

## 2 Can Liberals Take Their Own Side in an Argument?

*Robert Talisse*

Liberal democracy is the dominant framework for politics in the modern world, both in theory and in practice. Yet charges that liberal democracy is in crisis, or even decline, are increasingly common. Typically, such charges derive from concerns regarding globalization and the immanent ‘clash of civilizations’ that globalization brings. At the same time, liberal democracies are rife with political conflict in the form of an ongoing ‘culture war’ that has divided the US at least into opposed ‘red’ and ‘blue’ regions. There is a long story to tell about how the clash of civilizations story and the phenomenon of culture war are intertwined manifestations of the same political tensions arising out of the theoretical features of liberal democracy itself, but I will not attempt this here. Instead, I want to call attention to those tensions and suggest, even if briefly, a way we might allay them. Although the discussion will tend to hover at a high and abstract altitude, a crucial feature of the analysis will turn on an examination of the case of *Mozert v. Hawkins*, which raises the question of the extent to which a liberal society can officially embrace core liberal values and seek to cultivate the same among students in its public schools.

### I

Robert Frost is often credited with the quip that a liberal is someone who cannot take his own side in an argument. As with many a bon mot, the kernel of insight in his observation is difficult to explain. Here’s an attempt: Liberalism is a family of views concerning the nature and limits of political authority. Despite important differences among varieties of liberalism, all are united in the conviction that there is a considerably broad sphere of activity within which individuals are not accountable to anyone other than themselves. In fact, most liberal theories identify this sphere with liberty itself, maintaining that liberty consists in the ability to pursue “our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it” (Mill 1991, 17).

Liberals divide over precisely what should count as an attempt to deprive others of their good and what social conditions, if any, must be in place in order to enable individuals to pursue their own good in their own way. Some liberals (otherwise known as libertarians) contend that taxation is an unbearable obstruction of liberty. Welfarist liberals argue that muscular systems of economic redistribution are required in order to establish and maintain the social institutions necessary for individuals to exercise their liberty. To be sure, debates between various forms of libertarianism and welfarism have dominated the philosophical literature for the past several decades. But ultimately these skirmishes are possible only because of the common ground shared among the contenders, which, stated more broadly now, comes to this: The state—indeed, political association generally—exists solely for the purpose of securing and protecting individual liberty from intrusion by other individuals and other states. Any state that fails at this task, either by adopting more robust ambitions or by proving unable to provide the necessary protections is illegitimate *ipso facto* and, morally speaking, should be dissolved. This is to say that *power* stands in need of justification, not liberty. Liberty is the *default*.

Consequently, liberalism tends to go hand-in-hand with democracy. Because according to liberalism political power must be justifiable to those over whom it is exercised, the political institutions that wield such power must be accountable to the individuals within its jurisdiction. Democracy, understood as self-government constrained by the demands of individual liberty, ensures this accountability by subjecting government officials and policy to periodical review and revision under conditions of transparency, freedom of information, protected dissent, and so on.

Such is the theoretical core of liberalism. A quick examination of a practical implication of liberalism will help us to unpack Frost's witticism. The liberty to pursue our own good in our own way entails the liberty to adopt, devise, and revise our own *conceptions* of our good. Just as individuals are free to pursue what they judge to be good (within the usual constraints), they are also free to decide for themselves what is most worthy of pursuit, what makes a life good. According to liberalism, it is not the state's job to prescribe or officially endorse any particular vision of the good life, secular or religious. This is not to say that the liberal state must adopt a morally relativist or skeptical view concerning the good life; rather, the liberal state simply does not pronounce on deep moral questions at all, it adopts an official stance of neutrality.

Accordingly, in a liberal society a wide variety of distinct moral doctrines, religious faiths, ethnic traditions, and, in general, 'ways of life' will arise and flourish.<sup>1</sup> As they are *distinct* ways of life, they will often conflict. Such conflicts can manifest in at least two ways: *divergence* and *opposition*. When two ways of life diverge, they prescribe different actions, pursuits, ideals, and dispositions. When two ways of life stand in opposition, each requires a negative estimation, or explicit *rejection*, of the other. For

example, the Catholic must evaluate the Protestant as practicing a religion that is not merely different from her own, but is, to some degree at least, *incorrect, incomplete, or misguided*. In extreme cases, the one must see the other as not practicing a *religion* at all, but only a deformed and wicked surrogate of religion.<sup>2</sup> The same goes for many of the more familiar non-theological conceptions of the good. Kantians and utilitarians, for example, see one another not only as offering a different and opposed conception of morality, but also often accuse each other of having missed the point of morality altogether.

