The Twilight of the Liberal Social Contract: On the Reception of Rawlsian Political Liberalism

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Introductory

Political liberalism is a distinctive account of the normative foundations of liberal institutions and practices, developed by John Rawls and others in the final decades of the 20th century. It remains a fairly active but hardly dominant research programme in political philosophy at the beginning of the 21st century. Its most complete and influential statement is to be found in the second edition of Rawls' second book, *Political Liberalism* (1994), and in a few preceding and subsequent works by Rawls (2001a, 2001b).

Like Rawls' enormously influential theory of 'justice as fairness' (1971), political liberalism was developed during a time many saw as the triumph of liberalism, if by liberalism we understand a reasonably stable and not too one-sided marriage between constitutional parliamentary democracy and capitalism. In retrospect, neither the early 1970s nor the early 1990s look that way. Triumphalism withered away in the years following the publication of both works. The early seventies mark the beginning of the end of balance in that metaphorical marriage, with the return of extreme inequality and the slow unraveling of mass involvement in representative politics at the end of the *trente glorieuses* (1945-75), to use the phrase popularised by Thomas Piketty's (2013) famous study of inequality in capitalist liberal democracies. Rawls had been working on *A Theory of Justice* since the early fifties though, so his view can retrospectively be seen as a eulogy for an age of significant state-led attempts to mitigate the adverse effects of capitalism on at least some of society's most vulnerable segments. More importantly for our present purposes, the late eighties and early nineties—when *Political Liberalism* was completed and published—were widely seen as a victory march for liberalism, despite the changed economic circumstances. This was due to the collapse of liberalism's main rival, the Soviet Union's "actually existing socialism". That triumph quickly turned into a crisis even faster than was the case for social

democracy. New, serious challenges for Western liberal democracies emerged, and started dominating academic and public discourse by the turn of the century: increasing cultural diversity, sovereignty erosion through globalisation, new nationalisms, international terrorism, the rise of China, illiberal populism. Rawls formulated political liberalism ostensibly to address what he perceived as theoretical weaknesses of his earlier work; one may also see it as a timely, even prescient response to actual political problems of liberal societies, especially as concerns the accommodation of diversity, the role of religion in public life (especially in the United States), and the place of non-liberals within those societies.

So, just as *A Theory of Justice* appeared soon before many started to question the social justice of the increasingly marketised Western polities, *Political Liberalism*—a theory of (liberal) legitimacy—appeared at a time of intense scrutiny of the ability of liberal democracies to offer satisfactory grounds for their authority. Both books revived liberal social contract theory, albeit in different ways, as well shall see below. The next section of this chapter provides a philosophical rather than philological reconstruction of the latter effort, political liberalism. The subsequent sections provide a conceptual framework to make sense of its reception. I characterise two main families of responses to political liberalism, and devote a section to each. Focusing on political liberalism's critical reception illuminates an overarching philosophical question: was Rawls' revival of a contractualist approach to liberal legitimacy a fruitful move for either liberalism and/or the social contract tradition? The last section contains a largely negative answer to that question. Nonetheless I conclude that the research programme of political liberalism provided and continues to provide illuminating insights into the limitations of liberal contractualism, especially under conditions of persistent and radical diversity. The programme is, however, less receptive to challenges to do with the relative decline of the power of modern states.

Political Liberalism

John Rawls is widely credited with reviving Western political philosophy in the 20th century. This may be true, if by 'political philosophy' we mean the sort of normative theory practiced within the vast majority of Anglophone philosophy departments, as opposed to the more social theory-inflected, less 'normativistic' (Jaeggi 2009) strands of political thought commonly associated with the European continent. At any rate the aspect of Rawls's work that concerns us here is, perhaps primarily, a contribution to a tradition that pre-dates that schism, namely the social contract tradition—a tradition intimately though not exclusively linked with what would later be recognised as the liberal canon.

