

## A Knowledge Problem for the Civic Friendship View of Political Liberalism

### 0: Introduction

The ethic of citizenship expressed in John Rawls's *Political Liberalism* is derived from a foundational commitment to what Rawls calls the *criterion of reciprocity*. The criterion of reciprocity is a moral duty for citizens of liberal democracies. It says that citizens are required to only use their political power in ways that they *reasonably believe* could be *reasonably accepted* by their fellow citizens (Rawls 2005, p. xlii).<sup>1</sup>

In light of what Rawls called “the fact of reasonable pluralism” – the thesis that in liberal democracies, reasonable disagreement on morally and politically important matters is inevitable – the criterion of reciprocity places a stringent constraint on how I may use my political power (36-38). Suppose that I have the ability to use my political power to influence my society to adopt a certain political rule. The criterion of reciprocity forbids me from using my political power to support this rule if I do not reasonably believe that the rule could be reasonably accepted by my co-citizens.<sup>2</sup>

The stringency of this constraint raises questions about what reasons there are to comply with the criterion of reciprocity. In many cases, a political rule that could not be the object of reasonable consensus has the most merit on other grounds. What about reasonable consensus is

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<sup>1</sup> Additionally, citizens must sincerely believe that the reasons they cite are shareable and that these reasons genuinely justify the rule the citizen supports (see Rawls 2005, pp. xlv, xlviii, liii-liv, 241, 446-447).

<sup>2</sup> Note that different theorists have different ideas about which types of political rules are subject to the criterion of reciprocity. Some hold that the requirement applies whenever I use my political power to support any type of political rule, while others hold that the requirement only applies to cases where I would support the adoption of certain types of rules, such as the essentials of the constitution governing our political community or what Rawls calls the “questions of basic justice,” which are the features of society which influence the distribution of certain important goods such as wealth, positions of power, etc. (see Rawls 2005, p. 215 and pp. 228-229). All of the arguments I make throughout will succeed even on a more restrictive understanding of when the criterion of reciprocity applies – see n. 15 for further discussion. See also Quong 2011, Ch. 9 and Neufeld 2022, pp. 29-30 for further discussion of what counts as a constitutional essential or a matter of basic justice.

important enough to forbid me from using my political power to support the rule which is best in other ways?<sup>3</sup>

Some defenders of the criterion of reciprocity have answered this question by appealing to the value of *civic friendship*; a relationship in which the participants exercise a valuable kind of collective agency over the rules under which they live (Ebels-Duggan 2010, Lister 2013, Leland and Van Wietmarschen 2016, Neufeld 2019, Leland 2019, and Neufeld 2022).<sup>4</sup> These authors argue that standing in a relationship of civic friendship with you is only possible if we both abide by the criterion of reciprocity with respect to each other. These arguments purport to show that the value of civic friendship supports moral reasons to comply with the criterion of reciprocity.

The aim of this article is to show that civic friendship cannot support weighty reasons to comply with the criterion of reciprocity. My argument to this effect depends on the reciprocal nature of civic friendships; I can only have a relationship of civic friendship with you if we both fulfill the requirements of that relationship with respect to each other. This means that citizens only have reasons of civic friendship to abide by the criterion of reciprocity when they have justified confidence that their co-citizens will reciprocate (see Lister 2013, p. 121, van Wietmarschen and Leland 2016, pp. 12-13, Neufeld 2019, pp. 781-786, and Neufeld 2022, pp.

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<sup>3</sup> Compare Rawls's discussion of "the paradox of public reason" (Rawls 2005, pp. 216-220).

<sup>4</sup> Neufeld 2022 uses the term "civic friendship" in a way that is different than the way I will be using it in this paper. He calls the valuable relationships of collective agency that I call "civic friendship" the relationship of "constituting a civic people" (see Ch. 2). He writes that those who constitute a civic people enjoy a valuable kind of collective autonomy and enjoy a valuable relationship which he calls "civic friendship" (78). That is, Neufeld uses the term "civic friendship" to refer to a relationship that is only possible between citizens who enjoy collective agency with each other, rather than using the term "civic friendship" to refer to the relationship of collective agency itself. Since others use the term "civic friendship" to refer to the relationship of collective agency, I will follow their lead; so those familiar with Neufeld's view should note that I will use the term "civic friendship" to refer to what he calls "constituting a civic people."

51-58).<sup>5</sup> I argue that we generally lack knowledge of what others would be reasonable to believe, and this precludes us from assessing whether others are complying with the criterion of reciprocity. Since we only have reason to do our part in forming civic friendships if we have reason to believe that others will reciprocate, that we generally lack knowledge of whether others are complying with the criterion of reciprocity means that we will rarely have strong reason to comply with the criterion of reciprocity. Call this *the knowledge problem* for civic friendship.

Section 1 of this paper articulates the knowledge problem. Section 2 responds to objections. And section 3 concludes by articulating ways the civic friendship view could be developed to respond to my arguments.

### 1: The Knowledge Problem:

Section 1 articulates the main argument of this paper. In section 1.1, I discuss general facts about what citizens can know about what information other citizens have. In section 1.2, I argue that these facts prevent citizens from assessing whether others are complying with the criterion of reciprocity. And in section 1.3, I argue that this shows that the moral reasons from civic friendship to comply with the criterion of reciprocity will rarely be strong enough to outweigh moral reasons against complying with the criterion of reciprocity.

