Eliminating Terms of Confusion:

Resolving the Liberal-Republican Dispute

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Abstract

John Rawls thinks republicanism is compatible with his political liberalism. Philip Pettit insists that the two conflict in important ways. In this paper, I make sense of this dispute by employing David Chalmers's (2011) method of elimination to reveal the meaning underlying key terms in Rawls's political liberalism and Pettit's republicanism. This procedure of disambiguating terms will show how the two theories defend the same institutional arrangement on the same grounds. The procedure thus vindicates Rawls's view of the two theories being compatible. The reason for this compatibility is that both theories are politicized—that is, they are constructed to attract the compliance of all reasonable members of a modern, pluralistic society.

Keywords

1. Introduction

Philip Pettit (1997; 2012a; 2014) has in recent decades revived the old ideal of republican freedom and made it applicable to modern societies. The basic idea is well known: Freedom is the absence of domination, and free people in a free society are governed by a government constrained so as to act only in the people's common interest. Pettit (2012a: 107–110) insists that this freedom concept distinguishes republicanism from any mainstream liberal theory. While liberal institutions also serve citizens' interests, Pettit says republican institutions do so more robustly. Like many liberals, Pettit gives the basic liberties a special position, since they are important to all individuals. But only republicanism, he argues, demands institutions that protect individuals against a wide range of different acts of interference that compromise these liberties. Only republican institutions ensure that individuals enjoy such non-interference not just here and now, but across a wide range of possible social circumstances.

Pettit (2012; 2014) has especially in recent works focused on distinguishing his republican theory from John Rawls's liberal theory. While Pettit (2012a: 107–110) acknowledges Rawls's concern with the basic liberties, he maintains that Rawlsian liberalism falls short of capturing the republican emphasis on robust institutional protection of these liberties. He traces Rawls's failure to see the importance of robust institutional protection to the liberal view of freedom as the mere absence of interference (Pettit 2012a: 10–11; 2014: 103).[1] Since robust institutional protection is not necessary for making citizens free in this liberal sense, Pettit (2012: 107–109) thinks Rawls's theory lacks the resources to require the institutional protection necessary for republican freedom

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[1] However, Pettit (2014: 24) suggests that although Rawls and Ronald Dworkin see freedom as non-interference, they are examples of liberals that lean somewhat towards a republican conception of freedom by holding that legal institution can secure rather than compromise individuals' freedom. Costa (2009) goes further by arguing that Rawls's conception of freedom is that of non-domination. Rawls (1999a: 176) himself says he tries to avoid any debate concerning the meaning of liberty.

as non-domination. He therefore thinks Rawls's liberal theory allows for the domination that is antithetical to republican freedom.

Pettit also lists other ways in which his theory conflicts with Rawls's. While Rawls requires that institutions promote citizens' interests only insofar as they are reasonable, Pettit (2012: 144–146) says they should promote citizens' interests as they actually are. And while Pettit (2012a: 254, fn. 5) takes his theory to apply to all political decision making, Rawls focuses only on fundamental, constitutional issues. Pettit (2012a: 185) further points out while Rawls 'downplays the political liberties', he gives them a prominent role in his republican theory. And another 'important' difference, in Pettit's (2012a: 184) view, is that while there are two principles in Rawls's theory, there is only the non-domination principle in his own republican theory. Pettit (2012a: 254, fn. 5) also understands Rawls to show insufficient concern for cultural differences between societies.

Rawls (2001: 142–144; 2005: 205–206), on the other hand, sees no conflict between his own political liberalism and what he calls 'classical republicanism'.[2] Classical republicanism, as Rawls understands it, is the view that citizens must be politically active in order to sustain institutions that provide for and protect their basic rights and liberties. Such commitment, Rawls argues, presupposes no particular comprehensive doctrine; it is simply necessary for maintaining stable institutions that protect citizens' status as free and equal members of their society.[3] Classical republicanism differs from political liberalism neither in terms of the institutions it prescribes nor

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[2] Others have also found important similarities between liberalism and republicanism. In his review of Pettit (1997), Roger Boesche (1998: 863) goes so far as to conclude that Pettit's 'whole ideal of freedom as nondomination is simply one variant of liberalism, a conclusion that certainly deflates and diminishes the central argument of the book'. Charles Larmore (2001; 2003) reaches a similar conclusion based on Pettit's concern with respect for the individual.

[3] A comprehensive doctrine, Rawls (2005: 13) explains, is a set of convictions about how to live, which includes conceptions of the good, how we ought to treat others, and 'much else that is to inform our conduct, and in the limit to our life as a whole'. A person's 'conception of the good', Rawls (2005: 104) explains, consists of the ends and purposes the person considers worthy of her or his pursuit over a complete life.

in terms of how it justifies them. Rawls (2005: 205) therefore concludes that '[n]othing in classical republicanism … is incompatible with political liberalism'.

In this paper, I make sense of this disagreement between Rawls and Pettit by exploring whether they prescribe different institutions or justify them in different ways.[4] Absence of such differences will confirm Rawls's view of the two theories as compatible. I shall carry out this comparison by employing David Chalmers's (2011) method of elimination, which is designed to reveal the meaning of vague and ambiguous terms.[5] After giving Pettit and Rawls's theories this elimination treatment, I reach the conclusion that they hold inseparable views both of what institutions ought to govern a society as well as of how to justify them. I thus end up supporting Rawls's compatibility view.

This result also challenges Pettit's claim that the republican focus on freedom as non-domination makes for a distinct concern for institutional protection that is incompatible with liberal theories, and with Rawls's theory in particular. As the elimination procedure will reveal, Pettit's republican institutions offer no provisions for citizens' capacity to exercise the basic liberties that Rawls's liberal institutions do not also provide. Rawls argues for a 'political conception of justice', while Pettit seeks to minimize 'domination', but the method of elimination, by clarifying the meaning of these and other key terms, shows how the two nonetheless defend the same institutions on the same grounds.[6]

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[4] Rawls never actually addresses Pettit in his discussion of republicanism. But as I show in Section 4, Rawls's account of republicanism is compatible with Pettit's, and we can therefore understand this issue as a dispute between Rawls and Pettit.

[5] By focusing on Pettit and Rawls's theories, I inevitably leave some variants of republicanism and liberalism unexplored. But Pettit and Rawls are leading figures in contemporary republicanism and liberalism, respectively. For a defence of the use of this method in political philosophy, see Bosworth (2020).

[6] By identifying the aim of his theory to be minimal domination, Pettit (1997: 97–109; 2012a: 123–125; 2017: 337–339) understands it as consequentialist. Rawls (1999: 19–24), on the other hand, is famously opposed to

In the final section before I conclude, I show how this equivalence is a result of Pettit's politicizing the republican ideal in the same way as Rawls (2005) politicizes liberalism by making the ideal a 'political conception of justice', which every reasonable person in a pluralistic society can accept regardless of her or his comprehensive doctrine. Pettit (1997: 96) also acknowledges a connection to political liberalism when he says his ideal is 'capable of commanding the allegiance of the citizens of developed, multicultural societies, regardless of their more particular conceptions of the good'. Politicizing the ideal is a sensible way of making it compel to modern societies, but it leaves republicanism incapable of demanding greater popular commitment to establishing and maintaining institutions that can protect the basic liberties beyond what political liberalism demands.