Reference to the social contract may perplex some in a chapter devoted to political liberalism, as Rawls's revival of contractualism is usually associated with *A Theory of Justice* (discussed elsewhere in this volume). Famously, in that work the "original position" updated

the state of nature of early modern political philosophers, whereas there is no such thought experiment in *Political Liberalism*. But there is another important sense in which the later work is contractualist, and in some ways closer to the project of the early modern social contract theorists. For one thing, the original position aims at developing a theory of justice rather than legitimacy; whereas Hobbes, Locke, and Rousseau were primarily concerned with showing why we should have a coercive order at all. But there is a theory of political obligation within justice as fairness—just not a contractualist one, even though it provides the link to the contractualist theory of legitimacy found in *Political Liberalism*.

Indeed, Rawls's theory of political obligation remains roughly unchanged between the two books. This theory says that we have a "duty of justice": a natural duty to obey just institutions (1971: 114ff, 334-5; 1994: 142ff). Crucially, this duty arises just in case citizens recognise the relevant just institutions as just: "Citizens would not be bound to even a just constitution unless they have accepted and intend to continue to accept its benefits. Moreover this acceptance must be in some appropriate sense voluntary." (1971: 336; also see 1994: xviii-ff). In the earlier work Rawls maintained that, with just institutions in place, citizens would develop an appropriate sense of justice and so recognise them as just (1971, chapter VIII). Later he came to see this view as mistaken, for under the freedom afforded by just institutions citizens would develop a variety of conceptions of the good, which in turn would support a variety of conceptions of justice for institutions. This pluralism is not to be stamped out; it is to be respected as the product of just institutions. Rawls calls this "the problem of stability", and makes it the main motivating question of *Political Liberalism*: "How is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable though incompatible religious, philosophical, and moral doctrines?" (1994: xx). Explaining what sort of consensus could sustain such a society is the project of political liberalism. It is a contractualist project because it is about individuating what (hypothetical) features of the citizens' motivational and volitional sets make it the case that a state may legitimately coerce them.

Before discussing Rawls's solution, let us bring the problem of stability into sharper focus. Somewhat misleadingly, Rawls uses the term 'stability' in a technical sense, to cover two distinct yet connected issues: the need for peaceful coexistence (as the term would suggest), and the need for a morally acceptable consensus (hence the occasional phrase "stability for the right reasons"). Importantly, we can see each of the two aspects of the problem of stability as embodying a key desideratum of political liberalism: a *realistic desideratum*, directed at including genuine diversity, and an *idealistic desideratum*, directed at establishing the sort of consensus of free and equal citizens that would satisfy broadly liberal moral commitments. The desiderata are in tension.[1] Throughout this chapter I will present the reception of political liberalism as

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[1] For a detailed discussion of this tension see D'Agostino (1996).

revolving around the assessment of Rawls's way of dealing with that tension.

So what is Rawls's solution to the problem of stability? Given that few would argue that a coercive institution can be compatible with any and all conceptions of the good, Rawls needs a criterion for individuating the conceptions of the good worthy of inclusion. To this end he introduces the idea of *reasonable* pluralism. The set of reasonable citizens is the widest possible set of citizens that may form a consensus around a broadly liberal political conception of justice, such as (but not limited to) justice as fairness: reasonable persons see the inevitability of serious and persistent disagreement and, *further*, that it would be wrong to try to stamp it out. They "see that the burdens of judgment set limits on what can be reasonably justified to others, and so they endorse some form of liberty of conscience and freedom of thought" (1994: 61). One may question the inference from reasonable disagreement to liberal freedoms, but Rawls does not, so his reasonable citizens "desire for its own sake a social world in which they, as free and equal, can cooperate with others on terms all can accept" (1994: 52). Again, notice the two desiderata play out in the notion of reasonable pluralism: crudely, Rawls wants diversity, provided it is compatible with consensus on liberal values. How can this be achieved? How much diversity is compatible with reasonableness?

