

Accessibility, Pluralism, and Honesty: A Defense of the Accessibility Requirement in Public Justification

Abstract

Political liberals assume an accessibility requirement, which means that, for ensuring civic respect and non-manipulation, public officials should offer accessible reasons during political advocacy. Recently, critics have offered two arguments to show that the accessibility requirement is unnecessary. The first is the pluralism argument: Given the pluralism in evaluative standards, when officials offer non-accessible reasons, they are not disrespectful because they may merely try to reveal their strongest reason. The second is the honesty argument: As long as officials honestly confess their beliefs after offering non-accessible reasons, disrespect and non-manipulation do not occur. This paper defends the accessibility requirement and asserts that these two arguments overlook a unique feature of the political domain. While all citizens collectively own political power as a corporate body, an official does not privately own her political power. Instead, she is a trustee who has a duty to act on behalf of the corporate body, that is, she has to make decisions on grounds that are accessible to others. This duty explains why, despite pluralism, the accessibility requirement is necessary. Moreover, given that political decisions are profoundly influential to each person, requiring people to be honest is ineffective in discouraging disrespectful and manipulative acts.

Keywords

public justification, public reason, consensus, convergence, accessibility, collective ownership, Rawls, Gaus

Introduction

In a liberal democratic society, citizens ineluctably uphold a plurality of reasonable yet incompatible comprehensive doctrines, which are sets of beliefs concerning a range of metaphysical and ethical values. Citizens will fail to agree on principles of justice to govern their institutions if they rely exclusively on their comprehensive doctrines. Political liberals, therefore, endorse an ideal of public justification, which specifies that the exercise of political power is legitimate only when each citizen has sufficient reason(s) to endorse this exercise (Vallier 2018). They nevertheless disagree on what reasons should be counted in public justification. Some political liberals (Rawls 2005, Audi 2011, Quong 2011), believe that the ideal of public justification implies adhering to an *accessibility requirement*. When a public official advocates a political proposal, such as a new law, she should base her justifications on *accessible reasons* (e.g., reasons that are drawn from a political conception of justice) that all reasonable citizens recognize their normative force. Non-accessible reasons, such as some religious reasons, should be excluded from public justification, or else civic disrespect and manipulation will occur.¹ The accessibility requirement was first challenged by Gerald Gaus (1996, pp. 138-141), and has received increasing attention in recent years (Gaus 2010, 2011, Gaus and Vallier 2009, Vallier 2014, 2017, forthcoming, Thrasher 2016, Billingham 2016, Carey 2018). These critics argued that the accessibility requirement imposes unnecessary burdens on officials. Offering non-accessible reasons during political advocacy does not necessarily imply civic disrespect and manipulation. Their challenges can be summarized in two arguments. The first is *the pluralism argument*. Due to the pluralism in evaluative standards, one should understand that different officials may use dissimilar, non-accessible reasons to support a political proposal. For example, even if Ada offers non-accessible reasons in public justification and Ben does not think that Ada's reasons are justified, Ada may not mean to be disrespectful. She may merely intend to reveal the strongest reason that she could find for her political advocacy. The second is *the honesty argument*. A more permissive honesty requirement can replace the function of the accessibility requirement in the ideal of public justification. However, for the sake of passing a law, if Ada offers non-accessible reasons to Ben that she does not believe are sufficient, this does not mean that she disrespects Ben or intends to manipulate him, given that Ada honestly confesses to Ben that she does not believe these reasons are sufficient to support that law.

This paper replies to these two arguments and defends the accessibility requirement. The crux is that these two arguments confuse the context of the private discussion with that of democratic participation. In private discussions of political issues, being sympathetic with the differing beliefs of others and honestly thinking on behalf of others are respectful behaviors. However, these behaviors are inadequate in

the political domain, in which the decisions of public officials could deeply influence all citizens. The coercive political power that officials can exercise is a part of common property collectively owned by all citizens. When officials exercise this power, they should not act for themselves. Rather, they should act as trustees of a corporate body of citizens. Hence their choice should be answerable to other fellow members, that is, they should base their choice on accessible reasons that characterize the core beliefs of this corporate body of citizens.

This paper proceeds as follows. Section 1 shows how the differing attitudes to the accessibility requirement divide political liberals into two camps—consensus liberals and convergence liberals. Section 2 explains why Quong’s reply to the pluralism argument is unsatisfactory. Section 3 offers my reply to the pluralism argument and proposes that offering accessible reasons is a duty of officials as trustees towards citizens who are shareholders of the corporate body that assigns trustees. Section 4 replies to the honesty argument and contends that, although honesty is a virtue, honest disrespect and manipulation are still forms of disrespect and manipulation.

1. The consensus and convergence conceptions of public justification

As Larmore contends, “respect for persons lies at the heart of political liberalism” (Larmore 1999, p. 606). However, the state is a coercive regime that restricts everyone’s freedom. The fundamental question of political liberalism is, how can a coercive state show respect for all citizens as free and equal citizens, despite disagreement? Political liberals believe that respect and coercion can be reconciled in the ideal of public justification, that is., each citizen has sufficient reason to endorse state coercion.² Only when coercion is justified to those who are coerced is each citizen respected as an end.

Despite the common commitment to the ideal of public justification, political liberals disagree on what kinds of reasons can enter into the public justificatory domain. Rawls, Audi, and Quong endorsed a *consensus* conception of public justification, according to which a *political proposal is publicly justified when all citizens would endorse this proposal by public reason* (hereafter these philosophers are called *consensus liberals*).³ Although citizens believe in different comprehensive doctrines, there should be a specific set of public reasons that provides common knowledge in public justification. When a public official has to justify her political proposal to other officials or citizens, she should offer public reasons that others will accept. Here it should be clarified that requiring a political proposal to be justified by public reasons does not mean that each citizen has *the same* reason for accepting the proposal. As Quong argued, there are two versions of the consensus model. A strong consensus model insists that political decisions be grounded in the same reasons shared by every citizen. A weak consensus model acknowledges that while different people may

embrace a decision for various public reasons, these public reasons should be accessible to others (Quong 2011, p. 264).⁴ A reason is accessible for people if and only if they regard this as a sound reason according to common evaluative standards. For an evaluative standard, it is the prescriptive norm or value that a person takes to evaluate reason. A standard is common when it is political in the sense that it enjoys intersubjective recognition among people and is independent of any particular comprehensive doctrines. Common evaluative standards enable people to scrutinize, dispute, or affirm the reasons offered by others. For example, one official may advocate unconditional basic income because it can promote political equality among citizens. Another official may doubt that unconditional basic income has such a positive effect on political equality. At the very least, however, both officials recognize the importance of political equality. This awareness provides a common basis for them to evaluate a policy. While the strong consensus model demands too much by requiring that each citizen accepts a proposal for the same reason, most consensus liberals only advocate the weak consensus model. An example is Rawls, who said that “public reason does not ask us to accept the very same principles of justice, but rather to conduct our fundamental discussions in terms of what we regard as a political conception. We should sincerely think that our view of the matter is based on political values everyone can reasonably be expected to endorse.”⁵ Therefore, this essay also focuses on the weak consensus model and assumes that public reason means *accessible* reason.