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<sup>5</sup> Lister (2017) defends a version of the civic friendship view of political liberalism which holds that one need not have justified confidence that other citizens reciprocate in order to have reasons to comply with the criterion of reciprocity. He does this by defending a concept of reasonableness on which all reasonable points of view accept the criterion of reciprocity (170). On this view, he argues, one can always know that one's compliance with the criterion of reciprocity with respect to reasonable points of view is reciprocated, as a reasonable person definitionally complies with the criterion of reciprocity with respect to other reasonable people. There is thus no need to have confidence that one's co-citizens are complying with the criterion of reciprocity in order to have confidence that your own compliance will be reciprocated (171). The arguments in this article do not apply to Lister's view; they only apply to views which hold that empirical evidence can make a difference to whether you have justified confidence that your compliance with the criterion of reciprocity will be reciprocated. Whether his view is correct depends instead on the appeal of his concept of reasonableness, a matter on which this article will not take a position.

## 1.1: The Fact of Opaque Evidence

The criterion of reciprocity is meant to apply to large scale liberal democracies (Rawls 2005, pp. 35-39). An important general fact about large-scale liberal democracies is that their citizens are not usually able to know most facts about which pieces of evidence other citizens have.<sup>6</sup> Call this the *fact of opaque evidence*.<sup>7</sup>

Reflection on what you are in a position to know about strangers should make it clear that the fact of opaque evidence is true. Consider what you know about the evidence that fellow citizens of your country have. Given that you are not personally acquainted with most of these people, you won't be able to know most facts about what evidence they have. To be sure, you may know some very general facts about what evidence almost every adult living in your society has (e.g. in virtue of their knowledge about how to live everyday life or widely understood cultural or political traditions). And you might be able to know something about how people from different groups tend to have different evidence. But beyond these generalities, it is difficult to come to know much about other people's evidence.

One could object that the fact of opaque evidence is not true because people may share their evidence with each other. Perhaps I am able to know what a stranger's evidence is because if I asked them about it, they could tell me.

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<sup>6</sup> It is controversial what "evidence" is. My arguments will rely only on the following two truisms about evidence. First, people with different evidence may be justified in believing different things. Second, people who know different facts and who have had different experiences will have different evidence as well.

<sup>7</sup> I intend with this nomenclature to allude to the various general "facts" (e.g. "the fact of reasonable pluralism," "the fact of oppression") that Rawls claims hold generally in liberal democracies (see Rawls 2005, pp. 36-38). I claim that the fact of opaque evidence is a general and persistent fact about large-scale liberal societies, and so the moral principles articulated for these societies ought to be held accountable to it.

In reply to this objection, I contend that we are very often not able to communicate our evidence with each other. One simple reason why is that most are not able to ask many others about their evidence in a large-scale society. Consider the number of people in your country who are total strangers to you and that you would not be able to get in contact with even if you tried. And even if I could ask any given individual in society about their evidence, I would not be able to ask all of them – this would take a titanic amount of time and energy.<sup>8</sup>

Even when we are able to ask others about their evidence, it is often not possible for them to share knowledge about it with us. For instance, experts in a technical field will have gathered a large amount of evidence over the course of their training, and this evidence cannot easily be communicated to a layman. And even those who do not have any formal expertise may have accumulated large amounts of evidence through their life experiences that may be difficult to communicate to others.

## 1.2: Evidence and Reasonable Belief

Call evidence about which knowledge cannot be widely shared *private evidence*. What I've been calling the fact of opaque evidence is just the fact that much of the evidence possessed by citizens of large scale liberal democracies is private in this sense.

How does the fact of opaque evidence bear on the civic friendship account of our moral reasons to abide by the criterion of reciprocity? Recall:

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<sup>8</sup> We might think that we could ask a small sample of people and then use techniques of statistical inference to judge what evidence the population of which they are a part has, just as pollsters do to estimate public opinion. Of course, the time, energy, and expertise this would take is still beyond the reach of most citizens.

1. The criterion of reciprocity requires that each individual only use their political power in ways which they reasonably believe that all other reasonable people could accept.

Furthermore,

2. I only have reasons from civic friendship to comply with the criterion of reciprocity to the extent that I have justified confidence that others will comply with the criterion of reciprocity as well.

A corollary of claims 1 and 2 is

3. I only have reasons from civic friendship to comply with the criterion of reciprocity to the extent that I have justified confidence that others will use their political power in ways which they reasonably believe that all other reasonable people could accept.

Claim 3 raises a question; when can I have justified confidence that others will act in ways that they reasonably believe other reasonable people could accept? Attaining justified confidence in this claim requires assessing certain of their beliefs for reasonableness. If I act in a way that I unreasonably believe others could reasonably accept – perhaps because I dogmatically believe that any reasonable person can see that my own views are correct – then I do not succeed in complying with the criterion of reciprocity. Attaining justified confidence that others are complying with the criterion of reciprocity thus requires assessing whether their beliefs about what others could reasonably accept are reasonable themselves.

The fact of opaque evidence will generally prevent people from forming a justifiable or reasonable belief that the beliefs others are acting on are themselves reasonable. To see why this is true, we need to discuss what makes a belief reasonable in more detail.