It is important to note that this state of affairs is endemic to liberalism and not an accident; as John Rawls keenly insisted, the very liberties secured by a liberal political order give rise to a pluralism of ways of life (2005, 36). Hence we see the importance of *toleration* to a liberal society. If liberal democracy is to endure and be stable, citizens must adopt an attitude of toleration toward ways of life that they must regard as unwholesome, seriously in error, and even morally and spiritually dangerous. Of course, citizens of a liberal democracy need not tolerate *every* way of life. Nazis and similar extremists are not tolerated, even though those who wish to “play at” being Nazis are (Macedo 1990, 257).<sup>3</sup> Antiliberal extremists are tolerated only insofar as they operate within liberal constraints; in other words, Nazis are tolerated in the liberal state only if they are willing to be *tolerant* Nazis. *Intolerant* Nazis are not accommodated but opposed and, when necessary, fought.

So the liberal state requires this much of their citizens: They must be tolerant. To be sure, the requisite toleration is *morally thin*. Toleration implies no degree of endorsement or appreciation or approval of that which is tolerated, but only nonobstruction, what Chandran Kukathas calls ‘indifference’ (1998, 2003). Yet toleration even in this thin construal is a requirement for membership in good standing in a liberal society. Moreover, it does impose constraints on individuals, and, as Macedo notes, in some cases respecting these constraints will not be easy (1990, 257). Hence toleration stands in need of justification.

And here is the rub. The liberal must make a case for toleration that can be accepted by citizens who are otherwise deeply divided, perhaps opposed, at the level of their fundamental moral commitments. In other words, the liberal state must justify toleration in a way that is consistent with its official neutrality on controversial matters of the good. Consequently, the strategy of proposing a *moral* argument for the value of toleration must fail. Any such argument will inevitably employ premises that presuppose or favor a particular moral conception, which some citizens must feel morally obligated to reject. The case for toleration must be acceptable to all citizens, thus a moral argument for toleration is self-undermining.

But what other kind of argument could there be? To propose an argumentum ad baculum (‘be tolerant or else!’) is to forfeit the very idea that political power stands in need of justification. To appeal to the need for a

modus vivendi truce at best provides a thinly prudential and unstable case for toleration, for it proposes toleration as only a strategic device, useful only for as long as one is not powerful enough to dominate one's opponents (Rawls 2005, 147). Hence Frost's claim comes to this: There are no argumentative resources available to the liberal when making a principled case for core liberal values. Is he correct?

## II

Thus far the discussion has been mostly academic, perhaps some would say anemic. Maybe this is to be expected. Seldom do we confront 'gung ho' Nazis these days. Domestically, groups and individuals who are *extremely* illiberal—that is, intolerant in even the minimal sense we identified above—are relatively rare and, for the most part, effectively contained. Such are the benefits of liberalism. To be sure, matters are different on the global scene. Yet international organizations, such as the United Nations, have accomplished a great deal toward securing lasting peace on liberal terms.

However, if we turn away from the cases involving the extremities of genocide and the hatred of others and toward more modest versions of nonliberal ways of life, we will find more familiar versions of these serious tensions. The combination of pluralism and neutrality provides fertile ground for conflicts between individual liberty (especially liberty of conscience) and political authority. As we have said, liberalism recognizes that the core of individual liberty is the liberty to choose and pursue one's own way of life. But some ways of life include very specific prescriptions not only about how one is to live and how one is to regard those who live differently, but also about how one is to understand the relation between one's deepest moral convictions and one's political and legal obligations. Such cases are common coin in the vast literature on multiculturalism. Sikhs are morally obligated to carry a ceremonial dagger at all times, yet in the United States and elsewhere it is illegal to carry a knife on a plane. Muslim women are morally obligated to cover their heads in public, yet French law prohibits the display of religious symbols, such as headscarves, in certain public contexts, including public schools and courts. Some are religiously obligated to wear a turban, and thus cannot wear the kind of protective helmet that is legally required in some jurisdictions on construction sites and while riding a motorcycle. In these cases, the neutralist stance of the liberal state appears to impose especially heavy burdens on some citizens, who must violate their conscience if they are to engage in normal activities (such as riding a motorcycle) or even participate in crucial activities of citizenship (serving as a juror, attending public school).