In the consensus conception, non-accessible reasons, e.g., certain religious reasons that entirely rely on contested appeals to divine authority, are excluded from public justification. However, some political philosophers believe that public justification should be more permissive about religious influences. Gaus and his followers proposed a *convergence* conception of public justification, according to which *a political proposal is publicly justified to every citizen, but different citizens have different reasons for accepting it, and these reasons may be inaccessible to each other* (hereafter these philosophers are called *convergence liberals*). The convergence liberals believe that the ideal of public justification can be realized without expunging all religious-based reasoning. As Gaus and Vallier assert, “a commitment to public justification provides no grounds for excluding religious reasons from politics” (Gaus and Vallier 2009, p. 52). Therefore, officials may endorse a political proposal due to different non-accessible reasons, but they are still able to reach an agreement on endorsing the proposal.⁶

In brief, although both the consensus and convergence liberals are committed to the idea of public justification, they disagree over a requirement that officials should offer accessible reasons during public justification. Call this *the accessibility requirement*. Consensus liberals accept this requirement, whereas convergence liberals

reject it. Here two clarifications should be made. First, my discussion focuses on whether the duty to appeal to accessible reasons should be applied to public officials, (e.g., MPs, ministers, judges, and civil servants). I leave open the question of whether this duty falls on ordinary citizens because ordinary citizens have a negligible influence on political outcomes compared with public officials. Thus, whether ordinary citizens are permitted to offer non-accessible reasons is of little significance. It is therefore controversial that public officials and ordinary citizens should abide by the same moral duty during their political advocacy. In fact, some political philosophers have recently argued that ordinary citizens should be exempted from the duty to offer accessible reasons (Habermas 2006; Laborde 2013; Bonotti 2017, pp. 124-151; Bardon 2018). Whether ordinary citizens have this duty is an interesting political question, but due to limited space, I set it aside to focus on the duty of public officials.⁷ Secondly, the accessibility requirement does not exclude *all* appeals to non-accessible reasons. Under certain conditions, a public official may be permitted to offer non-accessible reasons. For instance, a public official can use religious language to explain her political claim of distributive justice to persuade her religious audiences.⁸ Such political advocacy is permissible, as long as the official can give accessible reasons to explain her political advocacy in due course (Rawls 2005, p. 453). What the accessibility requirement rules out is political advocacy that can be grounded on *only* non-accessible reasons.

According to the accessibility requirement, officials should not offer reasons that are inaccessible to officials themselves for the sake of merely getting others who endorse different comprehensive doctrines to agree with their political proposal. Also, they should not offer reasons based on comprehensive values that they know will be reasonably rejected by those to whom these reasons are offered. Quong, a consensus liberal, offered two reasons to defend the accessibility requirement.⁹ The first is *non-manipulation*:

[The accessibility requirement] helps to distinguish public reason from rhetoric or manipulation. Political liberalism does not aim at mere agreement or consent—the aim is for political decisions to be justified to each reasonable citizen who is bound by them. By stipulating that the arguments we offer to others when engaged in public reasoning must be [publicly accessible], we acknowledge that the aim is to find principles and policies that each citizen has good reason to endorse (Quong 2011, p. 265).

The second reason is *civic respect*:

[By respecting the accessibility requirement,] we acknowledge that every citizen is to be treated as someone with his own rational plan of life, someone who is the source of

moral claims, someone who is willing to propose and abide by fair terms, and thus someone over whom power cannot be exercised without appropriate justification....if we offered arguments we believed to be invalid, or which we believed others had no good reason to accept, we would fail to respect their status as citizens who can understand and respond to moral reasons, and are owed justifications for the rules that regulate social cooperation (Quong 2011, pp. 265-266).

Failing to respect the former is to disrespect a person as a rational citizen, and failing to respect the latter is to disrespect a person as a reasonable citizen. In light of these two reasons, the accessibility requirement explains why the convergence conception is objectionable.¹⁰ However, some convergence liberals have recently offered two arguments to reply to this critique, namely the pluralism argument and the honesty argument. These two arguments show that civic disrespect and manipulation may not occur even if the accessibility requirement is violated. In the following two sections, I explain these two arguments and show why they fail.

2. Accessibility and pluralism: Quong's reply and its flaw

In response to the consensus liberals' critique, Gaus offered a story to show that the convergence conception does not necessarily involve civic disrespect if we recognize the pluralism of evaluative standards in a free society.

Consider: I believe that virtue theory is an erroneous account of basis of social morality, and I believe that at some level of deliberation this can be shown. Yet I believe that my colleagues who are virtue theorists have considerable warrant for their beliefs. Now suppose that I am deliberating with one of these colleagues about the proper rule governing, say, property, and I point out that, on grounds of her virtue theory, rule x is to be ranked as superior to rule y. I believe that she has sufficient warrant for her beliefs at this level of deliberation, and so for her endorsement of x (over y). I have respected her moral autonomy and have appreciated that on these difficult matters highly competent reasoners have conflicting beliefs. No insincerity, manipulation, or deception is involved in our relations: I treat her as a free and equal person with her own store of warranted beliefs at this level of deliberation, which quite properly guide her as a rational agent (Gaus 2011, p. 291).¹¹

