

Powerful Deceivers and Public Reason Liberalism: An Argument for Externalization

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Abstract

Public reason liberals claim that legitimate rules must be justifiable to diverse perspectives. This Public Justification Principle threatens that failing to justify rules to reprehensible agents makes them illegitimate. Although public reason liberals have replies to this objection, they cannot avoid the challenge of powerful deceivers. Powerful deceivers trick people who are purportedly owed public justification into considering otherwise good rules unjustified. Avoiding this challenge requires discounting some failures of justification according to what caused people's beliefs. I offer a conception of public justification that accommodates these externalist considerations while positioning Public Reason Liberalism to provide insight into real cases of deception.

Keywords

Deception, Political Misinformation, Epistemic Externalism, Public Reason Liberalism, Public Justification, Social Epistemology

1. Introduction

Public Reason Liberalism aims to reconcile two claims. First, our public lives should be ordered by the government's imposing rules. Second, these rules should be congruent with the freedom to sincerely form and live by diverse perspectives. This freedom should exist even if the perspectives that result – for instance those of Christians or Muslims, socialists or right-libertarians – cannot all be objectively correct. Because our diverse perspectives conflict, so do these claims. Something is surely wrong when, in spite of our making a good-faith effort to agree, others impose rules on us that are acceptable from their perspectives but not from ours.

Public reason liberals argue that resolving this tension requires adopting what they call the Public Justification Principle. This is the principle that rules are legitimate only if they are justifiable to everyone on whom they are imposed. The basic idea is that persons can be motivated to comply with publicly justified rules because they are acceptable to their perspectives. Public reason liberals claim this is strictly preferable to inducing compliance through force or trickery.

My interest is in what have been called agent-type challenges to the Public Justification Principle.¹ Prejudiced and vicious people will always object to restraints on vice and prejudice. If the Public Justification Principle requires governments to act only in ways that are justifiable to everyone, then governments must act only in ways that are justifiable to reprehensible people. Justice thereby becomes captive to the unjust.

¹ The term 'agent-type challenge' is from Gaus [2014]. See Quong [2011: 8, 37] and Van Schoelandt [2015] for additional discussion.

Public reason liberals have two typical replies to agent-type challenges [Van Schoelandt 2015: 1032]. Let the *justificatory constituency* be the agents to whom rules must be justifiable to be legitimate. Public reason liberals say that this constituency consists only of people with appropriate moral commitments, for instance *reasonable* people, and argue that challenging types are not in this group. Or, they use idealization to discount some failures of justification, such as to those who have improperly responded to evidence by their own standards.

I argue that these replies fail to address the challenge of an all-too-common type of agent: the powerful deceiver. Powerful deceivers manipulate people of other agent types into believing that particular rules are unjustified. Their victims can be both reasonable and properly responding to evidence by their own standards in holding this belief. That is, people can be tricked by powerful deceivers in spite of doing their part to make a good-faith effort to agree. Powerful deceivers reveal a new way of making justice captive to the unjust: they manipulate people supposedly within the justificatory constituency.

Avoiding the challenge of powerful deceivers requires substantially revising public justification and related notions. Some authors have said that agent-type challenges require public reason liberals to reject that there is a special connection between public justification and legitimacy [ibid.: 1042]. I disagree. I argue instead that avoiding the challenge of powerful deceivers requires adding a strong epistemically externalist aspect to public justification.² On my view, what matters for whether someone is in a rule's justificatory

² As I explain below, public reason liberals consider public justification a merely epistemically internalist notion. See Rawls [2005: 118], Gaus [2010: 184-5], Quong [2011: 141-2], Van Schoelandt [2015: 1043], Larmore [2015: 69-70, 82-3], and Vallier [2020: 1112].

constituency is not only whether she has been reasonable or rational in responding to facts *internal* to her perspective. Some particular *external* facts about what caused her perspective matter too, even though she cannot reasonably be expected to become aware they are true.

Externalizing Public Reason Liberalism to avoid the challenge of powerful deceivers requires modeling public justification as a relationship between the government and the public. On this model, a rule's legitimacy requires that only the government does its part to uphold this relationship. But any relationship can fail even though each party does its part. Powerful deceivers produce this failure of public justification when they manipulate otherwise reasonable people into believing that the government is imposing unjustified rules. Because public justification is morally important, externalizing Public Reason Liberalism promises insight into what is wrong with documented cases of deception. It also preserves Public Reason Liberalism's claim to better reconcile order and diversity than competing theories.

2. Why Public Reason Liberals Reject Externalism

Since 'Internal' and 'external' are terms of art, we need to roughly characterize what they mean. Let us consider something epistemically internal for a person just when it is easily accessible to her awareness through introspection, deliberation, or investigation, perhaps at nearby possible worlds. What is not easily accessible is epistemically external. Internal facts can be easily and rationally accepted through introspection, deliberation, or investigation. External facts cannot.

To illustrate, imagine you must name the world's fifth highest mountain while playing trivia. You distinctly recall a long-lost friend mentioning that Mount Makalu is the

fifth highest mountain and being a credible testifier. This is a fact internal to your perspective. You can easily and rationally form other beliefs on its basis, most obviously that Mount Makalu is the answer. Facts you cannot easily access about what caused this belief are external, such as whether your friend gained his information from the November 1989 edition of National Geographic.

