justify political decisions, it does not place a restriction directly on political outcomes.³ Fourth, the expectations referred to are normative expectations rather than predictive ones. I will say more about what reasonable expectations are below. Fifth, as I will understand it, the

² In addition, justification for political decisions may, under certain conditions, be owed to non-members of the relevant political society. The Reciprocity Principle is not in conflict with this possibility, but my focus in this paper will be on the political justification to citizens.

³ Some proponents of principles of mutual justifiability, such as Gaus (2011) and Vallier (2014), hold that political decisions themselves, rather than the reasons for those decisions, must be such that all citizens can reasonably be expected to accept them. The arguments of section 5 would apply to such convergence views as well; my positive proposal in section 6 cannot easily be stated in terms of a convergence view.

reciprocity principle is a basic principle of political justification that governs all elements of a political order; I will set aside complications about the scope of public reason.⁴

The reciprocity principle is meant to play a crucial role in an explanation of how a stable and just political society is possible despite profound and persistent disagreement about religious, moral, and philosophical issues. To properly play this role, such comprehensive or sectarian views⁵ must count as nonpublic: political liberalism seeks a basis for a liberal-democratic political order in public or shared reasons, *rather than* in controversial sectarian doctrines. Political liberalism is therefore committed to the idea that comprehensive or sectarian views are subject to reasonable disagreement, and hence that we cannot reasonably expect all citizens to accept such views. In their defense of liberal-democratic political conceptions, proponents of political liberalism do, however, draw on substantial political values of freedom, equality, and fair social cooperation.⁶ This means political liberalism is committed to the idea that we can reasonably expect all citizens to accept these political values; the basic liberal democratic political values are not subject to reasonable disagreement.

It will not matter for my argument where, exactly, the line between public and nonpublic considerations is drawn. It will matter, however, how we are to understand the notion of reasonableness, such that we can reasonably expect all citizens to accept the basic political

⁴ See Quong 2013 for an overview of these complications.

⁵ As I will explain below, the common emphasis on comprehensiveness is misguided. I prefer the term ‘sectarian,’ despite its disparaging connotations.

⁶ I mention these Rawlsian values as examples. Theories of public reason might also draw on political values of efficiency, security, national defense, the rule of law, and perhaps others.

values. My view is that political liberalism must endorse a *substantive* conception of reasonableness: to be reasonable, one must accept a substantive set of liberal democratic political values including values of freedom, equality, and fair social cooperation.⁷ This means that we can reasonably expect all citizens to accept these values, and, as a result, these values count as public considerations for the purpose of political justification. If a citizen rejects these values, she counts as unreasonable to that extent, and she can nonetheless be expected to accept them. This substantive conception of reasonableness reflects the fact that political liberalism takes political values like freedom, equality, and fair social cooperation as starting points for political theorizing.

The writings of some political liberals suggest the endorsement of a merely *formal* conception of reasonableness. Larmore, for example, uses reasonableness to refer to “the free and open exercise of the basic capacities of reason” (1999, 602). We cannot use a merely formal conception of reasonableness, however, to interpret the reasonable expectations that figure into the reciprocity principle. After all, one can freely and openly exercise the basic capacities of reason and nonetheless reject the political values of freedom, equality, and fair social cooperation. If the exercise of the basic capacities of reason is sufficient to qualify as reasonable, we have to conclude that one can reasonably reject the basic liberal democratic political values. Consequently, the reciprocity principle would rule these values out as appropriate grounds for political decisions, and this would be inconsistent with the overall project of political liberalism. We could try to avoid this conclusion by arguing that the free and open exercise of the basic

⁷ For a systematic discussion of the requirements of reasonableness, see Leland and van Wietmarschen (2012).

capacities of reason will inevitably lead to, or otherwise commit the reasoner to, the endorsement of liberal democratic values. Such an argument would, however, rely on a philosophically ambitious and highly controversial conception of the basic capacities of reason. Reliance on such conceptions as an essential component of a theory of political justification is precisely what political liberalism is meant to avoid.

3. Two Questions of Justification

What justifies the reciprocity principle? When we ask this question, there are two different kinds of requests that we could have in mind.⁸ The first of these looks at the reciprocity principle as one element of a complete political conception, which includes as its constituent parts conceptions of justice, political legitimacy, citizenship, and so on. It then asks for a justification or grounding of this one component of the political conception in terms of principles or values that lie outside the political conception itself. To show that the reciprocity principle fits with a political conception of the person as free and equal, or that it furthers political values of civic friendship or joint political rule, to give a few examples, will not answer the question. Instead, an

⁸ The distinction drawn in this section resembles Quong's distinction between internal and external conceptions of political liberalism (2010, chapter 5), and Weithman's distinction between rights-based and conception-based views of political liberalism (2011, 347-358). For helpful related discussion see Estlund (2012) and Scanlon (2002).

adequate answer must provide pre-political moral⁹ values or principles that provide sufficient grounds for the reciprocity principle; ideally, the answer shows that the reciprocity principle can be derived from such pre-political values or principles. A successful answer of this kind would provide a moral basis for a key component of political liberalism. I will call this request for the justification of the reciprocity principle the *grounding question*.

The second kind of request for justification asks for a defense of the reciprocity principle in terms of other components of a liberal democratic political conception. We could answer this question by showing that the reciprocity principle honors or promotes the political values of freedom and equality, that it supports political stability despite conditions of reasonable pluralism, or that it fosters political values of joint rule and civic friendship. This kind of justification does not provide a derivation of the reciprocity principle from pre-political moral notions; instead, it provides an argument for the reciprocity principle based on other political values and principles. I will call this second kind of request for justification the *intelligibility question*.