This story shows that offering non-accessible reasons does not necessarily involve civic disrespect. Rather, it can be an act of sympathy — I understand that, due to our differences in living circumstances, we uphold different comprehensive doctrines, and thus I speak to you in your language. Or, I understand that we uphold different

comprehensive doctrines, so I explain to you my reasons for supporting a law, and suggest that you should put yourself in my shoes. According to the convergence liberals, the consensus liberals assume an overly narrow conception of public justification. They wrongly believe that public justification must be to “proceed correctly from premises we accept and think others could reasonably accept to conclusions we think they could also reasonably accept.”¹² However, public justification can be understood in terms of a broader conception of *open justification*: “we treat [one’s system of beliefs and reasons] as open to new information and arguments and, from this external perspective, make judgments about what would then be justified in [one’s system of beliefs and reasons]” (Gaus 1996, p. 31, cf. Vallier 2017, p. 191, Billingham 2016, p. 141). In open justification, the acceptability of a reason can be understood in two senses. A reason can be *sound* if it is objectively adequate for a given conclusion, or a reason can be *rational* when it appears to be sound given one’s evidential set and that one has gone about appropriately evaluating that argument.¹³

In light of this distinction, when a public official offers a non-accessible reason to others to justify support for a proposal, this reason can be unsound but rational according to this official’s evaluative standard. Although others may disagree with this official’s evaluative standard, they should see the non-accessible reason as acceptable because they understand that the pluralism in evaluative standards is a common feature of a free society. Civic respect does not necessarily mean that this official must offer accessible reasons to others. Rather, to others, respecting this official as a free and equal citizen implies respecting the fact that her choice may be radically different from the choices of others. If others understand that the non-accessible reason can be properly inferred from this official’s comprehensive doctrine, then they can believe that this official is firmly committed to supporting that proposal and does not intend to disrespect others. Call this *the pluralism argument*.

To make things clearer, consider the following case. Suppose that Ada is a Catholic and Ben is an atheist Rawlsian. Ada supports a progressive welfare policy to eliminate severe income inequality because the Bible says “So in everything, do to others what you would have them to do to you, for this sums up the law and the prophets” (Matthew 7: 12). She thereby believes that everyone should be treated with dignity. Economic reform is needed to assist those people who live in dire poverty. In open justification, Ben does not himself think of the Bible as authoritative, but he understands that Ada’s advocacy is whole-hearted and that Ada, as a Catholic, is rationally justified in supporting the welfare policy. Therefore, Ada and Ben together vote for such a policy. Although their reasons for this policy are non-accessible, no civic disrespect arises between them.

Before I reply to this argument, I examine why the existing reply of the consensus

liberals to this argument is inadequate. Quong's response to this argument was to try to show that it is incompatible with the fact of reasonable pluralism. The pluralism argument assumes a "moderate form of relativism about reason," which means that "there may exist multiple and conflicting belief systems that are openly justifiable for the persons holding them" (Quong 2011, p. 269). Given relativism, officials can see each other's beliefs as justified even if they disagree with each other. However, the epistemic doctrine of relativism is controversial in reasonable pluralism. Many reasonable officials, either religious or secular, would not think that other people's doctrines are justifiable. Some religious officials may believe that their truth is universally accessible to clear minds and open hearts. Those who fail to see this truth are mistaken in their reasoning. In short, there is a reasonable pluralism in epistemic doctrines. Moderate relativism is only one belief among many. The reply of convergence liberals assumes that all reasonable officials accept moderate relativism, but that is impossible in a democratic society.

Quong mistakenly thought that convergence liberals assume moderate relativism as an epistemic doctrine that all must accept. However, convergence liberals have no reason to make this assumption. To convergence liberals, moderate relativism is a *social fact* that political philosophers should take into account. Here two levels should be distinguished. At the individual level, officials have their epistemic doctrines. Some may be relativists, whereas some may believe in certain objective truths. These facts of individual beliefs together form a social fact of moderate relativism. If a political philosopher is committed to an ideal of public justification, then she should take this fact seriously and think about how state coercion can be reconciled with respecting citizens who uphold pluralistic beliefs. However, again at the individual level, officials are not required to be committed to moderate relativism. They can reject moderate relativism, but respect that others have their comprehensive doctrines and endorse a proposal by non-accessible reason. The social fact of moderate relativism and the individual's belief in there being one truth are compatible with each other.¹⁴ Using the example of Ada and Ben mentioned above, Ada and Ben can think that their "truths" are universally accessible and the arguments from the other side are unjustified, but at the same time, they understand each other's arguments as justified *relative to* their own comprehensive doctrine. Rejecting moderate relativism does not render the mutual understandings described by convergence liberals impossible.

Apart from this, Quong's reply was too brief in the sense that it failed to explain what kind of civic disrespect happens in the convergence conception. In the open justification, Ada and Ben do not ignore each other. On the contrary, they try their best to draw resources from their comprehensive doctrines to explain their political decisions. Although the arguments are inaccessible, why should their efforts not be seen

as an act of showing respect for each other? Hence, in Quong's reply, it is not clear why we should say that the convergence conception is morally wrong. In the next section, I take up this task and explain what kind of civic disrespect exists in convergence liberalism.

3. Accessibility and pluralism: a new reply

I believe that Quong was right in his conclusion but wrong in his argument. The convergence conception is objectionable, not because it assumes moderate relativism, but instead because it permits that an official disrespects the *status* of other officials and citizens as shareholders of the corporate body that assigns the role of the trustee to the official. Due to space limitations, I set the problem of non-manipulation aside and contend that the pluralism argument cannot resolve the problem of civic disrespect.

Let us start with the idea of ownership. The fact that person x owns something y means that x has the greatest interest in controlling y (Christman 1994, p. 19); x has a set of exclusive rights in respect of y , such as the right to possess y and the right to use or dispose of y . The idea of ownership is usually discussed in the literature about private property, but it can also be used to demonstrate the relationship between citizens and the state. Modern democracy is built upon the idea of popular sovereignty, which means that citizens ultimately own the state. How citizens own a state can be understood in terms of a *collective ownership view*.¹⁵ Free and equal citizens collectively own the state as a corporate body, which exercises control over state power to pursue certain shared goals, such as to achieve a common good that can advance the interests of everyone.¹⁶ According to the collective ownership view, the political power controlled by a public official is neither her private property, nor that of her supporters. Rather, it is part of a collective property owned by the corporate body of free and equal citizens. Strictly speaking, an official has a dual political identity. As a citizen, she is one of the shareholders for the common interests of the corporate body. As a holder of public office, she is a trustee for the political power owned by this corporate body.¹⁷

