

What Does A Liberal Society Demand Of Its Citizens?

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There are many different forms of political organization in the world. What is it that makes a form of government for a particular society a liberal one? Within such a society, what demands does liberalism place upon the citizens who live within its boundaries? As an approximate answer to the first question, necessarily generalizing over centuries of liberal practice and theory, a liberal society is a society that prioritises, above other political values, the freedom of the individual as a political ideal. The way in which liberalism secures this priority is twofold: first, an individual is assigned certain basic rights and liberties. Second, to make these rights and liberties practical and politically effective, such a society also pursues an ideal of equality. As an approximate answer to the second question, the question that will be the main focus of this article, liberalism demands that its citizens be, well, liberal citizens. But there are more, or less, ambitious accounts of that in which liberal citizenship consists.

The balance between the two priorities within liberalism, between basic rights and equality, determines the different forms of liberal political theory. At one extreme, a liberal may assume that our basic moral rights are prior to politics and severely constrain the political process. The pursuit of equality, as a goal of a state's redistributive policies, would represent an interference with certain basic moral rights, such as the right to acquire, hold and transfer private property. This can be represented as the view that, in the conflict between freedom and equality, freedom should be given a stronger emphasis. More egalitarian liberalisms see the reality and efficacy of certain basic rights as themselves underwritten by a more demanding ideal of equality, perhaps one that only permits inequality in so far as doing so would improve the situation of the very worst off. On this view permitted inequalities must benefit the worst off so that, metaphorically, as the 'ceiling' of the rewards of the most highly paid rises, so it drags up the 'floor' with it, improving the lot of the comparatively worst off. This second view can be understood as the claim that equality is prior to freedom or, perhaps more accurately, as the view that a proper understanding of that which freedom consists in undermines any general contrast between these two values. Equality, on this second view, is an essential condition of the meaningful exercise of those basic liberties protected by our most fundamental rights: perhaps those rights given protection by the constitution of the state. There is a very basic disagreement between these rival views about the relative importance of morality and politics, and which is allowed to constrain the other.

However, recent arguments within liberal political theory have focused not so much on this perennially controversial issue of the nature of the demands of equality, but on the wider question of the legitimacy of a liberal political order itself. If the debate between a more libertarian, freedom based and a more egalitarian, equality based liberal theory is about how we implement a liberal political theory, the issue of legitimacy asks why we should be liberals at all. The issue of legitimacy concerns the most fundamental of political issues, namely, what makes a particular form of government legitimate for the people that it governs. This is not the question of whether a citizen of a state agrees, in any particular case, with the policies of those that govern her. Accepting that a government is legitimate is compatible with very

substantial disagreement about government policy. Indeed if, as many have argued, politics is fundamentally about accommodating disagreement and preventing it spilling over into factionalism and violence, then this aspect of legitimacy is crucial to understanding what it is to set up a political order. When we collectively agree to be governed by a particular form of political organization and, in particular, to give it a monopoly over the legitimate use of force and to allow it to determine what is to happen rightly, even if that does not always co-incide with what we personally take to be right, we set up an order to govern our political life together that is legitimate. We accept, as it were, the fundamental ground rules of a game, not the particular moves that occur within it.

All liberal political theories claim that liberalism has certain fundamental advantages over other forms of political organization when it comes to the issue of legitimation. Liberal political theories claim that their legitimacy can be demonstrated to each citizen, on a rational basis. The reasons given for the legitimacy of a liberal political order can, moreover, be the same reason for each citizen or group of citizens: you don't have to give different reasons to different groups or different people. Furthermore, this process of justification can be transparent to all and does not rest on a lack of truthfulness or on coercion or deception. The legitimating narratives of other forms of political organization, the liberal claims, will be found wanting in comparison with these features of liberal legitimacy. Despotism goes through a sham process of legitimation, but its fraudulent character is brought out by the fact that the only thing sustaining that claim to legitimacy is the very same blatant exercise of power that the justification seeks to endorse.

All liberals seek to advance a legitimate political conception, but the more demanding a liberalism, the more it will try to demonstrate that it can be assented to by everyone. At this point the rarefied atmosphere of political theory makes contact with the practicalities of everyday politics, as it is undoubtedly true that the more egalitarian form of liberalism, that which justifies inequality solely in cases where doing so would benefit the worst off, bears less of a relation to the dominant political theories that underlie political practice in the contemporary United Kingdom and United States. It seems that a significant minority of the electorate of those democracies feel that a more demanding form of liberal equality is too demanding: that it generates a system in which the State is too involved in the redistribution of resources that those citizens believe to be rightfully theirs. I note this thought without endorsing it; on a more plausible view, nothing is anyone's until the entire system of allocating and transferring resources for a whole society has been set up.

That is one ground on which one might be reluctant to embrace liberalism, even if one were to regard the view rejected as a legitimate option. But another aspect of the problem facing this particular form of egalitarian liberalism, a form associated with the American political philosopher John Rawls, strikes more fundamentally at the question of the legitimacy of the view itself. Suppose one came to think that the view was, in a sense, exclusionary, or sectarian? This is not the worry that, if one were subject to the demands of a Rawlsian society, one would take its requirements to be too demanding. This is the deeper anxiety that one could not be subject to such demands or, at least, that a person able to become subject to such demands would not be recognizably you as you would have given up on a valuable form of life that is very important to your moral identity. On what grounds might one think that?

