

Republican Foundations for Liberal Restraint

Liberal political philosophers often claim that the exercise of political power must be justified to everyone on the business end of said power. Many of these same liberal political philosophers¹ also claim that political power justified by appeal only to sectarian worldviews fails to meet this requirement. E.g. If I vote to outlaw same-sex marriage just because I believe that marriage is the God-ordained union of one man and one woman, I do not have reason enough to cast that vote. But is this restraint on political reasons *itself* justified?² What's wrong with coercion justified by appeal only to a particular sectarian worldview?³

In this paper I will argue that the best answer to questions about why we should accept liberal restraints on political justification is assembled from republican materials: specifically, liberal political justification is best justified by appeal to an obligation not to exercise mastery or domination⁴ over fellow citizens. Once we understand precisely what is wrong with mastery, we are ideally situated to see what is right with liberal restraint and what is wrong with the primary objections to it. My argument for this claim will not require conversion to republicanism in its details; in particular, I will not defend the republican analysis

¹ It is of course true that many liberals do not accept what for economy of expression I have called a *liberal* principle of political justification. It would be more accurate to refer to those who endorse the claims I will defend in the paper as “political liberals” or “public reason liberals” or “justificatory liberals”. The most influential treatment of political liberalism is of course J. Rawls’ *Political Liberalism* (New York, Columbia University Press: 1996). I will refer to *Political Liberalism* hereafter as *PL*. The best exposition and defense of Rawls’ version of political liberalism is probably J. Cohen “A More Democratic Liberalism”, *Michigan Law Review*, 92 (1994), pp 1503-1546, and S. Freeman “*Political Liberalism* and the Possibility of a Just Democratic Constitution” in *Justice and the Social Contract* (Oxford: Oxford University Press, 2007) pp. 215-258. An emphasis on restraint in political justification is standard in those who identify explicitly with the deliberative democratic tradition. See A. Gutman and D. Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard University Press, 1996). While rejecting as too facile certain liberal attempts to delimit what does and does not count as a suitably “public” reason, Gutman and Thompson embrace a reciprocity criterion for political justification that requires democratic citizens to offer reasons to each other all can be expected to endorse, and thus to exercise restraint with regard to reasons that are not “accessible” (p. 55). For exposition and criticism of Gutman and Thompson, see S. Macedo (ed.) *Deliberative Politics: Essays on Democracy and Disagreement* (Oxford: Oxford University Press, 1999).

² I will follow C. Eberle in referring to this feature of liberal political justification as a “principle of restraint”. See *Religious Conviction in Liberal Politics* (Cambridge University Press, 2002). He summarizes it as the principle that “a citizen should not support any coercive law for which he lacks a public justification” (p. 68).

³ I will use “political power” and “coercion” interchangeably. This is because I do not see much reason to doubt Rawls’ when he says the former is always a form of the latter. See *PL*, p. 216.

⁴ I will use the terms *mastery* and *domination* interchangeably. To exercise mastery, for my purposes, is to dominate, and *visè versa*.

of freedom. Even if freedom is something other than non-domination *simpliciter*, there is good reason to think that being dominated is a very bad thing and that the absence of domination is thus a central political desideratum.⁵

I say that republicans have the best answer to worries about liberal restraint because I am not convinced by standard liberal attempts to defend it. By my lights, these standard attempts proceed along two primary tracks. The first appeals to the promotion of political values like social cooperation and civic friendship; the second appeals to a norm of respect for fellow citizens, variously expressed. The usual ways of proceeding along either track are suspect; in §I I will briefly say why. In §II, I will unpack enough of the republican notion of mastery to motivate my argument in §III that justifying the liberal principle of restraint in terms of republican insights succeeds where standard liberal attempts do not.