Rawls holds that beliefs are reasonable to the extent that they are supported by the reasons “issuing from a procedure that correctly formulates the principles of practical reason in union with appropriate conceptions of society and person” (111).<sup>9</sup> Rawls calls the part of these principles that governs beliefs “the guidelines of inquiry” (224). These are the “principles of reasoning and rules of evidence in the light of which citizens are to decide whether substantive principles properly apply and to identify laws and policies that best satisfy them” (224). A belief is reasonable to the extent that it meets the standards set by these guidelines (225-226).

Assessing whether other citizens are complying with the criterion of reciprocity requires assessing whether they are acting on reasonable beliefs; so, assessing whether other citizens are complying with the criterion of reciprocity requires assessing whether the beliefs about what others may reasonably accept they are acting on are permitted by the guidelines of inquiry.<sup>10</sup>

How the fact of opaque evidence affects our ability to assess whether others are complying with the criterion of reciprocity thus depends on the relationship between the guidelines of inquiry and our private evidence. If the guidelines of inquiry require us to use private evidence in forming our beliefs, then my private evidence will make a difference to what beliefs the guidelines of inquiry permit for me. And if your private evidence can make a

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<sup>9</sup> Note that Rawls allows that I may comply with the criterion of reciprocity by acting on beliefs which are supported by some of these reasons, even if they are not the all-things-considered best supported beliefs (226-227, 246-247, 445-447). These beliefs are less reasonable than the beliefs which are best supported by these reasons, but they are still reasonable enough for me to count as discharging the duty when I act on them.

<sup>10</sup> Of course, in light of the sincerity requirement (see n. 1), citizens may also need to figure out whether other citizens sincerely believe that their use of political power could be reasonably accepted by others. This seems to raise problems for citizens’ abilities to assess whether others are complying with the criterion of reciprocity, as it is difficult to tell whether another person sincerely believes that their use of political power is best justified by the considerations that their co-citizens could reasonably accept. Much of the literature on the so-called “assurance problem” is devoted to addressing this issue (see e.g. Weithman 2011 Chs. IX and X, Hadfield and Macedo 2012, Weithman 2015, and Wong and Li 2024). The arguments I put forth here do not depend on the claim that we cannot verify if the sincerity requirement is being fulfilled, although those unpersuaded by these solutions to the assurance problem may find in the sincerity requirement another reason to believe that we cannot usually assess whether others are complying with the criterion of reciprocity with very much confidence.

difference to which beliefs the guidelines of inquiry permit, then citizens will often need to know about each other's private evidence in order to tell whether others are supporting only rules that they reasonably believe others could reasonably accept. As a result, citizens will often not be able to know whether others are complying with the criterion of reciprocity. We can illustrate this point with the following vignettes:

Expertise: An economist accepts a certain economic policy R bearing on the distribution of wealth in society. She believes that R could be reasonably accepted even by those most disadvantaged by it. Her belief to this effect is supported partially by her understanding of a complex collection of social scientific theory and data. An economic layman comes to wonder whether the economist is abiding by the criterion of reciprocity in supporting R. However, it is practically impossible for him to come to understand even a small part of the evidence the economist bases her beliefs on, because understanding it would take years of hard study. As a result, the layman cannot come to know if the guidelines of inquiry permit the economist to believe that R could be reasonably accepted by those disadvantaged by it.

Experience: John is a member of a minority ethnic group. He has had several experiences of being discriminated against because of his group membership. Because of the evidence he has as a result of these experiences, John comes to believe that some rule R for ameliorating discrimination could be reasonably accepted by all, and so he decides to support R. Annette is a member of a different ethnic group. She has not been exposed to the testimony of these other group members, and so does not possess this experiential evidence. As a result, she does not believe that R could be reasonably accepted, as she believes it to impose great costs without any



corresponding gain. Upon learning that John accepts R on the basis of his experiences of discrimination, she decides to talk to him about these experiences. However, their wildly different presuppositions about the topic makes it difficult for Annette to fully understand John – they have a frustrating conversation and Annette fails to come to know about the evidence John got from his experiences. John cannot tell if Annette has failed to receive his evidence because she is being stubborn or if she is genuinely permitted by the guidelines of inquiry to discount his testimony in light of the body of evidence that she possesses.

There are many reasons that one's evidence may be private. In general, any individual example of private evidence may not be present in all feasible liberal democracies – for instance, perhaps it is feasible for some liberal democracies to achieve equality in one's level of educational attainment and justice in how different ethnic groups are treated. However, it is not feasible for any large-scale liberal democracy to avoid reliance on an epistemic division of labor or to prevent citizens from having widely varying life experiences. These general facts are what bring about the pervasiveness of private evidence, not any of the particular facts I've focused on for the sake of example.

Recall claim 3 at the beginning of this section: I only have reasons from civic friendship to comply with the criterion of reciprocity to the extent that I have justified confidence that others will use their political power in ways which they reasonably believe that all other reasonable people could accept. The fact of opaque evidence shows that it is difficult to obtain justified confidence that others are complying with the criterion of reciprocity. So, in light of the fact of opaque evidence, we should expect the reasons citizens have to comply with civic friendship from the criterion of reciprocity to be fairly weak.