Answers to the grounding question and answer to the intelligibility question both seek to provide sound arguments that have the reciprocity principle as their conclusion. The key difference is the kind of premises from which they proceed: pre-political moral values or principles for the grounding question, liberal democratic political values for the intelligibility question. As a consequence, successful answers to these respective questions have a different

⁹ In principle, there could be other pre-political values or principles, such as aesthetic ones, that ground the reciprocity principle. Since my focus will be on the moral requirement of respect for persons, I will ignore these other possibilities.

kind of significance. Suppose that, being presented with a more or less complete description of a politically liberal view, one asks why one should endorse it rather than some other political view. Answers to the grounding question provide a straightforward reply: one should endorse political liberalism—or at least a significant part of it in the form of the reciprocity principle—because it follows from the moral requirement to respect persons.¹⁰ Answers to the intelligibility question do not yield a straightforward reply of this kind. Instead, these answers most directly address questions about, for example, how seemingly conflicting political values can be reconciled in a coherent conception of justice, or how a liberal democratic society should be organized so as to avoid producing the forces of its own undoing. Answers to such questions are important, but they only indirectly recommend the endorsement of political liberalism compared to other political conceptions, in so far as features like internal coherence, consistency, and stability are commendable.

4. Respect for Persons and Respect for Citizens

This paper is concerned with attempts to justify the reciprocity principle, both in terms of the grounding question and in terms of the intelligibility question, by appeal to the notion of respect.

¹⁰ One might then ask why one should accept a moral principle that demands respect for persons.

It is, of course, true that for any argument that proceeds from substantial premises that one can ask why one should accept those premises. This does not undermine the significance of an argument that shows that a controversial political principle follows from a (widely shared) moral principle.

Before I turn to these attempts in sections 5 and 6, I need to say something about the concept of respect.

Respect is a flexible notion and is used for many different purposes in moral and political theorizing. I will exclusively be concerned with respect among people, not with respect for animals, works of art, or the law. On some views, respecting people is a matter of treating them in accordance with valid moral principles, or in accordance with their rights. On such views of respect we have, independently from considerations of respect, reasons to treat people this way or that, and whenever we properly respond to those reasons we thereby treat them with respect. I will call such conceptions of respect *dependent*, because the notion of respect has no content other than that specified by prior moral reasons, principles, or rights. The claim that we ought to respect persons has no content beyond the claim that we ought to treat people in accordance with independently defined reasons, principles, or rights.¹¹

¹¹ See Raz (1986, 157) for an endorsement of a dependent conception of respect. Raz rejects this view in 2001, chapter 4. Rawls's discussion of respect for persons and dignity in *A Theory of Justice* also suggests a dependent conception of respect for persons: "without the principle of right and justice, the aims of benevolence and the requirements of respect are both undefined; they presuppose these principles already independently derived," and "among other things, respect for persons is shown by treating them in ways that they can see to be justified. But more than this, it is manifest in the content of the principles we appeal to" (1999a, 513). See also Rawls's reply to Dworkin's claim that justice as fairness rests on the natural right of individuals to equal respect and concern (1999c, 400-401, n. 19).

Dependent views of respect allow us to distinguish different roles or capacities in which we can respect a given person. If someone's occupation as a lifeguard gives us reason to treat her in certain ways, for example, then we respect her as a lifeguard by treating her in those ways. This means that we can reserve the idea of respect for persons *as persons* to refer to the treatment of people in accordance with those reasons that arise simply from their personhood, or to the treatment of people in accordance with the rights they possess in virtue of being persons. Civic respect, or respect for persons as citizens, would refer to the appropriate response to the reasons that arise from their role as citizens.

On dependent views, the idea of respect has no foundational role in our normative thought: respectful conduct is a mere by-product of conduct in accordance with valid reasons, principles, or rights, none of which make essential reference to respect.¹² On such views, the attempt to justify the reciprocity principle in terms of respect has no distinctive content. It would simply amount to the attempt to justify the reciprocity principle in terms of other reasons, rights, or principles.

I will rely on the work of Stephen Darwall (1997; 2006, 122-26) for a conception of respect which treats respect as a distinctive form of recognition. On his view, respect for persons, in the recognitional sense of respect, does not reduce to treating them in accordance with valid reasons, principles, or rights, even though we often do have reason to respect people, and even though respecting people often involves treating them in accordance with reasons. Instead, having recognition respect for someone is to give that person standing, or authority, in our relations to it (Darwall 2006, 123). To give a person standing or authority in the relevant sense is

¹² See Darwall (2006, 140) and Thomson (1990, 210-11) for this point.

to ascribe to this person the standing to make valid demands on our conduct and will, within a particular domain. For example, if I have recognition respect for someone as a lifeguard, this is to give this person the authority or standing to make valid demands on my behavior in the pool. Of course, the lifeguard can only validly or authoritatively demand certain things of me: she can demand that I shower before I get into the pool, but she cannot demand proof of identity or ten push-ups. Valid demands in turn produce practical reasons to do as demanded (Darwall 2006, chapter 1). The lifeguard's demand that I take a shower gives me a reason to take a shower (even if I just took a shower before I left home). Finally, recognition respect involves the ascription of the standing to hold me accountable for doing as I have been authoritatively demanded to do (Darwall 2006, chapter 1). The standing to hold a person accountable may involve the standing to blame, and in some cases may involve the standing to punish.