On the grounds that liberalism represents a form in which we might choose to organize our social life, but not the only available form and that there are valuable ways of living, which would be incompatible with a liberal way of living. Clearly, liberalism has an individualistic bias, reflected in its starting from the individualistic notion of a right, or of a basic liberty. While liberalism in its different forms does have an account of the good of community, such goods have to emerge from within a context shaped by the rights and protections assigned to individuals. There are comprehensible, indeed, familiar ethical outlooks where individualism does not receive such an unqualified endorsement: ethical outlooks which emphasize the goods of a traditional outlook, or of a traditional way of life, perhaps involving certain taken for granted and hierarchical ways of organizing social life. From such a perspective organizing one's social life in terms of rights encourages strident self-assertion, adversarial social relations and a decline, not a reinforcement in sociability. Yet the liberal account of legitimacy clearly aims to bring everyone on board and not, in this way, to offer justifications of liberalism that appeal solely to those antecedently persuaded of its attractions. Rawls came to the view that his own early work, in which he developed a compelling case for a demanding liberal egalitarianism, had failed to be sufficiently attentive to this wider problem of legitimacy.

But was he right to be concerned in this way? Rawls himself accepted the point that no political view, not even liberalism, can accommodate every possible valuable way which humans can devise to live together. It is tempting to view liberalism as a maximally accommodating view, reflected in how broadly it understands the scope of its own legitimacy. But it would be a mistake to see liberals as trying to stock their own society with some maximally inclusive smorgasbord of options, a political analogue of the intergalactic bar in Star Wars (where aliens from many worlds share a drink, not a collective political life). Furthermore, liberals as a whole stand by the attractiveness of the basis of liberal legitimacy as opposed to those traditional legitimating narratives used to justify the divine right of kings to rule, or the authority of a traditional 'ruling class'. Those narratives rest on falsehood, or coercion, or both.

Those most untroubled by this issue are a group known as ethical liberals. Represented by the contemporary political philosophers William Galston and Stephen Macedo, the ethical liberal argues that it is both undeniably true, yet not to be regretted, that liberal political societies shape the dispositions and behaviour of those citizens governed by that very same liberal order. Corresponding to liberalism as a political theory there is liberalism as a personal ethical outlook. The two stand in a mutually supporting relationship. A liberal virtue ethic sees a person's ethical outlook as made up of certain typical virtues of character: liberal citizens are tolerant, open-minded, experimental in attitude and responsible. Responsibility is a key virtue. That is one explanation as to how liberal societies can afford to give their citizens a substantial sphere of life which is outside of the direct control of the state, and yet not collapse from the massive social costs which might be brought about if everyone within that state chose to behave in that sphere completely irresponsibly. A citizenry whose recklessness and lack of moderation led a majority to severe and chronic self-inflicted ill health, or that spent its time in the workplace either drunk or stoned, would very quickly bring the public services offered by a state to breaking point.

For ethical liberals, then, liberal political practice is matched by a liberal virtue ethic. Rawls came, in his later work, to be concerned that his account of liberal egalitarianism was sectarian in the sense that it rested on too narrow a basis of justification: that it would appeal solely to those who were already committed to a liberal form of ethical life. Galston and Macedo accept this circularity in the justifications available to the liberal very clear-sightedly. Liberalism, like any other political view, will shape its citizens in its own image and that is not to be regretted. Macedo has even claimed that, through time, all liberal societies will converge on a single basic pattern and, more provocatively, that the best contemporary example of the pattern is contemporary California.

To articulate this dispute more clearly, take an example from the American political philosopher John Tomasi and divide people into three broad classes. The first group are, in their personal attitudes and behaviour, committed to the very aspects of character that Galston and Macedo call the liberal virtues. Open-minded, tolerant and experimental, this group of people value diversity and change in their personal and social lives, welcome exposure to novelty and difference and value crafting a distinctive and individual moral identity. The second group of people structure their lives by some traditional source of identity which is 'foundational' for them, whether religious or not.

This group dislike individual self-assertion and while they value the option of appealing to the individualistic rights discourse of liberalism, they do not value exercising that option as it seems to them a last resort that marks a breakdown in social relations. Their overall view is marked by respectfulness towards traditional sources of authority. The third group simply don't have a consistent and fully worked out set of principles or attitudes; a mixture of groups one and two, different parts of their lives involve different degrees of respect for tradition or authority, experimentation and 'standing out from the crowd'.