### 1.3: The weight of civic friendship

The arguments thus far raise a question; just how weak should we expect the reasons from civic friendship to be? Even if everything I have said above is true, might the value of civic friendship still justify complying with the criterion of reciprocity in many cases?

Even given the fact of opaque evidence, there will be some cases where civic friendship justifies complying with the criterion of reciprocity. One reason for this is that although private evidence is common, there are still many cases where we can know about others' evidence. I stipulated that the economist could not share the evidence that supported their view in Expertise, but there will also be many cases where experts can successfully communicate the evidence they are relying on to laymen in a non-technical fashion. And I stipulated that in Experience, Annette did not acquire the contents of John's testimony as evidence. But there may be similar cases where the person in Annette's position does succeed in understanding the testimony of the person in John's position.

Additionally, people may be able to achieve fairly high confidence that others have succeeded in complying with the criterion of reciprocity by noting that they have complied with the criterion of reciprocity in the past. I also could receive reliable testimony to the effect that others are complying with the criterion of reciprocity. These methods of coming to know about whether others are complying with the criterion of reciprocity do not require that I know about your private evidence.

For these reasons, my arguments thus far do not establish that reasons from civic friendship can never justify complying with the criterion of reciprocity. However, they do show that the value of civic friendship will often fail to outweigh the comprehensive moral reasons citizens often possess. If the primary reason for complying with the criterion of reciprocity

instead of acting on one's comprehensive moral reasons is so that one can attain civic friendship, morally conscientious citizens will act on their comprehensive reasons if the prospect of attaining civic friendship is doubtful. The idea that civic friendship provides the primary moral reason for complying with the criterion of reciprocity thus cannot support a view on which the criterion of reciprocity usually outweighs one's comprehensive moral reasons.<sup>11</sup> But it could support a more modest view of the criterion of reciprocity, on which morally conscientious citizens often disobey it when it conflicts with their comprehensive moral doctrines.

It is important to note that conclusion about the weight of the criterion of reciprocity does not strictly contradict what proponents of the civic friendship view have said. Neufeld (2019, 2022) does not explicitly discuss the weight that the criterion of reciprocity has, and Lister (2013, pp. 128-129) says that it is consistent with his view that the criterion of reciprocity may be outweighed by other moral reasons on some occasions. Furthermore, Kyla Ebels-Duggan (2010) and R.J. Leland (2019) have both outright defended "permissive" views of the criterion of reciprocity, on which certain strong moral reasons can outweigh complying with the criterion of reciprocity.

My conclusion is critical of civic friendship in the sense that it diminishes its importance for giving us reason to comply with the criterion of reciprocity. However, it is not critical of civic friendship in the sense of contradicting what authors who have defended accounts of the weight of public justification in terms of civic friendship have said, though it does show that civic friendship is less weighty than one may have initially thought upon reading these authors.

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<sup>11</sup> For example, civic friendship cannot by itself support Rawls's view that the criterion of reciprocity "normally outweighs" conflicting considerations (Rawls 2005, p.139 and pp. 156-157).

## 2: Objections

We can summarize the argument I have given as follows:

1. In societies where the fact of opaque evidence obtains, individuals cannot normally assess whether others are complying with the criterion of reciprocity.
2. If individuals cannot normally assess whether others are complying with the criterion of reciprocity, then the reasons from civic friendship to comply with the criterion of reciprocity do not normally outweigh reasons against complying with the criterion of reciprocity.
3. In large-scale liberal democracies, the fact of opaque evidence obtains.

Conclusion: In large-scale liberal democracies, the reasons from civic friendship to comply with the criterion of reciprocity do not normally outweigh reasons against complying with the criterion of reciprocity.

In what follows, I will answer objections to premises 1 and 2.

### 2.1 The guidelines of inquiry and private evidence

Thus far, the argument has proceeded on the assumption that which beliefs the guidelines of inquiry permit for a given person depends on the private evidence that person has. However, it is not clear that the best understanding of the guidelines of inquiry will have them be sensitive to private evidence. Perhaps we should instead endorse guidelines on which private evidence never provides reasons admissible for counting a belief as reasonable or not. A simple example of this type of view is one on which the guidelines of inquiry only permit reasoning from evidence that can be shared with all other citizens.<sup>12</sup>

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<sup>12</sup> What position did Rawls take on the sensitivity of the guidelines of inquiry to private evidence? I am not sure. Rawls did say that the guidelines of inquiry enjoin us to “appeal only to presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial” (224). The thought that we should avoid appealing to controversial beliefs or modes of reasoning suggests that the guidelines of inquiry are sensitive only to evidence that all citizens share. However, it sometimes requires scientific expertise to know what a particular method or conclusion of science says and whether it is controversial. This

At first glance, this view seems to entail that we don't need to know about other citizens' private evidence in order to assess whether their support of a given rule is permitted by the criterion of reciprocity.<sup>13</sup> This is a challenge to premise 1 of this article's argument; which, recall, states that the fact of opaque evidence normally prevents citizens from assessing whether others are complying with the criterion of reciprocity.

