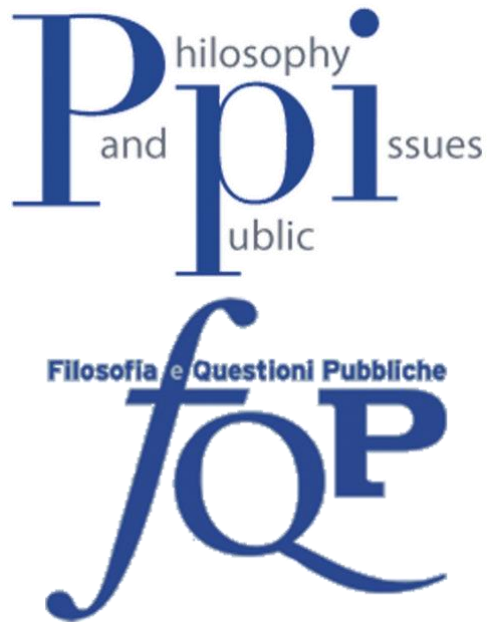


PARTISANSHIP AND PUBLIC REASON



PARTISANSHIP BEYOND CIVIC FRIENDSHIP

BY

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## Partisanship Beyond Civic Friendship

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The introduction of Matteo Bonotti's *Partisanship and Political Liberalism in Diverse Societies* highlights several motivations for the book (2017, 1-2). Despite the influence of John Rawls's *Political Liberalism*, the existing literature connecting this theory to partisanship is very limited.<sup>1</sup> Even beyond Rawls, there has been limited engagement with this topic by normative political theory. Bonotti's book, then, addresses an urgent need for more normative political theories of partisanship. Focusing on political liberalism in particular, Bonotti argues that "political liberalism needs and nourishes political parties" (*ibid.*, 175). With this argument, Bonotti "hope[s] to have at least partially rescued Rawls's theory from the widespread accusation that it is inhospitable to real-world politics, and especially to party politics." Since this paper will ultimately

<sup>1</sup> Following Bonotti, I use partisanship in the sense of "participation in politics through political parties," bracketing (for the moment) its negative connotations (2017, 1).

conclude that Bonotti's rescue attempt fails (though it nonetheless contributes to the more general project of developing a normative theory of partisanship), it is necessary to introduce the accusations that require Rawls to be rescued in the first place.

As Bonotti notes, this "rescue attempt" originated with an article by Russell Muirhead and Nancy Rosenblum (2006). The criticisms of Rawls identified by this article arise from "certain democratic theorists who, armed with the elusive notion of 'the political,' charge him with shrinking in disgust from politics generally and action by 'the demos' specifically" (*ibid.*, 99). Among the representatives of "the political," they cite Sheldon Wolin and Bonnie Honig as critics of Rawls, but also reference Hannah Arendt and Carl Schmitt. In contrast to these critics, Muirhead and Rosenblum focus on more concrete, institutional, and "ordinary" forms of politics. From this perspective, where democracy is characterized by competitions between political parties, they argue that political liberalism is not "antipolitical" but rather "needs and invites" parties, that they are "essential to political liberalism *even as an ideal*" (*ibid.*, 99-100, emphasis in original). To "rescue" Rawls from such accusations, then, means to shift to another sense of politics: the ordinary politics of parties, not "the political." Bonotti – who describes his argument as developing Muirhead and Rosenblum's article more comprehensively – follows suit.

This paper, too, will proceed according to the terms of ordinary party politics, as its primary aim is to evaluate Bonotti's claim about political liberalism's relation to partisanship. However, this distinction between ordinary politics and "the political" misses the relevance of the criticisms from representatives of the latter. These critics direct attention to the motivations of political liberalism – and even share these to some extent, but they interpret political liberalism's response to these motivations in such a way that political liberalism – in its own terms – seems to question the

normative value of partisanship, ordinary or extraordinary. In the terms of political liberalism, this common ground is represented by the valorization of pluralism. Political liberalism claims to understand pluralism not as a “disaster but rather as the natural outcome of the activities of human reason under enduring free institutions” (*PL* xxiv). This insight might indicate why normative political theory – even one with an “abstract and unworldly character” (*ibid.*, lx) – should be concerned with partisanship (beyond the fact that this topic is neglected in normative political theory).<sup>2</sup> From this perspective, partisanship is valuable not merely because parties are ordinary and therefore must be accommodated theoretically, but because we think they express a necessary or desirable feature of political life. Since “the common good is ever a matter of dispute,” as Muirhead claims in a more recent defense of partisanship, “[t]o serve the common good implicates us in a contest” (2014, x-xi).<sup>3</sup> Attempts to articulate “a rational basis for agreement about the common good” – a longstanding goal of political philosophy, Muirhead says – “take the politics out of politics,” inevitably excluding and silencing some perspectives. Theorists of “the political,” especially those critical of Rawls, emphasize these same claims (despite their hostility to ordinary or institutional forms of politics). Yet, these claims motivate their critique of Rawls. They find political liberalism “antipolitical” – as Schmitt considers liberalism in general – because it seems to

<sup>2</sup> Bonotti has an answer beyond this: the critique of parties – that they are in crisis, for instance – implies that we need a theory of how partisans ought to be and what their duties are, though this presupposes the value of partisanship (2017, 175). Of course, he also argues that parties contribute to the aims of political liberalism, though this presupposes the value of political liberalism.

<sup>3</sup> In this work, Muirhead in fact characterizes partisans as “adversaries,” citing Chantal Mouffe, another representative of “the political” critical of Rawls (cf. 2004, 107; Mouffe 2000).

eliminate, suppress, or neutralize political conflict (regardless of the place of parties in political liberalism).