Before I proceed, a word about the kind of justification I aim at here. A successful justification of liberal restraint should, I think, abide by the very restraint requirement it justifies: that is, it should not appeal merely to one or a few of the sectarian worldviews embraced by decent, intelligent people in contemporary democracies.⁶ Showing only that a particular sort of Kantian has sufficient reason to abide by the liberal principle of restraint is an interesting result. After all, many of us are interested in what specifically Kantian commitments entail. Even so, I think a more ecumenical justification of liberal restraint is possible. The following tries to be an actualization of this possibility.

§1 Political justification, like all kinds of justification, is about having reasons and giving reasons. Many liberal political philosophers think that some reasons are and some reasons are not appropriate for political purposes. It is standard to call

⁵ Aspects of the affinity between liberalism and republicanism have been instructively examined elsewhere. See especially H. Richardson, *Democratic Autonomy* (Oxford: Oxford University Press, 2002), pp. 3-55 (hereafter, *DA*) and R. Dagger, “Autonomy, Domination, and the Republican Challenge to Liberalism”, in *Autonomy and the Challenges to Liberalism* (Cambridge: Cambridge University Press, 2009), pp. 177-203. For a summary of evidence that concern for non-domination is not foreign to the liberal tradition, see C. Larmore, *The Autonomy of Morality* (Cambridge: Cambridge University Press, 2008), pp. 184-189 (hereafter *AM*).

⁶ I find it difficult to see how Gerald Gaus’ voluminous recent work on liberal justification avoids such narrowness of appeal. In his discussions of liberal foundations, he often appeals to an explicitly Kantian notion of autonomy—that rational agents are not subject to any moral authority but their own. I am inclined to agree with him. Even so, a justification of liberal restraint based solely on this principle is a justification of liberal restraint based solely on a sectarian worldview inasmuch as some, even generically liberal, devotees of religious worldviews will reject this account of moral authority. See G. Gaus, “Liberal Neutrality: A Radical and Compelling Principle”, in *Perfectionism and Neutrality*, edited by G. Klosko and S.Wall (Lanham, MD: Rowman and Littlefield, 2003), and “On two critics of justificatory liberalism: A response to Wall and Lister” in *Politics Philosophy Economics* 9 (2010) pp. 177-212.

the appropriate ones *public* reasons. I will not provide an account here of precisely what public reasons are or how to find them. The incantatory “reasons it is unreasonable to reject” is useful, but going beyond the slogan requires (among other things) a theory of the reasonable and unreasonable in political contexts I will not provide here.⁷

Fortunately, we can identify the reasons liberals think are inappropriate without a complete theory of which ones are. Contemporary democracies are chockablock with bundled claims about the right and the good.⁸ John Rawls called these bundles “comprehensive doctrines”. I will call them “worldviews”.⁹ Roman Catholicism is one, but so are forms of liberalism that come equipped with full-blown accounts of human nature and flourishing. None has the market cornered on the assent of decent and intelligent people. As a result, all worldviews are sectarian. Paradigmatically, non-public reasons are those that have force only if a particular worldview is true: e.g. that the pope says we should ϕ is not a reason to ϕ unless Roman Catholicism is true.¹⁰ In sum, the liberal principle of restraint tells us that we have a moral obligation not to enlist the state to enforce some law on our fellow citizens when the only reason we would do so is because we accept the worldview we happen to accept.

This principle is deeply controversial. It is opposed even by some who agree that democratic citizens should try to offer each other reasons recognized as such all around.¹¹ Suppose I cannot deliberate about abortion without reference to my belief that fetal life is sacred. Is it fair to ask me to regard such beliefs as politically inert? Suppose I’ve shaped my worldview over years by laborious inquiry into the deep nature of the right and the good. Why should I defer to worldviews I have

⁷ I believe it to be an all-too-common common failing of liberal theorizing to talk as if we can do without such a theory. For a pointed version of this worry, see M. Friedman, “John Rawls and the Political Coercion of Unreasonable People” in *The Idea of Political Liberalism* (Lanham, MD: Rowman & Littlefield, 2000) pp. 16-33. See also J. Hampton, “The Common Faith of Liberalism” in *The Intrinsic Worth of Persons* (Cambridge: Cambridge University Press, 2007) p. 179.