Republicans consequently cannot both politicize freedom as non-domination and continue to proclaim a distinct position in normative political philosophy. To the extent that they do, they invite political liberals to a verbal dispute with no implications for either the justification or design of institutions to govern a modern society.[7]

2. The method of elimination

An important step towards understanding a disagreement is to clarify whether it is substantive or merely verbal. A substantive dispute occurs when the disputants disagree about relevant facts within a certain domain. A verbal dispute, on the other hand, occurs when parties agree about

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consequentialism. The result of this paper, however, shows that this difference has no implications regarding what institutions they prescribe. In fact, Pettit (2012b) thinks Rawls is a consequentialist—he indeed thinks all political philosophers are consequentialists.

[7] Republicans may, of course, continue to hold that their terminology is superior to that of political liberalism because it has greater rhetorical power, and consequently offers a more effective way of defending liberal institutions. I ignore this matter because it is not what is at stake in the dispute between Pettit and Rawls, and because disputes strictly over terminology is no concern in political philosophy understood as a discipline focusing on the justification and functioning of social and political institutions.

these facts, but disagree about the language describing the domain (Chalmers 2011: 515). In a substantive debate in political philosophy, the parties disagree about how social and political institutions ought to function or about how to justify them. If the dispute is merely verbal, however, the parties agree on these substantive matters but disagree about the appropriate terminology for describing the preferred institutional arrangement. Since political philosophy focuses on how we can justify social and political institutions, as well as on how the institutions ought to operate, such a verbal dispute is fruitless.

How can we tell whether a dispute is verbal or substantive? Chalmers (2011: 525) suggests we ask what turns on the disagreeing parties' different terminologies, and if the answer is nothing, then the dispute is merely verbal. And he provides a helpful tool for revealing what turns on differences in terminology: 'the method of elimination' (Chalmers 2011: 526–530). 'This method almost always yields clarification of the original dispute', he promises, 'and sometimes yields significant philosophical progress' (Chalmers 2011: 534). When we employ this method, we start with a sentence, S, which expresses one party's view. We then eliminate a key term, T, and demand a reformulation of S without using T. We are thus forced to reveal the meaning underlying T. After barring T, we get a new sentence, S'. In a simple case, S' could make the parties realize that their dispute is merely verbal.

The following simple case illustrates how the method works: Two persons, A and B, disagree about whether a third person, C, told a lie. Their dialogue starts like this:

A: 'C told a lie'.

B: 'C did not tell a lie'.

Now we bar the term 'lie' and make A and B reformulate their positions:

A: 'C made a false statement'.

B: 'C made a false statement she believed to be true'.

Suppose that A now agrees with B about the facts of the situation. Eliminating 'lie' and replacing it with its underlying meaning has made A and B realize that they only disagree about the meaning

of the term 'lie'. Their dispute is therefore merely verbal: they agree about the facts of the situation, they just use different terms to describe it.

In more complicated cases, more than one round of elimination is necessary for clarifying whether the disagreement is substantive or merely verbal. The procedure must be repeated until we have a reformulation the other party can agree with, or until our vocabulary has been exhausted. If the former is the result, then we have evidence for the disagreement being merely verbal. But if the latter is the result, then the dispute appears to be substantive, at least insofar as the parties are competent language users. But we may also get this result when the disagreeing parties use 'bedrock concepts', which cannot be broken down and explained in more basic terms (Chalmers 2011: 552).[8] We then get what Chalmers (2011: 543–549) calls 'bedrock disputes'. In such disputes, 'there is no hope of finding a relevant disagreement at an "underlying" level' (Chalmers 2011: 545). Fortunately, such cases are rare; most disputes are not bedrock disputes. 'The "bedrock" card can be played only rarely', Chalmers (2011: 545) says. And fortunately for present purposes, we shall see that the dispute between Rawls and Pettit is no bedrock dispute.

3. The Rawls-Pettit dispute

The dispute between Pettit and Rawls is more complicated than the lie example, so one round of elimination will not suffice to reveal whether it is substantive or merely verbal. But after a series of eliminations, we shall eventually get an account of Rawls's political liberalism that republicans can endorse, as well as an account of Pettit's republicanism that political liberals can endorse. We thus get evidence for the dispute being merely verbal.

As we saw above, while Pettit finds important differences between republicanism and political liberalism, Rawls sees no conflict between the two. Rawls thinks the two are compatible, as he

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[8] It is difficult to give an explanatory example of a bedrock concept, since any attempt to do so will be controversial. However, Chalmers (2011: 550) notes that 'some moral theorists may regard 'ought' as bedrock, while others may regard 'right' or 'good' as bedrock'.

finds no reason for thinking republicanism differs from his political liberalism either in terms of the institutions the two require or in terms of how to justify them. Pettit, on the other hand, does find such reasons, and would therefore deny Rawls's view of republicanism as compatible with political liberalism. The dispute between Rawls and Pettit can therefore be presented, like the lie example, as a clash of contradictory statements:

Rawls: Republicanism is compatible with political liberalism.

Pettit: Republicanism is incompatible with political liberalism.

This dispute is merely verbal if it consists solely of Rawls and Pettit having different understandings of what republicanism or political liberalism refers to. It is a substantive dispute if they disagree about how institutions should function or about how to justify them. The elimination procedure will therefore support Rawls's compatibility view if it reveals that the dispute is merely verbal. And it will support Pettit's incompatibility view if it shows that the dispute is substantive.

The elimination will start with the terms 'republicanism' and 'political liberalism'. I begin with Pettit's understanding of republicanism in Section 4, before I show that Rawls's account of republicanism is compatible with Pettit's. In Section 5, I give Rawls's political liberalism the elimination treatment, before I consider whether Pettit's account of political liberalism conflicts with Rawls's. Here I find that Pettit disagrees with Rawls about the substance of Rawls's political liberalism. In other words, Pettit's understanding of Rawls's political liberalism differs from Rawls's own understanding. Even more plainly, Pettit gets Rawls wrong. And had Pettit accepted Rawls's interpretation of his own theory, he would have seen that they defend the same institutions and justify them in the same way. The dispute is therefore merely verbal, as it rests solely on a disagreement about the meaning of political liberalism.

4. Republicanism

4.1 Pettit's republicanism

The core idea in Pettit's republicanism is that people should be free from domination. Pettit (2012a: 3) understands this republican conception of freedom as 'a gateway good', since promoting

it means simultaneously promoting everything else that is valuable. Institutions promoting republican freedom—that is, minimal domination—are consequently just and legitimate (Pettit 2012a: 18, 74). The first step of the elimination procedure therefore gives us the sentence

Social institutions ought to make citizens' free from domination.

The key term to eliminate here is 'domination', which Pettit (2012a: 28) defines as 'exposure to another's power of uncontrolled interference'.[9] And as he stresses in all of his works, non-domination means citizens are *robustly* protected against such exposure. In other words,

Social institutions ought to robustly make it the case that no one has the power to interfere with any citizen in a way the citizen does not control.