For a theory founded on a positive recognition of pluralism, this is a potentially troubling accusation, especially if this theory is used as the source of a defense of partisanship. Yet, as Rawls's critics emphasize, the pluralism that primarily concerns political liberalism – having its historical origin in “the Reformation and its aftermath” – results not from disagreements over “the right” but over “the good,” or “the highest things,” as articulated by comprehensive moral, philosophical, and religious doctrines (*PL* xxiv, 4). Given these disagreements, political liberalism seeks to articulate the conditions of a basis of public justification – fair terms of political cooperation acceptable to all (reasonable) citizens. Although this project removes from the political agenda the most divisive issues and gives priority to the right over the good, this is meant to enable and protect conflicting doctrines of the good (cf. Forst 2002, 68). To achieve this goal, political liberalism removes, or at least severely constrains, other notable sources of political conflict, limiting (for instance) the scope of permissible conceptions of justice. Relatedly, Rawls claims that, through the recognition and realization of its fair terms of cooperation, conflicts deriving from differences in identity (such as class, race, ethnicity, and gender) “need not arise, or arise so forcefully” (2005b, 487). According to this reading, Rawls sacrifices “the political” – or at least disagreements over the just society and persistent sources of political conflict – in order to enable the non-political pursuit of the good life (cf. Wolin 1996).

This is not to say that Rawls completely eradicates political disagreement. He recognizes, within the context of a higher-order agreement on principles of justice, that unanimity is not to be expected, even on questions related to constitutional essentials and matters of basic justice. Yet, even here, his critics have reason to

be skeptical. Such disagreements call for *civic friendship*, which – as an embodiment of reciprocity – is the ideal political relation of political liberalism (2005b, 447). Those who reject this ideal transform political cooperation into a relation of friends and enemies. Since it “does not engage with those with think this way” (*ibid.*, 442), political liberalism again seems hostile to “the political.”

Bonotti rejects this antipolitical reading of Rawls’s political liberalism. He argues that political liberalism “needs and nourishes” partisans. While such partisans may not embody Schmitt’s distinction between friends and enemies or Wolin’s idea of fugitive democracy, they are – in Bonotti’s view – agents of significant democratic contestation over the common good. Moreover, insofar as they are necessary to achieve the aims of political liberalism, this kind of conflict is both necessary and desirable (from the perspective of those aims, at least). In this sense, his position rescues Rawls from the critics identified by Muirhead and Rosenblum, even if indirectly or “partially.”

This paper argues, however, that Rawls’s political liberalism is much less hospitable to real-world partisanship than Bonotti claims (though from a theoretical perspective different from that of representatives of “the political”). In order to accommodate reasonable disagreements characteristic of such partisans, Bonotti’s version of political liberalism must diverge from Rawls’s political liberalism. This should not suggest that Bonotti’s theory of partisanship is intended merely to accommodate realistic forms of partisanship. After all, Bonotti’s goal is to develop a normative theory of partisanship within the framework of political liberalism. Moreover, insofar as political liberalism aims at a *realistic utopia*, we might expect it to reflect – to some degree – partisan disagreements found in real liberal democracies (cf. Rawls 1999b, 6). From this perspective, Bonotti’s divergence from Rawls might suggest only a family quarrel internal to political liberalism over what degree of

ideological diversity it ought to permit. However, Bonotti's model of public reason introduces further differences – particularly, its use of overly general “evaluative standards,” which (I argue) provide an inadequate basis of public justification. This problem becomes evident when framed in terms of a broader (normative) limitation of political liberalism's relation to partisanship, namely, the “criterion of reciprocity.” This criterion is not only foundational to the aims of political liberalism but also specifies “the nature of the political relation in a constitutional democratic regime as one of civic friendship” (2005b, 447).<sup>4</sup> Rawls's use of civic friendship raises questions about whether political liberalism provides an adequate or appropriate framework for understanding partisanship.

As I argue, Bonotti's partisan-friendly reading of political liberalism (especially his conception of public reason) undermines the conditions of reciprocity and civic friendship, indicating political liberalism's incompatibility with partisanship (as understood by Bonotti). The latter is too political for Rawls. While this conclusion challenges the success of Bonotti's rescue attempt, his view – when more clearly divorced from Rawls's – leads to an alternative: Bonotti's partisans or Rawls's civic friends. From this perspective, Bonotti better articulates the normative demands of partisans, while Rawls offers a political relation unsuited to a partisan world. This comparison is not merely an exegetical problem for Rawls's political liberalism (as important as that may be), but rather facilitates the evaluation of the normative value of partisans.

<sup>4</sup> Lister 2013 and Leland & van Wietmarschen 2017 also stress the importance of civic friendship to political liberalism, though not in the context of partisanship.



## I

### **Partisanship and the limits of political liberalism**

Bonotti finds support for his claim that political liberalism “needs and nourishes” parties by identifying a number of key areas of this theory, especially public reason, that allow for some degree of partisan pluralism or ideological diversity.<sup>5</sup> He argues that political liberalism does not require that principles of social and economic justice be entrenched in a constitution, thereby leaving such issues open to democratic contestation (2017, 61). This partisan pluralism at the level of principles of justice is reflected in the content of public reason, which is “given by a family of political conceptions of justice” (*ibid.*, 111; citing Rawls 2005b, 450). In addition to this argument about the content of public reason, Bonotti argues that the normative demands of public reason not only allow for partisanship but also coincide with those of partisans (*ibid.*, 3). This section focuses on conceptions of justice and the content of public reason, while the next section examines the normative demands of Bonotti’s “accessibility” conception of public reason.

While Bonotti rightfully identifies room for some degree of political pluralism in Rawls’s discussions of conceptions of justice, the question is whether this pluralism sufficiently reflects disagreements of “real-world” party politics to warrant the claim that political liberalism can be rescued from the accusation that it

<sup>5</sup> This paper focuses on public reason, since that is where Rawls emphasizes the ideal of civic friendship. But Bonotti also finds partisans important to political liberalism outside this context. He argues, for example, that partisans can contribute to an overlapping consensus by facilitating connections between citizens’ comprehensive doctrines and the shared political values of a liberal democratic society. Muirhead & Rosenblum (2006) make a similar, though less developed, argument. As the latter note, this aspect of partisanship is, at the very least, underdeveloped by Rawls.

is inhospitable to such politics. As we will see, Bonotti diverges from Rawls's political liberalism – specifically, the egalitarian conditions of conceptions of justice – in order to accommodate real-world partisanship (at least to some degree). In light of Bonotti's response to these objections, this section leads to the question of whether Bonotti's departure from Rawls is merely a family quarrel internal to political liberalism or a more significant, normative departure.