Public reason liberals consider external facts (so characterized) irrelevant to public justification. Public reason is about finding considerations accessible to diverse perspectives to justify common rules. External facts about what caused someone's beliefs are not accessible. According to public reason liberals, suitably accessible justifications are ultimately based on facts internal for those to whom they are addressed.³

This commitment to internalism is readily expressed in typical statements of the basic idea behind the Public Justification Principle. In an early discussion, Thomas Nagel says that public justification enables appropriate use of political power through requiring that, "it must be possible to present to others the basis of your own beliefs, so that once you have done so, they have what you have, and can arrive at a judgement on the same basis" [1987: 232]. Similarly, Charles Larmore says public justification is about motivating others to comply with rules by their seeing "the very reasons we ourselves have" for imposing them as opposed to their fearing "the consequences of non-compliance" [2015: 78]. Gerald Gaus also states that if a rule is publicly justified, then others can accept it by seeing reasons that

³ Rawls [2005: 118] and Vallier [2019: 41-2] explicitly state that external facts about what caused a person's beliefs are irrelevant to public justification. Footnote2 further documents commitment to epistemic internalism in Public Reason Liberalism.

are reflectively accessible from their perspectives instead of by social pressure [2011: 29-30].

A commitment to internalism is also readily expressed in the grounds that public reason liberals argue explain the Public Justification Principle's moral importance. The following grounds are widely considered most plausible:

- (i) Justice
- (ii) Respect
- (iii) Autonomy
- (iv) Co-authorship
- (v) Stability
- (vi) Civic Friendship
- (vii) Social Trust
- (viii) Accountability Practices

Some public reason liberals claim that the failure of public justification is incompatible with *justice* because justice requires that citizens can view exercises of political authority as acceptable from a sharable standpoint [Quong 2014: 273-5]. Some claim it is incompatible with *respect* because respect requires not coercing others on the basis of reasons they cannot appreciate [Gaus 2011: 17; Larmore 2015: 78]. Some claim it is incompatible with *autonomy* because autonomy requires not coercing others on the basis of reasons they cannot have willed themselves [Quong 2014: 270-1]. Some claim it is incompatible with *co-authorship* because political authorities purporting to involve their citizens as legislative co-authors are required to act only in ways citizens can be reasonably expected to endorse [Bird 2014: 201-4]. Some claim it is incompatible with *stability* because those who do not consider themselves to have sufficient reason to accept political authority will disobey it

[Rawls 2005: 140-4]. Some claim it is incompatible with *civic friendship* because such friendship involves citizens' cooperative exercise of government power for mutual benefit [Ebels-Duggan 2010: 55-6; Leland and van Wietmarschen 2017: 159-160]. Some claim it is incompatible with *social trust* because people will distrust political authority without sufficient reason to consider its actions justified [Vallier 2019: 6, 68, 72, 143-4]. And finally, some claim it is incompatible with *accountability practices* because holding someone accountable to a rule is appropriate only if she has sufficient reason to accept it that is easily reflectively accessible [Gaus 2011: 250, 481].

Although no public reason liberal endorses all these alleged grounds, every public reason liberal claims at least one of them is the ground of the Public Justification Principle. However, each alleged ground is undermined when the government imposes rules on someone without sufficient justification by internal facts. This undermines justice because even if the government knows that a rule is justified on the basis of external facts, she cannot easily share this knowledge. This also undermines civic friendship. She cannot view others who advocate for the rule as cooperative partners in exercising government power because the rule lacks support from her perspective. And so on.

Any defense of the Public Justification Principle that public reason liberals might give consequently involves appealing to a favored morally important ground and saying it is undermined when a rule is insufficiently supported by internal facts. Insisting that external facts matter for public justification seems equivalent to denying the importance of the alleged ground and discounting some perspectives merely because they are wrong. This explains why agent-type challenges are challenging: Public reason liberals risk contradicting their principles if they dismiss some agents because their views are incorrect.

To avoid this result, public reason liberals build internalist constraints into their replies to agent-type challenges. Consider the reply of restricting the justificatory constituency to reasonable people. 'Reasonable' is another term of art. Public reason liberals characterize reasonable people as willing to propose and abide by fair terms of cooperation for mutual benefit, provided others do likewise [Rawls 2005: 54; Quong 2011: 38]. This addresses the objection that the Public Justification Principle makes justice captive to agents like Nazis and racists. These people are not reasonable; the terms of cooperation they propose are not remotely fair.

Distinguishing the reasonable from the unreasonable excludes some people from the justificatory constituency. This proposal's supporters claim it nevertheless accommodates diverse perspectives because it accommodates diverse perspectives among reasonable people [Quong 2011: 6, 8]. The Public Justification Principle requires not imposing rules that are unjustifiable to reasonable people. This is not because failure of public justification is evidence for other reasonable people that their perspectives have failed to meet an external requirement. Public reason liberals do not claim that reasonable people who disagree must doubt that their perspectives correctly represent the world through external cognitive processes [Rawls 2005: 62-3; Larmore 2015: 70]. They claim instead that we should forbear acting in ways that are unjustified to reasonable people because of the moral worth that their being reasonable bestows on them [Bird 2014: 192-3; Larmore 2015: 77-9]. Once a person accepts an admissible conception of fairness and other normative concepts, being reasonable is only a matter of adhering to requirements with internal content, such as requirements of rational coherence.