⁸ Sometimes tidy bundles, but usually not.

⁹ In so doing, I follow K. Ebels-Duggan, “The Beginning of Community: Politics in the Face of Disagreement” in *The Philosophical Quarterly* 60 (2010) pp. 50-71.

¹⁰ *Qua* pope, of course. You don’t have to be a Roman Catholic to have a reason to put a coat on when your old friend Joseph Ratzinger mentions that it is cold outside.

¹¹ Eberle is a staunch opponent of liberal restraint who nonetheless endorses the idea that we should seek justification for coercion acceptable to all. The insight that a commitment to liberal justification does not necessarily entail a commitment to restraint is Eberle’s signal contribution to the literature. Kyla Ebels-Duggan argues for the more moderate view that liberal restraint embodies a commitment to civic values all reasonable citizens will share, but that in certain important instances even reasonable citizens may abandon liberal restraints and rely directly on their unshared worldviews—a position she calls *permissive* as opposed to *strict* liberalism.

good reason to think are false? Perhaps most troubling of all, suppose I am underprivileged and unschooled in secular ways of thinking about morality. Is it just to ask me to observe restraints on the exercise of the modicum of political power I possess just because I have only ever thought of morality as a function of my religious worldview? These are hard questions.

So, liberal justification needs to be justified. Here is one way to go about it: maybe the reason we should practice political justification in accord with liberal limits is because doing so promotes the values we can achieve by exercising the power of the state collectively, as equals. It is sensible to think that bracketing worldview-dependent reasons stands a decent chance of promoting what Rawls called the “very great values” of achieving a society based on “fair social cooperation” in which citizens relate to each other on the basis of civic friendship. According to Rawls, reasonable citizens recognize that the value of achieving this political ideal is so great that it “normally outweigh(s) whatever values” might come into conflict with it¹²—specifically, values and reasons native to unshared worldviews.¹³

But why? Even if I value fair social cooperation very highly, it is hard to see why the promotion of this value must outweigh all others, especially when the others belong to the faith of my fathers or the fruit of my laborious inquiry into the deep nature of the right and the good.¹⁴ Giving so much weight to the value of social cooperation among equals suggests devotion to yet another sectarian, albeit liberal, worldview. Besides, it is plausible that citizens will be most tempted to abandon the constraints of liberal justification, even if they value civic friendship, when deliberating about the very issues liberals want us to settle by appeal to public reasons alone: abortion and same-sex marriage, inter alia. It is hard to see why there is something amiss in an ordering of values favored by a devout Catholic, in which the protection of what they regard as innocent human life trumps the promotion of civic friendship, even when the same devout Catholic regards social cooperation as an important and even overriding value in most cases.¹⁵

¹² *PL*, 139.

¹³ See also *PL*, pp. 168-169, 218.

¹⁴ Michael Sandel is especially insistent about this: See Sandel, *Democracy and Its Discontents* (Cambridge, MA: Harvard University Press, 1996) 19. See also Sandel, *Public Philosophy* (Cambridge, MA: Harvard University Press, 2005) 224-225).

¹⁵ K. Ebels-Duggan makes this point very well.

So there are good reasons to doubt that the first of the two mainstream attempts to justify liberal restraints on political justification works. What of the second? Here the general idea is that a commitment to respect fellow citizens generates an obligation to observe liberal restraint. Now, a commitment to such respect is almost certainly a necessary condition on any serious worrying about political justification, but there is clearly an inferential gap between the claim that we should respect fellow citizens and the claim that we should bother with liberal restraint. How have I been disrespectful when I offer other citizens the self-same justification I find persuasive? (Assumedly I find my own worldview a persuasive source of practical reasons.)¹⁶ Suppose, says Christopher Eberle, I offer my fellow citizens the best arguments I can muster for why they should accept a ban on partial-birth abortion, even when these arguments depend on reasons they do not recognize as such. Suppose, furthermore, that I back the ban only after trying and failing to find within their own worldviews reasons and values favorable to my position. It is strange to accuse me, after all this, of failing to respect the personhood of fellow citizens. It is inconceivable that I would have expended so much effort on a pint glass or a mop.