### **I.1. Partisan conceptions of justice**

Let's consider more thoroughly the evidence that political liberalism permits partisan pluralism. Recognizing that a public political culture may contain different fundamental ideas and that different social and economic interests may support rival conceptions of justice, Rawls argues that it is more realistic and more likely that the focus of an overlapping consensus will be a family of liberal conceptions, rather than a single conception (like justice as fairness) (*PL* 164ff.). Relatedly, in specifying the content of conceptions of justice, Rawls argues that while some principles of distributive, or socio-economic, justice (which include equality of opportunity and “a social minimum providing for the basic needs of all citizen”) are constitutional essentials, fair equality of opportunity and the difference principle (from the second principle of justice as fairness) are not (*ibid.*, 228-229). Since there is generally more widespread disagreement about such principles and their realization (unlike principles specifying equal basic rights and liberties), political liberalism avoids entrenching specific principles of socio-economic justice in a constitution, leaving such issues open to democratic contestation. Like disagreements over comprehensive doctrines, Bonotti argues, disagreements over these issues are a permanent feature of the political culture of liberal democracies, grounded in the “burdens of judgment” (2017,

48). Public reason thus will often become an orderly contest over different conceptions of justice that reflect these disagreements, though with an underlying agreement on constitutional essentials (*PL* 227). This further supports Bonotti's argument that Rawls's family of conceptions is hospitable to parties. In fact, Rawls even refers to the agreement on constitutional essentials reflected in this orderly contest in terms of the partisan idea of "loyal opposition" (*JF* 49).

However, a closer examination of Rawls's family of conceptions of justice reveals the limited degree to which partisanship is permitted by political liberalism, thus restricting its relevance to real-world politics. While specific socio-economic principles of justice would be open to democratic contestation, political discussions of such principles (like the difference principle) – and the reasons for and against them – are "to be decided by the political values of public reason," as these principles concern matters of basic justice (*PL* 229n.10). Public reason is constrained by a family of conceptions, along with the conditions that define these. To be eligible for this family, a liberal political conception of justice must meet the following conditions: (1) protect familiar basic rights; (2) assign them a special priority; and (3) include "measures to insure that all citizens have sufficient material means to make effective use of those basic rights" (*ibid.*, 156-157). The idea behind the third condition, Rawls explains, is "that below a certain level of material and social well-being, and of training and education, people simply cannot take part in society as citizens, much less as equal citizens" (*ibid.*, 166). The failure to guarantee the "fair value" of the political liberties, Rawls claims, has been one of the main defects of constitutional governments historically, which further indicates political liberalism's otherworldliness (see *TJ*, 198).

While Rawls allows that different conceptions will have different principles to meet the third condition, the range of ideological diversity or partisan pluralism permitted by this condition is quite restricted - according to Rawls's interpretation of this condition, at least. Rawls is explicit, for example, that libertarianism, defined in terms of purely formal constitutional liberties without the all-purpose means to make effective use of those rights, does not qualify as liberal (*PL* lvi). Additionally, libertarianism "allows excessive social and economic inequalities [as the] invisible hand...favors an oligopolistic configuration of accumulations" (*ibid.*, lvi, 267). This conception of justice cannot secure stability "for the right reasons," which would require public financing of elections, fair equality of opportunity, "especially in education and training," a "distribution of income and wealth meeting the third condition of liberalism," "society as employer of last resort," and the assurance of basic healthcare for all citizens (*ibid.*, lvi-lvii). More generally, these measures are necessary for the form of public deliberation contained in the ideal of public reason to be possible and fruitful.

Disagreements over such measures are characteristic of partisan divides in many actually existing liberal democracies. By excluding these disagreements in advance with such egalitarian restrictions, it might seem that Rawls uses a partisan conception of justice to define the family of acceptable partisan views – a "disguisement instead of a solution," as Wolin says in the very critique that motivates (via Muirhead and Rosenblum) Bonotti's rescue attempt (1996, 119). The egalitarian demands that political liberalism places on conceptions of justice and political institutions indicates that its form of partisanship would bear limited resemblance to the partisan conflicts characteristic of existing liberal democracies, as would the more highly idealized citizens capable of agreeing on this more restricted family to contemporary partisans.

For similar reasons, Lea Ypi suggests – in her critique of Bonotti – that it is not clear that “any existing liberal society actually meets the demanding standards” of Rawls’s political liberalism (2019, 467). Furthermore, abandoning those demanding standards – via an accommodation of empirical forms of partisanship – risks affirming existing balances of power. For instance, Ypi worries about “the constitutional subordination of political power to the economic interests of property-owning elites in existing liberal democracies” (2019, 467). For Ypi, this means that public reason will inevitably reflect an “economic bias that undermines” political equality. This objection relates, of course, to Rawls’s concerns about the third condition of liberalism: “in the absence of this condition, those with wealth and income tend to dominate those with less and increasingly to control political power in their own favor” (*PL* xlvii). From this perspective, Ypi questions one of the central assumptions of Bonotti’s use of political liberalism, namely, that he argues from the perspective of a “reasonably just” society, or the type of society assumed by political liberalism (cf. Bonotti 2017, 12; *PL* lx).

Bonotti recognizes this problem to some extent, but must, then, diverge from Rawls’s political liberalism in order to accommodate real-world partisanship (though this divergence is not stated explicitly as such in his book). Building on his argument that Rawls’s political liberalism allows for more democratic contestation on socio-economic issues than generally assumed, he suggests (in his response to Ypi) that reasonable disagreement about such issues should be taken more seriously than Rawls does (2019, 499). He argues, for example, that “the realization of the fair value of political liberties is the object of reasonable disagreement”

(*ibid.*, 499).<sup>6</sup> Therefore, public reason and conceptions of justice should not be restricted by egalitarian socio-economic principles or conditions. On this point, he adds, “it is my conviction that Rawls’s gradual shift of focus from justice [in *TJ*] to political legitimacy [in *PL*] should also have implications for how we view the place of socio-economic matters under political liberalism” (2019, 499). In this way, political liberalism and public reason become more hospitable to real-world partisanship, allowing for a more inclusive family of conceptions, permitting, for instance, both classical liberal and egalitarian views.