We need to know how institutions can deny anyone such power, but we must also know what 'uncontrolled interference' means, and I shall attend to that matter first. First of all, Pettit (2012a: 30–33) follows Isaiah Berlin (2002: 32) in understanding an interference as one agent, A, restricting another agent, B's, opportunity set, either by removing any option or by making any option less accessible. The restriction is an act of interference whether it affects the option B happens to prefer or some other option. What makes the interference 'uncontrolled', Pettit (2012a: 58) explains, is that it is 'exercised at the will or discretion of the interferer; interference that is uncontrolled by the person on the receiving end'.

Social institutions ought to robustly make it the case that no one has the power to interfere with any citizen in a way that conflicts with the citizen's instructions.

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[9] Pettit used to refer to such interference as 'arbitrary interference', but he now prefers 'uncontrolled interference' for two reasons (Pettit 2012a: 58). First, he wants to avoid confusion with 'arbitrary' as it is commonly used to describe interference that does not conform to established rules. Interference conforming to established rules may still be uncontrolled, on Pettit's account, as rules need not be in the interest of those subject to them. Second, 'arbitrary' is often used to refer to something that is morally wrong or objectionable, and Pettit wants to avoid this connotation to a moral standard.

Now I eliminate 'the citizen's instructions'. These are instructions to promote and protect the citizen's interests. But citizens—especially in a modern, pluralistic society—have different and conflicting interests. The relevant interests, Pettit (2001: 156–158) explains, are the interests citizens share. And shared interests are interests citizens can avow in public without embarrassment because they express a desire to live on equal terms with all other members of their society. They are the interests expressed by people 'genuinely willing to live on equal terms with all others', as Pettit (2012a: 216) puts it. Such people do 'not claim a special position for themselves' (Pettit 2012a: 78).

> Social institutions ought to robustly make it the case that no one has the power to interfere with any citizen in a way that conflicts with the shared interests of people willing to live on equal terms with one another.

Here I pause for a moment to point out that we now see how Pettit's theory justifies the institutional arrangements it prescribes. The prescriptions are based on an agreement among individuals who claim no special position for themselves and are willing to live on equal terms with all others. This looks much like the political constructivism, or contractualism, by which Rawls defends his liberal institutions (more on which in Section 5). Pettit (2001a: 157, fn.1) also acknowledges that his way of identifying common interests is 'broadly contractualist in spirit; it owes much in particular to the interpretation of Rawlsian contractualism'. We shall see in Section 5.2, however, how Pettit (2012a; 2014) in later works denies this commonality with Rawls. Rejecting political constructivism is now an important part of his attempt to distinguish his position from Rawls's. It will become clear, however, that this attempt fails.

To continue the elimination procedure, we should ask what the content of citizens' shared interests is. Here we reach a central idea in Pettit's (2012a; 2014) recent formulation of his theory. Institutions, he explains, should make sure that citizens 'securely enjoy resources and protections to the point where they satisfy what we might call the eyeball test' (Pettit 2012a: 84). This test is passed when all citizens 'can look others in the eye without reason for the fear or deference that a

power of interference might inspire; they can walk tall and assume the public status, objective and subjective, of being equal in this regard with the best' (Pettit 2012a: 84). As Pettit notices, whether someone can actually look any other in the eye without fear or deference will in part depend on how courageous or cowardly that individual happens to be. He therefore qualifies this requirement by saying that people should feel able to look one another in the eye 'in the absence of what would count, even by the most demanding standards of their society, as mere timidity or cowardice' (Pettit 2012a: 84).

To pass this test, citizens must be capable of exercising the basic liberties. Citizens enjoying 'sufficient power and protection in the sphere of the basic liberties' can 'walk tall amongst others and look any in the eye without reason for fear or deference' (Pettit 2012a: 8). 'To the greatest extent possible, the state should entrench people's fundamental liberties, on the basis of public laws and norms, to the point where each is able to pass the eyeball test in relation to others' (Pettit 2012a: 87). The state must give all citizens the resources and protection they need to exercise the basic liberties, and thus pass the eyeball test in their particular society (Pettit 2012a: 85). We now get a reformulation with a different structure, since the provisions for the basic liberties is all that is needed 'to make it the case that no one has the power to interfere with any citizen in a way that conflicts with the shared interests of people willing to live on equal terms with one another'.

> Social institutions ought to robustly provide everyone with the resources and protection they need, by local standards, to exercise the basic liberties.

One ambiguous term that has remained in all the reformulations so far is 'robustly'. What does it mean to *robustly* provide these resources and protection? This provision cannot just occur here and now; it must be entrenched in the institutional structure so that it persists in a wide range of different circumstances—that is, across possible worlds in which people differ with respect to how willing they are to allow others to exercise the basic liberties. Citizens will then always enjoy this resourcing and protection, and they need never ingratiate themselves to anyone. This condition is essential for passing the eyeball test.

However, we cannot expect institutions to always ensure citizens' ability to exercise the basic liberties. While preventing others from exercising the basic liberties can be made illegal, some citizens will nonetheless do so. As Pettit (1997: 22, 115) also notes, the state can only make sure that such interference will not happen with impunity.[10] Protecting A against B, he says, requires removing 'the option of interference from B or at least to replace it by an option that involves choice-inhibiting costs and penalties' (Pettit 2008a: 219). What matters is that B should not have 'power of relatively costless interference' (Pettit 2011: 708). Such interference cannot be allowed to happen 'more or less at will with more or less impunity' (Pettit 2003: 397).

> Social institutions ought to provide everyone with the resources they need, by local standards, to exercise the basic liberties, and it must protect citizens against attempts to prevent them from exercising the basic liberties by punishing any such attempt. The institutions must perform these functions reliably enough to make citizens feel confident in their ability to exercise these liberties.

A couple of things remain unclear. First, it is important to disambiguate 'social institutions'. Pettit often talks about his ideal as applying only to the state. Required state institutions include a mixed constitution, the rule of law, separation of powers, and a contestatory citizenry, Pettit (2012a: 11) explains. But specifying these institutions are not important for present purposes, because, as Pettit says, they are as important in liberalism as in republicanism. What is more significant is that republicans, according to Pettit (2012a: 11), hold 'a distinctive interpretation' of these institutions. They require an active citizenry committed to making sure that formal institutions effectively provide for citizens capacity to exercise the basic liberties. As Pettit writes in collaboration with Frank Lovett, '[t]he people themselves are the best protectors of their own freedom' (Lovett and Pettit 2009: 22).

This means the citizens must put pressure on the government to make sure it provides the resources and protection they need to effectively exercise the basic liberties. They do so by being

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[10] See also Skinner (1998: 71–72; 2002: 248, fn. 53; 2008: 85–86).

vigilant and ready to contest any attempt to prevent someone from exercising a basic liberty they become aware of (Pettit 2012a: 225–229). The institution of civic virtue is essential for the citizens' freedom and therefore also for the state's legitimacy (Pettit 2012a: 136–140).

The extent of vigilance and readiness to contest required is determined by the eyeball test, Pettit (2012a: 109) explains. Citizens are sufficiently vigilant as long as they do enough to make sure the basic liberties are provided for to the extent required by the eyeball test. Pettit (2008a: 103, 111–113, 2012b: 45–47) considers what he calls 'virtual control' to be adequate for this purpose. On this view, citizens can go about their lives as normal, but they must remain ready to speak out if 'the red lights go on' (Pettit (2012a: 136, fn. 5). They need not actively look for attempts to undermine citizens' capacity to exercise the basic liberties, but should they become aware of such an attempt, they must speak out. Requiring more than that, Pettit (1997: 173) says, would itself be a failure to track the citizens' interests. So, republicanism demands no more virtue than is compatible with citizens' different ways of life. On this view, then, citizens of a multicultural society may pursue a wide range of personal ends (Pettit 1997: 96).