This view of collective ownership is adopted by some consensus liberals. Rawls famously described "political power [as] the coercive power of free and equal citizens as a corporate body" (Rawls 2005, p. 139; cf. Weithman 1995, p. 323; Thomson 2004, p. 2074; Neufeld forthcoming). However, consensus liberals have neither gone on to discuss the dual identity implied in the collective ownership view nor attempted to explain the accessibility requirement concerning the duty owed to collective owners. I believe that the collective ownership view can shed light on the moral ground of the accessibility requirement. A trustee has two duties, which can be fulfilled by the accessibility requirement. First, a trustee should understand that the corporate body owns the greatest interest in the property. In making laws or policies, an official should

always put her sectarian interests aside and act in the common interest of a corporate body; that is, she should use her vote as a means to vote for a resolution that can achieve shared goals. Performing this duty can fulfill the accessibility requirement, for it demands officials to refrain from appealing to their comprehensive doctrines and deliberate only in terms of accessible reasons, which are based on shared political values. Secondly, a trustee is held to be answerable to the shareholders for her political decision. This duty is easily fulfilled when the rationale for the trustee's decision is justified to the shareholders. However, vague ideas usually form the shared goals. People may disagree on the precise content of these goals. Here a trustee cannot ignore the doubt of shareholders and do whatever she thinks is correct. Rather, she should render the rationale behind her decisions accessible to those shareholders. Again, this duty can be performed by fulfilling the accessibility requirement, which demands that officials offer accessible reasons to those who ask for justifications. Shareholders will understand that this trustee still aims at the common good, rather than at self-interest, when she offers accessible reasons, though shareholders may disagree with her interpretation of the common good. In a nutshell, acting from the accessibility requirement is a way for an official, as a trustee, to express respect for other citizens, as shareholders.

To illustrate the relationship between accessibility and respect, we can imagine that Ada and Ben are both owners of a worker-owned grocery store. They take turns to acquire goods for the store based on the needs of the store. It is now Ada's turn to do the shopping for the month. When Ada returns from her trip to buy goods, Ben is surprised to see that she bought several large boxes of ice cream. When Ben asks Ada why she bought so much, she talks about how much she loves chocolate ice-cream, which is a personal preference that is inaccessible to Ben. Clearly, Ada did not think about Ben's reasons for buying goods when she made decisions for the store, which is a common property of both Ada and Ben. This was disrespectful to Ben. As a trustee of the store, Ada has a fiduciary duty to other shareholders to plan, think, and act on behalf of the store. The money she uses to buy goods belongs to all shareholders and is entrusted to her to make profits for the store, which is a common interest of the shareholders. Ben may eventually agree with Ada's decision because Ben happens to like another flavor of the ice cream brand that Ada unwittingly bought this time. Nevertheless, agreement or concession would not change the nature of disrespect in Ada's action. For what matters is not the outcome, but the fact that Ada, as a trustee, fails to perform her duty owed to Ben and acts as if she is the sole owner of the business. However, if Ada offered an accessible reason to support her decision (e.g., selling ice cream will enable them to realize a higher profit because customers around their store like ice cream very much), then Ben would know that Ada respected the will of another

collective owner (i.e., Ben himself). Even if Ben disagrees with Ada, Ben will understand that she has taken his will seriously and is ready to exchange opinions in the discussion.

The collective ownership view clarifies why the pluralism argument fails. According to convergence liberals, no civic disrespect arises when an official offers non-accessible reasons to other officials and citizens during her political advocacy, since others should be able to understand how the official's non-accessible reasons are inferred from her comprehensive doctrines and thus respect her decisions. However, in the democratic context, convergence liberals assume a sense of respect that is inappropriate. The sense of respect assumed is respect for an interlocutor. In a daily conversation, it makes sense to say that a way to respect others is to respect others having different viewpoints. Since people have different beliefs, I cannot force everyone to have the same viewpoint. Once I recognize that a reason makes sense for a particular person, given the evaluative standard of the person in question, I should respect that person as a reasonable interlocutor. However, in the context of democratic politics, citizens are not merely interlocutors; they are also collective owners. The sense of respect required should be understood as respect for a shareholder of collective property. The prime responsibility of a trustee is to exercise her judgment and wisdom *on behalf of* the shareholders. A trustee, therefore, must show that her decision is based on ideas that should at least be accessible to the shareholder. The shareholders may not agree with the decision of the trustee, but the trustee is obliged to explain in terms of common evaluative standards that shareholders can use to evaluate her decision. If she fails to do so, she usurps the authority of the shareholders and privatizes her part of political power. Civic disrespect occurs because the status of other shareholders is ignored. Hence, the pluralism argument is misplaced. The open justification suggested by convergence liberals merely explains why people do not disrespect each other in daily conversations; it does not explain why officials do not disrespect other officials and citizens when they participate in democratic politics.

Convergence liberals might offer two replies. First, they might reject the collective ownership view and replace it with an alternative private ownership view, which is that each citizen is the private owner of an equal share of political power. After a public official is elected, she is the trustee of the citizens who vote for her. She is answerable to those voters only. It is thereby permissible for her to make political decisions based on non-accessible reasons, given that these reasons are accessible to her voters. In fact, Gaus and Vallier suggested that democratic politics should be understood as a market where each citizen pursues interests. Ultimately, these competitive interests generate a publicly justified outcome (Gaus and Vallier 2009, pp. 66-67). Hence, convergence liberals are likely to reject the collective ownership view. Although they might claim

that officials cannot do whatever they want with their shares because officials must offer intelligible justification in their political advocacy (Vallier forthcoming), the intelligibility requirement is nonetheless too weak. Nearly all reasons, including non-accessible reasons, would be permitted in public justification. Thus, in the private ownership view, public officials would be exempted from the duty to offer accessible reasons.

However, making this move would render the convergence conception less attractive because a society that widely accepts the private ownership view may not serve each citizen's interest in self-determination. As Anna Stilz argued, given that political institutions have massive influence over the lives of citizens, each citizen has a compelling interest in being the maker of *her* institutions (Stilz 2015, pp. 100-101). Citizens do not only want to benefit from the protection of their rights and the public goods provided by the state. They are also eager to establish their political institutions according to their reflective judgments, seeing themselves as coauthors of the institutions that govern their own lives. Self-determination is valuable for two reasons; one is intrinsic, and the other is instrumental. Self-determination is intrinsically valuable to a person because, when citizens understand the government as "their" government, they can relate to demands imposed by their coercive institutions as self-imposed and not a problematic restriction of their political freedom. Self-determination is also instrumentally valuable because a widespread affirmation implies that most citizens are willing to cooperate to sustain the state. A stable order can thereby be created, and everyone benefits (Stilz 2015, p. 113).

