The Epistemic Limits of Shared Reasons

Manuscript ID: EJP-19-022.R1

Author: Alexander Motchoulski

Email: amotchoulski@email.arizona.edu

Affiliation: University of Arizona

Philosophy Department

213 Social Sciences

145 E. South Campus Drive

Tucson, AZ 85721

Abstract: Accounts of public reason disagree as to the conditions a reason must meet in order to qualifying as public. On one prominent account a reason is public if, and only if, it is shareable between citizens. The shareability account, I argue, relies on an implausibly demanding assumption regarding the epistemic capabilities of citizens. When more plausible, limited, epistemic capabilities are taken into consideration the shareability account becomes self-defeating. Under more limited epistemic conditions few, if any, reasons will be shareable between all reasonable citizens, making the shareability account so demanding that it precludes public reasoning altogether.

**Introduction**

As of late, theorists of public reason have come to disagree about what counts as a public reason. On the one hand, some advocate that reasons must be *shared*; every member of the justificatory constituency must recognize reason R as a reason on the basis of some common standard (Hartley and Watson 2009; Hartley and Watson 2018; Quong 2011). On the other hand, some advocate for the weaker standard of *intelligibility*; for some reason R to be intelligible, one only need recognize that for the person for whom it is a reason it is justified in light of that person’s commitment to certain evaluative standards (Gaus and Vallier 2009; Vallier 2011). Advocates for the shared reasons view criticize intelligibility as too lax, allowing for too many claims to count as reasons and leading to conflicts in justification, which may in turn end up leaving nothing justifiable whatsoever (Lister 2011; Nagel 1987). Supporters of the view that reasons need only be intelligible respond by arguing that having reasons be shared is too demanding, and so leads to excluding too many reasons, producing justificatory instability (Gaus 2011; Gaus 2012a; Gaus and Vallier 2009).

In this paper, I discuss a particular feature of human reasoning that is pertinent to the debate regarding whether public reasons must be shared: the epistemic limitations that actual individuals will face in the process of public reasoning. I will argue that once the epistemic limits of public reasoners are taken into account a requirement that reasons be shared becomes untenable. The shareability requirement is my primary focus, on account of it being the stronger condition on admissibility.[[1]](#endnote-1) Since it is laxer, an intelligibility requirement would not face significant problems in determining what reasons are admissible—by allowing appeal to reasons based on one’s own evaluative commitments, the intelligibility requirement already allows a kind of epistemic asymmetry that the shareability requirement prohibits. Sharing reasons, however, requires a kind of symmetry in the access of reasons by members of the public reason constituency, and this symmetry, I argue, cannot obtain when individuals are conceived of as epistemically limited.

I begin with a brief discussion of the motivations of the shareability requirement (§ 1). I then argue that we have well-developed empirical reasons to conceive of public reasoners as epistemically limited—on most prominent accounts of human rationality it is acknowledged that humans are limited, sometimes radically, in their epistemic capabilities (§ 2). These limitations will lead well-meaning public reasoners to disagree about what reasons are properly public. There is a sort of gap between the standards which give rise to public reasons and the public reasons themselves, and individuals cross this gap through the use of their reason. Since individual reason is limited in diverse ways, they will come to hold different reasons as public, even if they begin with the same standards of justification (§ 3). The final section of the paper considers more nuanced conditions of shareability, such as a counterfactual condition of being shared after deliberation, and argues that even these more complex standards are unlikely to reliably track public reasons (§ 4).

**1. Public Reason and Shareability**

As stated in the introduction, a chief motivation for endorsing the shareability condition is the belief that without such a restriction public justification becomes impossible. A requirement of shareability, speaking generally, holds that if some reason is to factor into public justification, then it must be shared, or must in principle be possible to share, among all relevant persons. The worry from the perspective of the shareability account is that without a constraint that reasons be shared disagreement will obtain on too many foundational issues, leading to the inability to justify the protection of certain basic liberties, or leading to determinately illiberal outcomes (Quong 2011, pp. 167-9). Accounts of public reason which admit of a greater range of reasons, it is argued, are at odds with the basic motivations of public reason liberalism (Hartley and Watson 2008, pp. 508-12). By introducing the restriction of shareability the public reason theorist thus secures basic liberal requirements and avoids being held hostage to determinately illiberal views.