A similar kind of difficulty arises at the intersection of liberalism and democracy. The liberal state aspires to neutrality and so must avoid legislating on the basis of principles that presuppose or favor any particular way of

life. But the laws and policies of the liberal state are at least in *some* sense the products of the collective will of its citizens, and this collective will is at least in *some* sense the product of the wills of the individuals who comprise the citizenry. Hence the constraints associated with moral neutrality trickle down to individuals in their roles as citizens. This means, for example, that jurors must *not* decide cases on the basis of their sectarian moral convictions, even though many are forced by conscience to regard those very convictions as the foundation of justice itself.<sup>4</sup>

In the more ambitious participatory and deliberative conceptions of democracy that are presently in currency among liberals, this trickle-down effect is even more pronounced, as it affects citizens' behavior as voters. For example, Rawls argues that citizens have a "duty of civility" to appeal to nonsectarian "public" reasons when deciding how to vote and when advocating in public for their preferred option (2005, 217). To be sure, Rawls stipulates that these constraints apply only when "constitutional essentials" and "questions of basic justice" are at stake (*ibid.*, 214). In later work, he clarified the position (some would say that he *revised* it) by adding that citizens may vote and advocate on the basis of sectarian reasons, provided they are willing "in due course" to provide public reasons for their position (*ibid.*, 462).<sup>5</sup> Nonetheless, critics have argued, rather forcefully in some cases, that any norm that seeks to contain citizens' internal and collective deliberations concerning their political behavior within the limitations of public reasons is unfair, anti-democratic, and illiberal.<sup>6</sup>

All of these cases are frighteningly difficult, and I will not attempt an analysis of them here. The point is that Frost seems correct at least to this extent: The central commitments of liberalism give rise to very hard cases, even in contexts far removed from Nazis and other forms of extreme anti-liberalism. In fact, we might say that the multiculturalism and religion cases are much more difficult than cases involving those with ambitions that are genocidal and aggressive. There is broad support for regarding even play Nazis as a kind of necessary evil in a liberal society: it is for the sake of keeping open the channels of toleration for less extreme, but perhaps still objectionable, ways of life that we must tolerate the play Nazis. However, in the multiculturalism and religion cases, unlike the Nazi case, allowing the ways of life in question to have their way will not result immediately in mass murder and violence. To be sure, in all such cases there are distinctive public goods at stake, such as public safety in the case of helmet laws in the US, and civic unity in the case of the headscarves in France. But there are significant costs to individual liberty, too. Some liberals have argued for "maximum feasible accommodation" (Galston 2002, 119) in such cases. Others adamantly reject this, insisting that equal treatment trumps all (Barry 2001, 17).

What can be done? As I mentioned earlier, a substantively *moral* argument for prioritizing public safety or civic unity over duties of conscience

cannot succeed. Must we then resort to either *ad baculum* or *modus vivendi* appeals, both of which confirm Frost's claim?

The dominant answer among contemporary liberals is no. Following Rawls (2005), many liberals countenance a middle ground between substantive moral argument and purely prudential argument. This middle ground is called 'political' argument, and the liberalism based on such argument is called, naturally enough, 'political liberalism.' A *political* case for toleration does not invoke a substantive moral theory yet still appeals to the moral, rather than simply prudential, value of toleration. It does this by construing toleration as a *civic* value, a moral good whose goodness derives from no substantive moral conception of the good life in particular, but rather from the most fundamental values implicit in the very idea of a liberal society. The requirement of toleration follows from the core liberal commitments to free and equal citizenship and to viewing political society as a cooperative system (Rawls 2005, 15ff.). The argument runs that if we are to collectively enjoy as free and equal citizens the important goods that a liberal political order manifests and secures, we must adopt a norm of toleration toward those who live in ways we find morally disagreeable or worse, provided that they respect the usual liberal constraints and adopt the same norm of toleration. Notice that the claim is not that being tolerant is a necessary constituent of a good life, or that being tolerant makes one happy or a better person; rather, toleration is posed as a virtue for liberal citizens, or for persons in their role as liberal citizens. Thus to reject this ideal of *civic* toleration is to reject the very idea of liberal politics. Those who reject liberal politics in this way are regarded not as wrong or wicked, but as unreasonable, simply unfit for citizenship in a liberal political order.

This politicizing strategy promises to forge a unique path between the merely prudential and the substantively moral. If it succeeds, citizens will have a moral reason to uphold the norm of toleration—now understood as a civic value—deriving from their own moral reasons for pursuing a liberal political order, yet the liberal state will not have violated neutrality. Consider: With those already committed to pursuing a society of free and equal persons, liberals can appeal to civic versions of core liberal values; with those not so committed, neutrality is not a requirement, and so liberals may employ their substantive moral reasons. Politicization enables liberals to take their own side in an argument. Frost is mistaken.