The answer is in the idea of reasonable comprehensive doctrines forming an *overlapping consensus* on a political—i.e. not comprehensive—conception of justice for the basic structure of society. Let us parse that jargon-ridden formulation. A comprehensive doctrine, whether religious or philosophical, is a conception of the good covering most aspects of what is valuable in human life. A political conception of justice is the set of norms regulating the basic structure of society, that is «society's main political, constitutional, and economic institutions and how they fit together to form a unified scheme of social cooperation from one generation to the next» (1994: 11). Note how a political conception is smaller in scope than a comprehensive conception: the former only applies to the domain of the political, the latter regulates all that is valuable in human life, including the political. So the political conception of justice cannot be added to the comprehensive doctrine, which, as such, admits of no other moral authorities. It follows that if many comprehensive doctrines are to converge on a single political conception of justice they must be able to *overlap* on some key political commitments. One must be able to support a single (liberal) political conception starting from a plurality of comprehensive doctrines:[2]

> While we want a political conception to have a *justification* by reference to one or more comprehensive doctrines, it is neither presented as, nor

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[2] Rawls was heavily influenced by Judith Shklar here: "Liberalism does not in principle have to depend on specific religious or philosophical systems of thought. It does not have to choose among them as long as they do not reject toleration" (1989: 24). However, as Bernard Yack (2017) observes, while Shklar was guided by a properly political concern with limiting state power, Rawls reinterprets this idea as being about the moral justification of liberal authority.

as derived from, such a doctrine applied to the basic structure of society, as if this structure were simply another subject to which that doctrine applied. [...] We must distinguish between how a political conception is presented and its being part of, or as derivable within, a comprehensive doctrine. I assume all citizens to affirm a comprehensive doctrine to which the political conception they accept is somehow related. But a distinguishing feature of a political conception is that it is presented as freestanding and expounded apart from, or without reference to, any such wider background. (1994: 12, emphasis added).

To fix ideas, here is a simple schematic representation of how comprehensive doctrines (just two, in this case) can provide the justificatory support for an overlapping consensus:
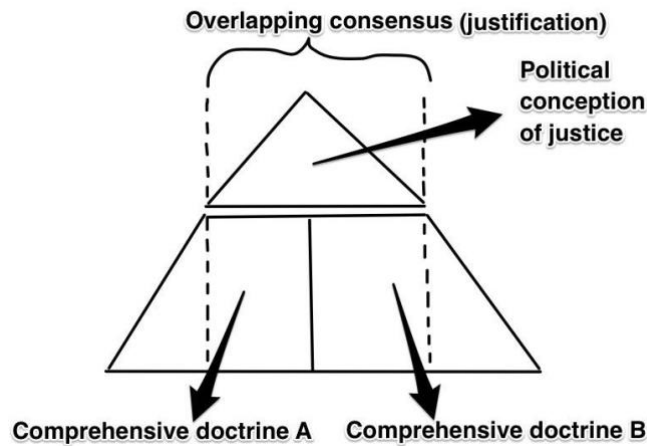

[*Fig. 1 - From comprehensive doctrines to an overlapping consensus on a political conception of justice*]

Note the role of justification. In a legitimate liberal state a political conception of justice must be presented in compliance with what Rawls calls *public reason*, i.e. publicly justified in terms of values and ideas others may reasonably accept, since they are implicit in the public culture of society. Now, insofar as they are implicit in the public culture, are these sources of justification available to citizens as they actually are, or as they should be?

One overly simplified way to answer that question is to say that they are available to *reasonable* citizens as they are. What exactly 'available' means, and what percentage of citizens are actually reasonable, are much debated questions we will touch upon below. For now, simply note how different ways of answering those questions will place different amounts of emphasis on the realistic or the idealistic desideratum of political liberalism. The realistic desideratum posits that the overlapping consensus should be formed by reasons citizens actually have. The idealistic desideratum says that those reasons are reasons citizens should have. So, for instance, is there a sense in which liberal rule ought to be justified to the many residents of liberal states who do not share the commitment—required by reasonableness—to seeking fair terms of cooperations among free and equal citizens? How, exactly, is public justification supposed to make a difference to the justificatory status of a (liberal) regime? As anticipated, different strands in the