At the heart of the motivation for the shareability requirement, then, is the belief that without it certain basic liberal requirements will be left publicly unjustified, or more generally that the possibility of public justification itself is left on shaky ground. As I argue below, once we recognize the epistemic limitations of individuals who would participate in a process of public reason, the condition of shareability becomes so demanding as to exclude public reasons from being admitted into the process of public justification, making the shareability incompatible with the motivations leading to its introduction.

**2. The Epistemic Limitation Thesis**

Call the claim that individuals are limited in their epistemic abilities, such as reasoning, drawing deductions, assessing evidence, etc., the *epistemic limitation thesis*, or the limitation thesis for short. In the subsequent section I will provide a more precise characterization of the limitation thesis, for now I rely on a general conception of it. The primary grounds for endorsing the limitation thesis rests in its descriptive plausibility, as a matter of fact individuals are so limited in their epistemic capabilities. A number of accounts in diverse disciplines have converged to the limitation thesis, providing convincing reason to believe that it is true of human beings. Cases of individual reasoning being limited abound in everyday experience—to add theoretical substance to this observation, we may consider two kinds of social theories which offer supporting grounds for the limitation thesis. Furthermore, the theoretical accounts are helpful in illuminating just how pervasive and ubiquitous such limitations are in human reasoning.

In cases of individual problem-solving, it was found that individuals, and even groups of homogenous individuals, are significantly limited, especially when compared to groups of diverse reasoners. As Lu Hong and Scott Page have shown, given certain conditions,[[2]](#endnote-2) groups of diverse problem solvers will outperform a group of homogenous reasoners with greater ability (Hong and Page 2001; Hong and Page 2004; Page 2008). When dealing with difficult problems individual reasoning is parochial, even when the reasoner is relatively competent compared to most other reasoners. Individuals rely on familiar ways of framing problems and familiar ways of searching for solutions to problems. This “locks in” individuals in a very restricted area of the space of possible outcomes—with difficult problems, however, it is very unlikely that an individual’s local outcome space, and how they conceive of it, will lead to the optimal outcome. Groups of diverse individuals, however, have at their disposal a variety of perspectives, and so are able to bypass such lock-in (Hong and Page 2001). Hence, groups of diverse individuals are capable to outperform individuals or homogenous groups, even if the individual or homogenous group are more competent than the average member in the diverse group. Clearly**,** if some kind of reasoning is reliably outperforming individual reasoning, we can conclude that individuals are to some degree limited in those capacities.

That individuals, taken alone or in homogenous groups, will be limited in their reasoning is further evidenced by the results of investigations into the bounded rationality of human beings. In the normal case of reasoning, human beings generally navigate the world and make decisions by applying heuristics based on the environment they find themselves in, rather than a deliberate weighing of all relevant considerations (Gigerenzer 2008; Simon 1971). Heuristics serve as cognitive shortcuts, allowing individuals to quickly carry out cognitive functions without investing too many resources. Of course, heuristics are simply readily available rules which, while highly efficient can often deviate from the outcome that would be reached by careful and deliberate reasoning (Kahneman 2011, pt. 2). One need only to consider the typical individual’s capacity to reason about probabilities to find an array of epistemic deficiencies. Heuristics are thus prone to some amount of error, and insofar as normal individual reasoning relies on heuristics, then that error will carry over to their reasoning. Hence, from the outcomes in bounded rationality we may conclude that individuals, despite being cognitively efficient, are also epistemically limited.

Based off of these results, and from what I presume are familiar every day encounters with the limitations of human reasoning, we have good reason to endorse the limitation thesis. The project of public reason, in seeking to identify the means by which diverse persons can live together on terms that treat all as free and equal, should take account of the limitation thesis. Insofar as the reasoning abilities of individuals factors into the reasons that they come to hold, their limited epistemic capacities will to some degree influence the procedure of public justification. Public reason, in aiming to attain publicly justified outcomes, should take account of such predictable and enduring influences on the process of public reasoning, failing to do so will lead to systemic error in attempts to achieve the end social terms acceptable to all diverse reasonable persons.