To get a clear sense of the distinctiveness of this conception of recognition respect, it's useful to compare practical authority to the authority of good advice.¹³ If I am a medical expert and I tell you that you should take a vitamin D supplement, you may come to believe that you have a reason to take a vitamin D supplement. If you go on to refrain from taking the supplement, I can correctly point out that you have not acted as you should. None of this, however, involves the distinctive forms of authority, standing, valid demands, and accountability involved in recognition respect. In telling you that you should take a vitamin D supplement, I have merely told you about a reason you have independently of my advice, I have not thereby made any demand of you that you take a supplement, and so I have not made a demand that could produce a practical reason to take the supplement. This means that your acknowledgement

¹³ This paragraph relies on Darwall (2006, 49-52).

of my medical expertise does not, by itself, ascribe to me any authority or standing to make demands on your conduct or will. You have also not thereby given me any standing to hold you accountable if you don't take the supplement; I can merely correctly point out that you have not done what you should do, just as anyone else can.

In short, on Darwall's conception of recognition respect, to respect someone is to give that person the authority to make certain demands on our conduct or will, to regard such demands as producing normative reasons, and to ascribe to the person the standing to hold us accountable for doing what has been demanded of us. As the example of the lifeguard makes clear, Darwall's account of recognition respect also allows us to distinguish respect for persons in different capacities or roles. For our purposes, the two important kinds of respect are respect for persons in their role simply as persons, and respect for persons as citizens. To respect a person as a person is, on Darwall's view, to respect their dignity, to recognize the authority the person has to make demands on us simply in virtue of being a person, and to recognize their standing to hold us accountable for meeting those demands. To respect a person as a citizen is to recognize the distinctive authority the person has to make demands on us in their capacity as a (fellow) citizen, and to recognize their standing to hold us accountable to meet those demands.

Darwall's isn't the only non-dependent conception of respect for persons which doesn't make respect into a byproduct of acting in accordance with valid reasons, principles, or rights. However, his view is one of the best developed general accounts of respect in the literature, and I will use his view as my reference point for non-dependent views of respect in my discussion of the justification of the reciprocity principle in terms of respect.

5. Reciprocity and Respect for Persons

When the question of the justification of political liberalism, and the reciprocity principle in particular, is taken up, it is most commonly understood as a request for grounding. Attempts to answer the grounding question in terms of respect aim to ground the reciprocity principle in a moral principle of respect for persons simply as persons. After all, appeals to civic respect cannot result in a grounding of the reciprocity principle in pre-political values and principles, because the idea of citizenship forms part of the overall political conception. The question of this section is, then, whether the reciprocity principle can be grounded in a moral principle of respect for persons.

I turn to Charles Larmore for one of the best developed attempts to ground political liberalism in respect for persons. On Larmore's view, the feature of persons that sets them apart as beings owed a special kind of respect is that they are "beings capable of thinking and acting on the basis of reasons" (1999, 607). Respect for persons requires that we appropriately respond to, or take into account, this capacity to think and act on the basis of reasons. Further, Larmore holds that the distinctive character of political decisions is that they are coercively enforced (1999, 607). To bring about conformity to a political decision solely by the threat of force, Larmore argues, fails to engage the distinctive capacity of persons to think and act on the basis of reasons. Doing so would be to treat persons as mere means, as objects of coercion, and not as ends (1999, 608). Hence, respect for persons requires that we do not bring about conformity to political decisions solely by the threat of force. However, when we fail to ensure that political decisions are justifiable to all those who are subject to those decisions, we would be bringing

about their conformity to those decisions not by engaging their distinctive capacity to reason, but by the threat of force alone (1999, 608).¹⁴ Consequently, respect for persons requires that political decisions, or at least the basic rules of political association, are justifiable to all persons subject to those decisions.¹⁵

The first problem with this argument is that the principle of respect for persons is itself a consideration of the kind that is ruled out by the reciprocity principle as a proper basis of political justification.¹⁶ The idea that all persons have a dignity based on their capacity to think and act for reasons, and the idea that persons are never to be used as mere means but always also as ends in themselves, are ideas that can reasonably be rejected. Larmore, interestingly, agrees with this claim: “Being reasonable (in my sense of the term) does not entail the principle of respect for persons” (614). Larmore’s proposal, then, renders political liberalism incoherent as a political ideal: political liberalism’s moral basis is incompatible with its principle of political justification.¹⁷

There are two ways to respond to this problem. The first is to hold that the moral basis of political liberalism is not itself subject to the demand for public justification. On this view, the

¹⁴ Lister’s criticism of Larmore’s argument targets this claim and argues that if we offer nonpublic considerations as reasons for the exercise of coercive force, it does not follow that we attempt to secure compliance by the threat of force alone (2013, chapter 3).

¹⁵ Different versions of the argument have been developed by several other authors. See, for example, Nussbaum (2011) and Boettcher (2007).

¹⁶ For a version of this objection to Larmore’s view, see Weithman (2011, section XI.1).

¹⁷ See Estlund (2012, 256-260) for a more detailed discussion of this problem.

reciprocity principle applies to political justification generally, but not to its own justification. This appears to be Larmore's own view. The moral principle of respect for persons, on his view, is the foundation of political liberalism; political liberalism can stand free from other moral, religious, and philosophical claims, but it cannot be freestanding with regard to the moral principle of respect for persons. This means that the moral principle of respect for persons is an indispensable component of political liberalism's overall political conception. This also means, however, that on the proposal at hand, political liberalism makes an *ad hoc* exception for one component of its overall political conception to its own principle of political justification. If the principle of respect for persons is to be regarded as the foundation of political liberalism, as Larmore argues, it is difficult to see why it wouldn't need to be reasonable to expect all citizens to accept it.