> State institutions must provide everyone with the resources they need, by local standards, to exercise the basic liberties, and it must protect citizens against attempts to prevent them from exercising the basic liberties by punishing any such attempt. The citizens must themselves make sure the state functions in this way by being vigilant and ready to contest any deviation from this ideal to an extent compatible with their different ways of life.

Finally, I shall disambiguate 'basic liberties'. Pettit (2008b; 2012a: 92–107) explains that the basic liberties are liberties that meet three conditions. First, they can be exercised without thereby preventing any other number of people from exercising them at the same time. Second, they are widely considered within a society to have an important role in the lives of normal people. And third, the set of basic liberties is limited only by these first two conditions. This definition leads Pettit (2008b: 220; 2012a: 103) to a list of basic liberties, which includes, at least, freedoms of

thought, expression, religious practice, association, assembly, private property, employment, movement, as well as freedoms to take part in public life as a voter, candidate, or critic.

> State institutions must provide everyone with the resources they need, by local standards, to exercise the liberties that are widely considered significant in the lives of normal people and can be exercised without thereby preventing any other number of people from exercising the same liberties at the same time. The liberties include, at least, freedoms of thought, expression, religious practice, association, assembly, private property, employment, movement, as well as political liberties, such as taking part in public life as a voter, candidate, or critic. State institutions must protect citizens' ability to exercise these liberties by punishing any attempt to prevent them from doing so. The citizens must themselves make sure the state functions in this way by being vigilant and ready to contest any deviation from this ideal to an extent compatible with their different ways of life.

I shall eliminate no further. Although I am far from bedrock, I have dug far enough to reach a formulation of Pettit's republicanism that political liberals can agree with.

4.2 Rawls's republicanism

Rawls (2001: 144) spells out in one paragraph what he means by 'classical republicanism':

> the view that the safety of democratic liberties, including the liberties of nonpolitical life (the liberties of the moderns), requires the active participation of citizens who have the political virtues needed to sustain a constitutional regime. The idea is that unless there is widespread participation in democratic politics by a vigorous and informed citizen body moved in good part by a concern for political justice and public good, even the best-designed political institutions will eventually fall into the hands of those who hunger for power and military glory, or pursue narrow class and economic interests, to the exclusion of almost everything else. If we are to remain free and equal citizens, we cannot afford a general retreat into private life.

Elsewhere, Rawls (2005: 205) says such virtue is necessary to prevent political power from falling into the hands of power-hungry individuals seeking 'to dominate and impose their will through the state apparatus either for the sake of power and military glory, or for reasons of class and economic interest, not to mention expansionist religious fervor and nationalist fanaticism'.

Keeping the democratic liberties safe, he says, 'requires the active participation of citizens who possess the political virtues needed to maintain a constitutional regime'.

In classical republicanism, on Rawls's account, active political participation is only of instrumental importance: it is only necessary for establishing and sustaining institutions that provide what each citizen needs to exercise the basic liberties. Like Pettit (1998; 2013), Rawls therefore treats republicanism as distinct from 'civic humanism', in which active political participation is itself regarded as an essential part of a good life (Rawls 2001: 142–145; 2005: 205–206).[11] This makes civic humanism a comprehensive doctrine, and therefore incompatible with political liberalism, which promotes no particular comprehensive doctrine (Rawls 2001: 142). Active participation is important for sustaining institutions that are neutral between comprehensive doctrines, and Rawls therefore considers it of instrumental importance for republicanism and political liberalism alike. Liberals, Rawls (2001: 144) says, require that the basic liberties be protected, and such protection depends on a politically engaged citizenry committed to securing these liberties.

This special concern for the basic liberties and for their protection makes Rawls's 'classical republicanism' look indistinguishable from Pettit's republicanism, as described above. And Rawls's account of the basic liberties is compatible with Pettit's. Like Pettit, Rawls (2001: 143) understands the basic liberties as liberties that are valuable to everyone whatever her or his ends in life might be. This is why Rawls (1999: 54–55, 78–81) considers them a primary good—that is, a good everyone rationally wants whatever else they want in life. We have seen that Pettit emphasizes that the basic liberties are co-exercisable, and Rawls (1999: 220) also commits to this condition when he says, in his first principle of justice, that '[e]ach person is to have an equal right to the most

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[11] Pettit uses the terms 'neo-Athenian', 'Franco-German', and 'Continental' republicanism when he refers to what Rawls calls 'civic humanism'. Since this theory sees political participation as a necessary component of freedom and the good life, Pettit sees it as importantly different from the 'neo-Roman' or 'Italian-Atlantic' republicanism that he favours.

extensive total system of equal basic liberties compatible with a similar system of liberty for all'.

Pettit (2008b: 202) also admits that his account 'is deeply shaped' by Rawls's account.

Rawls provides a list of 'important' basic liberties, without mentioning any other, less important basic liberties. The list is virtually indistinguishable from Pettit's:

> Important among [the basic liberties] are political liberty (the right to vote and to hold public office) and freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person, which includes freedom from psychological oppression and physical assault and dismemberment (integrity of the person); the right to hold personal property and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law (Rawls 1999: 53).[12]

It is clear at this point that the dispute between Rawls and Pettit does not concern the definition of a basic liberty.

But perhaps their accounts of political virtue differ. Political virtues, Rawls (2005: 194) explains, are 'virtues of fair social cooperation such as the virtues of civility and tolerance, or reasonableness and a sense of fairness'. They refer to the willingness not just to propose principles all reasonable persons can accept, but also to doing what it takes to establish and maintain an institutional structure based on such principles (Rawls 2001: 117–118, 142; 2005: 194–195). A well-ordered society, Rawls (2001: 119) says, 'encourages a political character that … sustains the political virtues of social cooperation'.[13] The political virtues, according to Rawls (2001: 142), 'specify the ideal of a good citizen of a democratic regime'. So, the virtue Rawls understands republicanism to require involves making sure institutions sustain cooperation between citizens willing to be tolerant and to cooperate with others on fair terms. This ideal presupposes no

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[12] See also Rawls (2005: 291) for a similar but less specific list.

[13] Education is an important way of encouraging such virtue. Rawls (2001: 156) notes that in addition to giving children knowledge about the basic liberties, 'education should also prepare them to be fully cooperating members of society and enable them to be self-supporting; it should also encourage the political virtues so that they want to honor the fair terms of social cooperation in their relations with the rest of society'.

particular comprehensive doctrine, Rawls (2001: 157) says, since a citizenry acting on these political virtues is considered necessary from 'a political point of view'. That is, it conflicts with no reasonable comprehensive doctrine because it is necessary for protecting citizens' capacity to pursue any reasonable comprehensive doctrine. I elaborate on Rawls's idea of reasonableness in the next section.

This sketch of what Rawls means by 'classical republicanism' has revealed no ways in which it conflicts with Pettit's republicanism. The disagreement between Rawls and Pettit is therefore not due to conflicting understandings of republicanism. Let us now consider Rawls's political liberalism, and then whether Pettit's understanding of Rawls's theory fits with Rawls's own.