**3. Public Reason within Epistemic Limits**

I now argue that in light of the limitation thesis standards of shareability become so demanding that under the diverse conditions envisioned by public reason liberals the possibility of public justification becomes foreclosed. The argument proceeds as follows. Individuals will need to exercise some amount of reasoning or deliberation to identify candidate public reasons. Since this is a non-trivial cognitive task, it will be subject to the limitation thesis. And, insofar as the scope of plausible candidate public reasons is not too restricted, this means individuals can come to regard different reasons as public. Under such conditions a number of, and under the worst case all, bona fide public reasons will not be shared among the relevant members of the constituency, meaning that they would not be admissible according to the condition of shareability. Hence a commitment to shareability is overly demanding, in that it excludes bona fide public reasons from being appealed to in the process of public justification, and in very diverse contexts it is self-defeating, since it can preclude the possibility of public justification entirely.

***3.1 Justificatory Reasons and Admissible Reasons***

To begin, we must distinguish between standards of justification and standards of admissibility. Standards of justification are those grounds, such as values or principles, which lead to public reasons.[[3]](#endnote-3) Most shareability theorists follow Rawls in identifying the standards of justification as values implicit in the public political culture and free-standing theories of justice (Hartley and Watson 2009, p. 497; Rawls 2005, pp. 162 and 376; Quong 2011 p. 207). For one to be permitted to appeal to a reason in the process of public justification, however, it is insufficient that it meet the standard of justification—it must also meet the standard of admissibility.

Shareability serves as a standard of admissibility, it holds that only those reasons which both meet the standard of justification *and* which are shared, or shareable, by all relevant individuals permissibly appealed to in the process of public justification. In introducing the distinction between the standard of justification and the standard of admissibility, two natural questions arise. First, there is the question of making the standard of justification equivalent to the standard of admissibility, holding that only shareable reasons are admissible in public justification and that they carry justificatory force by virtue of their being shareable. Second, in the other direction, we can make the standard of admissibility equivalent to the standard of justification, and hold that, in the case of Rawlsian views, reasons which follow from the public political culture or free-standing theories of justice are admissible.

With regards to the first equivocation, I take it that such an approach would lose the distinctly liberal character of public reason which shareability theorists aim to defend. The aim is not only to identify a class of reasons which are acceptable to all relevant individuals, but also to make that those reasons themselves respect the free and equal status of individuals. A reason’s being merely shared is insufficient to guarantee liberal content for shareability theorists, since, for example, illiberal reasons might come to be shared for some contingent reasons (as they have come to be shared in the past). The shareability theorist can make the natural reply of defining a relevant class of individuals among whom the reasons must be shared. However, this reply will reduce to the reintroducing liberal standards of justification, insofar as the class of individuals is defined as those holding certain liberal beliefs. It is the liberal beliefs defining the relevant group of individuals which resolves the problem faced here, in which case we have simply reintroduced liberal standards of justification by another name.

If the justificatory standards are what count, why not simply make appeal to them sufficient to make a reason admissible? Requiring that reasons must be shared seems to only add an additional, and perhaps unnecessary, step. The addition of a standard of admissibility, distinct from the standard of justification, is the distinguishing feature of public reason accounts with respect to more sectarian liberal perfectionist accounts. Appeal to the correct reasons is not sufficient, we must also be able to show that individuals with diverse conceptions of the good can accept the reasons justifying coercive action. Public reason liberals view coercion on the basis of values or reasons not recognized by the subject of coercion as morally problematic, in that it fails to treat individuals as free equals (Quong 2011 ch. 3, Gaus 2011, pp. 22-3, 45-6). Hence, it is the distinctive character of public reason liberalism that it is insufficient to appeal to only the correct reasons to justify political decisions, those subject to those decisions (insofar as they are reasonable) must also be able to appreciate the correctness of those reasons. To do otherwise, according to shareability theorists at least, is problematically paternalistic, in that it fails to treat individuals as free and equal (Rawls 2005, pp. xix and 9-10).