### III

Yet the scent of the illicit lingers. Can the tensions we have been discussing really be dispelled by simply placing the word 'civic' before the concepts that seemed to be causing the trouble? In order to assess this, we will need to examine an actual application of politicization. Let us consider the oft-discussed case of *Mozert v. Hawkins*.

First it should be noted that Eamonn Callan (1997, 157) is correct to observe that the *Mozert* case is complicated in part because the plaintiff's complaint "confounded reasons of extremely uneven merit." I do not intend, therefore, to engage in an extended discussion of the details of the case. Rather, I want to examine Macedo's (1995, 2000) view about the decision in *Mozert*, which represents the 'political' strategy we identified above. To this end, I will follow Macedo's own account of the relevant details of the case.<sup>7</sup>

In *Mozert*, several born-again Christian families brought the complaint against the public school board of Hawkins County in Tennessee that the primary grade reading curriculum violated the families' free exercise of religion. The textbooks used in that curriculum exposed their children to stories told from a wide variety of religious points of view, including Buddhist, Native American, Islamic, New Age, and Christian. One of the plaintiffs, Vicki Frost (no relation to Robert Frost, I presume), objected to the even-handedness with which the non-Christian views were presented; she claimed that a proper Christian must refuse to see other religions as "equal" to Christianity (Macedo 2000, 168); as Macedo indicates, according to Vicki Frost, the "exposure to diversity" of religious worldviews itself constitutes a violation of the free exercise of her religion, which commands her to raise her children to be Christian, and which in turn requires her to teach her children that there are no other religions in the proper sense (1995, 471).

What makes the *Mozert* case compelling from the point of view of liberalism is that the parents were not attempting to have the reading curriculum abolished or the textbooks in question replaced. Rather, the parents sought an *exemption* for their children from the classes that employed the textbooks. The parents agreed that their children needed reading instruction, and proposed that their children would be taught to read at home and would sit for the same standard reading examinations as the other students in the class. That is, the *Mozert* parents did not attempt to impose their own religious convictions on other students, they simply claimed their right to control the kinds of worldviews to which their children were exposed.

The Hawkins County school board initially allowed the proposed exemption, but quickly reversed its decision and declared participation in the reading curriculum mandatory for all students, vowing to suspend any student who refused. Although many of the concerned parents withdrew their children from the public school system, others brought a case against the school board. A federal court dismissed the case, but a higher court, which decided to uphold the parents' complaint, reversed this dismissal. However, this decision was eventually reversed by a federal appeals court, which found in favor of the Hawkins County School Board.

Macedo frames the philosophical issues well:

Can respectful exposure to diversity interfere with the free exercise of religious beliefs? And if so, do state officials—operating on the basis

22 *Robert Talisse*

of their democratic mandate—have the authority to condition a benefit such as public schooling on the willingness of parents to have their children exposed to diversity, or does doing so violate fundamental rights or run afoul of some other principled limit on public authority? (Macedo 2000, 161)

Furthermore, Macedo gives what seems to me to be the right response. Macedo concedes that the reading program interferes with the *Mozert* parents' ability to "teach their children their particular religious views," but he denies that this constitutes a violation of the parents' moral or constitutional rights (2000, 162). Macedo writes,

While it is true enough that our liberal Constitution protects freedom to proclaim that the religious doctrines of others are heretical, a more complex dynamic is at work here. A liberal democratic polity cannot endure without citizens willing to support its fundamental institutions and principles and to take part in defining those principles. . . . Liberal citizenship carries with it not only privileges but also obligations, including the obligation to respect the equal rights of fellow citizens, whatever their faiths. . . . Our constitutional order must shape citizens, and not only establish political institutions. Citizens, not courts or legislatures, are the ultimate custodians of our public morality. We have every reason to take seriously the political project of educating future citizens with an eye to their responsibilities as critical interpreters of our shared political traditions—that is, as participants in a democratic project of reason giving and reason demanding. (Macedo 2000, 164–165)

Macedo sees the democratic project he describes as part of his broader "civic liberalism" (2000, 169), a species of political liberalism that "includes an account of the political institutions and social structures that help promote a publicly reasonable liberal community" (ibid.). Macedo claims that his civic liberalism "focuses our attention on shared political values without requiring or expecting agreement on ultimate ends or a comprehensive set of philosophical values" (ibid., 170). Accordingly, Macedo contends that his civic liberalism can "avoid directly confronting or denying the *Mozert* families' contention that the Bible's authority should be accepted uncritically" (ibid., 174). Instead, civic liberalism recommends that we proceed by "simply leaving aside the religious question as such"; this "leaves the school door open to reasonable fundamentalists—that is, to those willing to acknowledge *for civic purposes* the authority of public reasonableness" (ibid., 175).