reception of political liberalism can be individuated on the basis of their answers to those and other, related questions. This diagram shows the reasons that may contribute to an overlapping consensus. As we will see in the next two sections, it also provides a synoptic representation of the main cleavages among interpreters and critics of Rawlsian political liberalism:
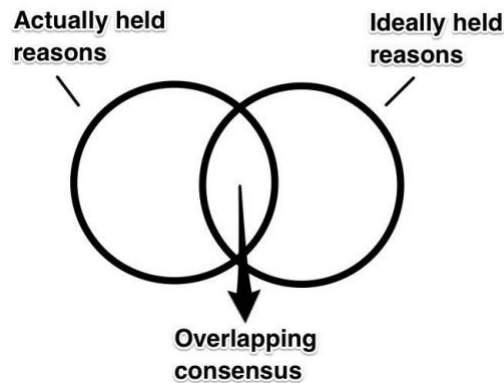
[*Fig. 2 - Citizens' reasons in an overlapping consensus*]

Schematically: Rawls thought that the overlap of the two sets is large enough or, to put it differently, he took actual liberal-democratic citizenries to be sufficiently close to reasonableness. As Thomas Nagel put it, what is distinctive about this approach is that it tries to retain an element of voluntarism, and as such stands in opposition to broadly consequentialist views of legitimacy that focus exclusively on the values and virtues embodied, protected or expressed by political institutions:

> The task of discovering the conditions of legitimacy is traditionally conceived as that of finding a way to justify a political system to everyone who is required to live under it [...] the search for legitimacy can be thought of as an attempt to realise some of the values of *voluntary* participation in a system of institutions that is unavoidably compulsory (1991: 33–36, emphasis added).

Not many scholars carry on that exact project, partly because it has come under severe criticism, partly, perhaps, because philosophers are often disinclined to stake their normative positions on the delicate balance of attitudes in existing citizenries.[3] Most responses to Rawls's project are either more idealistic or more realistic—they place more weight on the reasons citizens should have and do have, respectively, and less weight on the intersection. To be sure, that cannot do justice to the nuance of the many views put forward in each of the families of responses I identify, but it

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[3] An important exception is George Klosko (2000), who tackles the problem of stability through an empirical investigation of the possibility of the overlapping consensus Rawls had only discussed speculatively. Other noteworthy contributions to the project of political liberalism as understood by Rawls are Quong (2011) and Weithman (2011), who introduce many important clarifications and addenda. I shall not discuss their views here, however, since the overall position they defend remains very close to Rawls's.

should give a sense of the various directions of enquiry sparked by Rawls' contribution.

So our discussion, if only for reasons of space, is limited to relatively constructive engagements with political liberalism, however critical. In fact figure 2 cannot capture the views—however compelling—of those critics of political liberalism who deem the entire project incoherent or unstable (e.g. Bohman & Richardson 2009; Enoch 2015, Wall 2002, Raz 1990):[4] on those views there is either not enough or no overlap between the two sets of reasons, and/or neither set can legitimise liberalism on its own. More generally, as in previous iterations of debates on the social contract, those drawn to a substantive welfarist, perfectionist, or more generally consequentialist approach to normative political theory will have little time for what remains a broadly deontological-procedural approach (Arneson 2000). Neither can the figure capture critiques that reject broad commitments to forms of liberal democracy, if anything because political liberalism itself is not addressed to that audience: for better or worse, political liberalism is an internal articulation rather than an external defence of liberal-democratic commitments.

Idealist Reactions

There are a number of pro tanto reasons why a philosopher may wish to lean towards the idealistic side when formulating a theory of liberal legitimacy through public reason. The question, however, is whether one can focus primarily on the idealistic desideratum while still satisfying the realistic one, or, alternatively, manage to explain why the realistic desideratum is not worthy of much consideration. In this section we will consider a few such attempts, arranged in a crescendo of idealisation.