Internalist considerations also constrain how public reason liberals use idealization to avoid agent-type challenges. Idealization has been characterized as either "radical" –

which I consider later – or “moderate” [Vallier 2020: 1110]. Under moderate idealization, a rule is justifiable to a person just when she either now can easily become aware of sufficient reason to accept it, or could have easily become aware of such reason, provided it remained undefeated by her own standards of belief revision in the meantime. Proponents of moderate idealization can respond to agent-type challenges by arguing that vicious and prejudiced people negligently failed to adhere to their own standards in acquiring the corrupt views that motivate them to reject rules [Vallier 2019: 23, 101-2; 2020: 1121].

Moderate idealization is compatible with accommodating diverse perspectives. It merely demands that people adhere to their own standards without prescribing what these standards must be, other than that they must be compatible with sharing a cooperative political life.⁴ It is also compatible with Public Reason Liberalism’s commitment to internalism. Adhering to one’s own standards requires at most self-consistency [Vallier 2020: 1109-10, 1116]. External facts about what caused a person’s beliefs have no bearing on what is justifiable to her under moderate idealization because she cannot easily become aware of such facts by strictly following her own standards [ibid.: 1121].

3. The Conceptual Challenge of Powerful Deceivers

Using moderate idealization and making public justification owed only to reasonable people may avoid the challenge of agents like Nazis and racists. These strategies do not avoid the challenge of powerful deceivers, however. In this section, I show that the challenge of powerful deceivers is at least conceptually possible before examining realistic cases of deception in the next.

⁴ This proviso excludes individuals who flout basic standards of rationality, such as that beliefs should be consistent and supported by adequate evidence. [Gaus 2011: 244; Vallier 2019: 23]

Let us stipulate three main ways that powerful deceivers are powerful. First, their deception is highly convincing. Their victims cannot be reasonably expected to be rationally confident that they have been deceived, even if others tell them they are. Second, their deception is stable. Although their victims can eventually become disabused, this requires an unreasonably demanding amount of inquiry. And third, powerful deceivers apply their deception selectively. They deceive particular groups of people only insofar as necessary to make them believe an otherwise justified rule is unjustified.

Of course, granting powerful deceivers too much power trivializes their challenge. They accordingly have three limitations. First, powerful deceivers can deceive others concerning only matters of fact. Second, deception cannot change people's core values. Powerful deceivers can nevertheless deceive people about normatively important matters of fact. They could deceive others into believing that adopting a rule would cause many deaths but not into believing this fact is morally arbitrary. Third, powerful deceivers cannot deceive others concerning matters of fact they can easily verify. If a person held up five fingers before a group, a powerful deceiver could not make the group believe she held up three. Powerful deceivers instead manipulate by influencing intermediary evidence, like personal testimony or scientific reports.

Given this characterization, powerful deceivers circumvent the typical responses to agent type challenges. Consider restricting public justification to reasonable people: People can be reasonable in that they are willing to cooperate on fair terms – even characteristically liberal ones – and yet believe by deception that rules consistent with those terms are unfair. For example, a powerful deceiver could produce rationally compelling but misleading evidence that a complex economic policy disadvantages some minority group beyond what any reasonable person would accept.

Consider moderate idealization: Whether we ought to consider a rule consistent with our core values and standards of reasoning depends on judgments of internal fact. A person might reject a vaccination policy because she rationally yet falsely believes the vaccine produces dangerous side-effects. This belief could in turn be based on internal facts that a powerful deceiver caused her to believe, such as those associated with a credible but misleading scientific report.

These results are furthermore invariant under different justificatory standards. Some public reason liberals hold that public justification requires merely that persons have reasons for accepting a rule that are sufficient relative to their perspectives [Vallier 2020: 1112-3]. Others more demandingly hold that rules must be justifiable in terms of a reasonable balance of public values that are mutually acceptable to different perspectives [Rawls 2005: 243; Quong 2011: 219]. Decreasing death and sickness are public values, and a reasonable balance of them may support a vaccine policy. A powerful deceiver could nevertheless convince a reasonable person that this is not the case or even that a balance of such values decisively speaks against the policy. If powerful deceivers can circumvent this more demanding standard, they can circumvent less demanding ones as well.

In general, the challenge of powerful deceivers arises because they influence internal facts, and internal facts can support rational yet false beliefs. The typical responses of public reason liberals to agent-type challenges at most restrict the justificatory constituency to agents holding some particular values or responding self-consistently to internal facts. If governments are permitted to impose rules only if they are justifiable to such agents, then what governments can legitimately do is restricted by what powerful deceivers can make people consider unjustified.

The only plausible way for public reason liberals to avoid this challenge is to externalize public justification: Some reasonable people's objections to the rules are properly discounted based on external facts about what caused their beliefs, even though they cannot be reasonably expected to be aware these facts are true.

One might object here: What about "radical" idealization?

While moderate idealization involves identifying a person and asking whether she could accept a rule given her perspective and standards of reasoning, radical idealization involves asking whether the person could accept a rule given that her perspective and standards of reasoning were substantially modified, such as if she were completely informed or had developed her beliefs in a deception-free environment [Vallier 2020: 1114]. Radical idealization avoids the challenge of powerful deceivers to some extent. According to this strategy, a rule imposed on a reasonable person deceived into rejecting it could still be publicly justified if she would accept it were she not deceived.