According to Macedo, then, the fact that the Hawkins County public school reading curriculum promotes attitudes of toleration toward other religions and worldviews does *not* constitute a violation of the *Mozert* parents' free exercise; this is because the toleration that is promoted is strictly civil rather than substantive (2000, 175). In other words, Macedo holds

that public schools are warranted to—in fact, are obligated to—engage in a “reasonable attempt to inculcate core liberal values” such as “toleration and other basic civil virtues” (ibid., 201) because such values are necessary for citizenship in a modern democratic society. Macedo contends that these values can be inculcated without taking a stand on larger questions of the good life or salvation; they are, again, the civic virtues appropriate to our role as citizens, not as persons as such. Thus Macedo’s civic liberalism is based in the claim that “the lives of liberal citizens are in a sense properly divided: we have a public and a private side, and the public (or political) side is guided by imperatives designed to make our shared life together civilized and respectful” (ibid., 164).

Macedo recognizes that the civic virtues will inevitably “spill over into other spheres of life,” and that these virtues are “far from neutral with respect to the forms of life that are likely to prosper and gain adherents” in a society governed by them (2000, 179). But this failure of neutrality of effect is of no concern, for Macedo contends that the relevant sense of neutrality is that of justification (ibid.). As we’ve seen, Macedo holds that the values and virtues associated with his civic liberalism can be justified “independently of religious and other comprehensive claims” (ibid.). Macedo holds that the justification for his civic liberalism derives from the “widespread (though not perfect) consensus on the sorts of basic guarantees that constitute the core of a political morality” that Americans enjoy; he holds that, despite deep disagreement, “there is nevertheless a reasonable consensus on certain shared matters of urgent political concern, a consensus that is freestanding in the sense that we do not need to agree on any one comprehensive religious or philosophical grounding” (2000, 173).

But here is where the limits of the politicization strategy come to the fore. The *Mozert* case demonstrates that the reasonable consensus Macedo describes is not as widespread as he seems to think. More importantly, it could be the case that the *Mozert* parents indeed recognize the high value of the “basic guarantees” which constitute the “core of a political morality” that Macedo describes. This is suggested by the fact that the *Mozert* parents did not press an objection to the idea of secular education as such.<sup>8</sup> On a plausible reading of the case, part of what they objected to is the idea that this core political morality should take priority over the aims and values of their religious or substantive morality. What reason could Macedo give that is consistent with his justificatory neutralism for prioritizing political morality over substantive morality in cases of direct conflict? His response to this kind of challenge is telling; in considering that certain religious believers may object to the very idea of partitioning their ‘private’ and ‘political’ morality in the way civic liberalism requires, Macedo writes,

At this point, there may be nothing more to say to such people, except to point out that their religious beliefs are, unfortunately, inconsistent with the demands of good citizenship in a religiously pluralistic society. (Macedo 2000, 186)

This is an awkward reply because the aptness of Macedo's conception of the demands of good citizenship in a religiously pluralistic society is precisely what is in question. Elsewhere, he concedes that "civic education is bound to have the effect of favoring some ways of life or religious conviction over others"; but instead of offering a justification for his conception of civic education in light of this effect, he simply declares, "So be it" (2005, 202). But this is not a justification of any sort, and, in any case, it is an odd stance given Macedo's commitment to the idea that "public institutions should operate based on mutually accessible reasons" (2000, 184).

The problem is that in order to avoid appealing to controversial moral claims in his justification of his civic liberalism, Macedo must appeal to "shared political values" (2000, 185). But *Mozert* shows that even if there were a suitably robust collection of such values, there would still be a question of how they are to be prioritized in cases of conflict. To declare simply that the political values override religious ones is to betray the very justificatory ideal that Macedo claims is central to his liberalism; however, to give a moral argument for the priority of the political to the religious is necessarily to invoke the kind of controversy Macedo most wants to avoid. Perhaps Robert Frost was right after all.

#### IV

In this concluding section, I want to sketch a different kind of approach to these issues, an approach I call 'social epistemic liberalism.'<sup>9</sup> The main idea of social epistemic liberalism is that despite deep differences over fundamental moral, religious, and metaphysical commitments, there is a cluster of *epistemic* norms and values that we hold in common; these norms are substantive enough to provide the basis for powerful argument for core liberal commitments, yet epistemic and so able to sustain moral neutrality.