At first glance, it seems that the interest in self-determination is satisfied when citizens take their share of political power as private property. However, each share of political power, such as a vote, has only a slight influence on the final political decision. The political outcome is eventually a compromise among citizens who have competing claims about how to form institutions. Hence, citizens rarely think that they determine the institutions. Instead, the institutions are an arrangement that they unwillingly and passively accept, given that there are no better alternatives at this stage. Although citizens can elect some public officials that determine the shape of institutions, these officials may lose or compromise in the political procedure. Citizens would therefore hardly think of political institutions as *their* product because if other competing officials and citizens were absent, they might fashion something else. The interest in self-determination can be better served when the collective ownership view is widely accepted. Although separate individuals make the institutions in such a society, these are also products of the collective effort of citizens *as a group*. It is *their* product that all of them willingly accept. Citizens will tend to feel less alienated than otherwise if the private ownership view were endorsed.

The second reply that convergence liberals might make would be to accept the collective ownership view but draw a distinction to explain that, even in that case, offering non-accessible reasons is not always disrespectful. Vallier has recently contended that we should “[distinguish] between attempts to arrange a basic institutional structure via religiously-based coercion and attempts to arrange that structure around increased liberty secured by defeater reasons” (Vallier 2016, p. 258). For example, if Ada votes for a law solely for religious reasons, then it is disrespectful to Ben because she coerces Ben to follow a law that he could reasonably reject. Still, if Ada votes against a law solely for religious reasons, then Ada does not directly coerce Ben to do anything. Offering a non-accessible reason is not objectionable if the non-accessible reason serves as a “defeater reason” to a law.

This distinction is, however, untenable. Even if Ada merely uses non-accessible reasons to reject a law, she is contributing to sustaining a coercive regime that Ben could reasonably reject. The basic structure is, by nature, a coercive institution. It determines the distribution of rights and duties of each of society’s members. Citizens must accept this arrangement, or be punished by enforcement agencies and suffer from the loss of wealth as well as a certain degree of personal freedom. This involuntary acceptance of the basic structure can be transformed into voluntary acceptance only when principles reasonably accessible to each citizen govern the basic structure. Therefore, altering the basic structure by making a new law based on non-accessible reasons is disrespectful, since one coerces another to accept a basic structure that another could reasonably reject. Nevertheless, if the existing basic structure could be reasonably rejected unless a new law is made, then rejecting this new law using a non-accessible reason deprives some citizens of certain protections that they deserve. This rejection is disrespectful for those citizens because it prolongs the existing coercion that could be reasonably rejected by those citizens.

Consider an example in which Ben is a homosexual who involuntarily lives in a state that prohibits same-sex marriage. Suppose that a basic structure governed by principles grounded in accessible reason should permit same-sex marriage. Now a same-sex marriage law could be enacted if political advocacy permitted accessible reasons. However, we can imagine that in this case it is eventually rejected since Ada, as a Catholic, votes against it due to her religious reasons. Although Ada does not directly coerce Ben to do anything, Ada participates in sustaining a basic structure that permits objectionable coercions over Ben. Hence Ada’s political advocacy is disrespectful to Ben.¹⁸

Finally, I distinguish my defense of the accessibility requirement from the accounts offered by Lister and Weithman, who are both consensus liberals. Lister defended this requirement by appealing to the value of civic friendship. “[E]xclusion

of controversial reasons can be motivated by the goal of acting as a collective agent, and constituting a community, despite unresolved disagreement” (Lister 2011, p. 113). Public reason, therefore, creates a condition for people to live with others in a relationship of civic friendship. I defend this requirement by appealing to the duty that a public official owes to other officials and citizens, given that the political power is collectively owned. Fulfilling this duty may create a valuable relationship among people, but the duty itself is the fundamental reason for an official to fulfill the accessibility requirement. Weithman defended this requirement by arguing that it can resolve the mutual assurance problem. Officials would act justly, provided that others have an unconditional allegiance to justice as well. An action of offering accessible reasons is a way for officials to publicly show that, despite disagreement, they are morally committed to the political conception of justice. “So long as they can be assumed sincere [when they argue about basic political questions by public reasons], the way they reason about these questions in public confirms their allegiance to justice as fairness and the mutual assurance problem does not arise” (Weithman 2010, p. 328). I agree with Weithman that the accessibility requirement serves to produce mutual assurance among citizens. However, Weithman’s account is concerned with the pragmatic function of public reason. Citizens achieve a mutually beneficial outcome by offering assurance to each other. My account is concerned with the moral meaning of public reason. No matter whether it is beneficial, an official should fulfill the duty that is generated from the trustee-shareholder relationship between her and citizens. In short, my defense is compatible with that of Lister and Weithman, though it is less reliant upon consequentialist grounds.

4. Accessibility and honesty

Having examined the pluralism argument, I now turn to the honesty argument. Although the convergence liberals reject the accessibility requirement, they are not against the values of civic respect and non-manipulation. Rather, they argue that the accessibility requirement is not necessary for achieving these two values.

Vallier mentions a common misunderstanding of the convergence conception, which is that it permits people to “act on whatever reasons they like and offer whatever reason they like” (Vallier 2014, p. 192). Hence, officials may dishonestly offer some reasons to justify their political advocacy when they answer the questions of other officials and citizens, or they may offer some reasons that are inaccessible to themselves to manipulate other officials and citizens to choose something that they favor. According to Vallier, “we can admit that dishonesty is disrespectful without concluding that [the accessibility requirement] is an implication of the ideal of public justification” (Vallier 2014, p. 192). Other moral requirements, instead of the over-restrictive

accessibility requirement, can be introduced to regulate public discourse to avoid civic disrespect and manipulation. Vallier nevertheless is unclear about what these moral requirements are. A principle suggested in a recent paper by Carey might help to clarify matters here. He proposed an *honesty principle*:

The Honesty Principle: When offering a reason (R), whether public or not, to support a proposal (P) in the political domain, one ought to publicly declare whether one believes that R is a public reason that is sufficient to justify P. (Carey 2018, p. 51)

According to Carey, given that officials adhere to the honesty principle, civic disrespect can be avoided even if officials offer non-accessible reasons.¹⁹ For instance, suppose Ada offers Ben a reason that she does not genuinely believe. Some might say that Ada is disrespectful because she offers Ben something that she believes no reasonable people would accept. This action implies that, from Ada's perspective, Ben is less than a reasonable person. However, Carey believes that it is not necessarily the case. Due to burdens of judgment, we may sometimes be mistaken about whether a reason is non-accessible or insufficient to support the proposal in question. Therefore, when I offer someone a reason that I believe to be flawed, my intention may only be that it is a chance to test whether I am mistaken. "Provided that I do not lie to you about my intentions or beliefs when offering you such an argument, and provided that I accept that the burdens of judgment apply to me as well as to you, it seems clear that I am not necessarily treating you as a less than reasonable person in offering you an argument that I do not sincerely endorse" (Carey 2018, p. 53).

