Rawls, Democracy, and Ideology

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Despite the copious attention paid to John Rawls' political philosophy, there are still important aspects of it that are not widely understood. One of the most important of these is his discussion of *general* reflective equilibrium. In the present paper, I will offer an interpretation of Rawls' philosophical project in which close attention is paid to the nature of general reflective equilibrium and the role that it plays in Rawls' theory. I will argue that a clear understanding of this idea supports the position that many of Rawls' critics, and some of his advocates (e.g. Rorty), have things exactly backwards. While many worry that Rawls' philosophy is monological to the point of being anti-democratic,[1] I argue that it is dialogical to the point of overestimating the power of democratic dialogue. While many worry that Rawls equates justice and stability,[2] I argue that his account of justice is in tension with his account of stability.

Political Liberalism vs. Justice as Fairness

It is widely recognized that one must distinguish between Rawls' fundamental approach to political philosophy, "political liberalism", and his conjecture regarding the most reasonable conception of justice, "justice as fairness." When Rawls gives us political liberalism, he writes in the voice of a political theorist articulating a way of approaching politics in democratic contexts given the fact of reasonable pluralism.[3] When Rawls gives us justice as fairness, he writes in the voice of a citizen of a democratic society putting forth arguments in favor of a conception of justice that he hopes can find the support of all reasonable citizens. Political liberalism contains claims about the nature of democratic societies and a method for achieving a just and stable democracy. Justice as fairness is what Rawls comes up with when he attempts, as a citizen addressing other citizens, to engage in the sort of practice

that political liberalism calls for. Thus, political liberalism is more fundamental than justice as fairness. It addresses the specific problem of bringing about a just and stable democratic society that contains a plurality of reasonable comprehensive doctrines.[4] On the other hand, "justice as fairness" is "a particular account of justice" (Rawls, *PL* xxvii).

Reflective Equilibrium

At the heart of political liberalism is Rawls' concept of reflective equilibrium. Reflective equilibrium is defined as a state in which one's "principles and judgments coincide" after one has undergone a "process of mutual adjustment of principles and considered judgments" (Rawls, *Theory* 20). In *A Theory of Justice*, the principles Rawls endorses, and the original position as a device of representation, are taken to be reasonable only if they fit with our fundamental normative conceptions and considered convictions in reflective equilibrium. In his more recent work, he has made it clear that the relevant equilibrium is "wide" and "general" reflective equilibrium.

One's reflective equilibrium is said to be "wide" when one has "considered the leading conceptions of political justice found in our philosophical traditions . . . and has weighed the force of the different philosophical and other reasons for them" (Rawls, *Justice As Fairness* 31). "General" reflective equilibrium is explain as follows:

> Think of each citizen in such a society as having achieved wide reflective equilibrium. Since citizens recognize that they affirm the same public conception of political justice, reflective equilibrium is also general: the same conception is affirmed in everyone's considered judgments (*PL* 384).

Clearly, more needs to be said regarding the idea of general, wide reflective equilibrium. This passage makes it sound as if general, wide reflective equilibrium is achieved when all citizens achieve wide reflective equilibrium and they all happen to agree on the same conception of justice. No conversation, democratic deliberation, or reasoning in public forums is necessary. Is general, wide reflective equilibrium something formed discursively or is it just

something we get when our independent, monological reflection happens to line up, that is, when we all come to support the same political conception of justice?

Ultimately, it is clear that Rawls' view on general, wide reflective equilibrium includes discourse among citizens. Rawls tells us that general, wide reflective equilibrium is "fully inter-subjective:" "that is, each citizen has taken into account the reasoning and arguments of every other citizen" (*PL* 385). This reveals a great deal about Rawls' conception of general, wide reflective equilibrium. It is surprising to see this point made in only one sentence, and in a footnote at that, but nonetheless it is clear that general, wide reflective equilibrium is more than just the happy coincidence in which all citizens achieve wide reflective equilibrium and each supports the same conception of justice. The conception of justice that all affirm will be one they affirm after discourse including all citizens. Rawls calls his claim that the principles selected in the original position are the most reasonable ones "a conjecture" and admits that it may be incorrect (*PL* 381). He thinks that this conjecture must be tested by submitting it to the democratic evaluation embodied in the pursuit of general reflective equilibrium, since "an orderly contest between them [conceptions of justice] over time is a reliable way to find which one, if any, is most reasonable" (Rawls, *Public Reason* 105). The reasonableness of justice as fairness "can only be shown by the overall success over time of the shared practice of practical reasoning by those who are reasonable and rational" (Rawls, *PL* 119).

Thus, political conceptions of justice are to be assessed from the point of view of real people—not original position parties. As Rawls writes in "Reply to Habermas:" "it is you and I—and so all citizens over time" who judge the merits of the original position and the two principles of justice (*PL* 383). "We as citizens discuss how justice as fairness is to be formulated." We discuss "whether the details of the set-up of the original position are properly laid out and whether the principles selected are to be endorsed" (*PL* 383). We also lay out competing conceptions of justice and scrutinize and discuss them. "All discussions are from the point of view of the citizens in the culture of civil society" (*PL* 382).