There are nevertheless at least two reasons why powerful deceivers pose a significant challenge for radical idealization. First, externalist considerations are still relevant to individual judgments of public justification under radical idealization. Suppose a proponent of radical idealization confronts some reasonable people who object that a rule is not publicly justified. Appropriately deferring to their objection requires ruling out that a powerful deceiver caused their objections. The proponent must correctly judge either that they are not deceived or, if they are, that the rule would still be unjustifiable to them in a deception-free world. This judgement presupposes considerations about how people's beliefs would change given modifications to their external environment. Proponents of radical idealization owe us an account of what the relevant considerations are before their theory can be appropriately used in contexts where deception is suspected.

Second, radical idealization inadequately captures moral judgements about powerful deception. We saw that imposing rules insufficiently supported by internal facts undermines every ground that purportedly explains why public justification is morally important. Imposing rules on reasonable people deceived into rejecting them consequently creates a *prima facie* failure of public justification and should be to some extent morally regrettable. If radical idealization is correct, however, rules are in fact publicly justified as long as reasonable people could accept them were they not deceived. Radical idealization removes cause for regret, even though the alleged grounds for public justification are apparently unrealized.

This is a more forceful version of a standard objection to Public Reason Liberalism. Critics observe that making public justification owed to a hypothetical constituency, such as individuals in a deception-free world, inadequately respects actual people. They are suspicious that it allows public reason liberals to say that public justification is owed only to people with some preferred normative commitments or theoretical outlooks, such as Public Reason Liberalism itself [Enoch 2015: 121-2]. But powerful deceivers can manipulate people regardless of their commitments or outlooks and can even target public reason liberals. Deceived persons can be doing their best to agree and cooperate on fair terms in objecting to the rules imposed on them. The Public Justification Principle is typically motivated by raising the specter of forcing such people to comply.

Proponents of radical idealization might be able to show why forcing reasonable but deceived people to comply is not regrettable. But how to do this is unclear. It requires extra motivation given that standard characterizations of the alleged grounds lack essential

reference to radical idealization.⁵ We saw above that radical idealization already presupposes externalist considerations. Consequently, an explicitly externalist view that preserves *prima facie* judgments of failures of public justification is preferable to radical idealization, all else being equal. The externalized Public Reason Liberalism I advocate meets this condition.

4. The Real Challenge of Powerful Deceivers

By now I've established that powerful deceivers pose a conceptual challenge for Public Reason Liberalism. Even if one accepts this, one might reject that powerful deceivers pose any practical challenge. It is therefore important to show that some individuals or groups act as powerful deceivers and manipulate others for their own ends.

To establish this claim, I consider three factors that plausibly contribute to people becoming deceived and describe a realistic scenario in which this happens. The first factor is the *expert identification problem*. This is the problem of determining who is a trustworthy expert regarding issues about which one is not an expert [Goldman 2001; Anderson 2011]. Second is *information overload*, which happens when the information relevant to forming a belief about an issue exceeds a person's capacity to adequately assess it, thereby making her vulnerable to a deceiver's simplifications [Goodin 1980: 39, 58-61]. And third, *undercutting inoculation* occurs when a deceiver discredits rivals to undermine confidence in their claims [Hughes et al. 2014: 328].

When at least these three factors are present during a person's belief formation, she can be rationally and reasonably deceived into believing that an otherwise justified rule is

⁵ This is the case for both Watson and Hartley [2018: 80-2] and Quong [2011: 2], even though these authors favor views of Public Reason Liberalism that radically idealize the justificatory constituency.

unjustified – not only in the sense that there is insufficient reason to accept it, but in the stronger sense that no reasonable balance of public values supports the rule. The following case shows how this could happen:

Vicky and the Correctarians. Vicky does her best to be a good citizen while balancing responsibilities to her spouse, children, friends, and job. She lives under a democratic government that acts consistently with Public Reason Liberalism and is herself a public reason liberal. She is also a lifelong member of a large social group called the Correctarians. Though Vicky associates with some non-Correctarians, most of her friends and family are Correctarians and she considers being a Correctarian part of her identity.

The views of the Correctarians are heavily influenced by a small number of leaders who have become corrupt. Suppose that the government proposes legislation that is supported by a reasonable balance of public values but that happens to undermine the Correctarian leaders' self-interest. The leaders respond by encouraging media figures to promote misleading news stories that no reasonable balance of public values supports the legislation. When others produce stories to correct this misinformation, the Correctarian leaders promote even more stories casting doubt on these corrections. They additionally spread misinformation that the experts responsible for the legislation are proposing it out of *their* self-interest. Finally, they fund badly conducted but credible-looking studies to make the empirical claims supporting the legislation seem disputed.

Now consider the situation from Vicky's perspective: She lacks the opportunity to learn first-hand that the Correctarian leaders are corrupt. When she sets out to form an opinion about the legislation, the quantity of information available overwhelms

her. She consults people in her Correctarian community because she lacks the time to adequately sort through it herself. They make a persuasive case that no reasonable balance of public values supports the legislation. Some of her non-Correctarian friends try persuading her otherwise. When she challenges the empirical claims supporting their arguments, they appeal to scientific authorities. In her own research, Vicky found academic reports contradicting these authorities and credible exposés detailing how they are corrupt. After weighing all her evidence, Vicky believes that no reasonable balance of public values supports the legislation.