Also, on the condition that the honesty principle is fulfilled, manipulation may not occur even if the accessibility requirement is violated. Here manipulation occurs "either by withholding information we believe would cause another person to come to the 'wrong' conclusion, and/or by presenting information to that person in a misleading way, in order to get another person to come to the 'right' conclusion" (Carey 2018, p. 55). When Ada hides the reason that she genuinely believes sufficient to support a law during her conversation with Ben, or she offers a reason to Ben that she does not genuinely believe but offers it knowing that Ben would accept it according to his comprehensive doctrine, Ada seems to be manipulating Ben. Again, Carey argued, if Ada is committed to the honesty principle, then Ada is required to be honest about whatever reasons she chooses to offer. If so, Ada should not hide her genuinely held reasons for the sake of deception. Also, when Ada offers reasons, she should honestly confess her attitude to them. Then Ben can be careful about whether he should accept these reasons. Hence, "[the honesty principle] would significantly undermine the effectiveness of any attempts at manipulation" (Carey 2018, p. 55). Carey's two-fold

argument can be called the *honesty argument*, which contends that fulfilling the accessibility requirement is not a necessary condition for achieving civic respect and non-manipulation.

I now discuss these two parts separately. While I agree that officials are fallible in their judgments of whether a reason is non-accessible, the political domain is never the only place that officials can test their reasons. Officials can have discussions within the context of the background culture, which is “the culture of the social, not of the political. It is the culture of daily life, of its many associations: churches and universities, learned and scientific societies, and clubs and teams” (Rawls 2005, p. 14). Political issues can be discussed in these places. If an official is unsure about the accessibility of her reasons, she can raise this question in the background culture and invite her fellow citizens to offer their opinions. There are no grounds to think that an official *must* test her reasons in the political domain, which involves making decisions about the exercise of political power. On the contrary, officials have the motivation to set their curiosity aside and restrain themselves from offering non-accessible reasons in the political domain. As Rawls contended, we should “distinguish [public discussions in the political domain, i.e., the debates of political parties and those seeking public office] from the many places in the background culture where political matters are discussed” (Rawls 2005, p. 1). The discussion in the former case may affect critical decisions, and many citizens are aware of this. Although the official may be confident that others will eventually discover that her reason is genuinely accessible, misunderstandings may occur and others may doubt that the official betrays her responsibility as a trustee.

Carey might reply that when officials honestly show that their reasons, though non-accessible, are intelligible, they demonstrate civic respect. A reason is intelligible in cases where one uses it to justify a political proposal and others should be able to understand how this reason is derived from one’s comprehensive doctrines.²⁰ For example, suppose that Ada is a Catholic and Ben is an atheist, and the religious reason offered by Ada is inaccessible to Ben. The reason offered by Ada is nonetheless intelligible to Ben since Ben knows how it can be derived from the comprehensive doctrine of Catholicism. In this scenario, Ada is fully aware of the non-accessibility of her religious reason. She does not intend to test it with Ben. Rather, by honestly displaying her reasoning, she tries to show Ben why she comes to uphold this intelligible belief. It seems less straightforward that disrespect has taken place.

Here, the honesty argument fails like the pluralism argument. Both assume a kind of ethics of interlocutors that is inadequate in the context of democratic politics. Honesty matters in personal dialogue. A conversation may break down when an interlocutor doubts whether I truly believe in what I say or whether I am merely arguing for the sake of arguing. To maintain the dialogue, I can honestly display the

intelligibility of my beliefs to prove that I am a serious interlocutor. Respect is shown in this action because I take my interlocutor as being intellectually capable of understanding my explanation and being worthy of the time and effort spent on persuading her to stay in the conversation. This kind of respect is, however, insufficient in a trustee-shareholder relationship.

As I argued in the last section, in the collective ownership view, an official should be conceived as a trustee of collective property owned by citizens as shareholders. To respect citizens, an official has to fulfill two duties: to act in the common interest and to be answerable for her decision to the citizens. These duties can be performed by following the accessibility requirement. The accessibility requirement demands that an official put her personal consideration aside and make a decision justifiable to citizens according to common evaluative standards. Also, the accessibility requirement ensures that the official is able to offer accessible reasons that can be evaluated by citizens whenever they doubt her decision. However, the honesty principle is insufficient to guarantee that these duties are fulfilled. An official can honestly show that her decision is intelligible to citizens. She may, nevertheless, still disrespect citizens by using political power to promote her interests or some partisan advantages or by answering the doubt of citizens in a way that they are unable to evaluate. Hence, being honest and having an intelligible belief are irrelevant to the question of whether the official properly performs the duty of a trustee and recognizes the political status of citizens as collective owners of political power.²¹

Apart from the problem of civic disrespect, honesty does not resolve the problem of manipulation. Thus, even if Ada honestly confesses that she does not believe in a reason and that she offers this reason because it is apparently justified from the perspective of Ben, it does not change the fact that Ada knowingly encourages Ben to believe in something that Ada considers to be false. This is a manipulative act since Ada uses Ben as a means to achieve her favored outcome. However, Carey argued that encouraging others to believe in something that we maintain to be false is sometimes perfectly permissible. He offered a thought experiment:

Utilitarian professor: Suppose, for example, that a philosophy professor who is a committed utilitarian is teaching a class on moral philosophy, and in the course of this teaching, she presents arguments in favour of a number of rival theories, the result of which is that several students in the class come to reject utilitarianism in favour of alternative views. One way to explain why the professor's actions are permissible is to imagine that, while she is a committed utilitarian, she also recognizes that there is a chance that she may be wrong. In that case, it seems clear that she is not disrespecting her students—indeed, we may think it disrespectful if she refrained to give her students

the chance to assess the evidence and come to their own conclusions. Note also that even if we assume that the professor is convinced that she cannot possibly be wrong, she may still permissibly encourage her students to hold false beliefs, as a result of the special obligations she has incurred in her role as a teacher: the students expect to be presented with the best cases for a range of popular views, regardless of how convinced the teacher may be that her considered view is the correct one. (Carey 2018, p. 56)