Fortunately for the prospects of political liberalism, his arguments do not show that political liberalism is grounded in the principle of respect for persons. His arguments support the more modest claim that we can find grounds for accepting the reciprocity principle in the principle of respect for persons. It does not follow that political liberalism is committed to the moral principle of respect for persons; there could be any number of other moral, religious, or philosophical ideas which provide us with grounds for the reciprocity principle. Since all such ideas are subject to reasonable disagreement, political liberalism should not incorporate any of them into its political conception as the foundation of its account of political justification. Instead, political liberalism should regard Larmore's argument as one instance of what Rawls

calls full justification; of the integration of political liberalism's political conception into a broader comprehensive or sectarian view.¹⁸

The second way to respond to the problem is to hold that Larmore is wrong to think that the moral principle of respect for persons is subject to reasonable disagreement. Larmore is forced into his view because he endorses a formal conception of reasonableness: reasonable people are those who engage in the free and open exercise of their basic capacities of reason (1999, 601-602). If we adopt a substantive conception of reasonableness, however, we can claim that the endorsement of the principle of respect for persons is a condition of reasonableness. Consequently, the principle of respect for persons can provide a foundation for the reciprocity principle that all citizens can reasonably be expected to accept. This view is defended by Nussbaum (2011, 22-33). The problem with this approach is that it singles out one particular moral principle from a vast array of existing moral, religious, and philosophical ideas and elevates it to the status of a reasonably indisputable view. According to Nussbaum, the idea of respect for persons is "closely related to the Kantian idea of treating humanity as an end and never as a mere means," and to "the idea of dignity, to the idea that humanity has worth and not merely a price" (2011, 18). These appear to be exactly the kinds of considerations that political liberalism seeks to exclude from political justification.

Nussbaum's response to this concern is to claim that the principle of respect for persons is a "political, not a comprehensive, value" (2011, 18), and that one may endorse the principle "for political purposes" (2011, 18). The principle is not a comprehensive value because "one may

¹⁸ See Rawls 1993, 385-95 for the distinction between full justification, *pro tanto* justification, and public justification.

endorse it while believing a form of religious doctrine that Kant would not accept, or holding a view about the freedom of the will that is not Kant's" (2011, 18). The hope is that the idea of respect for persons can be integrated, as a module, into all the major comprehensive views and so form the object of an overlapping consensus (2011, 36). These claims represent a common but misguided emphasis on *comprehensiveness* as the feature that sets considerations aside as nonpublic.¹⁹ Nussbaum appeals to a principle of respect for *persons*. As such, the principle regulates all our interactions with one another (and perhaps even ourselves) both within and outside the political context. Even if this principle does not, by itself, provide a *complete* moral, philosophical, or religious doctrine, and hence is compatible with a variety of such doctrines, it is not a political value.

Perhaps Nussbaum's view is that respect for persons is a political value because we can endorse it *for political purposes*; we can be committed "to the value of equal respect for persons *as a political value*" (2011, 33, my emphasis). One way to understand the idea of respect for persons as a political value, or for political purposes, is as the idea of respect for persons as citizens. As I will argue in section 6, the idea of civic respect can provide a justification for the reciprocity principle, understood as a request for intelligibility, but it cannot provide an answer to the grounding question. Another way to understand Nussbaum's claims is as the idea that, even if

¹⁹ Larmore similarly claims that the moral principle of respect for persons, although reasonably disputed, is not a comprehensive view (1999, 623-24). His reasons for this claim are that the principle can figure into "a great many otherwise disparate ideas of the human good," (1999, 623) and that the principle does not carry a commitment to the supreme value of critical reflection.

we don't endorse the principle of respect for persons *simpliciter*, we might have reason to accept the principle within the context of political decision making.²⁰ We might, that is, have reason to accept that the political domain should be regulated by a principle of respect for persons, even if we don't endorse the principle of respect for persons as a general moral requirement. The reasons for such restricted acceptance, however, would have to have their origin in something other than the principle of respect for persons. As a result, it would be those reasons and their sources that ground the reciprocity principle, not the principle of respect for persons.

The second problem with the attempt to ground the reciprocity principle in respect for persons is that we cannot derive the substantive conception of reasonableness that figures into the reciprocity principle from the principle of respect for persons.²¹ As I argued above, political liberalism relies on a substantive conception of reasonableness to explain why liberal democratic values of freedom, equality, and fair social cooperation count as public considerations, and why sectarian religious, moral, and philosophical views count as nonpublic.²²

To see why the principle of respect for persons does not support the required substantive conception of reasonableness, we need to retrace some of Larmore's steps. Suppose we grant that

²⁰ For an account of acceptance in a context as an attitude separate from belief, see Bratman (1992).

²¹ See Eberle (2002) for related concerns.

²² As mentioned before, these two sets of considerations do not provide a full account of which considerations count as public and which as nonpublic. Beyond the allocation of comprehensive or sectarian views to the nonpublic, and the basic political values to the public, the precise content of these categories does not matter for my argument.

because persons are distinctively capable of thinking and acting for reasons, respect for persons requires that we provide reasons to people for the ways in which we treat them. It follows that we must provide reasons to people who are being made subject to our exercise of political power. Suppose we further agree with Larmore that even though the threat of force provides reasons, these are not the kind of reasons that can justify the exercise of political power. Instead, respect for persons requires that when people are made subject to the exercise of political power, they are provided with reasons acceptable to them as free and equal persons. Even if we accept all this, we have not shown that political power can properly be justified on the basis of considerations we can reasonably expect all citizens to accept, where reasonable expectations include the expectation to accept the basic liberal democratic political values of freedom, equality, and fair social cooperation. The problem is that as free and equal persons, we can reject substantial liberal democratic political values.