However, the fact that only non-private evidence matters to whether a belief is reasonable does not mean that I need to know about only non-private evidence in order to figure out whether another citizen's exercise of political power is permitted by the criterion of reciprocity. Suppose that I possess some evidence E and I notice that another citizen supports a rule which would not be deemed reasonable by the guidelines of inquiry if they knew E and if E were a piece of evidence that the guidelines of inquiry judged admissible. So, whether what they do is permitted by the criterion of reciprocity depends on whether E is private or not. Therefore, in order to assess whether what they do is permitted by the criterion of reciprocity, I need to be able to figure out whether E is private; that is, whether other citizens can generally come to know about it. And even though I possess E, I may not be able to do this.

To figure out whether what others do is permitted by the criterion of reciprocity, I need to be able to distinguish my non-private evidence from my private evidence. And whether a given piece of evidence is private depends on many facts about other citizens that are likely to be inaccessible to me. This includes facts about what private evidence they have – consider a case in which a sociologist has private evidence indicating that economists are unreliable reporters of social scientific consensus. The economist would need to know that some sociologists have

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suggests that the private evidence citizens have can sometimes make a difference to what beliefs the guidelines of inquiry permit them to appeal to. See Badiola (2018) and Kappel (2021) for further discussion of these issues.

<sup>13</sup> Blain Neufeld makes this argument in Neufeld 2019, pp. 789-790 and Neufeld 2022, pp. 63-68.

evidence which supports discounting the testimony of economists in order to know that his evidence about the social-scientific literature is private.<sup>14</sup> Therefore, the pervasiveness of private evidence will very often preclude me from distinguishing between my private evidence and my non-private evidence.

Recall premise 1 of my argument, which this objection challenged: it stated that citizens cannot normally assess whether others are complying with the criterion of reciprocity in societies where the fact of opaque evidence obtains. What I've shown is that whether the guidelines of inquiry are sensitive to private evidence or not makes no difference to the truth of this premise. If the guidelines of inquiry are sensitive to private evidence, then the pervasiveness of private evidence will make it difficult to assess whether others are complying with the criterion of reciprocity. And if the guidelines of inquiry are not sensitive to private evidence, then the pervasiveness of private evidence will still make it difficult to assess whether others are complying with the criterion of reciprocity (albeit for different reasons). Either way, the pervasiveness of private evidence makes it difficult to assess whether others are complying with the criterion of reciprocity.

## 2.2 Institutions

One might object to premise 1 by holding that while the fact of opaque evidence makes it more difficult to assess whether others are complying with the criterion of reciprocity, liberal democracies nevertheless can have institutions which make it possible for them to successfully

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<sup>14</sup> Does this problem arise for cases such as Experience, where people have different evidence in virtue of their different life experiences? It is clearly possible for some people to have evidence that other groups or individuals are unreliable reporters of their own experience, though it is difficult to distinguish these cases from cases where the testimony of members of a certain group are dismissed due to a prejudice unsupported by the evidence. In Experience, Annette having misleading evidence to the effect that members of John's ethnic group are unreliable reporters of their own experiences may be an especially insidious way in which the legitimate complaints of members of John's group fail to get uptake (compare Fricker 2007 on "testimonial injustice"). For a recent discussion of whether evidence can ever make racist beliefs justified, see Basu (2019) and Brinkerhoff (2021).

make these judgments. For example, van Wietmarschen and Leland (2016, pp. 13-14) and Neufeld (2019, pp. 785-786 and 2022 pp. 40-41, pp. 56-58) argue that citizens can generally know whether other citizens are abiding by the criterion of reciprocity by assessing whether the views affirmed in public political discourse and in the outcomes of elections are those that the criterion of reciprocity would permit other citizens to support. To be sure, this solution requires that institutions for disseminating political information – schools, newspapers, etc. – be successful at providing a forum for public political discourse and in reporting on the outcomes of elections. But we should not mistake this fact for a problem with the idea that civic friendship can justify compliance with the criterion of reciprocity; rather, it is a reason to think that civic friendship may only provide a justification for compliance with the criterion of reciprocity in societies with well-functioning educational and journalistic institutions.

However, Wietmarschen, Leland, and Neufeld's proposal does not fully address the problem that the fact of opaque evidence poses for those who are trying to assess the criterion of reciprocity. It is true that citizens can learn about what political beliefs others have by attending to public discourse and the outcomes of elections. However, even if citizens know what these beliefs are, they may not know whether the criterion of reciprocity would permit others to support those views. Recall that the criterion of reciprocity requires individuals to use their political power only in ways that they reasonably believe that others could reasonably accept. The arguments I've made thus far have established that the fact of opaque evidence often makes it impossible for individuals to figure out what others are in a position to reasonably believe. If what you may reasonably believe depends on your private evidence, then not knowing my evidence will often prevent you from knowing what I may reasonably believe. And if what you may reasonably believe does not depend on private evidence, then the fact that we often cannot

know which evidence is private and which is not will prevent us from knowing which beliefs are best supported by the non-private evidence, which means that we often will not be able to know which beliefs are reasonable.<sup>15</sup>

If I cannot know what others may reasonably believe, then I cannot know whether the actions they take are permitted by the criterion of reciprocity. Van Wietmarschen, Leland, and Neufeld show that we can know what actions other citizens are taking, but they do not show that we can know whether those actions are ones that they could reasonably believe could be reasonably accepted by their co-citizens.