Vicky is doing her best to be a good citizen and forms her beliefs in the same way as on many other issues, namely by relying on resources from her Correctarian community. Her belief that no reasonable balance of public values supports the legislation is nevertheless caused by misinformation spread by the Correctarian leaders.

Vicky and the Correctarians does not describe a real event. But it does reflect a mix of aspects that are common in documented cases of deception: Industries can suppress the uptake of research by spreading misinformation that makes it difficult to identify accurate scientific reports [Michaels 2008; Oreskes and Conway 2011; Harker 2015: ch. 10; O'Connor and Weatherall 2019: ch. 3]. Tobacco industries, for instance, manipulated scientific research to undermine belief that smoking causes cancer [Michaels 2008: ch. 7; Oreskes and Conway 2011: ch. 1, 244]. Furthermore, political leaders and media figures use information overload to influence public opinion [Paul and Matthews 2016; Tavernise and Gardiner 2019; Illing 2020]. On the 28th of March 2020, Brazilian President Jair Bolsonaro publicly characterized the enforcement of Coronavirus lockdowns by local officials as “a crime” [Simões and Stargardt 2020]. This generated a surge of misinformation on social media and widespread public resistance to health measures combating the pandemic [Soares et al.

2021: 1, 4-5]. And finally, attacks meant to undermine trust in rival epistemic authorities are a staple of political misinformation [McKay and Tenove 2020: 6]. Claims by former US president Donald Trump and his supporters that the 2020 election was stolen contributed to distrust in electoral systems and the prevalent belief among Republicans that the inauguration of his successor, Joseph Biden, was illegitimate [Frenkel 2020].

My point is not that these examples consist in the deception of large numbers of reasonable and rational people. Deception might work in the vast majority of cases by exploiting people's ill-will and negligent ignorance. My point is rather that it is extremely implausible that deception has never tricked at least some reasonable people into believing that an important political act is unjustified similar to how the Correctarian leaders have tricked Vicky.

Nevertheless, the typical responses of public reason liberals to agent-type challenges cannot address the challenge posed by the Correctarian leaders. By intentionally creating a bad epistemic environment, the Correctarian leaders have caused Vicky to believe that no reasonable balance of public values supports the proposed legislation. Vicky is acting reasonably in forming this belief. Although she is disposed to cooperate on fair terms, she believes that the legislation is not fair. Vicky adheres to her own standards of reasoning in drawing this conclusion. A moderately idealized Vicky would not believe something different. She is also acting rationally in trusting her community to help her form her beliefs. In deferring to others, she did not alienate herself from her reasoning capacities. She did her best to assess the evidence on her own and to consider arguments on both sides. Perhaps Vicky would have reached a different conclusion if she cared less about her family, job, and attachments to the Correctarian community and spent more time researching. But this

version of Vicky would be radically different from her actual self. I have already said why radical idealization is not a convincing response to agent-type challenges.

A public reason liberal might object that what matters for the legislation's public justification is not whether people like Vicky now consider it justified but whether they would eventually consider it justified. Vicky believes the legislation is unjustified only because the Correctarian leaders are preventing her from reasoning "under conditions favorable to due reflection" [Rawls 2005: 119]. Surely – one might say – the Correctarian leaders cannot maintain these bad epistemic conditions, and Vicky will change her mind.

This claim is dubious. Neither endlessly re-examining our beliefs nor continually challenging others is always in our rational interest. At some point we simply have better things to do. In the case of Vicky, it is plausible that even if her conditions change to become favorable to due reflection, her beliefs about the legislation will persist. Its enactment could simply remain a contentious issue for her, a lamentable fact of life to which she begrudgingly resigns herself. Her friends who disagree have tried convincing her that she is mistaken. They will plausibly stop debating with her rather than risk their friendship by continually revisiting the issue.

But more importantly, this objection fails because how long powerful deceivers can maintain a person in bad epistemic conditions shouldn't matter for public justification. If it does, then the Correctarians could oblige the government to not enact the legislation by maintaining Vicky in bad epistemic conditions long enough. This result is wrong. Rules cannot become illegitimate simply by deceivers gaining enough power to trick people in the long run. Overall, the most obvious responses to cases like Vicky and the Correctarians come up short. Powerful deceivers pose a real challenge for Public Reason Liberalism.

5. Externalizing Public Reason Liberalism

Avoiding this challenge requires externalizing Public Reason Liberalism. This task demands caution. Introducing externalist considerations risks confusion given Public Reason Liberalism's current vocabulary. The notions of reasonableness, the Public Justification Principle, public justification, and the kinds of reasons associated with them need subtle yet significant revision.

Consider Vicky. She is described as responding to her epistemic environment like a reasonable person. Public Reason Liberalism portrays reasonable people as within the justificatory constituency. But avoiding the challenge of powerful deceivers requires that some government actions are legitimate even though they are not justifiable to her. This suggests that she is not reasonable after all.

We can clarify the situation with a distinction. Some public reason liberals already hold that reasonableness is a property with both internalist and externalist aspects. On the internalist side, reasonableness requires a disposition to respond rationally to internal facts. On the externalist side, reasonableness requires a commitment to particular values – for instance, an admissible conception of fair terms. Cases like Vicky and the Correctarians show that we must add a restricted epistemic externalism to this side: A person is fully reasonable only if unreasonable people have not inappropriately caused her beliefs. It would therefore not inordinately stretch current use of the term to say that a person is *internally reasonable* just when she has all the internalist aspects of reasonableness and is *externally reasonable* just when she has all the externalist aspects of reasonableness. The legitimacy of a government's act requires that it is justifiable only to persons who are both internally and externally reasonable in their relevant beliefs about that act. Acts of the

government that the Correctarian leaders have caused Vicky to consider unjustified can nevertheless be legitimate because she is reasonable internally but not externally.