Shareability is thus a standard of admissibility and not a standard of justification, it determines what reasons are permissibly appealed to in the process of public justification (Hartely and Watson 2008, p. 498; Rawls 2005, p. 220; Quong 2011 p. 43). The reasons that may be appealed to in the course of public justification, then, are those which plausibly meet the standard of justification and are shared, or shareable, among the relevant class of individuals.

***3.2 The Non-Triviality and Wide Scope of Candidate Public Reasons***

From the perspective of the individual, the process of public reasoning proceeds something like this (assuming a generally Rawlsian framework). First, they begin with some general conceptions about basic ideas in the public political culture and free-standing theories of justice. From these conceptions they follow some process of reason, inference, and deliberation to reach some set of candidate public reasons which meet the standard of justification. They then offer those candidate reasons in the process of public justification for and against various proposals, where it is tested whether the reasons satisfy the standard of admissibility, and if they do, they may permissibility be appealed to in the justification of a decision. This process, I take it, is both non-trivial and has a wide scope. It is non-trivial in the sense that it takes some cognitive effort on the parts of individuals to reason from plausible standards of justification to candidate public reasons, and it has a wide scope in the sense that the set of plausible candidate public reasons is relatively expansive, meaning that there is some range of candidate public reasons that individuals can arrive at, not all of which are bona fide public reasons.

In saying that the process of identifying public reasons is non-trivial, we recognize that some amount of cognitive effort is necessary to identify those candidates. The task will not be so easy that simple observation or brief reflection on the standard of justification will lead one to immediately apprehend the entailed public reasons. Mere recognition of the standard of justification will be insufficient, there is an additional necessary step. Some amount of deliberation, reasoning, and interpretation will be required on the part of individuals.

Consider, for example, the two most prominent standards of justification appealed in Rawlsian accounts, the public political culture and free-standing theories of justice. Taking the public political culture, a number of complex questions arise in the process of reasoning from the public political culture to candidate public reasons. What are the conditions of some value or principle being part of the public political culture? Must those values or principles be shared among citizens, and if so how many? What is the relationship between more parochial cultures and the public political culture? Is the content of the public political culture the same for every citizen? Does the public political culture change over time, and if it does how do we treat values and principles which are no longer part of it, or those which are appealing candidates to be part of it? These questions, I believe, present rich philosophical and scientific challenges which will surely make some demand on the cognitive abilities of individual reasoners, meaning that no outcome is obviously forthcoming when one is presented with the data of the public political culture. This is not to say that no correct answer is possible for these questions, only that identifying one is a non-trivial activity. Similar considerations, I presume, can apply to reasoning from free-standing theories of justice.[[4]](#endnote-4) Put generally, the claim is that there is a gap between standards of justification and public reasons. Filling this gap is non-trivial; individuals must make judgements with respect to complex questions regarding social facts and philosophical questions.

Non-triviality will entail a wide scope of candidate public reasons. The complex questions which arise in the process of reasoning from the standards of justification to candidate public reasons permit of a number of plausible responses. Consider, for example, the question of what it takes for a value or principle to be part of the public political culture. One might adopt a descriptive condition, holding that some value or principle is part of the public political culture just in case a majority of a representative sample endorses that value or principle. Or, a historical condition might be adopted, holding that values and principles prominent in history of the political community are part of the political culture. Or, perhaps one might adopt a more normative criterion, holding that values and principles are part of the public political culture insofar as members of that culture would be able to reason to those values from uncontroversial normative premises under favorable deliberative conditions. No one condition, nor any combination of them, I take it, is obviously superior to any other—all appeal to different plausible methodological norms and evaluative standards.

Given non-triviality, there will be a number of points in deliberation where citizens will need to make difficult decisions which permit of a number of plausible responses, and the accumulation of these differences may lead to different sets of candidate public reasons. The problem may be aptly described as multidimensional, with the steps in reasoning each representing a different dimension; under conditions of high-dimensionality, different combinations of values among dimensions can approximate the same result, and moreover similar, but non-identical, combinations of values may lead to very different results. Values here refer to the judgments that individuals make at challenging steps in the process of determining candidate public reasons. Put simply, if the problem is complex, there will be a wide-range of plausible solutions to the problem. This is not to say all candidate public reasons arrived at by citizen reflection are bona fide public reasons, as it is possible that individuals make the wrong, albeit plausible, response to some of the difficult questions encountered in the process of reasoning.