There are intriguing attempts to bridge the gap between respect and liberal restraint in the literature.¹⁷ The usual procedure is to focus on a certain feature of fellow citizens—e.g., a discursive capacity,¹⁸ or Rawlsian moral powers¹⁹—and argue that proper recognition of this feature generates the restraint requirement. I cannot here reply to each and all, but a primary difficulty for this approach is that such recognition might just as well motivate the *abandonment* of restraint. Why not think that, in the political sphere, the best way to respect other citizens is to *encourage* them to associate, organize, advocate and vote in direct accordance with their worldviews, with the expectation all around that other citizens, as free and equal, will do the same? This seems a more direct route to honoring their discursive capacity/moral powers. In general, it is reasonable to think that the best way to respect a capacity is to allow for its free exercise. For example, it seems obvious that I respect the aesthetic capacities of an artist best

¹⁶ See W. Galston, *Liberal Purposes* (New York: Cambridge University Press, 1991) pp. 108-109.

¹⁷ See J. Boettcher, "Respect, Recognition, and Public Reason," *Social Theory and Practice* 33 (2007) pp. 223-249. C. Larmore, *The Autonomy of Morality* (Cambridge: Cambridge University Press, 2008).

¹⁸ See *AM*, pp. 146-149.

¹⁹ I.e. a conception of the good and a sense of justice. See *PL*, pp. 19-20.

when I refuse to interfere with her creative process, rather than when I do my best not to show her any paintings I do not think she will like. Analogously, it is reasonable to think that respecting the capacity of fellow citizens to weigh reasons and values, or to form a conception of the good and a sense of justice, requires that I encourage them to exercise this capacity by their best lights, while I do the same. If so, perhaps all that respect requires is our sincere efforts to secure and safeguard the inclusion of other citizens in the political process.²⁰

§2 So, there is reason to think standard attempts to defend restraint are suspect. I have promised an argument from republican grounds that fares better; but first to survey the relevant republican ground. Of course, the centerpiece of the republican revival of the last few decades is an account of freedom as non-domination. Pettit, Skinner, Richardson, et al.²¹ argue that traditional liberal notions of freedom do not account for common sense about who is free and who is not. Such traditional accounts identify freedom with a kind of non-interference. Says Berlin: I enjoy freedom or political liberty “to the degree” that “no human being interferes with my activity.”²² If so, freedom is measured in terms of actual non-interference. But some agents who enjoy lots of non-interference [intuitively] are not free. Suppose I happen to be a slave with a master who is sufficiently lazy that he leaves me alone.²³ I may enjoy lots of non-interference; perhaps as much as many people who are not slaves. Even so, it is weird to say I count as free because of all this non-interference. After all, I *am* a slave.

²⁰ Perhaps, as Jean Hampton urged in an early critique of *Political Liberalism*, respect requires not that we try to rule some perspectives as “politically ‘out of bounds’”, but that we try to unearth a fair “framework for discussion and decision making” that helps to reconcile the losers of political conflict—those who do not manage to get social policy to reflect their particular worldview—to the fairness of the process by which they lost, with the knowledge that such losses are but for a season, taking place as they do in “brawling and changeable” contemporary democracies. If so, the only necessary restraints are to prevent the exclusion of one worldview or another from the political process, not on reasons or worldviews. Except, of course, insofar as those worldviews might be incompatible with inclusive and fair procedures. See “The Common Faith of Liberalism”, p. 179.