I don't expect this change to satisfy public reason liberals. That the law is legitimate suggests that it is publicly justified. But saying the law is publicly justified conflicts with the basic idea of public justification as motivating compliance with rules by making them acceptable to reasonable perspectives that may be objectively incorrect. Although Vicky's perspective is mistaken, she holds it reasonably through doing her best to form her opinions and to cooperate on fair terms. She is motivated to comply with the law not because it is acceptable from her perspective but for other reasons, which may include fear of the consequences of non-compliance. Imposing the law on her consequently seems morally regrettable. And because the law is not adequately supported by facts internal to her perspective, all the grounds of public justification that allegedly explain this sense of regret are undermined. For these reasons, it seems that the law is not publicly justified to Vicky given how public reason liberals characterize this notion.

Minimally revising public reason liberalism to avoid this problem requires preserving public justification's close relation to both legitimacy and the basic idea of acceptability to reasonably held perspectives that may be objectively incorrect. I suggest that this can be done by adopting the *relationship model of public justification*.⁶ Let us continue to use 'public justification' to denote the public good consisting of the morally important relation that ought to hold between the government, the rules it imposes, and the public on which it

⁶ My intention in calling this the relationship model is not to suggest that public justification is the relationship of civic friendship, about which I am agnostic. I am merely suggesting that we gain insight into public justification by thinking of it as like a relationship, even if – all things considered – it is not.

imposes them. Like a relationship, its preservation requires both parties to do their part. To say a person is internally reasonable is to say that she is doing *her part* to preserve public justification. To say a government's act satisfies what we are currently calling the Public Justification Principle is to say that the government is doing *its part* to preserve public justification. But as with many relationships, the preservation of public justification can be threatened even if both parties are doing their part. Just as a third party, by spreading rumors of infidelity or betrayal, can destroy a marriage or friendship between two persons who are doing their part to preserve these relationships, a third party can destroy the relation of public justification by similar means.

I assume public reason liberals are correct that a rule is legitimate only if the government fulfills its duty to preserve their favored morally important ground while imposing it. I also assume public reason liberals are correct that these alleged grounds cannot be preserved without public justification and that this requires acceptability to internally reasonable perspectives. A rule is consequently legitimate only insofar as the government does its part to preserve the rule's public justification. To better express these claims, let us rename the 'Public Justification Principle' the 'Legitimacy-Justification Principle.' On the view I am proposing, this principle is stated as follows:

Legitimacy-Justification Principle. A rule imposed by the government is legitimate only if it is justifiable to every (moderately idealized) person who is both internally and externally reasonable on whom it is imposed.

Returning to the case of Vicky, it is appropriate to say the legislation she is deceived into considering unjustified is nevertheless legitimacy-justified. The government has a duty (not merely *pro tanto* reason) to act in accordance with the legitimacy-justification principle. Since it has fulfilled this duty, the government acts permissibly in requiring Vicky to adhere

to the legislation and in using some degree of coercion to force her compliance.⁷ At the same time, it is also appropriate to say the legislation is not publicly justified to her.

‘Public justification’ now denotes the morally important relation consisting of the government’s act being justifiable to all persons as a result everyone’s cooperation, including third parties, to preserve the morally important grounds. So, the public reason liberal is absolutely right that it is regrettable to impose legislation on people like Vicky because of a failure of public justification. It is just that in such cases neither the government nor the internally reasonable public are responsible for this failure. It is rather powerful deceivers who cause Vicky to consider the legislation unjustified.

But what is the relation I now call public justification? This is still an open question. Because the government’s legislation is not publicly justified when imposed on someone like Vicky, public justification requires fulfilling an internalist condition. However, the challenge of powerful deceivers additionally shows that public justification requires fulfilling an externalist condition. Public justification is overall a hybrid of both kinds of conditions, and failure of either one constitutes a regrettable loss of an important public good.⁸

We can see this by considering further ways that powerful deceivers can trick people. We have so far considered just one: powerful deceivers can trick people into believing the government is not doing its part to preserve public justification even though it

⁷ In other words, Vicky is not within the justificatory constituency of this legislation because she is deceived. Yet she is within the justificatory constituency of all other rules about which her beliefs are both internally and externally reasonable.

⁸ I provide additional and independent reason to adopt this hybrid view in Donahue [2020]. That work is pitched at the level of ideal theory, however, and does not argue for the relationship model or revising the notions of reasonableness and the justificatory constituency.

is. But deceivers can also trick people into believing the government is not doing its part when it is not doing its part, into believing it is doing its part when it is doing its part, or into believing the government is doing its part when it is not doing its part.

The first two cases occur when an attempt to deceive steers people towards having correct beliefs. In this respect, they are similar to cases of ‘veridical hallucination’ in epistemology. Although these cases are theoretically interesting, I assume they are rare and not worth investigating here. But cases in which powerful deceivers cause people to believe that the government is doing its part when it is not deserve further attention.⁹

On the relationship model, public justification happens when the government and the public each do their part. So, if internally reasonable members of the public are tricked into believing the government is doing its part to publicly justify a rule when it is not, the relationship model entails that the rule is not publicly justified. This is what we should expect. That intentional deception might contribute to a rule’s legitimacy is just as absurd as that it might detract from it. Let’s see which alleged moral grounds for public justification are consistent with this result.