Rawls calls for us to engage in a democratic dialogue that seeks (but never fully attains) the goal of reaching a rationally motivated consensus—a consensus that stands as "a point at infinity we can never reach" (*PL* 385). Thus, Rawls' scheme has the same sort of indeterminacy as Habermas,' which is to be overcome by the same means (Habermas, *Between Facts and Norms*). Rawls and Habermas share a common pragmatist criterion for the society we ought to work toward. The society we ought to work toward is the one that we would endorse after an idealized form of reason exchange in hospitable circumstances. Instead of a position behind a veil of ignorance, we should see Rawls as calling for real people to exchange reasons and arguments in a democratic dialogue that takes place in definite historical conditions and aims at general, wide reflective equilibrium.

Implications for evaluating Rawls' theory

What is the significance of the interpretation that I am offering with regard to the evaluation of Rawls' philosophy? If you accept my interpretive argument, then you will agree that Rawls does not equate justice and stability and is not monological to the point of being anti-democratic. The criticism that Rawls is overly monological derives from a failure to recognize that justice as fairness is offered by Rawls, the citizen, and it is to be counted as reasonable (for us) only if it finds support in general, wide reflective equilibrium. Once we see that Rawls' conjecture about which principles of justice are most reasonable is to be tested by a democratic dialogue in which "all citizens" take into account "the reasoning and arguments of every other citizen," this criticism is sufficiently answered (*PL* 383, 385). The criticism that Rawls equates justice and stability derives from a failure to distinguish the goal of seeking general, wide reflective equilibrium from the more modest goal of finding an "overlapping consensus" of comprehensive doctrines. Rawls contends that a society is just insofar as it is governed by a political conception that would be accepted after the idealized democratic dialogue required in the pursuit of general reflective equilibrium. However, a society can be stable merely in virtue of the existence of an overlapping consensus of

comprehensive doctrines. That is, stability requires only that a political conception be widely accepted (for the right reasons) (*PL* 144), but justice is defined in terms of a standard of hypothetical acceptability.

Justice, Ideology, and Democracy

I have argued for a reading of Rawls on which he is exonerated from both the objection that he is anti-democratic and the objection that he equates justice and stability. However, in addition to answering objections to Rawls' philosophy, my reading also raises new ones. For instance, we now must ask why we should think that a society would move toward greater justice as it approaches general, wide reflective equilibrium. Is reflective agreement by the reasonable citizens of a society enough to establish that a state is as just as we can make it? Why should we think that the conception of justice that is supported in general, wide reflective equilibrium is the one that does the best job of capturing what justice requires?

Rawls' belief that this is the case presupposes a certain democratic optimism. The idea is that the best we can do in the project of moving toward a just government is to increase democratic dialogue between reflective citizens. The hope that reflection will lead a society toward greater justice rests on the deep assumptions that human reason, under liberal democratic traditions, will be self-reflexive and progressive. Citizens will be led to reason in good faith following what Habermas calls the "the force of the better argument," and this process of reasoning will be directed not only toward decisions between conflicting choices within liberal thought (such as how to adjust tax rates, and whether or not the death penalty is just), but also at evaluating the dominant self-conceptions of our society and our fundamental liberal ideals. The hope is that citizens will interrogate and scrutinize even their most deeply held judgments and world-pictures.

This is an attractive ideal, but it is clear that this optimism is unwarranted unless the state takes an active role in combating the tendency human beings have to see the status quo as just, and to refrain from interrogating their deep normative conceptions. One important question is how we are to get citizens to reason in this

way given the great political virtue it would require. Furthermore, we have reason to wonder how successful even the disciplined citizens will be at overcoming ideological distortion and other idiosyncrasies of their socio-historical position.

In the original position, the veil of ignorance limits inputs, but the original position is just a device of representation. In pursuing general reflective equilibrium it is real people who construct their own reflective equilibria and then engage in a democratic discourse with the virtue of public reason. In the original position, history, class, and other contingencies are largely filtered out, but in public reasoning these contingencies of socially and historically situated subjects are not. Thus, the conception of justice that emerges in general, wide reflective equilibrium will be partially determined by these contingencies. The clear fact that the basic structure will have a major impact on the inputs that citizens bring to the pursuit of reflective equilibrium builds a measure of conservatism into a theory that seeks to define the reasonableness of principles of justice in terms of reflective equilibrium. When citizens reason in accordance with the "wide view" of public reason,[5] some of what enters into discourse will be a product of socialization, or be motivated from class interest, etc. Even if citizens live up to the duty of public reason, they will inadvertently bring in positions partially determined by irrational factors.