We could deny this last claim, and hold that all persons, as free and equal, are committed to, or can be expected to accept, political liberalism's central political values of freedom, equality, and fair social cooperation. It is difficult to argue that there *couldn't* be some argument for this view. None of the proponents of the respect for persons view offer an argument to this effect, however, and it is not easy to see what this argument might be.²³

To be fair to Larmore and other defenders of the respect for persons view, I should point out that his argument might be best understood to aim at a justification of the *form* of the reciprocity principle, rather than its liberal democratic content. That is, Larmore might be best

²³ That this was not Rawls's view is quite clear from *The Law of Peoples* (1999b); see also Weithman 2011, chapter 11.

read as arguing that the principle of respect for persons grounds a demand for the mutual justifiability of political decisions, where this demand is understood as the claim that “basic political principles should be suitably acceptable to those whom they are to bind” (146), without specifying that appeals to basic liberal democratic values make for suitable acceptability.²⁴ For all I said in this section, the principle of respect for persons may well justify such a general principle of mutual justifiability. Could we hold that respect for persons provides the basis for a general principle of mutual justifiability, and that the distinctive political content of the reasonable is provided by further considerations? Perhaps, but unless we can show that the reciprocity principle can be derived from the principle of respect for persons in combination with further non-political moral principles or values, this does not provide an answer to the grounding question.

6. Reciprocity and Respect for Citizens

In the previous section, I argued that the moral principle of respect for persons cannot ground the reciprocity principle because the reciprocity principle itself rules this moral principle out as an inappropriate consideration in political justification, and because we cannot derive the substantial

²⁴ Some indication that this is Larmore’s view is provided in footnote 4 (1999, 602), where he claims that “this moral commitment [to seek principles than can be the object of reasonable agreement] does not, I should add, provide a sufficient basis for a liberal political order.”

However, this footnote is primarily concerned with different peoples forming separate political societies, rather than the content of liberal political morality.

liberal democratic content of reasonableness from a purely moral principle of respect for persons. In this section, I will consider whether considerations of respect can nonetheless play a substantial role in the justification of the reciprocity principle—not respect for persons as persons but respect for persons as citizens, or civic respect.

I will argue that civic respect can play such a role, but my argument is structured differently compared to arguments like Larmore's in two key ways. First, since the idea of civic respect is a political idea, and part of an overall political conception, it is not possible to ground the reciprocity principle in considerations of civic respect. I will therefore understand the questions of the justification of the reciprocity principle as the intelligibility question from this point on. Second, on Larmore's view, the moral principle of respect for persons serves as the key premise in an argument, the conclusion of which is the reciprocity principle. I will instead argue that the reciprocity principle, if properly understood, specifies a conception of civic respect, and I will provide an argument for the reciprocity principle, so understood, based on other political considerations. This means that my overall argument in this section will have two main steps. First, I will show that one particular interpretation of the reciprocity principle specifies a non-dependent conception of respect for persons as citizens. Second, I will provide an argument for the reciprocity principle based on the political importance of self-respect. I should note at the outset that my aims in this section are relatively modest. I only aim to show that considerations of self-respect provide one argument in favor of the reciprocity principle, understood as a principle of civic respect. I do not argue that there are no other political considerations that support the reciprocity principle, nor do I argue that the reciprocity principle can only be justified if understood as a principle of civic respect. Put another way, I do not provide a *complete* answer

to the intelligibility question, I only investigate what role civic respect can play in providing such an answer.

I will start, then, by showing that the reciprocity principle can be interpreted as specifying a conception of civic respect. For this to have any significance for the justification of the reciprocity principle, the relevant conception of civic respect will have to be non-dependent. That is, if respect for persons as citizens is simply a matter of people and institutions conforming to correct political principles and reasons, the content of which can be specified independently of any notion of respect, then nothing of substance is accomplished by claiming that the reciprocity principle embodies a conception of civic respect. At this point, it is useful to contrast the argument presented here with Weithman's reconstruction of political liberalism (2011). As I understand his view, he agrees with the conclusion of section 5: the central commitments of political liberalism are not grounded in a general moral principle of equal concern and respect for persons (2011, 353-355). Instead, political liberalism affirms a principle of civic respect, according to which all members of a political society should be respected as free and equal citizens. However, Weithman proposes an explicitly dependent conception of civic respect:

“of course, justice as fairness would still be respect-based if Rawls thought that society is fair only if citizens are respected as free and equal [...] and he thought society should be fair [...] because he thought societies are obliged to respect their citizens. Reading Rawls this way assumes that the notion of respect in (1.5') and the steps leading up to it is a normative notion that is given prior to the principles of justice and is capable of doing independent work. But that assumption is mistaken” (2011, 356).

On this view, it is correct to say that the members of a political society should be respected as free and equal citizens. It is also true that violations of the reciprocity principle constitute a form of civic disrespect. However, the notion of civic respect has no (normative) content independently of the various principles affirmed by political liberalism. Hence, the appeal to civic respect cannot provide any substantive justification for the reciprocity principle.²⁵

Can the reciprocity principle be interpreted as embodying a non-dependent conception of civic respect? To answer this question, we will have to look in more detail at more specific formulations of the reciprocity principle. My statement of the *Reciprocity Principle* above is meant as a general statement, compatible with a range of more specific interpretations of this idea. One prominent interpretation in the contemporary literature on public reason is as a principle which imposes a necessary condition on political decisions having one or more positive normative properties.²⁶ Political decisions are understood as political outcomes, such as policies or pieces of legislation. The relevant normative properties include justification, legitimacy, and authority. The resulting principle, generally stated, is this:

²⁵ Saying this is no criticism of Weithman's interpretation of Rawls, nor is it a criticism of the substance of the view. All I claim is that, given a dependent notion of civic respect, considerations of civic respect have no substantive role to play in political justification. It seems to me that Weithman agrees with this claim.

