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Critique and public reason

1. What is critique? On one, broadly Kant-inspired understanding, critique involves examining whether validity claims of a given kind (say, as identified by their form, content, illocutionary force, social role, or doctrinal origin) can be made reasonably (or coherently, responsibly, or otherwise virtuously), given the validity conditions that apply to them and the deliberation resources of claimants–but where the aim is not primarily reconstructive, but critical, or corrective. For instance, the aim might be to discipline our claim-making, or to weed out claims we cannot reasonably make, or to identify conditions, such as intellectual, social, or other conditions, that must be met before claims that we want to make can reasonably be made, and so on.

Critique is sometimes associated with *emancipatory* ends: it is sometimes seen as something that pushes back against oppression, domination, or unjust power, and related forms of denigration, or disrespect. Alas, critique in the above, wide sense need not pursue emancipatory ends. Yes, to show that the claims of oppressors fail salient validity conditions can undercut the justification narratives they use to legitimize their power, which can help to deprive them of it. But the claims of the oppressed, too, can fail to meet salient validity conditions, however just their cause actually is, and showing that this is so can serve to socially discredit their cause. The point: critique in the wide sense can be conscripted to serve emancipatory or other ends.

2. Critique that pursues emancipatory ends–say, emancipatory critique–might sometimes adopt an *internal* approach. Strictly internal emancipatory critique assesses salient validity claims in terms of the assumptions claimants actually make, or commit themselves to make. It needs to suppose only that claim-making must be internally coherent. This seems cogent. But it is of limited use: for instance, oppression need not build on internally incoherent justification narratives, and making such narratives less incoherent need not make the power configurations they support less oppressive.

Where emancipatory critique does not adopt an internal approach, questions arise:

- Q1 By what standards should it proceed: in terms of what validity conditions should salient claims be assessed?
- Q2 What aims should it pursue: what, in a given context, constitutes things like oppression, domination, or disrespect, and what does it take to avoid these things?

Q1 and Q2 mark respects in which non-internal emancipatory critique may need to draw on moral or political conceptions in its own right–such as views of the requirements of validity (Q1), or conceptions of (non)oppression, (non)domination, or (dis)respect (Q2). But it is disputed, and sometimes respectably so, what views in these matters we should adopt. Hence, Q1 and Q2 also mark respects in which such critique, like other stretches of normative thought, might make assumptions that are not suitably justifiable–which would render it partisan, dogmatic, or otherwise objectionable.

That a stretch of critique makes assumptions that are not suitably justifiable may not be a concern where we adopt an activist perspective to assess it in perlocutionary terms–where what counts is how it impacts how people feel, think, or act. But it is a concern where we assess it as a stretch of argument that depends for its reasonableness on whether the validity claims it raises meet the validity conditions that apply to them. One upshot: all other things equal, where emancipatory critique makes moral or political claims in its own right, it must meet the validity conditions in light of which it assesses whatever moral or political claims it critiques. If it fails this reflexivity requirement, it is self-undermining.

3. It is open how we should answer Q1 or Q2, but one perspective that emancipatory critique can adopt that has some affinity with emancipatory ends is a *public reason* perspective–one that assumes that moral or political validity claims must be publicly justifiable.

Public justification in the sense relevant now is an interpersonal form of justification that enfranchises actual agents: to say that a moral or political thing, φ (a claim, principle, or social arrangement), is 'publicly' justifiable in this sense is to say that φ is justifiable by 'public' reasons, that is, reasons that are authoritatively (reasonably, rationally, or coherently) acceptable, or non-rejectable, by relevant actual agents; alternatively, it is to say that φ itself is so acceptable. As this can be fleshed out in different ways, there are different views of public justification.[1]

Now, on constructivist views of public justification, authoritative acceptability (partly) constitutes epistemic or practical merit, or authority: such views count φ as valid (or as right, correct, or reasonable) *only if* or *because* φ is so acceptable. Public justification would hence accord everyone it enfranchises a justificatory say, or constitutive discursive standing.[2] A justification practice, JP, that accords such standing to someone, α, does two things. First, it accords α discursive standing: JP attaches positive value to φ's authoritative acceptability by α. Second, it assumes a justification-constitutive direction of fit between φ's authoritative acceptability and φ's merit: in JP, φ depends for that merit on its authoritative acceptability. Both things come together where people are construed as *co-authors*, rather than only *recipients*, of justice or justification.