### 2.3 The burdens of judgment as a solution to the knowledge problem

Expertise and Experience dramatize two sources of private evidence in large-scale liberal democracies. Expertise illustrates the epistemic division of labor in which the citizens of liberal democracies participate, and Experience illustrates the diversity of social groups that liberal democracies will tend to have. Note that these features of liberal democracies are included in the burdens of judgment. Rawls writes as follows:

“To some extent (how great we cannot tell) the way we assess evidence and weigh moral and political values is shaped by our total experience, our whole course of life up to now; and our total experiences must always differ. Thus, in a modern society with its numerous offices and

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<sup>15</sup> An anonymous reviewer from PPE suggests that evidence about the constitutional essentials and matters of basic justice is less likely to be private than evidence about other political matters. If this suggestion were right, then my arguments may not apply to a view of political liberalism on which the criterion of reciprocity only applies to constitutional essentials and basic justice (see n. 1). It is true that non-private evidence settles certain questions of basic justice for reasonable people -- for example, a law which forbids women from voting is clearly unacceptable to reasonable people, regardless of what private evidence they happen to have. However, private evidence bears on many questions about the constitutional essentials and the distributive part of basic justice. Consider, for instance, the question of whether a parliamentary democracy is preferable to a presidential one, or the question of whether there ought to be a universal basic income. It seems to me that private evidence would bear on these questions, as both complex social scientific theories and one's personal experience may influence how you would answer them. So I do not think that the knowledge problem can be avoided by a view which restricts the scope of the criterion of reciprocity in this way.



positions, its various divisions of labor, its many social groups and their ethnic variety, citizens' total experiences are disparate enough for their judgments to diverge, at least to some degree, on many if not most cases of any significant complexity” (Rawls 2005, pp. 56-57).

Reasonable people, then, will definitionally acknowledge that the diversity of life experiences fostered by a liberal democracy will lead even reasonable people to disagree. One may object that reasonable people will be able to tell that their disagreement is reasonable in cases like Expertise and Experience because they acknowledge these features of society and that they give rise to reasonable disagreement. The idea will be clearer if we apply it to one of the cases; I'll use Experience but I believe that what I say here would apply to Expertise as well.<sup>16</sup>

Let's suppose that John and Annette are both reasonable people, and so acknowledge the burdens of judgment and their consequences. As stated above, one such burden is the fact that how individuals assess evidence and weigh values is affected by their total experiences. Although John can't communicate all of this evidence to Annette, he does appeal to his personal experiences in discussing the issue. So John and Annette can both come to know that their opinions diverge primarily because they have had different life experiences from the other person, meaning that their disagreement is largely caused by one of the burdens of judgment. So, the objection continues, it follows that John and Annette can both know that their disagreement is reasonable, as the burdens of judgment are what give rise to reasonable disagreements. And if their disagreement is reasonable, then they are both acting in ways that they reasonably believe could be reasonably accepted by others – so both John and Annette can come to know that the other person is complying with the criterion of reciprocity.

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<sup>16</sup> Thanks to an anonymous referee from PPE for putting this objection to me.

Against this objection, I submit that if John and Annette did acknowledge the burdens of judgment, that would not enable them to know that their disagreement is reasonable. The problem with this objection comes when it moves from the premise that John and Annette can both know that their disagreement is caused by differences in their total experience to the conclusion that they can both know that their disagreement is reasonable. Though the burdens of judgment make reasonable disagreement possible, not all disagreements caused by one or more of the burdens are reasonable. Differences in total experience may bring about both reasonable disagreements and unreasonable disagreements. The following example will make this clear:

Unjustified Dismissiveness: Kelly is a member of a minority ethnic group against which the police discriminate. Because of this discrimination, Kelly has suffered a lot of disrespectful treatment from the police in her life. Rob is not a member of this minority group, and as a result has not experienced the abuses of power that Kelly has. On the basis of her experience, Kelly decides to support a policy which would make it easier for individuals to lodge complaints against the police. Rob disagrees with Kelly's view on this matter; he holds that the police generally don't abuse their power, and all the policy would do is make police the subject of spurious complaints that make it harder for them to do their job. When Rob and Kelly discuss the issue, Kelly tells Rob about her experiences in which the police abused their power over her, but Rob does not reconsider his opinion about the policy in response to Kelly's testimony because he finds the idea that the police could be abusive upsetting and does not want to believe it. Unfortunately, Rob is not self-aware enough to realize that this is why he is reacting the way he is to Kelly's testimony, so their conversation about the issue goes nowhere.

The way that Rob is going about forming his beliefs is forbidden by the guidelines of inquiry, as the fact that one finds the belief that the police abuse their power upsetting is not

acceptable to other reasonable people as a justification for guiding one's use of political power by the belief that the police are not abusing their power. Nevertheless, a part of the cause of the disagreement between Kelly and Rob is the fact that they have had different total experiences; even if Rob is liable to be dismissive of Kelly's testimony, if he had had the same experiences that she had with the police, he would likely agree with her view on the policy. So, although this disagreement is caused in large part by one of the burdens of judgment, it is not a reasonable disagreement. The burdens of judgment make reasonable disagreements possible, but that does not mean that every disagreement which they cause is reasonable.