This thought experiment is misleading because it overlooks a key difference in contexts. In the context of a lecture, no one is supposed to aim at a particular outcome, and no one's life will be deeply affected by the outcome of the class discussion. Although the professor is a utilitarian, what she aims at, as a teacher, should merely be free discussions that let students choose their favorite moral theory. However, in the political context, the outcome matters because it affects the basic structure that has a profound influence on everyone. People, therefore, have competing interests in shaping the basic structure in their favored ways. Suppose that the utilitarian professor becomes a public official who aims at maximizing aggregate utility and knowingly encourages other officials to hold false beliefs to vote for her favored law in the legislative procedure. They eventually reach an agreement on a law that, the utilitarian professor believes, can maximize utility. Although other officials may be happy with this result, it does not change the fact that the utilitarian professor manipulated other officials in a direction that favors her. Furthermore, even though manipulation may not occur, the honesty principle cannot avoid the manipulation concern. Because the political domain is a competitive area, each person is aware that others may use their share of power to change the basic structure to that person's disadvantage. When Ada knowingly encourages Ben to hold false beliefs, Ben will naturally doubt whether Ada is intentionally attempting to use him as a means to bring about the political outcome closer to her ideal. Although Ada may have a good and honest desire to help Ben deliberate correctly, mutual distrust may still be generated.

Also, compared with the accessibility requirement, the honesty principle provides weaker protection to citizens who are *vulnerable* to manipulation. Officials are usually elites that have a higher level of knowledge and persuasive skills. When these elites claim that they think on behalf of ordinary people, ordinary people might lack the ability to judge whether the suggestions of elites truly represent their interest. Manipulation is more likely to happen in a society where the honesty principle is applied. Despite the requirement of being honest, more reasons are available for elites in public justification. Elites are thereby enabled to have more ways to manipulate ordinary people by words and achieve their favored outcomes. Elites also have no interest in enlightening ordinary

people for the sake of expanding the scope of reasons available in public discussion. Hence, the independence of ordinary people is more susceptible to be undermined by elites.²² The accessibility requirement, by contrast, protects ordinary people by morally restricting the scope of arguments that elites can use in the political domain. In a society in which the accessibility requirement is applied, elites are required to offer reasons that they truly believe to be justified. This guarantees the quality of arguments and discourages elites from reaching an agreement by knowingly encouraging ordinary people to hold false beliefs. Moreover, to pass their political proposals, elites may even attempt to narrow down the epistemological gap between elites and ordinary people. Although it is impossible to eliminate manipulation in politics, manipulation is at least less likely to happen in a society where the accessibility requirement is applied.

I conclude that to respect other officials and citizens in the political domain, an official should treat others as shareholders of the corporate body of citizens and offer accessible reasons to justify her decisions. Offering justifications that others could not reasonably accept ignores the reasonable rejection of others and therefore disrespects their status. Offering reasons that the official herself could not reasonably accept to persuade others is manipulative in the sense of using others to realize her ideal. Honesty is a great virtue, but the problem with the honesty argument is that honesty does not change the wrongness of these actions. *Disrespect and manipulation can be honest, but they are still disrespect and manipulation.*

5. Conclusion

Context matters in political philosophy. Some principles are appropriate in certain contexts but inappropriate in others. For example, Mill was well aware that his harm principle is an appropriate norm when applied in the context of making law and policy, but inappropriate when applied in the context of the family. Children need to be protected, but this does not mean that any physical punishment by parents should be prohibited (Mill 2003, p. 95). A justification of the harm principle is to protect people's freedom to express their individualities, and children are still not mature enough to develop their individualities. If the context changes, the norms might also have to change accordingly.

The major weakness of convergence liberalism is that it confuses the context of personal conversation concerning political issues with the context of collective decision-making in the political domain. When two people privately exchange opinions on an issue and disagree with each other, one may reveal her non-accessible reasons to the other to show that her rejection is intelligible, but not groundless. To facilitate discussions, someone may put herself into the shoes of the other and honestly confess that, although she disagrees with the view of the other, she is willing to tell the other

what the best option would be for her. These exchanges show mutual respect. Also, even if manipulation may occur during personal conversations, it is not a serious moral wrongness.

However, permitting non-accessible reasons is inappropriate in the context of political decision-making because, in such a process, an official does not only express a view; the political power exercised by her is a part of the property collectively owned by all citizens. Respect is shown only when a citizen takes others as collective owners that have a right to hold her answerable for a political decision. Moreover, given that political decisions profoundly affect the lives of, manipulation in the political context is deeply problematic. A more restrictive requirement is needed to protect ordinary citizens from being manipulated by elites. In sum, the accessibility requirement is necessary for securing civic respect and non-manipulation in the political domain. The pluralism argument is not an excuse to give up the duty of respect, and the honesty requirement is inadequate in ensuring civic respect and non-manipulation. The importance of accessibility thus gives us a reason to prefer the consensus conception to the convergence conception.

Notes

1. I should clarify that not all religious reasons are non-accessible. As Laborde (2017, pp. 126-127) recently argued, some religious ideas can be detached from the doctrine and become “freestanding” ideas. Only those religious reasons that “appeal to a personal experience of revelation, or to extra-human sources of authority” are inaccessible. In this paper, I focus on the non-accessible religious reasons only.
2. Rawls 2005, p. 137; Vallier 2018. However, it should be noted that the approach of defending the requirement of public justification by coercion has recently become controversial. Some political liberals (cf. Lister 2011, Quong 2014, Bird 2014) have argued that the requirement of public justification may arise even if no coercion occurs. These philosophers rather suggest other grounds for the requirement of public justification, such as civic friendship and justice. For a defense of the coercion-based account, see Wong (forthcoming).
3. Apart from Rawls, Schwartzman and Quong, consensus liberals also include Audi (2011), Weithman (2010), Larmore (2015), Nussbaum (2011), Gutmann and Thomson (2004), Bohman and Richardson (2010).
4. A similar distinction is also suggested by Vallier (2014, p. 111), though in the name of strong symmetric consensus, which assumes shareability as the requirement of

justificatory reason, and weak symmetric consensus, which assumes accessibility.