²⁶ See Gaus's "Basic Principle of Justification" (2010, 263-265), Vallier (2011), and Eberle (2011).

Justificatory Principle: political decisions are justified (legitimate, authoritative) only if they are sufficiently supported by considerations that all citizens can reasonably be expected to accept.

Principles of this form do not place any demands, at least not directly, on how citizens should deliberate about, argue for, or make political decisions. It is perfectly possible, though perhaps unlikely, for a political society to be regulated by laws and policies, each of which are sufficiently supported by public considerations, even though none of the citizens who make the political decisions endorse the Justificatory Principle or show any concern for the public justification of political decisions.

It is useful to compare the Justificatory Principle to principles of equal concern. Suppose we hold that political decisions should give equal weight to citizens' equally important interests. Laws and policies that favor the rich, the white, the male, or the old may violate such a principle. Similarly to the Justificatory Principle, however, the principle does not by itself require any citizens, not even those who are particularly central to political decision-making, to give equal weight to citizens' equally important interests. In theory, we could satisfy the principle of equal concern through a mechanism of properly regulated, purely self-interested political choice. Further, the Justificatory Principle does not entail that anyone has the standing to demand that political decisions be sufficiently supported by public considerations. If some political decision fails to be publicly justified, then, according to the principle, it lacks justification (or legitimacy, or authority). Any citizen, and any non-citizen for that matter, can correctly point out that the political decision fails to be publicly justified and therefore lacks justification. But, as we saw in section 4, this does not entail that any citizen has the authority to demand of anyone that public

justification be provided, nor that any citizen has the standing to hold anyone accountable for the failure of public justification.

The Justificatory Principle does not specify a non-dependent conception of civic respect. The principle imposes a necessary condition on the justification of political decisions but it neither requires citizens to attach importance to the justifiability of their political decisions to their fellow citizens, nor that they accord any standing or authority to their fellow citizens to demand public justification. Of course, it is open to us to endorse a dependent conception of civic respect and hold that whenever political decisions conform to the Justificatory Principle, the political order expresses respect for persons as citizens. In addition, we could say that citizens show respect for one another as citizens when they support and act within political institutions which conform to the Justificatory Principle. None of this, however, would make any difference for questions about the justification of the reciprocity principle.

Another kind of interpretation of the general Reciprocity Principle, also found in the literature on public reason and political liberalism,²⁷ seems better suited to produce a conception of civic respect. This interpretation sees political justification as an activity citizens engage in, rather than as a property of political outcomes. In a democratic society, political decisions are made by the citizens, and the reciprocity principle places a restriction on how citizens are to make these decisions:

Deliberative Principle: when deliberating about political decisions, citizens should only appeal to considerations that they can reasonably expect all citizens to accept.

²⁷ See, for example, Ebels-Duggan 2010; Leland and van Wietmarschen 2017.

As stated, this principle may be too strong: perhaps citizens can properly appeal to nonpublic considerations if they are prepared to provide public reasons in due course, or perhaps the Deliberative Principle should only apply to a subset of political decisions, or perhaps citizens can legitimately appeal to nonpublic considerations as long as they sincerely believe there are sufficient public reasons for their decisions as well. What matters to me, however, is not the precise content of the principle, but its general form as a principle regulating citizens' political deliberation.

Unlike the Justificatory Principle, the Deliberative Principle directly constrains the conduct and deliberation of citizens engaged in political decision-making. This means that citizens, not just political outcomes, can comply or fail to comply with the principle. When citizens fail to comply with the principle, others may at times be in a position to recognize this fact. In such cases, they can correctly point out that their fellow citizens have failed to regulate their political conduct and deliberation in accordance with what can reasonably be expected of them in their role as citizens. In short, they can correctly say that their fellow citizens conducted themselves wrongly in violating the Deliberative Principle.

None of this entails, however, that anyone has the authority or standing to make demands on the conduct or will of their fellow citizens or the standing to hold them accountable.²⁸ The

²⁸ This assumes that wrongful conduct does not entail that anyone in particular has been wronged. That is, I'm assuming that there are both directed and non-directed obligations, and that the latter do not entail the former. If this were denied, then my argument could be rephrased so as to avoid identifying failures to comply with the Deliberative Principle with wrongful conduct.

example of medical expertise is again helpful. It may be true that you should take a vitamin supplement. If you don't, then it might be heavy-handed to say that you acted wrongly, but you did the wrong thing in not taking your vitamins. I (or anyone else) can correctly point out that you did the wrong thing, but this does not entail that I have the authority to demand that you take your vitamins, or to hold you accountable if you don't. Likewise, the Deliberative Principle merely says that citizens should conduct themselves in a certain way. The principle makes certain demands on the conduct and will of persons in their role as citizens, but it does not ascribe to anyone the authority to demand of citizens that they comply with the principle, nor does it say that citizens have the standing to blame or otherwise hold each other accountable when they fail to do so. Here again, it is open to us to adopt a dependent conception of civic respect and hold that by conforming to the Deliberative Principle, citizens respect their fellow citizens in their political deliberation and conduct. This will not, however, make any substantial difference to the justification of the Deliberative Principle.

By now it will probably be no surprise how I will propose we understand the Reciprocity Principle, such that it can form a key component of the non-dependent conception of respect for citizens:

Authority Principle: all citizens have the authority to demand that their fellow citizens justify their political decisions to them on the basis of considerations that all citizens can reasonably be expected to accept.