Before discussing those explicit attempts to formulate alternative theories of public reason, however, I should at least mention the important theoretical strand sparked by the well-known debate between Rawls (1995) and his major German contemporary, Jürgen Habermas (1995). Initially many commentators judged the terms of the debate to be unclear. Over time, however, the issues at stake have been made clearer.[5] Habermas himself distilled the kernel of their disagreement in a recent precis:

> a problem […], in my view, besets the construction of the "overlapping consensus". The correctness of the political conception of justice is supposed, on the one hand, to be measured by whether it can be integrated into the different comprehensive doctrines as a module; on the other hand, only the "reasonable" doctrines that recognize the primacy of political values are supposed to be admitted to this test. It remains unclear which side trumps the other, the competing groups with a shared worldview who can say "no", or practical reason that prescribes in advance which voices count. In my opinion, the practical reason expressed in the citizens' public use of their reason should have the final word here, too. This admittedly calls for a philosophical justification of the universal validity of a morality of equal respect for everyone. Rawls

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[4] For an overview of the most important objections of this sort see Quong (2013), Section 7.

[5] See, e.g., Finlayson and Freyenhagen (2011).

want to sidestep this task by confining himself to a "freestanding" theory of political justice. (2011: 285)

Here we being to see the contours of the idealistic responses to political liberalism: what matters is not so much picking out the intersection of actual and ideal reasons, but identifying the correct ideal reasons that are to inform a hypothetical agreement. Following broadly from that approach, Rainer Forst has developed a conception of liberalism whereby Habermas's universal morality of equal respect is instantiated in the more explicitly Rawlsian idea of a "right to justification", or *Recht zu Rechtfertigung,* in the more vivid German phrase (2011). Habermas and, to a lesser extent, Forst, may be seen as hopeful that their preferred ideal reasons could in some sense be read into any or most actual claims for political participation in liberal democracies.[6] That weakens but retains Rawls's aspiration for some overlap between public justification and citizens' actual reasons.

Other theorists take on board the Rawlsian project of public justification while explicitly rejecting the effort to find a suitable intersection between the actually-held and ideally-held reasons that may be used in the political sphere of liberal democracies. They insist that, crudely, what is important about public justification is that it picks out a relevant class of justificatory considerations that have the ability to ground liberal political authority *sub specie aeternitatis*, as it were. The most prominent exponent of this sort of view is Gerald Gaus. Gaus's position has changed considerably over time, culminating in a project to extend his take on the idea of public reason well beyond the realm of liberal political philosophy, to the wider sphere of 'social morality' (2010). For our purposes here, however, we should focus on his earlier, closer engagement with political liberalism. Coarsely put, Gaus argues that public justification's legitimising force is found entirely in the epistemic qualities of an appropriately specified, public account of normative justifiability, and so not at all in citizens' actual dispositions towards the publicly justified institutions. For Gaus, Rawls is guilty of 'justificatory populism' (1996: 130-134): public justification that employs reasons available to actual (albeit reasonable) citizens sanctions normative principles that do not satisfy even rather modest standards of rational justification. We should rather use reasons that are merely *accessible* to citizens (i.e. public), even though they may not be *acceptable* to them. As Steven Wall noted, Rawls's idea of public justification can be read as containing two necessary and jointly sufficient conditions:

> proponents of the public justification principle rightly insist on the publicity and acceptability requirements. Violation of the publicity requirement makes it difficult, if not impossible, for people to *understand* the reasons which explain why they should accept the authority that constrains them. Violation of the acceptability requirement makes it impossible for them reasonably to *accept* these reasons (Wall 2002: 388, emphasis added).