²¹ See P. Pettit, *Republicanism: A Theory of Freedom and Government*, Oxford: Clarendon Press, 1997) and *A Theory of Freedom: From the Psychology to the Politics of Agency*, Oxford: Oxford University Press, 2002); H. Richardson, *Democratic Autonomy* (see note 5 above); Q. Skinner, *Liberty Before Liberalism*, Cambridge: Cambridge University Press, 1998). Not that Pettit, Richardson and Skinner speak with one voice, of course. See Richardson, particularly p. 52 of *DA*. Dagger, in “Autonomy, Domination, and the Republican Challenge to Liberalism”, offers a helpful and concise adjudication of differences between Pettit and Skinner (see note 5 above).

²² I. Berlin, *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), p. 7. Berlin here follows the likes of Hobbes and Mill. See *Leviathan* (Indianapolis: Hackett Publishing, 1994) p. 79, “On Liberty” in *The Basic Writings of John Stuart Mill* (New York: Random House, 2002) p. 14.

²³ See P. Pettit, *Republicanism*, pp. 22-23.

Republicans think they can do better by such intuitions. The slave is not free because freedom is more than non-interference. Freedom, republicans insist, requires the absence of masters, not just that the ones I have leave me alone. But what is mastery? To have a master, say republicans, is to be subject to domination, and I am dominated, on the standard gloss, just in case someone is in a position to interfere with my choices on an arbitrary basis.²⁴ There is much to be said about what it means to be *in a position to interfere with choices*. Almost none of it will be said here.²⁵ Suffice it to say that modern states are paradigmatically in a position to interfere with choice. Furthermore, insofar as individual democratic citizens influence the policies of such states, they are, at least from time to time, in a position to interfere with the choice as well.²⁶

I will focus on what property, in addition to the capacity to interfere with choice, is constitutive of mastery. It is standard to call this property *arbitrariness*, but what property is that? This labeling is somewhat misleading. Suppose master *A* only interferes with the choices of slave *B* to insure *B*'s maximal personal development. Suppose even that all *A*'s beliefs about what constitutes *B*'s maximal personal development are true. So, (e.g.) *A* monitors *B*'s use of discretionary time and interferes whenever *B* tries to watch *The Jersey Shore*, *Real Housewives of Evanston*, etc. Now, given the justificatory basis of *A*'s interference with *B*—*B*'s maximal personal development—it seems odd to call the interference *arbitrary*. After all, *A* interferes only for very good reasons. So, if mastery is the capacity to interfere on an arbitrary basis, *arbitrary* cannot mean “without reason” or even “without good

²⁴*Republicanism*, p. 52.

²⁵ A central issue is the extent to which third parties must ensure that *A* cannot exercise arbitrary power over *B*. I suspect that *A* himself cannot be the guarantor of his own non-domination. That is just to say that if *A* is the only guarantor of his non-interference on arbitrary grounds, *A* will still have the capacity arbitrarily to interfere, and *B* does not enjoy non-domination over against *A*. For example, we might say that John Adams exercises mastery over Abigail Adams, however tenderly he solicits her counsel about any matter affecting their common life, in part because the society of which they are both members will do nothing to stop John from arbitrarily interfering with Abigail's choices should he decide to do so. Because my focus in this paper is on the question of whether or not citizens have a moral obligation to observe liberal restraint in political justification, I am focusing here on that aspect of the republican account of domination that might be in the control of individual citizens. It is almost certainly not within the power of any citizen to ensure that they do not have the *capacity* to interfere with choice on an arbitrary basis. It is much more plausible to think that individual citizens might be able to avoid the *attempt* to interfere with choice on an arbitrary basis. For an argument that third parties cannot effectively prevent arbitrary power, see G. Gaus, “Backwards into the Future: Neorepublicanism as a Postsocialist Critique of Market Society” in *Social Philosophy & Policy* (20) 2003, pp. 69-73. Larmore replies to Gaus in *AM*, pp. 190-192.

²⁶ There are obvious examples of the latter: in very recent history, citizens in sufficient numbers have banded together to vote in favor of bans on same-sex marriage, and thus interfered very dramatically with the choices of other citizens.

reason". If it did, *A* would cease to be a master in this case. But it is intuitive to think *A* can remain a master even so. *A* is, no doubt, among the best masters in the history of humans, but a master just the same. And *B* is still a slave. Perhaps this is why we object to "kind" slave masters as only more or less better members of a very rotten set.