5. Political liberalism

5.1 Rawls's political liberalism

At the core of Rawls's political liberalism is 'the liberal principle of legitimacy'. Political power is legitimate, according to this principle, as long as its use accords with a political conception of justice (Rawls 2005: 137). We can therefore start the elimination procedure with the central message of political liberalism:

> State institutions ought to function in accordance with a political conception of justice.

The first key term to eliminate here is 'political conception of justice'. A political conception is constituted by the principles emerging from the procedure of political constructivism.

> State institutions ought to function in accordance with the principles emerging from the procedure of political constructivism.

Now we eliminate 'the procedure of political constructivism'. In this procedure, the reasonable and rational persons in a society identify principles they can all accept.

> State institutions ought to function in accordance with principles acceptable to all reasonable and rational members of society.

Here 'reasonable' and 'rational' are the ambiguous terms to eliminate. Reasonableness is a very important concept in political liberalism. Reasonable persons, Rawls (2005: 49) explains, 'are ready

to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so'. They understand that trying to impose one's own interests on others without consideration for their interests will create an unstable society (Rawls 2005: 128–129, 226). They therefore propose principles based on reasons considered sufficiently convincing to all reasonable persons, in spite of their different interests (Rawls 2005: 119). These reasons are therefore shared, or public, reasons.

Reasonableness also includes a desire to maintain institutions based on such principles. Reasonable persons are committed to the political virtues we have already seen that Rawls considers central in classical republicanism. By fulfilling their 'duty of civility', reasonable persons will evaluate the performance of their public officials and object whenever they deviate from the principles of justice (Rawls 2005: 444–445). Rawls cannot require more than is compatible with reasonable persons' comprehensive doctrines, since such a requirement would not be acceptable to all reasonable persons and would therefore fail to attract stable compliance. This virtue requirement is therefore compatible with his view that we have a duty to develop and maintain just institutions, 'at least when this can be done without too much cost to ourselves' (Rawls 1999: 99).[14]

To be 'rational' is to develop and pursue a conception of the good (Rawls 2005: 52). Importantly, on Rawls's (2005: 54) understanding of a reasonable person, reasonableness is prior to rationality, so that the reasonable person will only develop and pursue conceptions of the good that are compatible with being reasonable. Rationality therefore refers to satisfying the desire to be reasonable.

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[14] Rawls is less specific than Pettit is about which particular institutions he sees as necessary, but the institutions Pettit see as key in his theory—the mixed constitution, the rule of law, separation of powers, and a contestatory citizenry—seem no less important for Rawls. As already mentioned above, Pettit (2012a: 11) also acknowledges that these institutions are commonly given important roles also in liberal theories.

State institutions ought to function in accordance with principles based on reasons acceptable to all members of a society who desire to treat other members as free and equal citizens. Insofar as others are similarly motivated, they want to cooperate with others on fair terms regardless of whether their comprehensive doctrines are compatible with their own. They will actively make sure the state acts on these principles to an extent that is compatible with any way of life led by a person thus motivated.

Here we see in Rawls the same way of justifying state action as was revealed in Pettit's theory in the previous section. We see how Rawls and Pettit are both committed to the contractualist view of requiring the state to act in accordance with the fair terms agreed to by citizens motivated to reaching such an agreement. This is an important point, since there are grounds for substantive and meaningful dispute between parties who agree on what institutions we ought to have under current conditions but disagree about what justifies these institutions.

To continue the elimination treatment of Rawls's theory, let us now look at what Rawls takes these widely accepted principles to be. Here I eliminate the whole phrase 'principles based on reasons acceptable to all members of a society who desire to treat other members as free and equal citizens. Insofar as others are similarly motivated, they want to cooperate with others on fair terms regardless of whether their comprehensive doctrines are compatible with their own'.

Rawls identifies some necessary conditions for an agreement between citizens desiring to cooperate with each other on fair terms in spite of their different comprehensive doctrines, insofar as others are similarly motivated. The agreement must, Rawls (2005: 450) says, identify 'certain basic rights, liberties, and opportunities' to which it assigns special priority, and it must ensure that all citizens have 'adequate all-purpose means to make effective use of their freedoms'. 'Basic rights' are the legal rights to exercise one's basic liberties, and 'freedoms' here are the freedoms compatible with making sure all citizens can exercise the basic liberties.

This is the minimum of the agreement, and the minimum is what is relevant for considering whether republicanism is compatible with political liberalism. What more persons motivated to cooperate on fair terms will agree on depends on the public political culture of their particular

society (Rawls 2005: 85, fn. 33).[15] What is publicly justifiable in one society need not be publicly justifiable in another (Rawls 2005: 107–108). Rawls (1980: 518) says he is 'not trying to find a conception of justice suitable for all societies regardless of their particular social or historical circumstances'. Reasonable persons agree on principles for their own society, and not just for any society (Rawls 2005: 450). A political conception will not be stable unless its principles are sensitive to particular circumstances (Rawls 2005: 59).

> State institutions ought to promote and protect all citizens' rights to exercise their basic liberties and opportunities, and to ensure that they have the all-purpose means needed to exercise these liberties and opportunities. State institutions should further fulfil whatever task the reasons for which are acceptable to all citizens desiring to live on equal terms with others as free and equal citizens depending on the particular society's public culture. The citizens will actively make sure the state fulfils this purpose to an extent that is compatible with any way of life led by a person thus motivated.

For an explanation of what Rawls means by 'basic liberties', I refer to the disambiguation in Section 4.2. By saying 'basic liberties *and opportunities*', Rawls means to emphasize that the government must enable all citizens to exercise the basic liberties. This is also captured in his requirement that all citizens have 'adequate all-purpose means' for exercising the basic liberties. For example, a person might be considered free to exercise her political liberties or to hold private property when no one prevents her from doing so, but if she lacks the necessary resources, she does not have the opportunity to exercise her political liberties or to hold private property.

> State institutions ought to make sure that every citizen has the means she or he needs to have an equal opportunity to exercise certain liberties that are important to everyone regardless of her or his ends in life. These liberties include, at least, the political liberties to vote and to hold office, and the freedoms of speech and assembly, freedoms of conscience and of thought, freedom of the person, which includes freedom from physical oppression and physical assault and dismemberment, the freedom to hold

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[15] They might, for example, agree on 'justice as fairness', which is the conception of justice Rawls (1999) defends in his early work. Later, however, he describes as just one possible political conception (Rawls 2005).

personal property, and freedom from arbitrary arrest and seizure under the rule of law. The citizens are required to do what it takes, albeit not to an extent incompatible with what all citizens can accept given their different ways of life, to make sure the state fulfils this purpose.

More terms can be eliminated, of course, but I stop at this point, as I now have an account of political liberalism that republicans can agree with.

5.2 Pettit's political liberalism

Pettit defines political liberalism in large part in terms of how it differs from his republicanism. He acknowledges the shared concern for the basic liberties, but points to a number of differences between the two theories. I shall consider each of them here, and I show how the preceding elimination procedure supports the conclusion that Rawls's political liberalism conflicts with Pettit's republicanism in none of the ways Pettit suggests. Pettit's objections to Rawls fit into six categories, and I shall therefore consider them in six brief subsections.