Given Darwall's conception of authority, it follows from this principle that citizens' demands for justification provide their fellow citizens with normative reasons to provide public justification for their political decisions. It also follows that citizens have the standing to hold others

accountable for meeting these demands for public justification. The Authority Principle does not specify the shape this accountability takes, but we can generally say that citizens can rightly blame their fellow citizens if they make political decisions for which they can provide no adequate public justification.²⁹

Civic Respect, if we understand it in terms of Darwall's conception of recognition respect, refers to people recognizing one another's standing as citizens: citizens respect one another as citizens when they regulate their conduct and will in accordance with the distinctive

²⁹ The Authority Principle is more demanding of individual citizens than the Justificatory Principle. This may be seen as an advantage of the Justificatory Principle in its own right. Moreover, it may seem counterintuitive that when we are subject to political decisions that are in fact adequately supported by public considerations we nonetheless get to demand that our fellow citizens provide a public justification for their decisions and to blame them if none is forthcoming. It is important to note, first, that the Justificatory Principle is compatible with the Authority Principle. Proponents of the Authority Principle can therefore acknowledge that in so far as the political decisions to which we are subject are in fact supported by public reasons, this is important. Second, it seems to me intuitive that citizens have the standing to make the further demands specified by the Authority Principle. For example, take a public official who decided, entirely within the scope of her authority, to discontinue public funding for IVF treatment. There may well be sufficient public considerations to support this decision. If this person is then asked to justify her decision to her fellow citizens and she does so by reference to the evil of interfering in God's design, this strikes me as a failure to provide what her fellow citizens are rightly demanding of her. I'm grateful to an anonymous referee for pressing these concerns.

authority people have in their role of citizen. The Authority Principle, if correct, describes one element of the authority associated with this role.³⁰ In a well-ordered liberal democratic society, however, the scope of citizens' authority is much greater than what is included under the Authority Principle. The role of citizen gives you, for example, the standing to demand non-interference by the state in a certain range of choices, to demand a stake in the process of social cooperation, or to demand compensation for civil wrongs. The Authority Principle describes the element of the authority of citizens which is specifically concerned with their standing in the process of political justification.

The Authority Principle holds that persons have the authority to make certain demands in their role as citizens, but the principle does not deny that persons may also have the authority to make various demands on others in other capacities, including simply as persons. It may be true, for example, that people generally have the authority to demand of others that they justify to us the ways in which they treat us.³¹ Moreover, the content of what we have the authority to demand

³⁰ I'm not the first to propose that we understand the central commitments of political liberalism in terms of civic respect. Suggestions in this direction can be found in various places, including Lister 2013 and Boettcher 2007, but Neufeld (2005, 2019) most explicitly develops an account of this kind. A key point of agreement between Neufeld's account and the one presented here is that the Reciprocity Principle is best understood as embodying a form of recognition respect among the members of a political society for one another in their role as citizens (Neufeld 2019, 779-81).

³¹ As I mentioned at the end of section 5, the arguments of Larmore (1999) might establish a claim of this kind; see also Darwall 2006, chapter 12.

of others simply as persons may both resemble and partially overlap with what we have the authority to demand of others as citizens. However, if my arguments in section 5 are sound, then the full content of the Authority Principle—and especially its substantive conception of reasonableness—cannot be derived from a moral principle of respect for persons as persons. In this sense, the Authority Principle captures a distinctive normative standing that political institutions confer upon persons by making them citizens.³²

The second step is to provide an argument for the reciprocity principle, now understood as the Authority Principle. Different kinds of arguments, starting from different political values or principle, could in principle be provided.³³ I will provide an argument that appeals to Rawls's idea of the social bases of self-respect as a primary good. The primary goods are those things all persons can be presumed to want more of rather than less, regardless of the specific content of their comprehensive or sectarian conceptions (Rawls 1999a, 54-55). As such, the primary goods

³² Again, I use the term 'citizen' to refer to all and only the members of a given political society, and I bracket questions about who are or should be members. The Authority Principle does not rule out that non-citizens also have the authority to demand justification for political decisions, perhaps for those that directly affect them in particular. I'm grateful to an anonymous referee for asking about these issues.

³³ Ignoring various differences, Neufeld 2019 answers this question by arguing that compliance with the Authority Principle partly constitutes relationships of mutual civic respect and that this in turn supports the joint exercise of political power by citizens as a corporate body, which realises a kind of political autonomy. I am generally sympathetic to this kind of answer (see Leland and van Wietmarschen 2017), and take it to be complementary to the one provided here.

describe the good of persons considered as free and equal members of a political society, that is, as citizens (see Rawls 1993, 187-190). Included among the primary goods are the social bases of self-respect. On Rawls's view, self-respect includes "a person's sense of his own value, his secure conviction that his conception of his good, his plan of life, is worth carrying out. And second, self-respect implies a confidence in one's ability, so far as it is within one's power, to fulfill one's intentions" (1999a, 386).

The details of Rawls's specific account of self-respect do not matter for my argument. What matters is that the inclusion of the social bases of self-respect among the needs of citizens expresses the view that our interests (as persons and as citizens) are not limited to self-preservation, but also include interests in recognition. Being recognized by our fellow citizens as full members of society is part of our good as citizens (Rawls 1993, 81). This idea plays a crucial role in Rawls's arguments for the difference principle, the priority of the liberties, and various other aspects of his overall view. In each case, a particular element of the overall political conception provides citizens with the standing to make certain demands on their fellow citizens: the difference principle gives citizens the standing to demand a fair share of the products of social cooperation; the basic liberties and their priority give citizens the standing to demand others not to interfere in certain choices. Likewise, the reciprocity principle, understood as the Authority Principle, helps secure the social bases of self-respect by providing citizens with the standing to demand public reasons for political decisions. In doing so, the Authority Principle

secures citizens' standing, not just as participants in social cooperation, and not just as free agents, but specifically as equal participants in political deliberation and decision-making.³⁴

