

RAWLS'S CONCEPT OF POLITICAL LIBERALISM¹

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Abstract

John Rawls's concept of political liberalism provides new arguments in defining political concept of justice. The issues of social inequality and distribution of goods in society are put aside and in the political focus are the citizens who are in favor of different philosophical, moral and religious universal doctrines. The central issue which the concept of political liberalism seeks to resolve is how is it possible for a society made up of pluralism of different confronting universal doctrines to be well-ordered and stable. The paper focuses on essential elements of political liberalism whose aim is to regulate the plural coexistence of universal doctrines.

Keywords: *political liberalism, John Rawls, overlapping consensus, justice, universal doctrines.*

Rawls's *Political Liberalism* (1993) seeks to introduce structural changes envisioned in his previous book *Theory of Justice* (1971). *Political Liberalism* is not a natural sequence of *Theory of Justice*, but a revision of specific points raised in it. At that time, *Theory of Justice* was widely criticized by libertarians and communitarians, and even Rawls understood that he had not addressed the complex political issues which were missing in *Theory of Justice*. Therefore, *Political Liberalism* is an attempt to compensate for the shortcomings evident in *Theory of Justice* as well as to respond to some critics.

Rawls's *Theory of Justice* was a blend of moral and political philosophy; they complemented each other. Yet, in *Political Liberalism* there is a clear distinction between the two. The notion 'political' was separated from 'moral' and Rawls put the former in the epicenter of the concept of 'political liberalism'. Citizens as moral persons have different conceptions of what is good, but in the public sphere – which lies in the political domain

¹ Džon Rols, *Politički liberalizam*, (prevela Ljiljana Nikolić), Filip Višnjić, Beograd, 1998.

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– they cannot impose their conceptions of good as common. Questions and problems of social inequality and distribution of goods are neglected, and citizens affirming different philosophical, moral and religious comprehensive doctrines are in the centre of the political sphere. Rawls's *Theory of Justice*, through the two principles of justice, has affirmed a comprehensive doctrine applied to the whole society. Modern democratic societies are made of pluralism of very heterogeneous comprehensive doctrines. They are comprehensive because they determine a wide sphere, ranging from the establishment of norms, customs and systems of values, to the manner in which social, economic and political systems work.

The aim of the conception of political liberalism is to regulate pluralistic coexistence of comprehensive doctrines, including the elimination of the possibility that one comprehensive doctrinal system shall prevail over the other, as well as to impose its inner logic to be born as one potentially repressive unifying social-political system neglecting different philosophical, moral and religious differences. The model that is sought after is the establishment of a political concept of justice which means that none of the aforementioned doctrines is going to be generally applied to the whole society, but only where the overlapping consensus will be achieved. In this overlapping consensus, different reasonable comprehensive doctrines will coexist by accepting the political principle of justice.

Accordingly, the very basis of political liberalism consists of the political concept of justice as fairness that is implemented as a basis structure of a society. The basic structure of a society is limited to only political, economic and social aspects of an individual's life rather than individual's whole life, and therefore it should guarantee fair relations among different citizens who are considered to be free and equal, and who recognize a society as a system of cooperation and collaboration among different individuals and groups.

Political concept of justice as fairness does not generally affirm any doctrine as society's common good and system of values that should be supported by all citizens – rather, it guarantees pluralism and freedom in choosing different life concepts of good which spring from moral, religious and philosophical doctrines. The central issue and question which the concept of political liberalism seeks to resolve is the question 'How is it possible that there is a well-ordered and stable society that makes pluralism of different opposing comprehensive doctrines?'

In examining this issue, Rawls's starting point is the premise of a democratic society and conception of personality, that is, a citizen who is free and has the same rights and freedoms in comparison with other citizens. Every person is free on the basis of two moral powers: sense of justice and specific conception of good. When addressing the sense of justice, Rawls has in mind the political conception of justice as fairness. Based on such viewpoint, individuals are capable of perceiving society as a field of social cooperation among different citizens having different conceptions of good. On such a premise we arrive at the notion 'reasonable' which is supposed to become the main virtue of an individual and the concept of justice itself, affirmed by free individuals. At this stage Rawls makes a difference between reasonable and rational. As was stated, reasonable refers to a fair system of social cooperation among free and equal citizens able to obey the rules of interrelationship in accordance with the political concept of justice. But, rational is referred and applied to a citizen as an autonomous person. Such a citizen has his/her own goals and interests that he/she can change over time or can strictly obey. His/her

goals and interests are different conceptions of good which spring from different moral, religious and philosophical doctrines.

