

Lecture Notes 2 : Political Liberalism

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A well-ordered society is:

A society in which (1) everyone accepts and knows that the others accept the same principles of justice, and (2) the basic social institutions generally satisfy and are known to satisfy these principles. (*A Theory of Justice (TJ)*, p. 5)

Stability for the Right Reasons (SRR)

Rawls' *Theory* argument from congruence, which goes something like this:

1. The well-ordered society generates practices and attitudes that reinforce individuals' sense of justice
2. Having and developing a sense of justice is conducive, or necessary to, the individual good (at least in a well-ordered society).

And since

3. Individuals will be naturally inclined to pursue their own good.
- ∴ 4. The well-ordered society is (motivationally) self-sustaining, i.e. stable, for the right reasons.

Problems with justice as fairness

A a 'partially comprehensive doctrine':

- (i) it appeals to (non-justice) intrinsic goods, and
- (ii) it invokes philosophical and metaphysical claims about the nature of persons, objectivity, and practical reason.

The argument is something along these lines:

5. Reasonable members of a pluralistic well-ordered society could not reach agreement on a set of mutually justifiable principles if these appeal to comprehensive theories or accounts.
6. The account of justice in *TJ* is constructed out of comprehensive material.
- ∴ 7. The account in *TJ* is not conducive to stability for the right reasons.

SRR in *Political Liberalism*

SRR obtains iff:

- (i) There is an overlapping consensus.
- (ii) Overlapping consensus has content in virtue of a political conception of justice (conceived in accordance with public reason).

What is a political conception of justice?

Reasonableness

Reasonableness is a moral ideal, 'which is part of a political ideal of democratic citizenship'.

Free and Equal Persons

Persons: individuals engaged in social cooperation with others.

Free and equal: Under democratic societies people see themselves as responsible agents, pursuing and revising their own conception of the good, and are possessed of self-respect.

Overlapping consensus

The idea of an overlapping consensus is put forward as a solution to the SRR problem.

Contrast with a 'mere' *modus vivendi*.

Public Reason

Public reason tells us what kinds of considerations can be invoked to decide on the 'constitutional essentials' and the matters of basic justice.

Arguments like this run afoul of public reason:

8. Fetuses are human beings.

9. Human beings are sacred.

∴ 10. Abortion should be banned.

Claims like (8) are metaphysical claims about the nature of fetuses, and claims like (9) are religious claims about the nature of human beings.

Study questions

What is political liberalism?

Does Rawls' political liberalism succeed in showing that an 'overlapping consensus' is possible?

Further Reading

Larmore, C. (2003), 'Public Reason', in S. Freeman, (ed.), *The Cambridge Companion to Rawls*.

Rawls, J. (1993), *Political Liberalism*, Lectures I, II, IV, V.

Wenar, L. (1995), 'Political liberalism: an internal critique', *Ethics* 106, 32-62.