Consider justice and respect: If a person is tricked into believing that the government is doing its part when it is not, then she will not in fact share a standpoint with the government from which she can view its actions as acceptable or see it as acting on reasons she can likewise endorse. Consider autonomy and co-authorship: Someone tricked might think the government is acting or involving her in projects on the basis of reasons she could

⁹ Such cases plausibly arise – to give one example – when governments use propaganda to persuade the public to accept unjust military interventions. See Lewandowsky et al. [2013: 488-93].

will herself or endorse, but this not in fact the case. The reasons a deceived person thinks exist do not exist. So, public justification fails according to these grounds.

Now consider stability, civic friendship, and social trust: Tricking persons to perceive political authority as acceptable seemingly improves each of these relations in some respect. Those deceived are less likely to object to the authority and more likely to trust and cooperate with it. Indeed, creating something like these goods is often a reason why deception is attempted. Considerations of accountability practices are also upheld. This is because deception can give a person sufficient reason to accept a rule that is reflectively accessible from her perspective.

This division reveals a problem for these latter grounds. Public justification fails regardless of whether powerful deceivers trick people into believing the government is not doing its part when it is or trick people into believing the government is doing its part when it is not. A ground that purports to explain why a failure of public justification is wrong should explain why it is wrong in either case. The grounds of justice, respect, autonomy, and co-authorship consequently seem to provide better explanations of the moral importance of public justification than stability, civic friendship, social trust, and considerations related to accountability practices.

There is, however, a fairly obvious reply, one that proponents of stability may already have in mind. Public reason liberals often say that *mere stability* is not important for public justification but rather *stability for the right reasons* [Rawls 2005: 133-4; Quong 2011: 164]. The social relations between the government and a public deceived into believing that its acts are justified may be stable, but they will not be stable for the right reasons. Similarly, proponents of civic friendship and social trust could say that friendly or trusting relations between citizens and the government matter only when they exist for the right reasons,

where what ‘right reasons’ are is incompatible with deception.¹⁰ And those who appeal to accountability practices could say that persons sometimes have sufficient reason to accept a rule even though they cannot access it through a reasonable amount of reflection and deliberation.

Yet note where this reply leaves us. To avoid explanatory asymmetry, the right reasons in question must have an externalist character. Although people may be deceived into thinking the government is justified by acting for the right reasons, the public reason liberal must say it is not in fact justified. But the public reason liberal will then be using what Van Schoelandt [2015: 1033] has called an impersonal justification, one that “appeals to the true or genuine reasons that apply to the subjects” regardless of whether those subjects can be expected to recognize those reasons. This is a further way in which the challenge of powerful deceivers supports externalizing Public Reason Liberalism. It is also one that makes sense on the relationship model: Someone can turn out to not be your friend even though they seem to be.

6. Objections and Replies

Perhaps some readers will acknowledge the challenge of powerful deceivers but consider the response of externalizing Public Reason Liberalism too drastic. Contemporary scholarship on public reason liberalism largely originates from John Rawls’ *Political*

¹⁰ Ebels-Duggan [2010: 55] seemingly presupposes a ‘right reasons proviso’ in requiring that the cooperation constitutive of civic friendship be free of manipulation. Leland and van Wietmarschen [2017: 159-160] require cooperation to be based on a shared view of what is beneficial. Because persons can share a view of what is beneficial for the wrong reasons, it is not obvious that they also endorse such a proviso.

Liberalism. What many consider the theory's distinguishing feature on Rawls' description is that it seeks neutrality in its claims about contested philosophical views. Externalizing Public Reason Liberalism seemingly introduces contested views, in particular contested epistemological ones like process reliabilism.

Externalizing Public Reason Liberalism nevertheless does not require endorsing contested epistemological views. Public reason liberals can be neutral on whether an internally reasonable person who has been deceived into believing that a rule is justified is *epistemically justified* in holding this belief. She need only say that such a person's belief is not justified in a way that contributes to the rule's being *publicly justified*. She will thereby respond as public reason liberals typically do when they must use contested concepts such as 'truth', 'respect', and 'justification'. This is to acknowledge that these concepts come with various conceptions but to bracket those that are not absolutely necessary for their theorizing.¹¹ People commonly acknowledge that our beliefs can be rational but mistaken because of external circumstances. A political philosophy unable to take such errors into account would be so restrictive that it could not say much of anything important.

Alternatively, one might worry that externalizing Public Reason Liberalism removes any significant distinction between the theory and its competitors, in particular a comprehensive perfectionist liberalism. Proponents of this kind of liberalism hold that a political philosophy ought to be based on a comprehensive conception of the good and that

¹¹ Philosophers who make this move with respect to truth include Cohen [2009] and Quong [2011: ch. 10]. Larmore [2008: 149 fn. 20] says something similar about the concept of respect as does Vallier [2014: 104] concerning justification.

governments can legitimately impose rules that sufficiently promote this good, even if some people reasonably consider them unjustified [Quong 2011: 19-20].