To explain: Each of us is epistemically dependent upon others for many of our factual and normative beliefs (Buchanan 2004, 102). This dependency consists not only in the fact that many of our beliefs ultimately have their source in the testimony, experience, research, and expertise of others, but also in that our epistemic habits are socially derived. Our epistemic habits include not only the ways in which we form, revise, and maintain our beliefs, but also how we select those to whom we show epistemic deference and the extent of that deference. Insofar as such habits are truth-conducive, they are epistemically virtuous; insofar as they are not, they are epistemically vicious.

Epistemic dependence is unavoidable because every individual has limited cognitive resources. However, this dependence in itself is not a bad thing; great stores of knowledge and information that could not be produced by a single person are available to us precisely because of the division of epistemic labor that epistemic dependence necessitates. Nonetheless,

epistemic dependence is risky, because one may defer to the wrong persons to the wrong extent and so become vulnerable to developing beliefs and epistemic habits that engender and sustain falsehood. The risks associated with having false beliefs are both prudential and moral: They are prudential insofar as false beliefs frustrate one's deliberations about means; they are moral insofar as they can lead one to adopt immoral ends.

In light of the risks associated with unavoidable epistemic dependence and our strong interest in getting moral matters right and avoiding moral error, we should agree that those social institutions are best which tend to minimize the risks of dependence while maximizing the benefits of the epistemic division of labor. The social epistemic case for core liberal commitments follows naturally: The extent to which a society manifests core liberal values is roughly the extent to which that society satisfies these desiderata. Liberal societies satisfy these desiderata because they (1) recognize individual liberties of thought, conscience, and association that enable information to be freely shared and disagreements to be rationally engaged; (2) feature a meritocratic system of identifying experts that encourages proper epistemic deference and discourages improper deference; and (3) encourage a broad culture of moral egalitarianism that enables citizens to confidently address, question, and criticize each other and socially identified experts. As Buchanan concludes, anyone "who takes seriously the moral and prudential risks of social epistemic dependence ought to support liberal institutions" (2004, 100), no matter what her substantive theory of the good life may be.

To state the argument succinctly, despite the ways in which reasonable comprehensive moral doctrines are otherwise deeply divided, all should countenance the fact of epistemic dependence, and all should recognize that a well-functioning system of social epistemic risk reduction is necessary for proper moral judgment, whatever one takes that to consist in. Liberal institutions are the most effective of the available options at managing epistemic risk. Thus, despite deep disagreement at the level of moral fundamentals, all reasonable persons have a reason to support liberal society. The most important feature of the social epistemic argument for liberalism is that it proposes epistemic reasons for core liberal values and institutions rather than moral reasons, substantive or politicized. Accordingly, social epistemic liberals can with great vehemence take their own side in a debate, for their claim is that liberal norms must be in place in order for an informed and responsible debate to occur.

We can think of the social epistemic approach, then, as following the political liberal in resisting appeals to substantive moral norms in making a case for liberal values. However, whereas the political liberal offers politicized versions of core liberal values, the social epistemic liberal offers an epistemologized view of toleration, equality, liberty, and the like. According to social epistemic liberals, these values must be manifest in our politics if we are to effectively manage the epistemic risks to which we are all subject.

In other words, we must uphold norms of toleration, egalitarianism, and liberty if we are to benefit from the free and open exchange of information and reasons. And we should seek these benefits because, on any plausible theory of the good life, responsible moral agency requires moral deliberation, which in turn requires access to reliable sources of moral and factual information. Of course, social epistemic liberals need not claim that these values are exhaustively epistemic, and social epistemic liberals need not deny the decidedly moral components of these values. The point is rather that one may appeal to the epistemological dimension of these values in conflicts concerning their moral dimensions.

But where does this leave the parents in *Mozert*? What does the social epistemic liberal say to Vicki Frost, who claims that “the word of God as found in the Christian Bible is the totality of my beliefs” (Macedo 2000, 158)? Presumably Vicki Frost sees no need for moral deliberation, and thus no need for toleration.

The social epistemic liberal could begin by pointing out that it cannot possibly be true that the word of God is the totality of Vicki Frost’s beliefs because the Bible does not contain the sentence, ‘The word of God as found in the Christian Bible is the totality of Vicki Frost’s beliefs.’ Thus, by her own admission, Vicki Frost has beliefs that are not contained in the Bible, and therefore she is committed to the idea that there are some truths that are not found there. The next move would be to present her with the vast Christian literature devoted to biblical interpretation, laying bare all of the internal controversies among Christian scholars concerning the Bible’s core moral teachings. The aim would be to follow Michael Perry in urging that