Let's turn our attention back to Experience. For all John knows, Annette is unjustifiably dismissing John's testimony, just as Rob is unjustifiably dismissing Kelly's testimony. Even if both acknowledge that their disagreement is caused by their differing experiences, that may or may not explain why Annette continues to disagree with John even after he tells her about his experience. It could be that the guidelines of inquiry permit Annette to hold that John's experiences are not weighty enough evidence to justify her changing her opinion; perhaps she has evidence that John's experiences are a special case from which she should not infer generalities. But perhaps Annette is unjustifiably dismissing John's testimony because it is emotionally difficult for her to acknowledge, or because she unjustifiably assigns her own experiences far more weight than other people's experiences in deciding what to believe. So, even supposing that John and Annette both acknowledge the burdens of judgment, John will not be able to know whether Annette is acting reasonably.

## 2.5: No epistemic standards?

Another challenge to premise 1 is to modify the criterion of reciprocity to avoid referring to an epistemic standard. Perhaps we should allow that citizens succeed in complying with the

criterion of reciprocity if they only support rules that they sincerely believe could be endorsed by all other reasonable citizens, even if their sincere beliefs to this effect are not themselves reasonable. So, the fact that citizens are often not able to assess what others may reasonably believe would not prevent them from being able to verify whether others are complying with the criterion of reciprocity.

This modification to the criterion of reciprocity is not defensible. The version of the criterion of reciprocity endorsed by Rawls requires that I use my political power only in accordance with *reasonable* beliefs about what others could reasonably accept – that is, it requires me to act only on beliefs about what others could reasonably accept which are permitted by the guidelines of inquiry. If abiding by the criterion of reciprocity only required me to use my political power in accordance with my *sincere* beliefs about others' reasonableness, then it would permit me to support any rule as long as I sincerely formed certain unreasonable beliefs about what others could reasonably accept. For example, I may sincerely but unreasonably believe that the ugliness of Brutalist architecture is a consideration that all reasonable people would accept as decisive regarding the question of whether the government should permit Brutalist architecture to be built. On this proposal, using my political power to support these rules would be permitted by the criterion of reciprocity, even though I have no good reason to believe that a rule forbidding the production of Brutalist architecture could be accepted by all other reasonable citizens.

The moral appeal of the criterion of reciprocity is lost if it permits me to support any rule I wish on the condition that I sincerely hold certain beliefs, regardless of whether these beliefs are themselves reasonable.<sup>17</sup> If the importance of living under publicly justified rules requires me

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<sup>17</sup> I believe that the issues articulated in this section are why Rawls holds that the guidelines of inquiry are needed to guide the application of the abstract principles of justice (see Rawls 2005, pp. 224-225). An anonymous referee from PPE asks whether Rawls's claim that "being reasonable is not an epistemological idea" (p. 62) would cast doubt on

to restrict the use of my political power, then it ought to place certain requirements on the beliefs with which I guide that political power as well.

### 3: Conclusion

What options are available to a defender of the view that civic friendship is the primary justification for compliance with the criterion of reciprocity? Can they modify the view to escape the arguments I've made here while still maintaining its core commitments? In what follows, I will consider some possible ways forward for defenders of the civic friendship view.

#### 3.1: A hybrid account?

Some defenders of the criterion of reciprocity or similar principles do not appeal to civic friendship in order to explain the moral reasons we have for complying. For example, some authors appeal to the importance of *respect for persons* to explain our moral reasons to comply with the criterion of reciprocity (See e.g. Larmore 1996, Nussbaum 2013, Wall 2016, Larmore 2020). These authors differ on what exactly is required for respect for persons, but one important point of agreement is that assurance of whether others will respect me is not required for me to have moral reasons to respect them.<sup>18</sup>

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the claim that what I've argued in this section is compatible with Rawls's own view. My own reading of that section emphasizes the qualification Rawls adds that reasonableness nevertheless "has epistemological elements" (62). I understand Rawls here to be saying that reasonableness is a "political ideal of democratic citizenship" which involves the citizens meeting certain epistemic standards in their reasoning about how to use the share of political power they enjoy as democratic citizens, as opposed to an account of knowledge or epistemic justification. In any case, the substantive correctness of my argument in the main text is independent of whether it can correctly be attributed to Rawls.

<sup>18</sup> Note that Neufeld (2019, n. 23) claims that his view is a development of respect-based accounts of the value of public justification rather than an alternative to those accounts. However, Neufeld's view does require that I have assurance that others are complying with the criterion of reciprocity for me to have moral reason to do so myself. This makes it vulnerable to the knowledge problem, unlike other respect-based views.

Now, a view on which respect is the source of the moral reasons to comply with the criterion of reciprocity still has to reckon with the fact that it may often be difficult or impossible to know what other people may reasonably expect. But note that this does not make the criterion of reciprocity infeasible to comply with; the criterion of reciprocity requires that I act in ways that I *reasonably believe* could be accepted by others. A reasonable belief need not be true, and it may not need to be a belief that we hold with very much certainty at all. It is available to the respect view to hold that compliance with the criterion of reciprocity requires that we act according to our best judgment about what others could reasonably accept, even if that judgment is very uncertain. This is quite different from the situation of the civic friendship view, on which our lack of knowledge about what others may reasonably accept undermines our ability to know about their reciprocity, which in turn undermines our reasons for complying with the criterion of reciprocity at all.