Rational is applied to the private sphere in which an individual has diverse convictions, while reasonable represents a sphere of public and political which cherishes rules of cooperation, tolerance and social pluralism in accordance with 'public reason'. That means that, for example, a religious doctrine advocating asceticism as a rational choice can be accepted by an individual. Even though he/she is convinced that such life is the most correct moral aspect (let us assume it really is), what he/she is not allowed is to transpose his/her views to the political sphere as an attempt of imposing a comprehensive doctrine to the whole society that will affirm one dominant value system based on asceticism.

Public domain should be free from the influence of comprehensive doctrines and it should represent a place of movement of diverse comprehensive doctrines out of which none should be dominant or privileged, that is, the place where the rule of fair system of cooperation applies. A fair system of cooperation means exactly the congruence of rational and reasonable: if an individual acted only reasonably, he/she wouldn't have his/her own goals that would be affirmed in the system of social cooperation. If he/she was only rational, then he/she wouldn't be able to accept the virtue of reasonable in order to preserve the social-political system and confirm the loyalty to the constitutional regime guaranteeing freedom and equality on condition of fair cooperation.

Hence, comprehensive doctrines must be reasonable and they must embrace the principle of pluralism and fair cooperation. Doctrines which are comprehensive but not embracing their reasonability threaten to erode the principle of democratic institutions and well-ordered society. Doctrines that are imposed as universal social values, according to Rawls, are anticipated as threats and must be eliminated from the overlapping consensus. The overlapping consensus contributes to the prevention from potential conflicts of comprehensive doctrines. Accordingly, a concept of political justice bearing overlapping consensus is viewed as ethically neutral because it does not approve the universal conception of good.

The idea of overlapping consensus is an inevitable part of political liberalism, and political conception of justice as fairness has been reached with overlapping consensus. It is a guarantee of social stability and integration because it assumes that it will be affirmed by reasonable individuals protecting the rules of the game within which everybody is guaranteed the primacy of equal rights and freedoms. Rawls viewed social integration and stability as the amalgamate of the conception of good and principle of justice. Later on, Rawls changed his view and turned towards the overlapping consensus which supports only the conception of justice, while the issue of good remained reserved for the sphere of an unpublic or private identity. The overlapping consensus should contribute to the creation of common goal reflected in the maintaining of fair institutions. By supporting the conception of justice through the overlapping consensus, different contrasting comprehensive moral, philosophical and religious doctrines treasure their independence which is in line with the conceptions of good. Accordingly, by reaching the overlapping consensus, a society is stable and well-ordered because it is based only on acceptance of the common conception of justice, instead of the mixture of justice and good, because the accepted argument is that there are different conceptions of good. The overlapping consensus represents only political conception of justice which applies to all and cannot be

identified as comprehensive doctrine which is applied to a particular social group or individual harboring their own scale of values. On the one hand, the overlapping consensus is by value neutral, but on the other it allows the affirmation of different values provided that all fair rules based on the conception of justice be obeyed.

Ensuring social stability and well-ordered society is not a matter of pure compromise – or *modus vivendi* as referred to by Rawls – between different comprehensive doctrines. The overlapping consensus embodies much more than *modus vivendi*, because *modus vivendi* has a temporary effect and reaches social stability in a specific moment which is really dependent on external circumstances. When external changes occur, *modus vivendi* is disturbed. In such case one comprehensive doctrine threatens to disturb social stability and to impose domination over other conflicting doctrines. On the other hand, the overlapping consensus can be developed from *modus vivendi*, but it is essential that the overlapping consensus makes a society stable even when external changes take place. For example, if one religious group was to outnumber other religious groups, it would disturb a fragile *modus vivendi* and establish the universal conception of good. But, when the overlapping consensus is in question, a religious group – even one large in number – would reasonably accept the principle of justice establishing a system of social balance and neutralizing unilaterally imposed universal conception of good.

Neutralization of the universal conception of good is also based on the conception of good, but of good that articulates ethical neutrality in the form of justice as a fair system of cooperation. Citizens are free to express their interests and goals in line with their own conception of good, but, they must respect other citizens' interests and goals which differ in conception of good. In contrast to *Theory of Justice*, which has affirmed comprehensive doctrine in form of acceptance of two principles of justice, in *Political Liberalism* Rawls rejects such a view and accepts the political conception of justice which contains pluralism of different and incompatible yet reasonably comprehensive doctrines.

Political liberalism – representing a political conception of justice guaranteed by the overlapping consensus – involves a key element 'public reason'. Public reason is very important for the concept of political liberalism because it provides guidelines and rules through which criteria for evaluation of principles of justice are reviewed. Public reason refers to all citizens who have the opportunity to debate freely and publicly within the political conception of justice. It guarantees constitutional principles which legitimize social order involving political and civil rights, including everything that is necessary for a society to be perceived as a system of cooperation among free and equal citizens. It is highly important that the idea of public reason does not neglect comprehensive doctrines – it should assume them – but also reject any other doctrine that is not compatible with the rules of a democratic society. Public reason is applied to the issues in public forums that cover a spectrum ranging from the association of civil society to all levels of power, with judicial power being the most important but not the ultimate interpreter of public reason. The idea of public reason is complementary to the ideas of political justice and the overlapping consensus, which legitimize pluralism of different conceptions of good based on reasonability.