Gaus's account of public justification, then, seeks to combine both requirement into a notion of accessibility. It is not possible to

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[6] I criticise similar views in Rossi (2013a).

discuss this move satisfactorily here.[7] Suffice it to note how one may question whether mere accessibility could embody the voluntarism—however faint and hypothetical—that distinguishes public justification views from broadly consequentialist approaches to (liberal) legitimacy.[8]

Realist Reactions

On the other side of the spectrum of reactions to Rawls's project we find theorists who, to put it roughly, think that anything resembling a social contract for a liberal-democratic society should be based on reasons actually shared by the citizenry, and that Rawlsian reasonableness constraints on public justification are too stringent. The rough idea here is that one may consistently uphold liberal-democratic institutions even while violating Rawls's "duty of civility" to couch one's arguments in terms that others may reasonably accept. Politics is, these theorists argue, more akin to a domain of conflict with winners and losers than to an enterprise of joint construction of common ground. Consensus of the sort envisaged by Rawls is chimeric, and trying to achieve it can be stifling if not downright oppressive. Defences of that general position take various forms, which we may divide into three groups, with some overlap at the margins: (i) proponents of modus vivendi, (ii) agonistic democrats, and (iii) realist liberals.

In *Political Liberalism* Rawls contrasts the idea of an overlapping consensus with that of a 'mere' modus vivendi (1994: 126), which is 'political in the wrong' way, as it may sanction power equilibria in reached in ways that do not respect the equal standing of those involved. A number of theorists, however, resist Rawls's negative characterisation of modus vivendi (e.g. Gray 2000, Hershovitz, Horton 2003, Mills 2000; Arnsperger & Picavet 2004 and Wendt 2016 offer intermediate positions). If there is a common denominator to those views, it is that under conditions of pluralism often a modus vivendi agreement is as much of an agreement as one can, or perhaps even should hope for. A worrying question remains, however, as to whether it is worth retaining the voluntaristic aspirations of the idea of an agreement or compromise, while not being prepared to ensure that the agreement is indeed voluntary in a robust sense (Rossi 2010).

Agonistic democrats take some of the concerns of modus vivendi theorists in a more radical direction. Chantal Mouffe is perhaps the most prominent exponent of this approach,[9] which she anchors in a critique of Rawls's project. Her main contention is that the project of making society's fundamental norms of justice float free from the controversial comprehensive doctrines held by the citizenry amounts to "the elimination of the very idea of the

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[7] For such a discussion see Rossi (2014).

[8] A worry made more salient when one considers how Gaus's approach may be extended: Kevin Vallier (2011), for instance, has taken the focus on justification's epistemic qualities to an extreme where even mere accessibility becomes surplus to requirement for liberal legitimacy.

[9] But also see Connolly (1991), Honig (1993).

political" (1993: 51), for the political properly understood does not admit of neat partitions between questions of basic rights and justice and other questions of values and interests, or between public and private. Among genuine political adversaries there can be no consensus of the sort envisaged by Rawls nor, relatedly, can there be neat lines between liberal rights and the democratic reach of a sovereign people (Mouffe 2000). It is not entirely clear, however, whether this more confrontational and fluid model of democracy will satisfy the moral commitments of many liberals (Fossen 2008).

More recently, realist political philosophers have been defending positions in some respects comparable to Mouffe's. The starting point here is Bernard Williams's posthumous work on liberalism and the methodology of political philosophy. Williams proposes an account of liberal legitimacy that eschews the heavy moral commitments found in political liberalism; nonetheless he retains the idea that a legitimate political order must, inter alia, have "something to say" to those it coerces. It must "make sense" (2005: 4-6) to them. And, as it turns out, under modern conditions only a liberal order can satisfy those requirements, Williams argues. One can see how this could be interpreted as yet another attempt to weaken the demands of the overlapping consensus while preserving some of the voluntaristic appeal of public justification (Sleat 2010), in which case one may wonder whether this is not just an iteration of the modus vivendi strategy (Horton 2010), with the accompanying problems (Rossi 2013b). However on closer inspection one can come to understand Williams's quasi-contractualist talk of acceptability and justification as simply a heuristic to distinguish between raw domination and political coercion (Hall 2015)—more of a recognition of the limits of liberal contractualism than a new lease of life for it.