In a sense, then, constructivist public justification conceptualizes justification as an expression of emancipation at the site of reason-giving. It is disputed what emancipation calls for–what ends are 'emancipatory'–but one of its elements arguably concerns the positions of influence that people have in matters that affect them. Roughly, to have emancipated status in a given social domain, α must have something in the way of a meaningful say in that domain–a say through which α can exert due influence in relevant matters that arise in that domain. But a justificatory say in public justification is a position of influence–a position to exert whatever measure of discursive influence in reason-giving comes with an authoritative use of such a say–in co-determining salient moral or political matters. Thus, there is some affinity between the pursuit of emancipatory ends and a public reason perspective, given a constructivist view of public justification.

4. Alas, as it is open what form public justification should take, it is open, as well, how useful a public reason perspective can be for emancipatory critique, all things considered. What is clear is that it will not do to simply define public justification in terms that echo our own moral or political opinions–however well they might sit with emancipatory ends. Activism aside, what is needed is a non-partisan calibration of public justification–one that is compelling from a relevantly inclusive range of moral or political perspectives, and that enables non-internal emancipatory public reason critique to suitably accord with the reflexivity requirement referred to earlier. It remains to be seen whether this can be accomplished.

In closing, I sample one of the issues that arise here: it concerns public justification's authoritativeness constraints. Discursive input that public justification counts as authoritative is input it counts as contributing to the justification status of things. For instance, where we construe φ's validity as a function of φ's 'reasonable' non-rejectability, 'reasonable' rejections of φ count as evidence against φ's validity in a way in which non-'reasonable' rejections do not. It is disputed how to define the authoritativeness of discursive input. And one respect in which disputes arise concerns the discursive influence that comes with a justificatory say, or its discursive purchase.[3] Arguably, the more the authoritativeness constraints of public justification idealize, the less purchase can such a say have, while more

purchase requires less idealization. Accordingly, a justificatory say might not be very meaningful–it might not give real people much influence on what can count as justifiable. For instance, where only highly rational uses of a justificatory say count as authoritative, actual uses of such a say by imperfect real people might not qualify as authoritative. But how much discursive influence should come with a justificatory say? How much is too little, and how much is enough? And, importantly, what differences in discursive purchase, if any, are compatible with our (presumptive) status as (moral, political, or discursive) equals? These questions go to the heart of the affinity between a public reason perspective and emancipatory critique, and they are not well understood in the current debate.

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[1] Views of public reason and public justification differ greatly. For some 'constructivist' (see below) candidates: see Onora O'Neill, *Toward Justice and Virtue* (Cambridge: Cambridge University Press, 1996); Thomas Scanlon, *What We Owe to Each Other*. Cambridge: Cambridge University Press, 1998); John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005); Gerald Gaus, *The Order of Public Reason* (Cambridge: Cambridge University Press, 2011); Rainer Forst, *The Right to Justification* (New York: Columbia University Press, 2012).

[2] On constitutive discursive standing: see Thomas M. Besch, "On Discursive Respect," *Social Theory and Practice*, Vol. 40/2 (2014), 207–231; "On Robust Discursive Equality," *Dialogue: Canadian Philosophical Review*, Vol. 58/3 (2019), 465–490; "On Justification, Idealization, and Discursive Purchase," *Philosophia*, Vol. 47/3 (2019), 601–623.

[3] On discursive purchase: see the texts referenced in previous footnote.