A defender of the civic friendship account may hold that both respect for persons and civic friendship can provide moral reasons to comply with the criterion of reciprocity.<sup>19</sup> When assurance that others will comply is present, reasons from civic friendship make the duty to comply with the criterion of reciprocity more weighty, but nevertheless reasons from respect are strong enough to normally outweigh the reasons against complying with the criterion of reciprocity. Of course, this view would then have to answer the objections marshalled against the respect for persons account of our duties to comply with the criterion of reciprocity (e.g. Eberle 2005, Lister 2013, Ch. 3 and Ch. 4, Lister 2017, pp. 164-166, Gaus 2021).

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<sup>19</sup> Indeed, Leland (2019, pp. 100-102) explicitly acknowledges that this would be compatible with his view.

### 3.2: Weak reasons for the criterion of reciprocity

Another, more extreme option is to accept the conclusion of my argument; namely, that the criterion of reciprocity does not normally outweigh reasons against complying with it. Note that this does not make the civic friendship account vacuous. We may still have reasons to comply with criterion of reciprocity in the exceptional cases where it is not outweighed by reasons to the contrary. And we may still hold that societies in which civic friendship obtains are better than societies which are not, even if normally citizens do not have reason to bring it about that civic friendship obtains.

Regardless of which of these routes turns out to be most promising, it is important for future defenses of the norm of public justification to take account of how difficult it is to assess whether other citizens have reasonable beliefs as they develop their views. Theories of public justification ought to take account not only of the fact that reasonable disagreement is inevitable, but also of the fact that difficulties in distinguishing between reasonable and unreasonable disagreements are inevitable.

### Works Cited:

1. Badiola, Cristóbal Bellolio. 2018. "Science as Public Reason: A Restatement." *Res Publica* vol. 24: pp. 415-432.
2. Basu, Rima. 2019. "Radical moral encroachment: The moral stakes of racist beliefs." *Philosophical Issues* vol. 29, no. 1: pp. 9-23.
3. Brinkerhoff, Anna. 2021. "Prejudiced beliefs based on the evidence: responding to a challenge for evidentialism." *Synthese* vol. 60, no. 238: pp. 14317-14331.
4. Ebels-Duggan, Kyla. 2010. "The Beginning of Community: Politics in the Face of Disagreement." *The Philosophical Quarterly* vol. 60, no. 238: pp. 50-71.
5. Fricker, Miranda. 2007. *Epistemic Injustice: Power and the Ethics of Knowing*. New York: Oxford University Press.
6. Gaus, Gerald. 2021. "Respect for Persons and Public Justification." In Richard Dean and Oliver Sensen (Eds.), *Respect: Philosophical Essays* (Ch. 3). New York: Oxford University Press.
7. Goldman, Alvin I. 2010. "Epistemic Relativism and Reasonable Disagreement." In Richard Feldman and Ted A. Warfield (Eds.), *Disagreement* (Ch. 8). New York: Oxford University Press.
8. Hadfield, Gillian and Macedo, Stephen. 2012. "Rational Reasonableness: Toward a Positive Theory of Public Reason." *Law & Ethics of Human Rights*: vol. 6, no.1: pp. 7-46.
9. Kappel, Klemens. 2021. "Science as Public Reason and the Controversiality Objection." *Res Publica* vol. 4: pp. 619-639.



10. Larmore, Charles. 1996. *The Morals of Modernity*. New York: Cambridge University Press.
11. Leland, R.J and Han van Wietmarschen. 2016. "Political Liberalism and Political Community." *Journal of Moral Philosophy*: vol. 14, no. 2: pp. 142-167.
12. Leland, R.J. 2019. "Civic Friendship, Public Reason." *Philosophy and Public Affairs*: vol. 47, no. 1, pp. 72-103.
13. Lister, Andrew. 2013. *Public Reason and Political Community*. New York: Bloomsbury.
14. Lister, Andrew. 2017. "Public Reason and Reciprocity." *The Journal of Political Philosophy*: vol. 25, no. 2: pp. 155–172.
15. Neufeld, Blain. 2019. "Shared intentions, public reason, and political autonomy." *Canadian Journal of Philosophy* vol. 49, no. 6: pp. 776-804.
16. Neufeld, Blain. 2022. *Public Reason and Political Autonomy: Realizing the Ideal of a Civic People*. New York: Routledge.
17. Nussbaum, Martha C. 2011. "Perfectionist Liberalism and Political Liberalism." *Philosophy and Public Affairs* vol. 39, no. 1: pp. 3-45.
18. Quong, Jonathan. 2011. *Liberalism without Perfection*. New York: Oxford University Press.
19. Rawls, John. 2005. *Political Liberalism*. New York: Columbia University Press.
20. Wall, Steven. 2016. "The pure theory of public justification." *Social Philosophy and Policy* vol. 32, no. 2: pp. 204-226.
21. Weithman, Paul. 2011. *Why Political Liberalism? On Rawls's Political Turn*. New York: Oxford University Press.

22. Weithman, Paul. 2015. "Inclusivism, Stability, and Assurance." In (T. Bailey and V. Gentile, Ed.) *Rawls and Religion* (pp. 75-96). New York: Columbia University Press.
23. Wong, Baldwin and Li, Man-kong (forthcoming). Talk May Be Cheap, but Deeds Seldom Cheat: On Political Liberalism and the Assurance Problem. *American Journal of Political Science*.