Prospects

The preceding discussion shows how the most prominent research programmes sparked by or at any rate developed in reaction to political liberalism have travelled rather far from Rawls's project. We should be wary of doing philosophy by opinion poll. Nonetheless taking stock of the prevalence of academic scepticism regarding Rawls's project may tell us something salient in the political climate of the early 21st century, which is characterised by increasing diversity as well as by a decline of state power. The relatively recent rise (or return) of populism in many Western liberal democracies has been accompanied by the development of increasingly insular and polarised media discourses, by a decline of trust in scientific expertise, and, especially in the United States, by the return of religion in politics—so, in general, public political discourse in liberal democracies is increasingly unhinged from the epistemic and moral parameters set out by political liberalism. This is perhaps tragically ironic given that Rawls's efforts were aimed precisely at accommodating pluralism and at finding a way to make sincerely held religious belief compatible with liberal commitments. It looks as though Rawls was prescient but ineffective: he had the

right diagnosis in terms of what was going to be the next big challenge for liberalism, but also an ineffective cure. Some may even speculate that, to the extent that the cure was applied at all, it was counterproductive: consider the frequent invocation of a backlash against norms of civility for public political discourse.

That loose narrative yields a moral with regard to the two strands of reactions to political liberalism we have been considering, namely that the idealistic reactions are bound to fare worse than the realistic ones. But in what sense can political circumstances play a role in determining whether a normative political theory fares worse than another? One may simply insist that Rawls or even the philosophers who carry political liberalism further in an idealist direction are correct in their interpretation of what liberal legitimacy requires, and so that, from a liberal point of view, we live in dark times indeed. That is a consistent position. On the other hand, one may question the wisdom of using high abstraction and moral condemnation to avoid having to come to terms with some of the most pressing political problems we face.[10]

At any rate, as we have seen, it is not as if the realistic correctives to political liberalism are devoid of serious problems. It might just be the case, then, that at least in this form contractualist liberalism has run its course, given the levels of diversity in contemporary liberal societies, as opposed to the early modern European societies where the approach originated. Political liberalism and its constructive reception are worthwhile efforts to save that approach, and the debates we surveyed here are an instructive way to understand its limitations as we continue to look for alternative solutions, be they unabashedly teleological liberalism, realist liberalism, or departures from liberalism in the direction of radical democracy and other, less travelled roads. The difficulties with political liberalism discussed here certainly show how this research programme has the merit of having brought issues of cultural and moral diversity to the forefront of political theorising. However, since the tradition of liberal contractualism is closely bound to the rise of modern states, it casts far less light on those aspects of the crisis of contemporary liberal-democratic regimes that can be ascribed to globalisation and the decline of state power.[11]

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[10] A point eloquently made by Charles Mills (2005), and also found, *mutatis mutandis*, in much contemporary realist political thought (Rossi and Sleat 2014).

References

Arneson, Richard. 2000. Perfectionism and Politics. Ethics, 111: 37-63.

Arnsperger, Christian & Picavet, Emmanuel B. 2004. More than modus vivendi, less than overlapping consensus: towards a political theory of social compromise. Social Science Information, 43: 167-204.

Bohman, James, and Henry S. Richardson. 2009. Liberalism, deliberative democracy, and "reasons that all can accept". Journal of Political Philosophy 17: 253–274.

Connolly, William E. 1991. Identity\Difference: Democratic Negotiations of Political Paradox. Ithaca, NY: Cornell University Press.

D'Agostino, Fred. 1996. Free public reason: Making it up as we go. Oxford: Oxford University Press.

Enoch, David. 2015. Against Public Reason. Oxford Studies in Political Philosophy DOI:10.1093/acprof:oso/9780199669530.003.0006

Finlayson, Gordon & Freyenhagen, Fabian, eds. 2011. Habermas and Rawls: disputing the political. London: Routledge.

Forst, Rainer. 2011. The Right to Justification: Elements of a Constructivist Theory of Justice. New York: Columbia University Press.