Admittedly, Rawls is also willing to accommodate “different fundamental ideas and different social and economic interests” (*PL* 167). This motivates, for instance, his support of a family of conceptions with distinct principles of justice. From this perspective, Bonotti’s defense of greater ideological inclusivity would more accurately express the aims of political liberalism, and it would seem that his divergence is consistent with Rawls’s project, the difference being only a family quarrel over the extent of this inclusivity. As such, his differences from Rawls would not undermine his rescue attempt. However, as I discuss in the next section, Bonotti’s accessibility model of public reason leads to additional divergences from Rawls, which call into question whether his theory of partisanship can sustain the normative demands of public reason.

<sup>6</sup> He also suggests that Rawls provides alternative ways of guaranteeing the fair value of political liberties (e.g., public financing of elections) that are capable of “insulating politics from economics rather than by making politics dependent on a certain kind of egalitarian economics” (2019, 500). Admittedly, Bonotti’s suggestion is brief, but it is not clear how such measures would be immune from the socio-economic contestation he valorizes.

## **I.2. The normative demands of partisans and public reason**

Bonotti's argument that political liberalism is hospitable to certain disagreements characteristic of existing liberal democracies does not mean his theory lacks normative demands. This is most evident in his model of public reason. Nonetheless, as we will see, this model is significantly less demanding than Rawls's.

In further support of his argument that political liberalism “needs and nourishes” partisanship, Bonotti argues that Rawls's conception of public reason permits partisanship and that the normative demands of public reason are harmonious with those of partisanship. He describes these normative demands as following from a commitment to the common good, including a commitment to treating others as free and equal and “therefore to not imposing upon them rules based on reasons that we cannot expect them to accept” (2017, 112). Bonotti's interpretation of the normative demands of public reason – namely, his view of what counts as an acceptable or public reason – shows how these demands coincide with those of partisans and further supports his claim that public reason supports partisanship.

Bonotti defends an accessibility conception of public reason: “reasons are public if they are accessible, i.e., if they are grounded in evaluative standards that all citizens accept, even if they do not accept certain specific reasons grounded in them” (2019, 499). Like Rawls's notion of *reasonableness*, these evaluative standards have both normative and epistemic aspects (cf. Forst 2017, 137; *PL* 49n.1). Normatively, they refer to “broadly shared political values [of] the public political culture of liberal democracies” (Bonotti 2017, 114-115). They also include “epistemic rules for the gathering of factual evidence and for drawing inferences” (2019, 501). In addition to permitting unshared reasons (unlike a “shareability” standard), Bonotti's accessibility conception allows

for conflicting public reasons to enter the process of justification, barring any “gross epistemic errors,” thus permitting publicly justified decisions on the basis of a balance of public reasons that includes conflicting reason (Badano & Bonotti 2020, 38). Permitting both unshared and conflicting reasons, this conception “allows for many more laws and policies to be publicly justified, thus broadening the scope of party politics and partisan pluralism” (Bonotti 2019, 508). At the same time, because partisans’ public reasons must “respect the limits imposed” by the broadly shared political values included in their evaluative standards, the normative demands of partisans coincide with those of public reason (2017, 115). Put positively, this reflects the “distinctive normative attribute of partisanship, [namely, p]resenting partial values and demands in a way that takes into account general ends and the common good” (*ibid.*, 105; cf. White & Ypi 2016, ch. 3).

Related to his defense of a more inclusive family of conceptions of justice, Bonotti’s accessibility conception is more inclusive due to the generality of its evaluative standards, particularly the shared political values of the public political culture of liberal democracies. While this generality supports his claim that public reason is permissive of ideological diversity, it risks undermining the normative demands of public reasons and further demonstrates his divergence from Rawls’s more demanding conception of public reason.

Admittedly, Rawls does say that public reason requires that we “sincerely think that our view of the matter is based on political values everyone can reasonably be expected to endorse”, seemingly reflecting the evaluative standards of Bonotti’s model (*PL* 241). However, for Rawls, public reason requires the use of reasons specified by a family of conceptions (with their three conditions). In contrast, Bonotti’s partisans are limited, from a normative perspective, only by indeterminate shared political values, like



equality and freedom. This difference reinforces the greater inclusivity of Bonotti's theory. Bonotti argues, for example, that "both classical liberal and egalitarian policies are in principle publicly justifiable, since the reasons in their support are grounded in shared liberal values (equality, fairness, liberty, etc.) that classical liberals and egalitarians share but interpret and rank in different ways" (2019, 499). Of course, in interpreting, ranking, and ordering these values, partisans render "those indeterminate values" more relevant and concrete (2017, 115). But, normatively, they are constrained only by such "indeterminate values."