An externalized Public Reason Liberalism does resemble a comprehensive perfectionist liberalism in some respects. Rules can be legitimately imposed on some reasonable people to whom they are unjustified, namely deceived people who are merely internally reasonable. Public reason liberals also can no longer claim a lack of externalist considerations as a distinguishing feature of their theory. However, the significant similarities end there. An externalized Public Reason Liberalism does not collapse into a comprehensive perfectionism.

Although fully defending this claim requires another paper, the following sketch makes it at least plausible. The Legitimacy-Justification Principle allows imposing rules against the objections of reasonable people only when these objections are based on beliefs that have been inappropriately caused by powerful deception. It requires deference to the same objections when they are the outcome of the sincere attempt by reasonable people who have not been deceived to pursue their conception of the good, even if this is not the actual good. An externalized Public Reason Liberalism is therefore content-neutral to a greater degree than comprehensive perfectionism and still places a significant constraint on government action.

This content-neutral distinction between objections is moreover defensible. In liberal societies, reasonable disagreement is a foreseeable consequence of the sincere attempt of people to form and pursue a conception of the good. The considerations that public reason liberals have offered convincingly explain why rules should not be imposed against disagreement that is both internally and externally reasonable. But powerful deception is not a foreseeable consequence of the sincere attempt to form and pursue a

conception of the good. Powerful deceivers are culpable for their deception, having intentionally or negligently flouted public norms of communication.¹² It is therefore appropriate to expect reasonable people to accept one standard of treatment for cases where they are deceived and another standard when they commit unforced error while sincerely pursuing the good. The terms of such treatment – the general criteria for deciding when deception inappropriately causes a belief, for instance – is up to reasonable people to freely choose among themselves. Overall, externalized Public Reason Liberalism forbids imposing rules merely because they are good; they must also be justifiable to all who are internally and externally reasonable.

Finally, one might observe that I am not the only advocate of substantially revising the Public Justification Principle because of agent-type challenges. Chad Van Schoelandt

¹² One might wonder if other varieties of deception are compatible with public justification. First, a person could paternalistically deceive others by manipulating them to hold beliefs that she sincerely thinks are correct. Second, a person could genealogically deceive others by herself being rationally deceived into holding a belief and then causing others to share it through sincere communication. Third, a person could accidentally influence others to hold beliefs for reasons they would reject. Since it is typically impractical to display all the reasons for our actions, a person could impose a rule on the basis of reasons she sincerely believes others could accept but that they actually would reject. I think that in each case compatibility with public justification depends on the public civic virtue of testifiers. Paternalistic deception is incompatible with public justification because it involves disrespecting the freedom public reason liberals think others have to form their own views. Genealogical deception is likewise incompatible with public justification so long as it is strongly based on the testimony of deceivers. Accidental deception (if I may call it that) is possible as an inadvertent side-effect of the sincere attempt to communicate about complex political issues. I therefore view it as compatible with public justification provided that the accidental deceiver communicates with appropriate public civic virtue. Defending these claims exceeds the scope of this paper, but I am developing them in work in progress.

[2015: 1042] argues that public reason liberals must respond to the challenge of principled illiberal dissenters by ceasing to view public justification as a necessary condition for legitimacy. His view is that public justification instead plays an essential role in treating people as free and equal co-members of a moral community. We disrespect others when we demand they adhere to moral rules that are not justifiable to their perspectives, where the relevant sense of 'justification' is internal [ibid.: 1042-3].

My view is distinct from Van Schoelandt's in several important ways. It retains a connection between legitimacy and public justification in the face of agent-type challenges via the Legitimacy-Justification Principle. By contrast, Van Schoelandt [ibid.: 1042, 1045] advocates "downgrading" public justification to one moral good that must be weighed against others. My view also makes an externalist condition essential to public justification. A central motivation Van Schoelandt [ibid.: 1041] offers for his view is that it preserves a purely internalist conception of public justification. The challenge of powerful deceivers calls this motivation into question. Persons can also be deceived into believing that moral rules are justified when they in fact are not.¹³ It is not clear whether Van Schoelandt would accept that deception contributes to the public justification of moral rules. If he does, this seems a large bullet to bite. But if he does not, it can only be because an external, impersonalist sense of justification is relevant to public justification, thereby undermining a central motivation for his view.

¹³ Deception of this kind often occurs when a potential change in social morality threatens the interests of some individuals. A case in point is the disinformation associated with changes in moral norms concerning homosexuality in the United States. For examples, see Schlatter and Steinbeck [2011].

7. Conclusion

It is understandable why public reason liberals would resist the idea of externalizing their theory. Public Reason Liberalism is presented as a philosophy that is compatible with toleration and respect of diverse perspectives that may be objectively incorrect. To say a person's objections to a rule can be dismissed because of how her belief was caused sounds as if she can be dismissed merely because she is wrong. However, the challenge of powerful deceivers shows that public reason liberals must take a more nuanced attitude towards externalist considerations.

Thinking of public justification as a relationship suggests why there is still much to regret when someone's objections are dismissed because of externalist considerations. The kinds of deception we see in contemporary democracies create a real failure of public justification. From this perspective, raising the specter of powerful deceivers does not merely force public reason liberals into making troublesome revisions to their theory. Rather, it suggests they have something distinctive to say about why deception is wrong: It undermines the morally important relation of public justification that public reason liberals have argued deserves preservation all along.¹⁴

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