We can now put Rawls's concern this way: the first group will clearly have no problem accepting the legitimacy of liberalism not, at least, in terms of its justifiability to them from their own perspective. The third group are, shall we say, ripe for conversion: it will be possible so to mould their attitudes and expectations that they will come, through time, to resemble the first group. The point of concern is the second group. Do we, at this point, simply remind ourselves that liberalism cannot please everyone, that it does not aim to accommodate every possible valuable form of living together and that no-one is entitled to a level playing field? Through time, particularly as children born within this group are educated in the public education system and exposed to the wider influences of society, this group will find it more and more difficult to reproduce itself and will, slowly, 'go out of business'. Is this to be regretted? I think Galston and Macedo are committed to the view that while this would, indeed, be regrettable, it is not regrettable in such a way that a liberal state itself is to blame for allowing it to happen.

Rawls's answer is that we should try and do more: that we ought to affirm unequivocally the importance of politics and its priority over morality. Politics imposes a special burden on citizens, which is that, when they come together to discuss fundamental matters of political legitimacy, we owe our fellow citizens a duty of restraint. What we restrain ourselves from is trying to justify legislation on the

basis of our own comprehensive moral vision of the world, especially if we believe that this view is not widely shared. Reasonable people know that people can, blamelessly, disagree over fundamental issues about morality even if all the views under consideration are themselves reasonable (no-one cares if unreasonable world views go out of business - the passing of the Klu Klux Klan from liberal society is not regrettable from anyone's perspective). What Rawls tries to do is disjoin, or separate, our political commitment to liberalism from any particular general moral view that might support it. But this is not to detach politics from morality: the key words are 'any particular' view that might support it. What Rawls wants is a situation in which each particular general moral view offers its own proprietary support for liberalism from within its own particular perspective.

What you affirm is the common ground between you and your fellow citizens; the basis on which you affirm is that which you could not put forward to your fellow citizens without violating your duty of restraint. You know that if you put those considerations forward to others they would reject them as unreasonable for that purpose - of justifying political fundamentals - and they would be right to do so. Rawls called his later view of liberal egalitarianism 'modular' and I think what he meant by that metaphor is now clear. It is a module that 'slots in' to different general moral views of the world and is motivated from within each such reasonable view, while not being exclusively attached to any of them. It derives its power to motivate from its affirmation from within each of these particular general moral views.

Does this solve the problem? Rawls's aim is to give an account of the legitimacy of liberalism to all three of our representative groups. The second group are clearly the crucial test case. Can they affirm, from within their traditional worldview, liberalism construed as a political solution to a political problem: the problem of how to live together in a political community that we genuinely share, given that all sides agree that there can be blameless disagreement about the fundamentals of morality (as opposed to politics)? Perhaps equally importantly, can they affirm some adaptation or extension of their traditional worldview, adjusted to the particular conditions of a liberal society? Rawls believed that the answer to that question was 'yes'; even bearing in mind that liberalism does not attempt to accommodate all valuable forms of living together, it can go a little further in drawing a wider class of ethical outlooks within its ambit.

I have taken the issue of legitimacy as the focus of this article and there are now two clearly conflicting answers to the question of what a liberal society demands from its citizens for consideration. Ethical liberals ask that the citizens of a liberal society adopt the liberal virtues of criticism, open mindedness, a taste for experimentation and tolerance. Rawls, in his later work, asks for a different commitment, a demanding political ideal that is expressed in his duty of self-restraint. You are going to have to accept, when you put forward a political argument about constitutional fundamentals, that a certain kind of full or complete justification is unavailable to you and that you have, as it were, to 'stay on the surface' and affirm that which you share with all of your fellow citizens from within a general moral outlook on the world that, ex hypothesi, you do not share with them in the same way. But while in that respect you 'stay on the surface' the commitment that Rawls asks of you is by no means itself superficial, but clearly in its own way very demanding. Like his ethical liberal rivals, Rawls places the demands of citizenship centre stage, but he understood liberal

citizenship as a certain narrowly defined political role. But given the priority and importance of politics it is the most important role that we can be called upon to take up.

Those unconvinced by Rawls's arguments fear that the same problem recurs: is it not true that we only affirm liberalism on the basis of those views that Rawls allows are reasonable general moral views? As I have noted, no one is concerned if, within a liberal society, the 'traditional forms of life' of the racist go out of business. But now is Rawls's restriction to reasonable views going to introduce a new circularity into what he is prepared to see justified within liberalism? Only reasonable views are allowed to count, and what handle do we have on reasonableness independently of these ways of living proving compatible with Rawls's later liberalism? I don't think that this criticism is justified, and the comparison with the 'ethical liberalism' of Galston and Macedo shows why.

The ethical liberal points to the legitimation of liberalism and says: liberalism recommends itself on its own merits. It meets a high standard of individual justification as legitimate without falsehood or coercion. In that sense any justification of it is circular: it rests on its own merits, but to what else can one appeal? The circularity of resting on one's own merits is still clearly different from the circularity of the 'justifications' offered by a despotic regime, where justifications are solely supported by the very exercise of power that the account tries to legitimate. Rawls accepts a degree of inevitable circularity in good justifications, those that do not rest on the brute causality of power, but, as it were, widen the circle. Our crucial second group, the test case for the transition within Rawls's views, can be brought within the terms of the liberal settlement whereas within ethical liberalism they cannot. That is an incremental gain, but a gain nonetheless, in arguments over the appeal of liberalism as legitimate means of organizing our political life together.

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