For this reason, it is not accessibility in itself that leads to Bonotti's divergence, but rather his use of indeterminate political values as a shared evaluate standard. Relatedly, this issue is not (merely) the result of Bonotti's "family quarrel" over whether public reason needs to be more rigidly egalitarian, but rather indicates a disagreement over what level of generality public reason can tolerate in its evaluative standards (general political values or more particular limiting conditions). Moreover, this calls into question his assumption of well-ordered society (like Ypi's objection to his use of "reasonably just"), that is, a "a society effectively regulated by a public political conception of justice," as Rawls defines the "highly idealized concept" of a well-ordered society (*PL*, 35).<sup>7</sup>

<sup>7</sup> Even though Rawls himself diverges from this definition by allowing for a family of conceptions, this family is more highly determined than Bonotti's conception. We could also say – since Rawls allows for an overlapping consensus on this family – that a well-ordered society would be regulated by such a family or, more generally, by the three conditions of liberal political conceptions of justice (cf. Quong 2011, 139n.2). On this point note the ambiguity in how Bonotti defines a well-ordered society. On the one hand, he appears to follow Rawls, by defining a well-ordered society as having a "shared and publicly recognized political conception of justice" (Bonotti 2017, 110;

This problem is reinforced by Bonotti uses of “public political culture” as part of the evaluative standards of public reason. Of course, as noted above, Rawls also appeals to public political culture: the content of a political conception of justice, for example, “is expressed in terms of certain fundamental ideas seen as implicit in the public political culture of a democratic society” (*ibid.*, 13). However, it should be stressed that the ideas and principles contained in this culture are *only* implicit (cf. Forst 2017, 131-132). As Rainer Forst argues, they need to be “reconstructed” in order to provide an adequate standard for public reason, or a public basis of justification, determining the conditions of which is the aim of political liberalism (cf. *PL* 38n.41). After all, the “shared” political values implicit in such a culture can be ranked and interpreted in many (and conflicting) ways, not all of which are necessarily acceptable or “reasonable” (consider Rawls’s exclusion of libertarianism, discussed above). Nor is it obvious that every interpretation of the values implicit in this culture would recognize “the idea of society as a fair system of cooperation” as the preferable idea of society implicit in this culture.<sup>8</sup> Appealing to a liberal political culture, as Bonotti does – without also defining liberal conceptions of justice (or what counts as an acceptable conception), as Rawls does – suggests an insufficient public basis of justification, from the perspective of political liberalism.

citing *PL* 249). On the other hand, Bonotti explicitly defines such societies – much more loosely (reflecting his accessibility model of public reason) – as “societies with a shared liberal political culture” (*ibid.*, 110). Bonotti clearly departs from the former definition, as it would contradict the ideological inclusivity necessary for a theory of political liberalism amenable to partisanship. <sup>8</sup> Bonotti appeals to the latter idea (2017, 106). But his description of shared political values are brief and at times ambiguous. For our purposes, it is important to note that he presents the evaluative standards of public reason only in terms of general values, like equality and freedom (cf. *ibid.*, 114-115; 2019, 501).

Bonotti does claim that some conceptions are unacceptable, namely, illiberal conceptions that “contravene those basic liberal political values that are widely shared in liberal democracies (e.g., equality, freedom, etc.)” (2017, 115). In a footnote, he adds that “not all rankings may be permissible under political liberalism” (*ibid.*, fn. 8). Here he quotes Rawls’s claim that “not any balance of political values is reasonable” (*PL* 227). As an example, he writes, “a conception that ranks civil liberty so high that equality of opportunity is seriously undermined, or vice versa, will not provide a reasonable balance of political values” (*ibid.*). Notice that this example embodies the egalitarian judgment of libertarianism, discussed earlier. Yet, this is representative of the kind of reasonable disagreement Bonotti defends. The point is not that Bonotti contradicts himself, but rather that it is not clear that his view has the resources to determine which rankings, if any, are impermissible (or unreasonable), given the evaluative standards of his model of public reason.<sup>9</sup>

In the following section, I argue that these evaluative standards offer an inadequate public basis of justification and that this model cannot ensure the normative demands of public reason, as it diverges significantly from Rawls’s model. I frame these normative demands in terms of civic friendship because it both emphasizes the question of political liberalism’s relation to partisanship and

<sup>9</sup> Ypi also raises an objection to Bonotti’s use of a public political culture. She suggests that Bonotti’s view, by relying too heavily on the political culture of existing liberal democracies, “collapses the distinction between the normative ideal and the empirical practice of partisanship” (Ypi 2019, 468-469). This objection focuses on whether Bonotti’s partisans, from this empirical perspective, could intrinsically develop the normative demands of public reason, as Bonotti claims such demands are intrinsic to partisanship (cf. Bonotti 2017, 62ff.). In contrast, my concern is with the generality of these normative demands and whether they can be sustained by partisans, even when they have an intrinsic commitment to public reason.

expresses a deeper normative commitment of political liberalism, namely, reciprocity.

## II

### **Preserving the ties of civic friendship**

Rawls's use of the criterion of reciprocity – “a duty arising from the idea of reasonableness of persons” (*PL* xlv fn. 14) – represents a broader normative limitation of political liberalism's capacity for partisanship, especially in the context of public reason. This is evident, for example, in the restrictions Rawls places on conceptions of justice: Rawls excludes libertarianism because it “allows excessive social and economic inequalities as judged by the *criterion of reciprocity*” (*PL* lvi, emphasis added). This criterion is the “limiting feature” of this family (2005b, 450). It is necessary in order to be able to reasonably accept fair terms of cooperation “as free and equal, and not as dominated or manipulated, or under the pressure of an inferior political or social position” (*PL* xli). More generally, the criterion of reciprocity is inseparable from “the aim of political liberalism,” namely, “to uncover the conditions of the possibility of a reasonable public basis of justification on fundamental political questions” given the fact of reasonable pluralism (*ibid.*, xix). The criterion of reciprocity provides this condition in the form of the liberal principle of legitimacy: “our exercise of political power is proper only when we sincerely believe that the reasons we offer for our political action may reasonably be accepted by other citizens as a justification for those actions” (*ibid.*, xlv). Additionally, civic friendship expresses a commitment to the principle of legitimacy or, more generally, reciprocity: “the role of the criterion of reciprocity as expressed in public reason...is to specify the nature of the political relation in a constitutional democratic regime as one of civic friendship” (2005b, 447).

As an expression of reciprocity, civic friendship provides a framework to examine whether Bonotti's model has an adequate basis of justification that can ensure the normative demands of public reason. After introducing civic friendship's role in public reason in more detail, the remainder of the paper argues that Bonotti's model cannot maintain the conditions of civic friendship (and reciprocity).