As a consequence, republican talk about "arbitrary" interference is not best construed as a claim that mastery is the capacity to interfere for no [good] reason. What makes *A*'s capacity to interfere with *B*'s choices an expression of mastery, and so of domination, is the capacity of *A* to interfere from a position of what I will call "deliberative insensitivity". In the paradigm case of masters and slaves, when *A* engages in deliberation about whether and how to interfere with the choices of *B*, his insensitivity to what *B* regards as sound practical reasons may be absolute. If *A* thinks *r* is a good reason for *B* to φ , *A* need not give a single thought to whether *B* thinks *r* is a reason to φ . Of course *A* will probably expect *B* to take the fact that *A* wants *B* to φ as sufficient reason to φ , but that is just to say that *A* will expect *B* to conform to *A*'s conception of sound practical reasons. Now, *r* might actually be a very good reason to φ ; even so, the point is that *B* has to act in accordance with *r* just because of *A*'s assessment of *r*'s practical merits.²⁷ And *A*'s assessment is not constrained at all by *B*'s assessment of the same.

In the paradigm case of masters and slaves, what makes the capacity to interfere with choice *mastery*, and thus domination, is the fact that it originates from someone in a position of absolute deliberative insensitivity. I can interfere with the choices of others from a position of absolute deliberative insensitivity when the reasons for which I abbreviate their choices are unconstrained by what they regard as sound practical reasons. Furthermore, the attempt (intentional or not) to interfere with the choices of others in this way just is an attempt at mastery. The practice of slavery is the full institutional embodiment of absolute deliberative insensitivity of some persons by others. Obviously, the institution of slavery carries

²⁷ There are many forms deliberative insensitivity might take. At an extreme of generality, we might say that *x* is absolutely deliberatively insensitive to *y* when *x*'s *y*-regarding actions are based merely on what *x* regards as sound practical reasons without reference to what *y* regards as sound practical reasons. It is obvious that *x*'s deliberative sensitivity/insensitivity to *y* could come in degrees, like all kinds of sensitivity/insensitivity. I do not mean to suggest that there is no mastery without the capacity for *absolute* deliberative insensitivity. Even so, my argument requires only that the capacity to exercise absolute deliberative insensitivity be recognized as the paradigm of mastery, even if there are expressions of mastery where the deliberative insensitivity in question is something short of absolute

many evils in its train, but the enablement of absolute deliberative insensitivity is the most essential to its nature.

The success or failure of republican efforts to bind an account of mastery conceptually to freedom is not important to my argument. Even non-republicans acknowledge that the master/slave relation is a moral evil. Mastery is ecumenically repugnant.²⁸ So, that an action is as an attempt at mastery, or that political arrangements permit the exercise of mastery, is good reason to regard that action /arrangement as immoral—or, minimally, incongruous with the foundational commitments of our political culture—even if the republican account fails as an analysis of freedom. For example, there is conceptual dissonance in the claims that *A* is the master of *B* and yet *A* and *B* are equals: if someone said “I am his master yet he is my equal” we would justifiably suspect him of bad-faith grandiloquence so long as context forbade charity to think he was kidding. Even on the thin, normatively depleted sense in which citizens of contemporary democracies often refer to each other as equals, it is hard to imagine someone saying that all of us are equals, and yet some are masters and some are not.

§3 We are now in a better position to see what republican insights allow us to say about two difficulties I argued above are not satisfactorily resolved by unaided liberalism:

- (a) Why should the promotion of civic friendship among free and equal citizens always [or even nearly always] trump the values native to sectarian worldviews?
- (b) Why does respect for fellow citizens require liberal restraint?