***3.3 Epistemic Limits and Shareability***

Citizens reasoning from the standard of justification to candidate public reasons, then, will be a relatively difficult cognitive exercise, and this difficulty allows for a wide range of plausible conclusions regarding what reasons are candidate public reasons. By virtue of this difficulty, we can anticipate that the epistemic limits of reasoners will be salient—if reasoning about political matters is difficult, then just as with all difficult cognitive problems individuals will be subject to limiting conditions from reliance on parochial perspectives, limited heuristics, and the like. And, the influence of epistemic limitations will be non-identical among citizens. Under the diverse social conditions envisioned by public reason liberals it is implausible to expect that every single citizen is subject to identical cognitive flaws at every instance of reasoning. Different prior beliefs, different experiences, different heuristics, etc., will lead individuals to reason in different ways.

This difference in reasons will in turn lead to individuals holding different candidate public reasons. Individuals may come to hold different sets of candidate public reasons by virtue of the wide scope of outcomes that one can reach when reflecting on the standards of justification. The difficult questions involved in reasoning from the standards of justification to candidate public reasons admit of a number of plausible replies, and differences among the epistemic limits of citizens suggests that citizens will opt for different replies in the course of their reasoning. Appreciation of the influence of epistemic limitations on the public reasoning of citizens allows us to also understand Rawls’s comments regarding the family of reasonable political conceptions. He writes that “the content of public reason is given by a family of political conceptions of justice, and not by a single one. There are many liberalisms and related views, and *therefore many forms of public reason* specified by a family of reasonable political conceptions” (Rawls 2005, p. 450, emphasis added). We can say that the permissible range of political conceptions is defined by the set of views that epistemically limited citizens could non-culpably reason to from the standards of justification.[[5]](#endnote-5) Individuals are justified in holding a member of the family of reasonable political conceptions insofar as they arrived at that view by reasoning from the standards of justification while making only plausible judgements.

Permitting variance among candidate public reasons poses an immediate challenge for the shareability conditions. Consider first the *concrete shareability condition*: reason R is admissible in public justification insofar as i) it can be shown to follow from the standards of justification, and ii) every relevant member of the justificatory community holds R as a candidate public reason. The influence of diverse epistemic limitations on reasoning from justificatory standards will mean that requirement (ii) of the concrete shareability condition is rarely if ever met. This in turn leads to two problems for the shareability view. The first is what I call the exclusion problem—by virtue of different incompatible public reasons being held by members of the justificatory constituency, bona fide public reasons will be excluded from public justification. If there obtains a candidate public reason which conflicts with a correct public reason, then the correct public reason will be inadmissible according to the concrete shareability condition. Excluding bona fide public reasons from public justification risks restricting public reasoning severely, and provides us with some grounds to favor more permissive alternatives, especially if the number of reasons excluded is very great.

The second problem, which I call the self-defeat problem, is a more severe instance of the exclusion problem. If there is too much variance among candidate public reasons, such that no candidate public reasons are shared among all relevant individuals, then the prospect of public justification is foreclosed, since there will be no public reason admissible in the process of public justification. Under these conditions, the shareability condition is self-defeating. The condition is introduced in order to facilitate the public justification of important liberal commitments, but, the concrete shareability condition is so demanding that the public justification of anything, including those core liberal commitments, is impossible. The self-defeat problem is only a possibility proof of sorts, it shows that under certain diverse conditions the shareability condition precludes the public justification of those very outcomes it was meant to secure. As a possibility proof, it does not follow that the shareabiltiy condition will always be self-defeating. However, the diverse social conditions envisioned by public reason liberals are conducive to the self-defeat outcome, constituting at the very least a point of concern for shareability theorists.

A natural reply from the shareability theorist is to emphasize that reasons need only be shared among the relevant set of individuals, not every citizen. Whether this response works will, of course, depend on how the relevant set of citizens is defined. If the set of relevant individuals is defined as “citizens who accept the standards of justification and reason from them sincerely,” then the exclusion and self-defeat problems are unresolved, since this definition of relevant individuals will still permit variance in the reasoning from standards of justification which obtains by virtue of epistemic limitations. A more restrictive definition of the set of relevant individuals must be employed.