### **II.1. Civic friendship and public reason**

This use of civic friendship as an expression of reciprocity – or, more generally, as the ideal political relation of public reason – might reinforce (at least tentatively) the concern that Rawls's political liberalism is incompatible with partisanship. However, there are a number of initial reasons to doubt that the two political relations are necessarily opposed. First, Rawls opposes civic friends to those that reject reciprocity and public reason. This rejection produces a political relation of friends and enemies: “the political relation may be that of friend or foe, to those of a particular religious or secular community or those who are not; or it may be a relentless struggle to win the world for the whole truth” (*ibid.*, 442). As Bonotti's normative view of partisanship emphasizes, partisans do not reject public reason. Parties are not (necessarily) factions, or enemies. As discussed earlier, Bonotti claims that the normative demands of partisans coincide with those of public reason. From this perspective, they formulate public reasons that are acceptable (that is, accessible) to all. On the surface, this suggests that Bonotti's partisans are compatible with Rawls's civic friends (perhaps as two aspects of the same relation).

Moreover, civic friendship is compatible with one of the chief characteristics of partisans, namely, political disagreement. In public reason, Rawls notes, “unanimity of views is not to be

expected” (*ibid.*, 479). Nonetheless, civic friendship (and reciprocity) is maintained by acting in accordance with the idea of public reason, which “asks of us that the balance of those values we hold to be reasonable in a particular case is a balance we sincerely think can be seen to be reasonable by others” (*PL* 253). Bonotti’s partisan-friendly accessibility conception of public reason is designed for this very kind of disagreement.<sup>10</sup> Again, Bonotti’s view allows for unshared and conflicting public reasons as long as they are grounded in shared evaluative standards. That is, despite a lack of unanimity, the partisans can recognize the (unshared and conflicting) public reasons of their rivals as reasonable (or, accessible, in Bonotti’s terms).

For Rawls, civic friendship remains possible even “failing this” mutual recognition. That is, even when we cannot regard another’s “balance of values” as reasonable, “we think the balance can be seen as at least not unreasonable in this sense: that those who oppose it can nevertheless understand how reasonable persons can affirm it.” He adds, “This preserves the ties of civic friendship” (*PL* 465). The situation described in this passage is worth examining more closely, because it indicates the limits of civic friendship – that is, where this relation is preserved, “failing,” as Rawls says, to achieve the ideal of public reason and legitimacy.

From the perspective of this ideal, citizens mutually recognize each other’s “balance of values” as reasonable (even if they disagree about what is most reasonable). In the limit case, however, this mutual recognition fails to occur: some balance of values is seen as unreasonable (that is, there is disagreement about whether it is reasonable at all). Nonetheless, Rawls says, the ties of civic friendship can be preserved, as long as it is possible to understand how a reasonable person could affirm that unreasonable position.

<sup>10</sup> In fact, Bonotti & Badano (2020) use this passage in support of their argument that Rawls affirms an accessibility conception of public reason.

That is, we might view a certain balance of values – whether at the level of particular laws or conceptions of justice – as unreasonable (that is, unjustifiable), while nonetheless understanding either how a reasonable person could affirm that balance since, for instance, the burdens of judgment – the epistemic aspect of reasonableness – shapes our moral and political judgment, or since this person sincerely believes her position is justifiable (cf. *ibid.*, 57).

Since this kind of disagreement falls short of the ideal of public reason and legitimacy, it is undesirable if laws are enacted on the basis of reasons viewed by some as expressing an unreasonable balance of political values – that is, laws they believe are unjust. Yet, insofar as the “ties of civic friendship” are preserved in such situations, they are tolerable for Rawls’s political liberalism. In fact, “on some questions this may be the best we can do” (*ibid.*, 253). Moreover, Rawls thinks such undesirable outcomes are inevitable (cf. *TJ* 312). Defending the duty to comply with unjust laws, he notes that, even when citizens of a nearly just (or well-ordered) society act with “best of intentions” (or sincerely), “opinions of justice are bound to clash.” On the other hand (from a less ideal perspective), majority rule requires accepting “the risks of suffering the defects of one another’s knowledge and sense of justice” (*TJ* 312).

The question, then, is determining when such conflicts become intolerable (from the perspective of political liberalism). For Rawls, unjust laws are acceptable on certain conditions, namely, when “in the long run the burden of injustice [is] more or less evenly distributed,” assuming citizens are “committed to the principles of justice” (*TJ* 312).<sup>11</sup> More generally, when is civic friendship no longer – or at least less likely – to be possible or maintainable? The next section explores this question through an analysis of Bonotti’s

<sup>11</sup> Bonotti cites this passage, acknowledging that in such circumstances citizens are “relieved of any fair play political obligations” (2017, 25).

model of public reason. The question for Bonotti's model of public reason, then, is whether partisans can preserve the ties of civic friendship.

## **II.2. The limits of civic friendship**

As discussed earlier, the evaluative standards of Bonotti's model of public reason are much more general than those of Rawls's, since the former consist in the general political values of liberal democracies, as opposed to the latter's specific conditions of liberalism. As I will argue, this generality, and the greater ideological inclusivity it entails, undermines conditions of reciprocity crucial to public reason, namely the condition that we "sincerely think that our view of the matter is based on political values everyone can reasonably be expected to endorse" (*PL* 241). That is, Bonotti's model of public reason increases the likelihood that some partisans, on the basis of their own conceptions of justice, will view their rivals' conceptions of justice and the public reasons based in those conceptions as unreasonable, or non-public or inaccessible, thus increasing the likelihood of disagreements about which reasons and conceptions qualify as reasonable (public or accessible). This is because the determination of what counts as accessible – as a reasonable balance of political values – will inevitably be influenced by one's own conception of justice (one's own interpretation of those values), not just the political values themselves.<sup>12</sup>

Consider the Rawlsian egalitarians' view of classical liberals (as discussed above, Bonotti accommodates both and views this a benefit of his theory). The former might say, according to their own interpretation of public political values, that the latter's

<sup>12</sup> As Rawls says, public reason requires that we "conduct our fundamental discussions in terms of what we regard as a political conception" (*PL* 241).