The forms of interference with choice available to democratic citizens are obviously different in important ways from the interference of masters with slaves. Inter alia, the interference of citizens with the choices of others is not unilateral: the framework of choice I shape by my political actions as a democratic citizen shapes my choices as well as others. Even so, if interference is possible, we should ask under what conditions it counts as domination. Suppose a majority shape the framework of choice for all only to maximize personal development, even though a great many fellow citizens do not follow the majority assessment about what this requires. That the shapers are members of a democratic citizenry, not masters of

²⁸ This intuitive repugnance is, no doubt, a primary reason why the analysis of freedom as non-domination gets as much traction as it does.

the traditional sort, does not prevent this expression of their political power from sharing the feature of *A*'s interference with *B* that made it an instance of mastery. Of course, the citizens of our majority will themselves be constrained by the law, and thus have legitimate claim to deliberative sensitivity. Even so, deliberative insensitivity to other citizens overplays this claim.

My central contention is that what is true of interference with choice in the name of maximal personal development is true of every sectarian worldview. In a society where no single worldview holds sway among the decent and intelligent, justifying political power by reasons grounded in such counts as absolute deliberative insensitivity. Here is the basic argument:

- (i) The exercise of mastery is inconsistent with the deepest commitments of contemporary democracies to freedom and equality.
- (ii) So, members of a democratic citizenry should not attempt to exercise mastery over each other.
- (iii) But mastery, paradigmatically, includes as a component absolute deliberative insensitivity; that is, the interference of masters with their subjects is not constrained by what those subjects regard as sound practical reasons.
- (iv) So, members of a democratic citizenry should not attempt to interfere with the choices of other citizens based on considerations unconstrained by what those citizens regard as sound practical reasons.
- (v) Given the plurality of worldviews among decent, intelligent citizens, interference based on the dictates of a particular worldview is interference based on considerations unconstrained by what other citizens regard as sound practical reasons.
- (vi) So, members of a democratic citizenry should not attempt to interfere with the choices of other citizens based on the dictates of a particular worldview.
- (vii) So, members of a democratic citizenry should exercise liberal restraint.

What I think this argument shows is that citizens who regard mastery as a moral evil, for whatever reason,²⁹ ignore the requirements of liberal restraint only on pain of inconsistency. It also bears emphasis that the above argument does not depend on the details of what deliberative *sensitivity* requires. My argument here depends only on the identification of absolute deliberative insensitivity with the paradigm of mastery; specifying precisely how much sensitivity is required for non-domination is not necessary to grasp this point. We can understand that we have an obligation not to coerce fellow citizens based solely on our own worldview, even without a fully articulated account of how much consideration we owe to theirs.³⁰

Now a brief account of what republicans can say to (a) and (b). First, why think that the promotion of liberal values like social cooperation and civic friendship must take general precedence over values I cherish as a devotee of my worldview? What the republican emphasis on mastery reveals is that liberal restraint is necessary not because we thereby achieve a golden liberal vision of a well-ordered society; liberal restraint is necessary because otherwise we require social cooperation—even in the presently imperfect form of that cooperation—from other citizens in a manner essentially similar to the way masters require cooperation from their slaves: i.e. by interfering with their choices on terms dictated by our own sense of sound practical reasons. In other words, the essential motivation for liberal restraint is not to promote civic friendship³¹ but to avoid the wrong of mastery. It is without doubt eminently reasonable to cherish the visions of the human good bequeathed to us by the traditions we are born to, or that we form over years of reflection. It is even noble. But it is less apparently reasonable to cherish these worldviews so much that we act as if others citizens, many of whom are similarly equipped with cherished visions and traditions, must abide by terms of cooperation that ignore their claim to deliberative sensitivity, especially if we claim to regard them as equals.

²⁹ It is important to note that (i) and (ii) are weaker than it might be. It will also be the case that recognizably decent worldviews will have internal commitments to abstain from mastery. Obviously, citizens of a Kantian bent will recognize mastery as an abject refusal to recognize fellow citizens as co-legislators in a kingdom of ends. Perhaps more significantly, non-liberal devotees of religious worldviews are often ready to acknowledge that the master/slave relation is inconsistent with the common claim of all humans to bear the imago Dei or to be the children of God, etc.