Even if this is correct, however, my argument does not seem to make any progress on the second problem I raised for the argument from the moral principle of respect for persons. Respect for persons, I claimed, might support a general demand of mutual justifiability, but it cannot support the substantive conception of reasonableness that figures into the content of the reciprocity principle. Likewise, the Authority Principle may provide citizens with the standing to make demands on their fellow citizens within the process of political justification, but so would

³⁴ It may seem that this line of reasoning equivocates on the notion of respect. Darwall distinguishes recognition respect, which involves giving a person standing in our relations to it, from appraisal respect, which involves a positive evaluation of a person (1977, 38-39). The Authority Principle affords citizens with a kind of recognition respect. Rawls's conception of self-respect, however, may appear to be primarily, if not entirely, a matter of appraisal respect. I'm grateful to an anonymous referee for this challenge. It raises questions about the interpretation of Rawls's conception of self-respect, and about how that conception maps onto Darwall's distinction, that cannot be fully dealt with in this paper. The short reply is that Rawls cannot coherently be interpreted as exclusively having appraisal-respect in mind. This is apparent from the way in which Rawls appeals to self-respect in defense of the basic liberties, the fair value of the basic liberties, the difference principle, and the priority of the basic liberties (see especially 1993, 178-182 and 318-320). None of these elements of of Rawls's conception of justice constitute a positive appraisal of persons, nor do they straightforwardly support positive self-appraisal; these elements are no different from the Authority Principle in this regard.

alternative principles that do not appeal to reasonableness. A principle which simply ascribes to all citizens the authority to demand *valid reasons* for political decisions made by their fellow citizens, for instance, would equally well endow citizens with a distinctive standing as participants in political deliberation and decision-making.

I concede that we cannot derive the full content of the Authority Principle from the idea of a non-dependent conception of respect for persons as citizens, taken by itself. The problem with the attempt to answer the grounding question in terms of a moral principle of respect for persons is that the reciprocity principle, including the substantive conception of reasonableness, would have to be derived either from the principle of respect for persons by itself, or from this principle in combination with other pre-political moral principles or values. An answer to the intelligibility question, by contrast, aims to provide an argument for the reciprocity principle in terms of other elements of a complete liberal democratic political conception. This means that an answer to this question need not limit itself to the idea of civic respect as such, or to the importance of self-respect; it can also appeal to other liberal democratic political values such as freedom, equality, and fair social cooperation, or to the political ideals of joint rule and civic friendship. The Authority Principle, I claim, describes the authority of citizens of liberal democratic societies to demand justification for political decisions from their fellow citizens, and thereby supports the self-respect of citizens. The question now is, which kinds of considerations can citizens offer as justification for their political decisions to satisfy this demand? It is neither surprising nor arbitrary to think that what people can demand in their role as citizens of a liberal democratic political society is that political decisions be justified in terms of considerations that

they, as citizens of a liberal democratic political society, can be expected to accept; that is, in terms of *public* considerations.

7. The Unreasonable

It is worth pointing out an implication of my view for the vexed issue of the “unreasonable.” The reciprocity principle requires political decisions to be justified on the basis of considerations all citizens can *reasonably* be expected to accept. Given a substantive conception of reasonableness, there will in any political society be a significant number of people who fail to qualify as reasonable: those who reject the basic liberal democratic political values, or whatever else figures into the content of reasonableness. What is a liberal democratic society to do with unreasonable views and unreasonable people?³⁵

The pertinent question for the current paper is whether unreasonable people should be accorded the same civic respect as reasonable people, or whether they should be excluded from relationships of mutual civic respect. The answer is that the Authority Principle covers all citizens, that is, all members of the political society, including both the reasonable and the unreasonable. This means that unreasonable people have the same standing as all other citizens in the process of political deliberation and decision-making: they, like all other citizens, have the standing to demand of their fellow citizens that they justify their political decisions in terms that

³⁵ This question has given rise to a significant amount of debate among proponents and critics of political liberalism. See, for example, Quong (2004), Kelly and McPherson (2001), and Enoch (2013, 164-170).

all citizens can reasonably be expected to accept. Of course, unreasonable citizens usually reject at least some public considerations. Political liberalism holds that they can nonetheless reasonably be expected to accept those considerations. This means that their fellow citizens may answer their legitimate demands for justification by offering reasons they reject. Civic respect, on my view, gives each citizen, reasonable or not, the authority to demand justification for political decisions in terms all can reasonably be expected to accept, not in terms that all addressees of political justification *do* accept.

8. Conclusion

In this paper, I have investigated the extent to which political liberalism's principle of political justification can be justified in terms of respect. I have argued against attempts to ground the reciprocity principle in a pre-political moral principle of respect for persons. Such views invite us to see political society, and its characteristic employment of coercive force, as posing a threat to our pre-existing dignity as free and equal persons, a threat we can only neutralize by imposing a restriction on the exercise of political power in the form of the reciprocity principle. I have argued in favor of the reciprocity principle in terms of respect for persons in their role as citizen. My argument invites us to view political society as answering our need for recognition by

conferring on us the status of citizen, with the standing to be a full participant in democratic deliberation and decision-making.³⁶

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³⁶ Thanks to RJ Leland for many years of figuring out political liberalism together, and to Jonas Vandieken for helpful conversations about respect for persons. Thanks also to audience members at the University of Glasgow and workshop participants at MANCEPT for raising important questions and objections to earlier drafts of this paper. Christian Barry and two anonymous referees for this journal provided comments that led to significant improvements as well. Lauren van Wietmarschen helped dot the i's and cross the t's. This work was supported by the Leverhulme Trust (grant number RF-2018-377\10).

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