conception of justice is unreasonable (or even non-liberal, as Rawls thinks) because it ranks civil liberty so high that equality of opportunity is seriously undermined, its policies cannot preserve background justice, or, more generally, it undermines the conditions of reciprocity necessary for public reason to be possible in the first place (as Rawls thinks) (cf. Bonotti 2017, 115n.8). Such an understanding of one's own conception of justice will certainly influence one's estimation of other conceptions and the reasons based in and supporting them.<sup>13</sup>

Moreover, from the perspective of the egalitarians, it is possible that they would be subjected to publicly justified decisions on the basis of reasons they judge as non-public according to their own conception but which count as public according to "shared political values" (that is, according to Bonotti's accessibility conception of public reason). For this reason, they might view such decisions as inimical to themselves and their fellow citizens, as preserving – even if unintentionally – "the benefits of previous injustice" (cf. *PL* 17), for instance. From the perspective of their own conception, the justificatory process – by admitting non-public reasons and yielding decisions supported by them – would seem to violate the criterion of reciprocity – and the principle of legitimacy, as the former grounds the latter.

Again, the egalitarians' evaluation of such decisions, the justificatory process, and their rival's conceptions and reasons are made from within their own, more determinate, conception of justice, rather than from the general perspective of public reason, as understood by Bonotti. On the other hand, consider how the egalitarians appear from this general perspective. According to the perspective of public reason, the egalitarians might appear

<sup>13</sup> This would indicate, against Bonotti's supposition, that it is not feasible to separate justice and legitimacy, from the perspective of partisans at least (cf. 2019, 499).

unreasonable, refusing to acknowledge public reasons as public or the classical liberal conception as reasonable.

Of course, even while it has more demanding standards, Rawls's political liberalism acknowledges that such situations happen – situations which I described earlier as undesirable from the perspective of public reason, where the “ties of civic friendship” are preserved. For Rawls, civic friendship is preserved when those who view a certain balance of values as unreasonable can nonetheless understand how someone reasonable could affirm that balance (cf. *ibid.*, 253). Notice that the conclusion from the preceding example resembles this situation. For instance, the egalitarian might understand – consistent with the burdens of judgment – how someone could come to hold a classical liberal conception of justice. However, from the normative perspective (or the perspective of justice), they interpret the classical liberal's position as unreasonable or inaccessible because their evaluation of other conceptions is tied up with their own interpretation of “shared political values.”

Even if such conflicts emerge, Rawls's rivals (or civic friends) have substantial common ground to fall back on, or to preserve the ties of civic friendship: “When citizens share a reasonable political conception of justice they share common ground on which public discussion of fundamental questions can proceed” (*ibid.*, 115). This common ground provides a “public framework,” enabling “mutually recognizable reasons.” Even without a single conception of justice, they “cohere around a family of political conceptions,” as Muirhead and Rosenblum say (2006, 103). They also have more socio-economic (though perhaps not philosophical or religious) common ground due to “fair background conditions.” That is, in a well-ordered society that thus coheres, Rawls claims, socio-economic conflicts “need not arise, or arise so forcefully” (2005b, 487).

In comparison, Bonotti's partisans have significantly less common ground. The greater generality of his evaluative standards – the shared political values of a public political culture – are not equivalent to Rawls's "public basis of justification." This generality makes Bonotti's view more ideologically inclusive, thus making ideological disagreement more likely. Additionally, this greater ideological inclusivity – a consequence of its generality – increases the scope of what is publicly justifiable, including decisions involving unshared and conflicting reasons. For instance, his view encourages conflict over socio-economic issues and deems justifiable those conceptions that would permit socio-economic inequalities viewed as unacceptable from the perspective of the family around which Rawls's civic friends cohere.

Again, Bonotti views it as a virtue of his theory that it accommodates deep disagreement over issues of socio-economic justice – like those that divide the egalitarian and the classical liberal – and leaves them open to democratic contestation. However, allowing more room for contestation or reasonable disagreement does not settle the problem of disagreements about what counts as *reasonable* (accessible) disagreement or whether public reasons and publicly justified decisions are viewed as reciprocal. Furthermore, the generality and inclusivity of "shared political values" cannot resolve such disagreements, because conceptions of justice can reflect incompatible rankings and interpretations of these values and thus incompatible standards of accessibility. Without a more determinate standard of public justification (like Rawls's more restrictive conditions of liberalism, but not necessarily these), it cannot prevent situations where public justification on the basis of conflicting and/or unshared reasons is viewed (by some at least) as a violation of reciprocity (and civic friendship).

Despite not having the common ground that enables Rawls's civic friends, Bonotti's partisans could still pursue civic friendship.

After all, civic friendship is not reducible to the enabling conditions of this common ground. In the undesirable conflicts that test the ties of civic friendship, parties are not necessarily trying to “win the world for the whole truth.” They are not (necessarily) factions or enemies. Instead, they disagree about what is an acceptable conception of justice. The partisan whose position is regarded as unreasonable by a rival might sincerely believe that her position is reasonable. Although partisans might view their rival’s position as unjustifiable, they do not have to regard the other as an enemy. They might seek to maintain a less hostile political relation, even if this requires sacrificing their own view of what is right, and potentially subjecting themselves to an outcome they regard as unjust – if they occupy a minority position, for example. The pursuit of such a path could have moral motivations: to respect their fellow citizens as free and equal. When this respect is mutual, rivals remain civic friends.

The problem for Bonotti’s view, though, is that it is less likely to maintain the conditions of this mutuality or reciprocity, because it lacks a substantial public basis of justification and is more susceptible to the conflicts Rawls hopes to mitigate. Moreover, these problems increase the likelihood of an unacceptable form of social order that falls far short of that envisioned by political liberalism, namely stability “for the right reasons.” Such form of stability requires a common framework of justification, making possible conditions of justificatory reciprocity. In contrast, a regime without these conditions suggests a regime that is stable (and political) “in the wrong way” (or merely contingently) and also potentially less stable, or more discordant, in general (cf. *PL* 142, 147).