[w]idespread transdenominational disagreement among Christians over whether the Bible teaches about morality what some claim that it teaches is not a new phenomenon. In the past, there was such disagreement over, for example, whether the Bible teaches that slavery can be morally permissible. Precisely because such disagreement is not a new thing, and because the historical experience of Christians discloses that Christians can be radically mistaken about whether in fact the Bible teaches about morality what some claim that it teaches, such disagreement—increasingly widespread disagreement among Christians, disagreement that is not interdenominational but transdenominational—should be an occasion for Christians to subject the traditional belief to careful, critical scrutiny. (Perry 2003, 63)

According to Perry, such “careful, critical scrutiny” will often require “dialogue with the other” (2003, 76) because such dialogue is frequently what is needed if we are to uncover the tacit assumptions and intuitions driving our own thinking. Now, it may seem that the injunction to engage in critical dialogue for the sake of testing one’s religious commitments *itself* constitutes a violation of one’s religious commitments, since it seems to call for some

kind of skepticism or a willingness to doubt one's religious beliefs. However, Perry correctly emphasizes that the kind of scrutiny he calls for does *not* require religious believers to deny or doubt core commitments of their faith. The recognition that the Bible has in the past been wrongly interpreted, and thus that any proposed interpretation must be examined carefully, does not conflict with a commitment to the Bible's infallibility; it requires only an admission of one's own fallibility in interpreting the Bible, an admission that is perfectly fitting for Christians in light of their view of "the fallenness, the brokenness" of human beings as such (Perry 2003, 79).

Perry's point is crucial and obviously quite in line with social epistemic liberalism. No matter what their moral comprehensive doctrines happen to be, citizens have, from their own epistemic perspective, compelling reasons to engage each other in critical, reasoned dialogue. But in order for that dialogue to be epistemically responsible in light of the risks of epistemic dependency, it must be conducted against the background of a well-functioning social epistemic system that provides access to reliable sources of moral and factual information.

Consequently, the social epistemic liberal supports Macedo's position that the *Mozert* parents should not be accommodated on the grounds that "We have every reason to take seriously the political project of educating future citizens with an eye to their responsibilities . . . as participants in a democratic project of reason giving and reason demanding" (2000, 165). But whereas Macedo's justification of this position necessarily invokes the kind of moral controversy he correctly aspires to avoid, social epistemic liberalism justifies this position on the grounds that Vicki Frost's positive epistemic commitments must support critical engagement with opposing doctrines for the sake of upholding the epistemic norms that enable her and her children to better satisfy the demands of their own moral doctrine. Again, the argument does not appeal to a supposedly "widespread consensus" on a shared "political morality" (Macedo 2000, 173), but rather draws from the epistemic commitments we already endorse in light of the facts that we are all subject to social epistemic risk, and we are interested in getting morality right.

I have here provided only a sketch of social epistemic liberalism. There is much more to be said, of course. But from what has been said, this much can be said by way of conclusion: We are living in the midst of a rapid and surprising transformation of the global order. Economic, technological, political, and social changes (some would call them advances) force liberal societies to confront, both domestically and abroad, persons, groups, and populations who endorse ways of life that, while not radically antiliberal, are nonliberal to a degree sufficient to call into question central liberal norms. Liberals are bound by their own doctrine to providing justifications for their commitments. If the academic literature is any indication, there is a palpable sense that liberalism is at present working through a legitimation crisis brought on by challenges deriving from

sources as diverse as multiculturalism, feminism, communitarianism, and religious traditionalism. In many cases, these challenges come in domestic and global varieties, and often there is great variation in the character of the challenge posed.<sup>10</sup> It will not do for liberals to simply trot out their favorite accounts of the substantive good of autonomy, liberty, equality, or individuality; such accounts beg the question. Nor will it do for them to import a simple distinction between ‘civic’ and substantively ‘moral’ virtues and obligations; for these too beg the question, only less directly. The social epistemic approach, however, holds the promise of being able to provide philosophical reasons to uphold liberal principles without thereby begging the very moral questions over which people are divided. For those who take themselves to be offering criticisms of liberal norms, or who allege that liberalism cannot take seriously the ways in which we disagree, or who insist that political power must justify itself, the social epistemic approach should be sufficient to provide a liberal basis from which further argument could proceed.