5.2.1 Institutional protection

Pettit (2012a: 107–108) says the institutions his theory prescribes provide more resources and greater protection of citizens' capacity to exercise the basic liberties than does Rawls's theory. For Rawls, Pettit says, the protection against interference preventing citizens from exercising the basic liberties is adequate as long as the probability of such interference is sufficiently low. The society Rawls envisages therefore 'may be well ordered just because the powerful generally display goodwill towards others' (Pettit 2012a: 108). Pettit says his republicanism, on the other hand, requires that this protection be inaccessible in a wide range of possible worlds. Since one can be dominated while the probability of interference remains very low, Pettit (2012a: 108) thinks this difference 'makes clear that for Rawls domination is not a problem as such'. 'Were domination taken to be a problem by Rawls, then he could not adopt this line' (Pettit 2012a: 109). In all of his works on republicanism, Pettit has stressed that such dependence on the goodwill of others is

antithetical to republican freedom. So, if Rawls's political liberalism is compatible with such dependence, then it is clearly incompatible with Pettit's republicanism.

What is the level of protection and resourcing that Pettit understands political liberalism to require? He is not specific, but he is sure it will not suffice to pass the eyeball test. 'Whatever the level of protection that all should enjoy under such a test, it is certainly higher than anything envisaged by Rawls in his vision of a society that satisfies only his first principle of justice' (Pettit 2012a: 109). As we have seen, any political conception of justice must give special priority to the basic liberties and ensure that all citizens have 'adequate all-purpose means to make effective use of their freedoms' (Rawls 2005: 450). This is also required by the first principle of Rawls's (2001: 42) justice as fairness: 'Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all'.[16] This principle does not require adequate protection against domination, Pettit (2012a: 109) argues: 'Rawls's first principle leaves many intuitively unjust inequalities in place'. These unjust inequalities are evident, in Pettit's view, in his observation that Rawls does not ensure that all people are a position to effectively exercise the basic liberties. Pettit (2012a: 109) maintains that 'things look very different if we articulate the freedom-centred concern in the republican way, relying on the eyeball test for interpreting it'.

This argument is crucial for keeping Pettit's republicanism and Rawls's political liberalism distinct. However, the elimination procedure has revealed that the former requires no greater institutional protection of citizens' capacity to exercise the basic liberties than does the latter. We have seen that Pettit (2012a: 11) thinks republicanism and political liberalism require the same formal institutions. But he then adds that republicanism has a different interpretation of this institutional structure, particularly by emphasising the importance of 'a contestatory citizenry'

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[16] In *A Theory of Justice*, the formulation of this principle reads: 'Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all' (Rawls 1999: 266).

(Pettit 2012a: 11). Pettit's demand for virtue is a demand for virtual control, which is compatible with citizens of a pluralistic society pursuing personal ends, and therefore also compatible with political liberalism. Requiring that citizens remain committed to making sure they can all pursue their personal ends, up to the extent that they need not undermine their ability to do so, is exactly what also Rawls requires when he stresses the importance of citizens' commitment to sustaining institutions functioning in accordance with the political conception of justice. Pettit therefore requires no more virtue than Rawls does.

In other words, Pettit requires no formal institutions that Rawls does not require, and the republican virtue he sees as essential for making sure these institutions 'robustly' provide for the basic liberties is equally present in Rawls's political liberalism. Pettit consequently cannot claim that republican institutions place individuals in a better position for exercising the basic liberties than do the institutions of Rawls's political liberalism. To keep the two theories distinct, Pettit relies heavily on this protection argument. The elimination procedure, however, shows us why this argument fails.

5.2.2 The political liberties

But Pettit sees another significant difference between his own and Rawls's concern with the basic liberties. In Pettit's (2012a: 185) view, Rawls 'downplays the political liberties' and commits to a weaker form of popular control over government than his own republicanism requires. Pettit also quotes Rawls (1999: 205) saying that the political liberties are 'subordinate to the other freedoms' and thinks Rawls consequently fails to share his emphasis on popular control.[17] Pettit (2012a: 185) therefore believes an important difference between Rawls's position and his own is that 'Rawls and others do not actually give the same standing to the requirements of legitimacy and democracy as republicans'.

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[17] Pettit cites the 1971 edition of *A Theory of Justice* at page 233. For the sake of consistency, I cite the revised 1999 edition. The passage in focus here is identical in the two editions.

But put the passage Pettit quotes back into its context, and you will see that Rawls is more concerned with the political liberties than the quote suggests. Rawls (1999: 205) says people might be wise to trust others of 'superior wisdom and judgment' and to give greater weight to their opinions. Similarly, he says, the passengers onboard a ship will be wise to let the captain steer the course, 'since they believe that he is more knowledgeable and wishes to arrive safely as much as they do' (Rawls 1999: 205). To the extent that this analogy between the ship at sea and the ship of the state holds, Rawls (1999: 205) thinks 'the political liberties are indeed subordinate to the other freedoms that, so to say, define the intrinsic good of the passengers'.

But Rawls does not think the analogy goes as far as Pettit takes him to think. Pettit does not acknowledge a crucial part of Rawls's (1999: 205) view, namely that 'the grounds for self-government are not solely instrumental'. The political liberties, Rawls (1999: 206) says, 'strengthen men's sense of their own worth, enlarge their intellectual and moral sensibilities, and the basis for a sense of duty and obligation upon which the stability of just institutions depends'. Without these liberties, people will become 'estranged and isolated' (Rawls 1999: 206). It is also important that the political liberties be of roughly equal value to the citizens, so that people will have about the same opportunities to influence political processes (Rawls 1999: 197–198). With the ability to exercise the political liberties, people can reflect on reasons everyone can expect and feel respected as full members of their society. The political liberties are thus essential for stimulating people's ties to their society and the reasonableness both Rawls and Pettit see as important. We thus see how Rawls does not downplay the significance of the political liberties in the way Pettit claims he does.

Furthermore, Pettit himself is not opposed to assigning greater weight to the opinion of some people in political decision making. Pettit (2012a: 11–18) rejects the Rousseauvian, or 'Continental', view that political participation is necessary for the legitimate governance of free people. What matters is that people have the capacity to contest political decisions, not that they necessarily be part of the decision making. Political representatives and other public officials can

therefore make decisions binding on the citizens without popular involvement. In this sense, then, the ship at sea analogy holds to some extent also in Pettit's theory. The difference Pettit sees between his own theory and Rawls's is therefore not there after all.

5.2.3 Reasonableness

Pettit also claims to oppose Rawls's view that the interests of reasonable persons carry greater weight than do the interests of other people. A government, Pettit (2012a: 144) argues, should function on terms supported by people 'as they are actually disposed', and not on terms they would have endorsed had they been 'properly rational or reasonable'. Constructivists, Pettit (2012a: 144–145) says, 'tend to neglect the issue of legitimacy, ignoring the importance of how people actually relate to the regime under which they live'. He thinks Rawls's political liberalism exemplifies this approach (Pettit 2012a: 146). For Pettit (1997: 201), however, a legitimate government is responsive to citizens' contestation of political decisions, even of principles all reasonable persons can accept.