Fossen, Thomas. 2008. Agonistic Critiques of Liberalism. Contemporary Political Theory, 7:376–394.

Gaus, Gerald F. 1996. Justificatory liberalism: An essay on epistemology and political theory. Oxford: Oxford University Press.

Habermas, Jürgen. 1995. Reconciliation Through the Public use of Reason: Remarks on John Rawls's Political Liberalism. Journal of Philosophy, 92: 109-131.

Habermas, Jürgen. 2011.

Hall, Edward. 2015. Bernard Williams and the Basic Legitimation Demand: A Defence. Political Studies, 63: 466-480.

Honig, Bonnie 1993. Political Theory and the Displacement of Politics. Ithaca, NY: Cornell University Press.

Jaeggi, Rahel. 2009. Rethinking Ideology. In Boudewijn de Bruin and Christopher F. Zurn, eds, New Waves in Political Philosophy, Basingstoke: Palgrave Macmillan.

Mills, Charles W. 2005. "Ideal Theory" as Ideology. Hypatia, 20: 165–183.

Mouffe, Chantal. 1993. The Return of the Political. London: Verso.

Mouffe, Chantal. 2000. The Democratic Paradox. London: Verso.
Nagel, Thomas. 1987. Moral conflict and political legitimacy. Philosophy & Public Affairs 16: 215–240.

Piketty, Thomas. 2013. Capital In the 21st Century. Cambridge, MA: Belknap.

Quong, Jonathan. 2011. Liberalism without perfection. Oxford: Oxford University Press.
Rawls, John. 1971. A Theory of Justice. Cambridge, MA: Harvard University Press.

Rawls, John. 1994 [1993]. Political Liberalism, 2nd ed. New York: Columbia University Press.

Rawls, John. 1995. Political Liberalism: Reply to Habermas. Journal of Philosophy, 92: 132-180.

Rawls, John. 2001a [1989]. The domain of the political and overlapping consensus. In Collected papers, ed. Samuel Freeman, 473–496. Cambridge, MA: Harvard University Press.

Rawls, John. 2001b [1997]. The idea of public reason revisited. In Collected papers, ed. Samuel Freeman, 573–615. Cambridge, MA: Harvard University Press.

Raz, Joseph. 1990. Facing Diversity: The Case of Epistemic Abstinence. Philosophy & Public Affairs, 19: 3-46.

Rossi, Enzo. 2010. 'Modus Vivendi, Consensus, and (Realist) Liberal Legitimacy', Public Reason, 2: 21-39.

Rossi, Enzo. 2013a. Can tolerance be grounded in equal respect? European Journal of Political Theory, 12: 240–252.

Rossi, Enzo. 2013b. Consensus, compromise, justice and legitimacy. Critical Review of International Social and Political Philosophy, 16(4), pp.557–572.

Rossi, Enzo. 2014. Legitimacy, Democracy and Public Justification: Rawls' Political Liberalism Versus Gaus' Justificatory Liberalism. Res Publica, 20: 9-25.

Rossi, Enzo & Sleat, Matt. 2014. Realism in Normative Political Theory. Philosophy Compass, 9/10: 689-701.

Vallier, Kevin. 2011. Against Public Reason Liberalism's Accessibility Requirement. Journal of Moral Philosophy, 8: 366-389.

Wall, Steven. 2002. Is public justification self-defeating?'. American Philosophical Quarterly 39: 385–393.

Weithman, Paul. 2011. Why Political Liberalism? On John Rawls's Political Turn. Oxford: Oxford University Press.

Wenar, Leif. 1995. Political Liberalism: An Internal Critique. Ethics, 102: 32- 62.

Wendt, Fabian. 2016. The Moral Standing of Modus Vivendi Agreements. Public Affairs Quarterly, 30: 351-370.

Williams, Bernard. 2005. In the Beginning Was the Deed: Realism and Moralism in Political Argument. Princeton, NJ: Princeton University Press.