5. Rawls (2005, p. 241). A similar view can also be found in Audi (2011, p. 70), Quong (2011, p. 262), Bohman (1997, p. 83), and Gutmann and Thomson (2004, p. 144).
6. Nevertheless, the convergence liberals are not meant to argue that any reasons are permitted to enter into public justification. The reasons that justify a proposal to others must be *intelligible* to others. This intelligibility requirement would permit most religious reasons in public justifications, but would still exclude some unintelligible reasons, such as rejecting a proposal because of personal dislike. I further discuss the standard of intelligibility in Section 4.
7. I thank an anonymous reviewer for helping me to clarify this point.
8. An example is Bernie Sanders's speech at the Liberty University in 2015. He used religious language to persuade Christian audiences to support his economic reforms (Wong 2019, pp. 123-124).
9. It should be noted that Quong used these two reasons to defend the sincerity requirement. Nevertheless, the idea of accessibility, rather than sincerity, is what should matter in the sincerity requirement. Sincerity concerns the correspondence between what people say they believe and what they actually believe. As some convergence liberals argue, people can sincerely endorse the same law for different intelligible reasons in the convergence conception of public justification (Vallier 2014, pp. 123-124; Billingham 2016, p. 144). In fact, when Quong offers the reasons for civic disrespect of manipulation, the purpose of his arguments is to show the negative results caused by permitting people to offer non-accessible reasons as the sole grounds of their political advocacy. Quong is concerned more with the kinds of reasons permitted in public justification than how these reasons correspond to the actual beliefs of people. My paper, therefore, uses his arguments as a defense of the accessibility argument. I am very grateful to an anonymous reviewer for helping me to clarify this point.
10. Similar arguments can also be found in Audi (1997, pp. 135-136), and Bohman and Richardson (2010, pp. 269-270). Apart from these two arguments, Schwartzman (2011, p. 386) offered an argument of *quality of debate*: Limiting the scope of reasons within accessible reasons would improve the quality of public political discourse. Since we may be mistaken about our reasons for or against a law, making these reasons public may give us a chance to listen to the views of others and gain "epistemic benefits." While the aim of this paper is to show the *moral* weakness of the convergence conception, I put this argument, which argues for the *epistemic* weakness, aside.
11. Similar examples can also be found in Gaus (2010, pp. 25-26), Billingham (2016, p. 140), and Thrasher (2016, pp. 623-624). Despite not being a convergence liberal and not making a distinction between shareability and accessibility, Eberle (2002, p. 113) also challenged the link between respect and offering accessible reasons. According to Eberle, respect for

persons implies a need to offer public justification, but it does not imply that citizens should not support a law that can only be justified by non-accessible reason.

12. Rawls (2005, p. 465).
13. The distinction between soundness and rationality was suggested by Billingham (2016, p. 140). Vallier (2017, p. 193) endorsed a similar distinction as well, though he used the terms “warranted choice” and “justified choice.”
14. A similar reply, though brief, can also be found in Vallier (2017, p. 192).
15. My discussion of ownership is indebted to Christman (1994, pp. 23-27), Waldron (1988, pp. 40-41), and Munzer (1990, pp. 22-27). While these philosophers mainly discussed collective ownership in economic markets, I use this idea to interpret the political relation between citizens and their state.
16. This shared goal of a democratic body is suggested by Cohen (1996, pp. 420-422).
17. The view that public officials are trustees of the ruled has a long history. One of the earliest advocates was Locke, who understood the political relationship to be one of trust, establishing a fiduciary relationship. See Simmons (1993, pp. 68-72).
18. Note that my argument works even when the non-accessible reason is *not* a defeater reason. Although Ada’s non-accessible reason may be defeated in the democratic decision-making procedure and Ben is eventually treated justly, it does not entail that Ada’s action is not disrespectful. Exercising political power based on a non-accessible reason already violates the responsibility of a trustee, who is supposed to use her political power in a way accessible to the shareholders. Regardless of the final result, the action is disrespectful. The result is that Ada perpetuates the unjust basic structure, which merely deepens this problem of disrespect. Since Vallier (2016, p. 256) argued that disrespect does not exist when non-accessible reason is a defeater reason, my reply thus focuses on discussing this possibility. I thank an anonymous reviewer for helping me to clarify this point.
19. For this paper, I focus on whether the honesty principle can rule out civic disrespect and manipulation when it is applied to public officials, though Carey stated that both officials and ordinary citizens have to comply with this principle.
20. For definitions of intelligibility, see Gaus (2011, pp. 289-292) and Vallier (2014, pp. 106-108). I thank an anonymous reviewer for suggesting me to discuss more about why offering non-accessible yet intelligible reasons is disrespectful.
21. Some may ask whether offering accessible reasons is sufficient to establish the relationship of trust between officials and citizens and whether offering shareable reasons is required. I believe that offering accessible reasons is sufficient. A trustee does not need to ensure that each of her decisions reflects reasons that her trustor endorses. Instead, she only needs to ensure that her reasons mirror common evaluative standard that can be used by her trustors to evaluate her decisions. For example, say I employ a fund manager to manage my equity portfolio, who is bestowed with the power to manage my investment for a

certain period of time. I may not like the stocks that my manager picks for me as I speculate that the prices of those stocks may not rise and, hence, the investments will not be profitable. The manager, nevertheless, can provide a reasonable account that explains why this stock has a good prospect. Although I may disagree with my manager's reason behind her decision, I will not have a feeling that she disrespects me because I understand that her reason is justified by some common evaluative standards shared by us, such as the norm that client profits should be maximized and she is to act in her client's best interest. Hence, although a trustor may not affirm her trustee's reason as her own, the trustor is still respected as long as some common evaluative standards enable the trustee to justify her reason.

I do not deny that offering shareable reasons is also sufficient to establish a relationship of trust between officials and citizens. However, I focus on accessibility in this article for two reasons. First, as I mentioned in Section 1, the major consensus liberals define public justification in terms of accessibility. Second, some political philosophers have already argued that if public justification is defined in terms of shareability, then public justification is over-restrictive, and very few state policies are likely to be publicly justifiable. (Bonotti and Barnhill forthcoming) I thank an anonymous reviewer for helping me to clarify these points.

22. I have benefited from discussion this point with Kevin Vallier.

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