## NOTES

1. Throughout, I shall use the term ‘way of life’ to refer to what Rawls calls a “comprehensive doctrine” (2005, 12n). Others refer to ‘conceptions of the good’ to the same effect.
2. See, for example, Joseph Ratzinger’s *Dominus Iesus*, which declares that some Protestant churches are “not churches in the proper sense” and all suffer from “defects” (2000, 17). Official condemnations of Catholicism from Protestant sects are easy to find. Those who see the Protestant/Catholic conflict as more a case of divergence rather than opposition may change the example to Catholicism (or Protestantism) and, say, Wiccanism or Scientology.
3. The passage should be quoted in full: “The liberal polity requires that the Nazis be law-abiding Nazis and that is not easy. They cannot be ‘gung ho’ Nazis, in fact they cannot *be* Nazis at all but only play at it” (Macedo 1990, 257). This is not to suggest, however, that play Nazis do not pose serious problems for liberal politics.
4. In 2003, a judge in Colorado overturned the death sentence of a convicted rapist and murderer after discovering that the jurors collectively consulted the Bible during their deliberations. The Judge’s ruling was upheld in 2005 by the Colorado Supreme Court. See *People v. Harlan*, Colorado Supreme Court Case no. 03SA173.
5. It should be noted that Rawls first proposed his public reason doctrine in the 1993 edition of *Political Liberalism*. He later revised and further clarified that view along the lines suggested above in his 1997 paper on “The Idea of Public Reason Revisited.” This 1997 paper now appears in the 2005 expanded edition of *Political Liberalism*.
6. Nicholas Wolterstorff makes the point nicely: “It belongs to the *religious convictions* of a good many religious people in our society that *they ought to base* their decisions concerning fundamental issues of justice *on* their religious convictions. They do not view it as an option whether or not to do so. . . . Their religion is not, for them, about *something other* than their social and political

- existence; it is *also* about their social and political existence. Accordingly to require of them that they not base their decisions and discussions concerning political issues on their religion is to infringe, inequitably, on the free exercise of their religion” (1997, 105). See also Eberle 2002.
7. See Bates 1993 for a comprehensive account of *Mozert*.
  8. As John Tomasi (2001, 92) notes, some of the parents objected not to the mere exposure of their children to the non-Christian stories, but to the fact that Christianity was not given equal representation in the readers.
  9. Much of what follows draws heavily from Buchanan 2002 and 2004. For further elaboration, see Talisse 2008 and forthcoming. Goldman 1999 provides a comprehensive and original survey of the field of social epistemology.
  10. See, for example, the critical responses to Susan Okin’s essay “Is Multiculturalism Bad for Women?” collected along with Okin’s reply in Okin 1999.

## BIBLIOGRAPHY

- Barry, B. *Culture and Equality*. Cambridge, MA: Harvard University Press, 2001.
- Bates, S. *Battleground*. New York: Poseidon Books, 1993.
- Buchanan, A. “Social Moral Epistemology.” *Social Philosophy and Policy*, 19, 2002:126–52.
- . “Political Liberalism and Social Epistemology.” *Philosophy & Public Affairs* 32, no. 2 (2004): 95–130.
- Eberle, C. *Religious Conviction in Liberal Politics*. Cambridge: Cambridge University Press, 2002.
- Galston, W. *Liberal Pluralism*. Cambridge: Cambridge University Press, 2002.
- Goldman, A. *Knowledge in a Social World*. New York: Oxford University Press, 1999.
- Kukathas, C. “Liberalism and Multiculturalism: The Politics of Indifference.” *Political Theory*, 26, no. 5 (1998): 686–699.
- . *The Liberal Archipelago*. New York: Oxford University Press, 2003.
- Macedo, S. *Liberal Virtues*. New York: Oxford University Press, 1990.
- . “Liberal Civic Education and Religious Fundamentalism: The Case of God vs. John Rawls?” *Ethics* 105, 1995:468–496.
- . “In Defense of Liberal Public Reason: Are Slavery and Abortion Hard Cases?” In *Natural Law and Public Reason*, eds. R. George and C. Wolfe. Washington, DC: Georgetown University Press, 2000.
- Mill, J. S. *On Liberty and Other Essays*. New York: Oxford University Press, 1991.
- Okin, S. *Is Multiculturalism Bad for Women?* Princeton, NJ: Princeton University Press, 1999.
- Perry, M. *Under God?* Cambridge: Cambridge University Press, 2003.
- Ratzinger, J. *Dominus Iesus*. Vatican: Vatican City, 2000. [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20000806\\_dominus-iesus\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000806_dominus-iesus_en.html) (accessed 16 June 2008).
- Rawls, J. *Political Liberalism*. Exp. ed. New York: Columbia University Press, 2005.
- Talisse, R. B. “Toward a Social Epistemic Comprehensive Liberalism.” *Episteme* 5, no. 1 (2008): 106–128.
- . *Democracy and Moral Conflict*. Cambridge: Cambridge University Press, forthcoming.