Pettit gets Rawls right here, but he is mistaken to claim that their theories come apart at this point. We have seen how Pettit places much emphasis on the importance of contestation, which he distinguishes from the Rawlsian procedure focused on what is acceptable to individuals. But as we saw in the elimination treatment of Pettit's theory, he requires the government to serve only the interests citizens can avow publicly without embarrassment because they are acceptable to everyone who respects all others as free and equal members of the society. And that means the state should only be responsive to interests expressed by reasonable persons. The Rawlsian reasonableness condition is therefore also present in Pettit's theory. Pettit should therefore return to his earlier view, which I also mention above, that his account of the common interests the government must promote 'is broadly contractualist in spirit; it owes much in particular to the interpretation of Rawlsian contractualism' (Pettit 2001: 157, fn. 1).

This shared reasonableness condition also comes to view when we note that Rawls and Pettit both endorse a consensus model of public justification. All reasonable comprehensive doctrines overlap at a point that Rawls (2005: lecture 4) calls an 'overlapping consensus'. The values within this shared set are the basis for the political conception of justice. Analogously, Pettit (2012a: 253–261) understands public justification as what he calls an 'acceptability game', in which successful players learn about each other's interests and propose principles appealing to as many as possible. An attempt to compromise others' avowal-ready interests is an objectionable failure to respect individuals' basic liberties (Pettit 2012a: 8). Pettit, like Rawls, therefore thinks reasonable claims cannot be dismissed, but unreasonable ones can.

5.2.4 Principles

Pettit (2012a: 184) further argues that his theory breaks 'in important respects' with Rawls's by relying only on 'a single principle that calls for giving people the status freedom in relation to one another' (see also Pettit 2014: 103–104). Rawls's (1999: esp. 52–56) theory, on the other hand, has two principles. Pettit (2012a: 85) especially points out that Rawls's difference principle, which demands a distribution of goods that makes the worst off as well off as possible, conflicts with Pettit's view that 'having resources and protections over and beyond what is required to satisfy the eyeball test … is excess to the requirements of your status as a free citizen'. We saw in Section 5.2.1 that Pettit considers Rawls's first principle inadequate. We now see that Pettit think Rawls's second principle extends beyond what a republican theory of justice requires (see also Pettit 2014: 107).

Here Pettit refers to Rawls's theory of justice as fairness, and not to his later political liberalism. About justice as fairness and republicanism, Rawls (2005: 205) says that '[a]t most, there can be certain differences on matters of institutional design and the political sociology of democratic regimes'. But these differences seem to be due to the second principle of justice as fairness, not its first principle. And justice as fairness is just one political conception of justice. So, if republicanism

is less than fully compatible with justice as fairness, republicanism can still be fully compatible with political liberalism. As Rawls (2005: 205) also notes immediately following the above quote, '[n]othing in classical republicanism … is incompatible with political liberalism'. And as I have already pointed out, when we consider whether republicanism is compatible with political liberalism, we must take the least demanding, and therefore most accommodating, understanding of a political conception of justice, which identifies and gives priority to the basic liberties and ensures that citizens have the resources and protection they need to effectively exercise these liberties (Rawls 2005: 450). Whether or not republicanism is also compatible with the more demanding conception of justice as fairness is therefore not relevant for present purposes.

This minimal political conception of justice is captured in the first principle of justice as fairness.[18] Pettit (2012a: 107) thinks 'the republican account cannot be cast as an attempt to espouse Rawls's first principle and to dispense with his second'. However, the whole purpose of Rawls's first principle is to prevent some from hindering others in exercising the basic liberties. As Rawls (2005: xlvi, 6, 450) says, a political conception of justice demands institutional measures to assure that all citizens have the 'adequate all-purpose means' they need to intelligently and effectively use their liberties and opportunities. And the virtue citizens must display to maintain these institutional measures is no lesser than the virtue Pettit's theory demands. Rawls's first principle can therefore justify all the measures needed for achieving Pettit's ideal of non-domination.[19]

Pettit (2012a: 92) further says his non-domination principle requires a redistribution pattern that 'rules out domination', but such a distribution pattern also follows from Rawls's minimal

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[18] Susan Moller Okin (1993: 1010) and Brian Barry (1995) go so far as to argue that a political conception of justice can contain no more than the first principle of justice as fairness.

[19] By thus arguing that satisfying Rawls's first principle is sufficient for non-domination, I challenge Alan Thomas's (2017: 375, n. 19) view of the difference principle as exactly what republicans need 'to make domination structurally impossible'. Andrés de Francisco (2006: 279), similarly, suggests the rational parties in Rawls's original position would choose the same two principles as in justice as fairness if they were motivated to minimize domination.

political conception of justice. Pettit (2012a: 126) says protecting the exercise of the basic liberties requires 'a high level of social insurance', as well as 'a firm basis for the insulation of people in vulnerable relationships'. But again, since he requires no more from people than is compatible with their ways of life in a modern, pluralistic society, Pettit can require no more redistribution to provide for citizens' capacity to exercise the basic liberties than Rawls can.

5.2.5 Scope

Pettit (2012a: 254, fn. 5) further notes that he, unlike Rawls, thinks shared interests should motivate all political decisions, not just those concerning 'constitutional essentials and matters of basic justice' (Rawls 2005: 235). Pettit makes this point only in a footnote and leaves it largely unclear how the scope of his theory actually is broader than that of Rawls's theory. One reason for thinking there is no difference here is that Pettit's main focus, as we have seen, is on providing the resources and protection citizens need to effectively exercise the basic liberties, which is a concern Rawls includes among the constitutional essentials. Among the constitutional essentials, Rawls (2005: 227) explains, are 'equal basic rights and liberties of citizenship that legislative majorities are to respect'.

And even if Pettit is right that the scope of his theory is broader than that of Rawls's theory, it is still unclear how this difference takes Pettit out of the framework of Rawlsian political liberalism. As Jonathan Quong (2011: ch. 9) notes, it is not clear on what grounds Rawls restricts his scope to matters concerning constitutional essentials and basic liberties. In fact, Quong considers what he calls 'the broad view' of public reason to be more compatible with Rawls's theory. On this view, public reason applies to all political decisions, and not just to those concerning constitutional essentials and basic justice, as on 'the narrow view'. If we believe, with Rawls, that the idea of public reason is an essential part of justifying political power, Quong argues, we should prefer a political decision grounded in public reason to one that is not, regardless of whether it concerns a fundamental political issue or not. A theory becomes more detached from

any particular comprehensive doctrine if it requires that all political decisions be based on public reason. So, when Pettit argues for expanding the scope of public reason, he might actually be more consistently committed to political liberalism than Rawls himself is.

5.2.6 Cultural sensitivity

Pettit's (2012a: 254, fn. 5) last attempt to distinguish his theory from Rawls's is to say that Rawls is insufficiently sensitive to cultural differences. Pettit's discussion is very brief also at this point, but he mentions that he particularly has in mind that Rawls fails to acknowledge differences between societies caused by historical events. But this is not right. We have seen that a political conception must reflect the political culture of the particular society, as it would otherwise be unstable. Rawls therefore makes his idea of public reason sensitive to societies' historical differences. Just as Pettit's avowal-ready interests change over time with changes in society's membership, Rawls (2005: 451) 'does not try to fix public reason once and for all in the form of one favored political conception of justice'.