³⁰ Answer the question of how much deliberative sensitivity is required to avoid domination is, I believe, the central question of a republican theory of political justification.

³¹ Though, of course, it may have this effect.

What about the connection between respect and restraint? Clearly, the contribution of republican theorizing is the idea that respect for persons as free and equal requires that we reject attempts to exercise domination over them, because freedom just is non-domination (if you take your republicanism straight-up), and/or because we patently do not treat someone as an equal when we attempt to act as their master (an insight obviously available to non-republicans). Clearly, a master who interfered with the choices of his subjects only after making sure they understood the best arguments in favor of his interference is only more conscientious than the typical master: he is a master no less. Suppose, *qua* Eberle, I coerce other citizens based on my worldview, but only after I have tried and failed to find points of agreement within their worldviews. Clearly, I demonstrate more respect than if I made no such attempt. Even so, because I went ahead and interfered with their choices based only on what I think are sound practical reasons, I am guilty of absolute deliberative insensitivity, and so of at least attempted mastery.³²

And why think that respect requires more than our best effort to secure for all citizens free and equal participation in the political process? A constitutionally enshrined framework for democratic decision making, ensuring for each citizen a right to flex the political power they have as their worldviews dictate, with the expectation that other citizens will do the same, is more respectful than less democratic alternatives. Even so, a more complete theorizing of the concept of mastery shows that citizens have obligations beyond the institution of such a framework. We shouldn't think that mastery has no sting if everyone potentially subject to it will get their chance to dominate in due season. After all, why settle for this arrangement if it is possible to abstain from the exercise of any mastery at all? Certainly, such abstention is a more complete demonstration of mutual respect. It is beyond the scope of this paper to detail precisely when mastery might be unavoidable, but so long as there are mutually recognized sources of reasons³³ or

³² Identifying the paradigm of mastery with the capacity to interfere from a position of deliberative insensitivity indicts some attempts to identify public reasons with reasons citizens *can* accept. A master who interfered with the choices of his subjects only if he believed his subjects *could* have accepted the reasons in favor of his interference—perhaps in the nearest possible world where they had read all the right books—is only more conscientious than the typical master: again, he is a master no less.

³³ One source of such, as Rawls emphasized, will be our common political culture.

we can forge them,³⁴ it is reasonable to believe that terms of cooperation deliberately sensitive to all are possible.³⁵

³⁴ *DA*, pp. 146-147. Even when no settlement presents itself that appeals directly to common ground acknowledged by the decent worldviews of all concerned, there is yet the possibility of what Richardson calls deep compromise—“a modification in one’s practical commitments that one would not have made but for concern or respect for the other or for the joint entity or enterprise one shares with him or her . . . [even to the] reconsideration of what is worth seeking for its own sake.” With regard to the most controversial issues of our common life, I suspect that reciprocally justified arrangements will usually be the result of such compromises. This is just because I doubt that mutually recognized reasons in favor of one particular settlement of (e.g.) the abortion question exist—mutually recognized, that is, antecedent to the task of arriving at a deep compromise. Such compromises are deep just because they involve the construction of reasons neither side might have recognized as such had they not been committed to reciprocally justified terms of cooperation.

³⁵ Nothing I have said above is meant to suggest that a complete ethics of citizenship imposes a gag rule on the free airing in political discourse of any citizens’ worldview—religious or secular. Specifically, I have little sympathy with liberal theorists who claim that even political *talk* expressing the perspective of religious believers is “in bad taste” in “discussions of public policy” and should therefore be discouraged. See R. Rorty, “Religion as Conversation-stopper,” in *Philosophy and Social Hope* (London: Penguin Books, 1999) pp. 168-174. If non-domination requires sensitivity to what other citizens regard as sound practical reasons, it is plausible to think that citizens should be encouraged to tell each other what they regard as sound practical reasons. The imposition of gag rules invites deliberative insensitivity.