The shareability theorist might then define the class of relevant individuals as those who come to hold only the correct public reasons (Quong 2011, p. 214). On this definition of the set of relevant individuals, only correct public reasons will be admissible, and since disagreement among them is impossible the exclusion and self-defeat problems are resolved. Such a restriction, however, is incompatible with the motivations of introducing a standard of admissibility which is distinct from the standards of justification.

Recall that a standard of admissibility requiring some kind publicity is the distinguishing feature of public reason liberalism relative to liberal perfectionism. It is not enough to identify the correct liberal view, it must also be shown that this view is endorsable by diverse citizens. Gerrymandering the set of relevant individuals, however, makes the standard of admissibility—why be bothered by whether some reason is public if, by stipulation, you will guarantee its publicity? Consider a democratic analogy: one can hold that only the votes of reasonable individuals should count, and then define the set of reasonable individuals as those who vote for the right options. Such a democratic view guarantees that there is always unanimous agreement, but it hardly seems compatible with democratic motivations. Why even bother with the pretense of election if the outcome is already known? Likewise, why bother with the pretense of public justification if those who disagree are excluded from consideration by definitional fiat? It bears emphasizing that a number of individuals being excluded from the constituency of public reason in this case meet the standard conditions of being reasonable, in that they are ready to act on the basis of reciprocity and to recognize the burdens of judgement (Rawls 2005, p. 86). If even citizens who meet the conditions of reasonableness and come to hold public reasons purely on the basis of reasoning from the correct standards of justification are exclude from consideration in the process of public justification, then the view reduces to liberal perfectionism by another name—individuals are subject to the correct liberal values whether they recognize that correctness or not (Gaus 2012a).

Responses changing the definition of the relevant set of individuals, then, will either fail to remove disagreement among candidate public reasons, or else will be so restrictive that they become incompatible with the commitment of public reason liberalism to public standards of admissibility. A more compelling reply would thus turn on introducing a more nuanced conception of shareability. The concrete shareability condition is itself rather demanding. As shareability theorists themselves acknowledge, public reasons need only be *in principle*, it must only be *possible* for some reason to be shared for it to pass the standard of admissibility (Hartley and Watson 2009, p. 508; Rawls 2005, pp. 8 and 14). The success a modal shareability condition will depend on how the modal profile is determined. For example, a modal shareability condition which held that reasons are shareable insofar as it is possible, simpliciter, for them to be shared among all relevant individuals would be too permissive. It is possible for any number of reasons, public and non-public, to be shared. A more demanding modal profile must be proposed which isolates the relevant set of reasons, namely the correct public reasons. For the remainder of the paper, I will discuss one standard which is particularly appealing, that of deliberative shareability. This standard will hold that reasons are shared insofar as they would come to be held after public deliberation in the appropriate context.

4. **Deliberation within Epistemic Limits**

In accounts of both public reason and deliberative democracy, the process of public deliberation is often understood as connected to the aim of public reason (Rawls 2005, p. 448; Cohen 2003, p. 21). Public deliberation might be seen as a means of realizing the requirements of public reason in an actual political context, or, more strongly, deliberation may be seen as constitutive of publicity. It is this latter connection that I will consider here. This leads us to the *deliberative shareability condition*: reason R is shareable, and so admissible to public reasoning if, and only if, i) R can be shown to plausibly follow from the standards of justification, and ii) every relevant member of the public reason constituency could come to hold R after suitable deliberation under appropriate conditions. This deliberative rendition is still a modal condition, but the modal scope is significantly restricted, of interest now is the particular set of reasons that would be arrived at under the relevant deliberative contexts. What I will consider now is *how* epistemically limited individuals might come to exchange and hold new public reasons, and whether these mechanisms will be reliable in tracking bona fide public reasons.