6. Politicizing the ideal

As the elimination procedure has shown, Rawls and Pettit have compatible accounts of republicanism. Their disagreement is due to Pettit's understanding of Rawls's political liberalism being different from Rawls's own. More plainly, Pettit has a flawed understanding of Rawls's political liberalism. And had it been accurate, Pettit would have realized that his way of justifying social institutions and his view of how they ought to function are indistinguishable from Rawls's. He would therefore have agreed with Rawls that republicanism and political liberalism are compatible. The dispute between Rawls and Pettit is therefore merely verbal: they employ the same justificatory procedure and prescribe the same institutional arrangement; they just give them different names.

Having now completed the elimination treatment of Rawls and Pettit's positions, I now go on to argue that an important reason for why Pettit and Rawls end up defending the same institutions

by employing the same justificatory procedure, albeit by the use of different terms, is that their theories are both politicized. That is, both theories are constructed so as to attract the compliance of all reasonable members of a modern, pluralistic society, as we saw in the elimination procedure.

In 'the category of the political', Rawls (2005: 374) explains, concepts, principles, and ideals are autonomous of any particular comprehensive doctrine. They are based on values people share in a modern, pluralistic society, and not on some other moral standard. Moral requirements thus come from within the society; they are not 'externally imposed' (Rawls 2005: 98). The requirements are specified on the basis of what the members of the society actually share, which is identified in political constructivism. We cannot reasonably expect citizens to comply with, and to maintain, institutions based on such external values (Rawls 2005: 49, 399). Making the citizens do so can only be achieved by 'oppressive use of state power' (Rawls 2005: 37). Rawls (1999: 398) considers a principle 'seriously defective if … it fails to engender in human beings the requisite desire to act upon it'. A politicized ideal—in Rawls's case, a political conception of justice—is therefore the appropriate basis for legitimate political power (Rawls 2005: 84, 137).

Pettit also politicizes his ideal so that it attracts the compliance needed for the prescribed institutions to function reliably. With Geoff Brennan, Pettit argues that there is no point in formulating an ideal we cannot plausibly expect to attract such a level of compliance (Brennan and Pettit 2005: 264). The ideal should only require institutions that can attract adequate compliance and be stable over time in a modern, democratic, and pluralistic society (Pettit 2001b: 859). The ideal must therefore be sensitive to citizens' different, conflicting interests (Pettit 2005: 89; 2017: 341–343). Freedom as non-domination, Pettit (1997: 146) says, can 'command allegiance across a wide spectrum of contemporary interest and opinion'.

Pettit's republicanism therefore cannot demand more than Rawls's political liberalism can from citizens in terms of commitment to making institutions protect their capacity to effectively exercise the basic liberties. We have seen that both Pettit and Rawls require such virtue only up to an extent compatible with their diverse ways of life, or comprehensive doctrines. Demanding more

would not reasonably attract sufficient compliance to realize the more demanding ideal. While politicization makes a theory attractive to a modern society, it also prevents Pettit from requiring the institutions that actually would protect the basic liberties to a greater extent than the institutions of Rawls's political liberalism.

A non-politicized republicanism would also give a special place to the basic liberties but also require more extensive protection of these liberties than is compatible with all reasonable comprehensive doctrines. The citizens would be capable of exercising the basic liberties, but non-politicized republicanism would specify that they exercise them so as to bring about an especially strong protection of these liberties. More concretely, they would be deeply committed to doing what they can to making sure their government promote everyone's capacity to exercise the basic liberties. A liberal would plausibly reject this view, as it would reduce the worth of the basic liberties. And in a modern society, the liberal would argue, making citizens conform to such a scheme would require too much interference with how citizens exercise the basic liberties.

Christian List's (2006) understanding of republicanism seems to be of this non-politicized kind. List (2006: 209) takes republicanism to require the absence of uninstructed interference in 'all socially possible worlds'. A socially possible world is characterized by a certain combination of the preference orderings of all members of a society. 'All socially possible worlds' therefore means all possible combinations of preference orderings within a society. Socially possible worlds form a subset of all possible worlds, which is defined by positive—as opposed to normative—social laws, such as the law of supply and demand. Citizens must, in other words, be so devoted to vigilance and contestation that they notice and contest any attempt to undermine anyone's capacity to exercise the basic liberties so regularly it becomes a positive social law. Individuals in such a society would be collectively programmed so that whenever an uninstructed restriction occurs, at least one citizen will notice it and make sure the restriction is appropriately penalized.

This behavioural pattern implies conformity to a way of life consistent with the vigilance required for making sure the state performs this role to the required extent. The set of actions

compatible with this ideal is smaller than what any liberal theory can accept. As List (2006) also notes, to make certain actions more robustly available, we must reduce the set of permissible actions. Only by doing so beyond what is compatible with a modern, pluralistic society, can Pettit continue to claim that his republican theory is distinct from political liberalism. But since Pettit's theory is politicized, it cannot impose such restrictions on individuals' behaviour, and it cannot break out of the framework of political liberalism.

7. Conclusion

Pettit's republicanism is commonly seen as an attractive alternative to Rawlsian liberalism in contemporary political philosophy. Pettit explains the difference between the two theories in large part in terms of the protection of citizens' capacity to effectively exercise the basic liberties. While Rawls gives a special place to these liberties, Pettit argues that his liberal institutions offer less provision for citizens' ability to exercise these liberties than does Pettit's own republican theory. This is a critique Pettit has consistently aimed at liberalism since his first defence of republicanism: By seeing freedom as non-interference, liberals fail to acknowledge the importance of robustly protecting citizens against vulnerability to interference, which is essential for satisfying the republican ideal of freedom as non-domination. Rawls, on the other hand, sees no conflict between republicanism and his own political liberalism.

In this paper, I have employed Chalmers's method of elimination to examine whether Pettit's dispute with Rawls over these matters actually concerns differences in the institutions they prescribe and how they justify them. In support of Rawls's view of republicanism and political liberalism as compatible, I have shown that the two theories defend the same institutional arrangement. Pettit therefore cannot claim that his theory requires a greater protection of the basic liberties than does Rawls's political liberalism. We have also seen how both theories justify these institutional arrangements by the same procedure of political constructivism. Like Rawls, Pettit politicizes his theory by demanding only what we can reasonably expect from citizens of a modern,

pluralistic society. He therefore cannot require citizens to do more to maintain effective institutions than Rawls can, which means his republican institutions can do nothing more to provide for citizens' ability to exercise the basic liberties than can Rawls's liberal institutions.

The substantive differences many find between the two theories may be a result of Pettit's repeated emphasis on republican freedom as non-domination being incompatible with liberalism, and that liberals understand freedom as non-interference. Republicans are concerned with eliminating 'domination', while liberals are not. This terminological difference makes us disposed to believe there are substantive differences between the two positions, and we fail to notice that republicans promote political liberalism with republican terms. And insofar as they are honest, republicans do not notice it themselves. This is often a problem with verbal disputes: the disputants believe they hold substantively different positions when they actually do not.

Recognizing this problem has fruitful consequences. Identifying verbal disputes can dissolve or clarify philosophical disputes. Realizing that terminology has blinded us from the fact that we agree substantively is a way of making progress (Chalmers 2011: 564; 2015: 27). We can now see that nothing turns on whether we accept Rawls's republican terminology or Rawls's liberal one to describe a normative theory of political institutions. Republicans and political liberals may debate which terminology is more appropriate, but nothing turns on it.

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