Rawls makes a clear distinction between his 'political liberalism' and 'comprehensive liberalism' associated with classical liberals Immanuel Kant and John Stuart Mill. The ideas of autonomy and tolerance were in the focus of classical liberals. Autonomy includes a person free from external force, free to choose their conception of good and

question conceptions of good which they previously adopted. On the other hand, tolerance meant that those people respected other people's freedom and that they autonomously chose their goals.

It would be ideal that in a well-ordered society autonomy and tolerance were the highest social values that should be adopted by all citizens. However, Rawls is aware of another fact: there are individuals and groups who simply do not want to be autonomous. They have accepted specific moral, philosophical or religious doctrine offered by the conception of good; they are by no means willing to question it, let alone reject it. Political liberalism is based on equal freedoms and rights extended to all individuals in a society – this is as far as Rawls goes – because the potential linking freedom to autonomy would mean denial of the right of some individuals or groups to reject the idea of autonomy related to their personal identity. Freedom of choice can mean choice to reject autonomy. According to Rawls, it is quite legitimate that some people reject autonomy. But, when it concerns the public sphere, individuals should acknowledge the autonomy of other people, that is, they must be tolerant to social differences. That means that Rawls has rejected the social conception of good according to which all people should be liberals, because that carries potentially totalizing effects towards those having different conceptions of good, which assume the rejection of autonomy.

Such reduced political liberalism offers an answer to the critique addressed to Rawls by the communitarians who criticized liberal autonomy which disturbs unity and values of a group within a society. Rawls accepted this view by claiming that there are really individuals and groups who do not respect autonomy. Political conception of justice as fairness refers only to the basic structure of society harboring principles of tolerance and reciprocity among citizens. It is not applied further than the basic structure because that would imply entering the private sphere that allows existence of different conceptions of good. Affirmation of comprehensive conceptions of good is allowed only in private life, but in public life those differences should follow rules of justice as fairness.

Another communitarian critique addressed to Rawls was that his well-ordered society in *Theory of Justice* is nonhistorical and out of context. In *Political Liberalism* Rawls shows how the principles of justice have developed from the political culture cultivated in democratic societies. In time, different doctrines adjusted to a democratic society have become tolerant to one another. As an example Rawls takes violent conflicts between Catholics and Protestants who have eventually accepted rules of religious tolerance. Political concept of justice as fairness does not spring from intuitive ideas behind the veil of ignorance, but from real historical foundation which over a long period of time caused different, contrasting doctrines to accept the idea of fair political cooperation.

Rawls's well-ordered society, based on political liberalism assuming political conception of justice, fully rejects the idea of political community. Political community is established on specific conception of good, which is suppressed by the pluralism of different conceptions of good. Rawls claims that, even if such community was established on the liberal principle of autonomy, it should be rejected. Rejection of common conception of good does not mean the denial of common goals which citizens share while maintaining fair political institutions. Common goals must be separated from the common conception of good, and it is necessary that these two terms differ from each other. Justice as fairness is free from the impact of comprehensive doctrines, but it is not free from the idea that citizens support institutions enabling fair cooperation among different doctrines.

Justice as fairness enables citizens to follow their life goals in line with their own conception of good which cannot aspire to become a dominant social doctrine.

Concept of political liberalism is getting close to classical republicanism, because the political conception of justice as fairness strives to achieve a common goal which is the preservation of institutions of the basic structure which guarantee freedom and equality of citizens. Classical republicanism also means civil participation aiming to contribute to the affirmation of the basic rights and freedoms that are in line with the different individuals' conceptions of the good. In this way the civil virtues that are in congruence with the virtue of reasonable of the Rawls's political liberalism are encouraged. What Rawls disapproves of and refuses is a form of 'humane republicanism' which advocates participation in political life based on substantial reasons having perfectionistic goal, that is, achieving common good in accordance with specific moral, religious or philosophical doctrine.

Finally, it is important to remember that Rawls, when he was writing political liberalism, had in mind a democratic society with a stabile constitutional regime that can be legitimized through the political principle of justice and everything that comes with it. The issue of confronting comprehensive doctrines can be transcended by accepting elements of justice which are encouraged by the existence of the overlapping consensus and use of public reason. They guarantee free existence of pluralism of reasonable comprehensive doctrines out of which none can be dominant. Rawls is aware of the non-liberal character of specific individuals or groups in a society, and of the fact that they are accepted as such unless they jeopardize the basic structure of a society and the manner in which a social-political system works.

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