As a deliberative democratic theorist, Rawls must confront "the problem of ideology," which I will state in following way. If the thoughts, beliefs, and values of the citizens of a society are distorted by the power relations and socio-economic factors of their time, then how can these beliefs and values serve as inputs in a democratic dialogue the result of which is a just government? If the inputs into democratic discourse are tainted, how can they become "cleansed" in such a way that the outcome of the discourse grounds a just government? The political conception that fits in general, wide reflective equilibrium must not be determined by the institutions that are to be justified by this equilibrium. The institutions will no doubt have some influence on the public culture, but how much is too much? At what point is democratic justification a mere feedback loop and only for show?

I have always thought that "the problem of ideology" has a frightening feel of inescapability, but it seems that our only hope for overcoming ideological distortion is critical reflection and discourse. We must embrace the democratic optimism involved in hoping that robust democratic discourse can allow "the force of the better argument" to triumph over the powers of socialization and class interest. Of course robust discourse could break up ungrounded assumptions and prejudices, but one might still worry that the outcome of the deliberation will be largely determined by social conditions, currently inculcated political ideals, current relations of production, etc. In order to work against this tendency, the state must actively work to encourage criticism and scrutiny of the inputs into discourse. This would require fostering a certain kind of critical democratic culture, and this is where Rawls' account of justice is in tension with his account of stability. The conflict arises because in Rawls' discussion regarding how to achieve a stable society, he recommends that citizens be "educated" to fundamental liberal ideals in order to shape their doctrines toward the governing conception of justice (*PL* 71, 389).

Rawls not only acknowledges that the basic structure of a society dramatically affects the individuals that live under it, he relies on this fact in his account of stability. Rawls indicates that a stable democratic society is to be achieved by having citizens live under a political conception, and life under that political conception is supposed to function to shape the fundamental normative judgments of the citizens. He writes:

> [W]e hope that reasonable comprehensive doctrines affirmed by reasonable citizens in society can support it, and that in fact it will have the capacity to shape those doctrines toward itself (*PL* 389).

We are to work out a conception of justice as freestanding, put it in place, and then hope that it finds the support of an overlapping consensus. Whether or not this occurs depends on the extent to which the conception of justice succeeds in articulating the shared ideals and normative conception of the society's citizens, and also on the conception's power to shape citizens' doctrines such that

the only doctrines that persist with significant adherents are those that support the conception of justice of the society.

Thus, on Rawls' account, the stability of a liberal regime depends on its ability to engender liberal values in its citizens. The institutions must imprint themselves on the minds of each new generation so that they will willingly consent to them. However, his account of justice depends on the power of open dialogue to break up false assumptions and stagnant thinking so that a society can be moved toward greater justice. If a stable democratic society is to depend on the inculcation of prevalent liberal values, then there is a significant threat of legitimizing existing injustices.

If our public reasoning is going to be critical and reflective enough to move us toward greater justice, then it is necessary that the government work to engender robust argument about fundamental liberal ideals. Fundamental ideals must not be inculcated; in fact, they must be interrogated. Thus, it is clear that the issue of carrying out Rawls' project for a stable democratic society competes with his project of an open dialogue progressing toward a more just society.

Insofar as we allow existing conditions to shape the thinking of citizens, we threaten making the process of seeking equilibrium too conservative. We must guard against the tendency for political values and ideas to flourish on inertia. In the face of "the problem of ideology" we have no attractive choice but to embrace the democratic optimism involved in hoping that the force of the better argument can penetrate ideological distortion and agitate the human tendency to leave well enough alone. However, it must be recognized that insofar as we attempt to reach agreement on shared traditions we are increasing the risk that existing injustices will escape scrutiny.

Notes

[1] The critics who claim that Rawls is overly monological suggest that he decides things in advance for us with his original position and leaves no room for open democratic dialogue. As John Dryzek writes, discursive procedures "differ from those advanced by Kant and Rawls, which require only that the isolated individual engage in a

thought experiment" (Dryzek 17). The claim is that Rawls decides what justice requires by reflecting arm-chair-style, as a philosopher, while the dialogical theorist requires that we carry out actual democratic dialogue in order to determine this. See also Weitman 1995.

[2] Habermas suggests that Rawls intends to "collapse the distinction" between a conception's "justified acceptability" and its "actual acceptance" (*Reconciliation* 122). Wingenbach suggests that Rawls "jettisons justice as a substantive issue" in favor of showing us how to have a stable democratic society (Wingenbach 220). See also Alejandro 1996, Pettit and Kukathas 1990, Rorty 1990, Hershovitz 2000.

[3] The fact of reasonable pluralism is the fact that reasonable people will disagree on fundamental questions even after free discussion; no amount of discourse can bring all reasonable citizens to affirm the same comprehensive doctrine.

[4] A comprehensive doctrine is a collection of beliefs and values held by a person. Comprehensive doctrines include beliefs and values that are political, religious, moral, scientific, etc.

[5] The wide view of public reason marks a loosening of the restrictions on the use of one's comprehensive doctrine in the public forum. While on the "inclusive" view Rawls required any arguments in terms of comprehensive doctrines to be more effective than arguing otherwise, now he only requires that such arguing be done in good faith that public reasons can and will be given in support of the position advocated.

(*PL*, li-lii)

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