This should not suggest that Bonotti’s partisans would inevitably become factional, only that such an outcome is more likely for them than for Rawls’s civic friends. Moreover, on

Bonotti's view, partisans could – potentially – contribute to the realization of higher forms of stability. Related to this point, in response to an objection from Ypi, Bonotti suggests that his accessibility conception of public reason has the resources to do just that (Bonotti 2019, 500-501). While general political values constrain partisans' public reason, they also enable them to “act as agents of change” in the context of public reason. That is, since these reasons do not need to be shared, partisans can introduce unrecognized and potentially transformative interpretations of shared political values. I do not deny that this is possible, but rather argue that his conception lacks the resources to maintain the conditions necessary for the form of stability envisioned by political liberalism.<sup>14</sup> This question – of whether Bonotti's partisans could bring about such transformations – is a separate consideration from the question of whether Bonotti has developed a theory of partisanship compatible with political liberalism. After all, like Rawls, he assumes a well-ordered society (as I discussed above). If Bonotti were to position his partisans in these less stable or non-well-ordered contexts, that would only reinforce his divergence from Rawls's political liberalism.

Admittedly, these potential conflicts – from disagreement about the acceptability of rival ideologies to the threat of instability – are real problems and should not necessarily embarrass a theory of partisanship. However, such conflicts are too “political” for Rawls's political liberalism. They undermine the conditions of reciprocity and civic friendship. In this sense, Bonotti's family quarrel has become too quarrelsome to complete its “rescue attempt,” that is, to establish that Rawls's political liberalism is not inhospitable to real-world party politics.

<sup>14</sup> Rawls, for instance, thinks that the transformation from lower forms of stability – from a *modus vivendi* to a constitutional consensus and from the latter to an overlapping consensus – is possible (cf. *PL* 158ff.).

### III

#### **Partisanship beyond civic friendship**

While hospitable to realistic partisanship, Bonotti's accessibility model of public reason cannot ensure the conditions of justificatory reciprocity or civic friendship. This suggests that civic friendship – as an expression of reciprocity – is incompatible with partisanship, as understood by Bonotti. On the one hand, the conditions enabling Bonotti's partisans risk being too conflictual or too political to secure those of Rawls's civic friends. Conversely, we could say that Rawls's civic friendship, or the society that enables them, is too utopian, or antipolitical. In this regard, when compared to Rawls's, Bonotti's theory reminds us of the accusations that motivated his rescue attempt of Rawls's political liberalism.

While Bonotti presents his theory as an interpretation of Rawls, Bonotti's inability to complete this rescue attempt reinforces his divergence from Rawls. However, this is not necessarily a negative conclusion. Instead, we could read Bonotti's view not as "an implication or further development of Rawls's political liberalism" but rather as an independent contribution to theories of public reason and partisanship, as Ypi recommends (2019, 470). Viewed in this light, the comparison of Rawls and Bonotti is not merely about how to read Rawls (though this exegetical task is not unimportant) but rather facilitates the examination of the normative value of partisans (and civic friendship). That is, this comparison motivates a dilemma: Bonotti's partisans or Rawls's civic friends. The following (admittedly speculative) remarks, which are encouraged by Bonotti's contribution, only hint at the stakes of such an examination.

On the one hand, Bonotti's view is more hospitable to the partisan disagreements of actual liberal democracies. Despite its

concessions to reality (perhaps necessary for a theory of partisans), it contributes to a normative understanding of partisanship, one of Bonotti's initial aims. That is, it offers – when knowingly severed from Rawls – a normative theory of partisans for a (non-Rawlsian or non-well-ordered) society. Such a theory is not undemanding. After all, it asks partisans to look to the common good (even if this is inherently contentious on his model). This “distinctive normative attribute of partisanship” counters, to some degree, the threat of parties becoming factions (even if such a threat is more likely for his view than Rawls's). Moreover, by being more hospitable to ideological diversity (perhaps valuable in itself), Bonotti's theory expresses political liberalism's concern for pluralism.

On the other hand, this comparison of Bonotti and Rawls might call into question the lasting value of partisanship. It is not clear what value partisans (in any substantive sense) would have in a well-ordered society that could assure the conditions of justificatory reciprocity and civic friendship. Such a society, as understood by Rawls, precludes many of the disagreements characteristic of partisans in actual liberal democracies. Even if we assume partisans can help to achieve a more just society, then their role is ultimately provisional from an ideal perspective (cf. Muirhead and Rosenblum 2006, 105). Partisans would become civic friends, members of a “family” of conceptions.

Yet, this conclusion itself might challenge the value of a such an ideal. Imagining a world without partisans reinforces political liberalism's utopianism, perhaps to the detriment of its realism. Whereas Bonotti's model promotes political pluralism, Rawls's suppresses it, or at least restricts its scope and enabling conditions. Does this indicate an “unfaithfulness to the insights of political liberalism,” where pluralism is not a disaster but “the natural outcome of the activities of human reason under enduring free

institutions” (Muirhead and Rosenblum 2006, 105; *PL*, xxiv)? Of course, we should recall that the pluralism that primarily concerns Rawls arises from disagreements about the “highest things” (comprehensive doctrines), not about the just society (political conceptions of justice). Rawls imagines a society that limits the latter in favor of the former, where many of the conflicts motivating the latter “need not arise, or arise so forcefully” (2015b, 487).<sup>15</sup>

This perspective not only reinforces political liberalism’s opposition to partisans, as obstacles to the aim of political liberalism, but also reaffirms the accusation that political liberalism cannot do justice to “the political,” understood at least in the sense of acknowledging the persistence of disagreement – or “the perpetuity of political contest” – over the common good or the just society (cf. Honig 1993, 3). A further question, left unanswered by this comparison, is whether or to what extent such disagreement is an ineliminable or desirable condition of political life.

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<sup>15</sup> For this reason, the conclusion that Rawls’s political liberalism is incompatible with partisanship would likely hold even if the evaluative standards of Bonotti’s model of public reason were less indeterminate.



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