***4.1 Aggregative Reasoning***

Examining concrete models of deliberation will allow us to consider in more detail how the deliberative shareability condition will select only bona fide public reasons. Deliberation and the context under which it (hypothetically) takes place can be specified in a vast array of ways—I will examine two general models of deliberation which offer appealing means of developing a shareability condition. I begin with a relatively simple model which we can illustrate with a two-person case: Catherine states public reason R to Dominic, which leads to Dominic endorsing R as a public reason. This model conceives of deliberation as an aggregation of reasons—individuals report their public reasons to one another, leading everyone to be exposed to, and to incorporate, all public reasons. Call this the “aggregative reasoning model.”

While appealing in its simplicity, aggregative deliberation is inconsistent with citizens being genuinely subject to epistemic boundaries. In a sense, the standard has smuggled in a reference to the standard of publicity by presuming that in the idealized deliberative context individuals will, with relative ease, recognize and adopt all and only genuine public reasons. However, if reason R really is beyond the bounds set by Dominic’s epistemic limits, why would he be so quick recognize it as a bona fide public reason? After considered reflection and consideration of the basis of public reason Dominic did not find that R was a public reason. Indeed, public reasons beyond one’s initial set of public reasons are indistinguishable from non-public reasons. As far as Dominic is concerned Catherine may have made a mistake and simply introduced a non-public reason, mistaking it for a bona fide public reason (perhaps at some point of her reasoning she relied on a premise that was intrinsically tied to a comprehensive doctrine). The model appealing to signal-based deliberation, then, is incompatible with our assumption that citizens are genuinely epistemically limited (I consider the more nuanced model where Dominic has more evidence that R is a public reason below).

Emphasizing the idealization of the deliberative environment is one means of replying to this worry—in the ideal deliberative individuals are so situated as to recognize public reasons as such when they are presented with them, even if they did not reason their way to the reason in the first place. This degree of idealization simply dismisses the challenges that epistemic limitations raise in the context of a practice of public reason. Epistemic limitations will have a deep effect on the process of public reason, and insofar as we wish to devise standards that apply to that process as it would actually take place, it seems we should accommodate epistemic limitations. The aggregative deliberative model, then, fails to address our present concern of identifying a standard of admissibility compatible with participants in a practice of public reason being subject to pervasive and regular epistemic limitation.[[6]](#endnote-6)

More generally, as a model of deliberation the aggregative model also misconstrues how deliberation would actually proceed. If deliberation was a mere accumulation propositions, it would be sufficient to aggregate all signals and then distribute the list to everyone—and this would suffice to qualify as joint deliberation. But such an approach misses what the process of reasoning together involves; it’s not a mere statement of views, but rather involves an explanation of why one takes their reasons to be public reasons. On a more intuitive model of deliberation, offering some reason should be accompanied by an explanation of the relevance of that reason, meaning citizens should explain why they believe some candidate public reason follows from the basis of public reasons (Landemore and Page 2015, pp. 11-4). So, citizens not only provide a statement of what they regard as public reasons in favor or against some proposal, but they must provide an explanation as to why those reasons meet the standard of publicity. When citizens provide one another with the grounds they now have compelling grounds for accepting reasons which they as public when they previously regarded them as non-public. I will call this model of deliberation “domain expanding deliberation.”

***4.2 Domain-Expanding Reasoning***

By incorporating citizens’ explanations for the publicity of a reason, the domain-expanding model allows us to capture the effect of epistemic limits on the exchange of public reasons, a notable advantage over the signal-based model. In offering their explanations, citizens provide an account of why the relevant reason meets the standard of publicity. Hence, we can attribute to individuals also a set of what I will call publicity explanations, each element of which maps to some candidate public reason that they hold. In offering publicity explanations, then, citizens recount their reasoning from the standards of justification to the candidate public reasons, offering evidence to other citizens that their candidate public reasons are bona fide public reasons.

Deliberation will consist in exchanging both reasons and their publicity explanations. The advantage of the domain-expanding model over the aggregative model is that it can accommodate cases where there is no uptake of public reasons between deliberators. Consider, again the case of Catherine and Dominic. Catherine after sincere reflection comes to hold the set of public reasons {q, r, s} with the respective explanations {eq, er, es}, while Dominic comes to hold reasons {t, u, v} and the respective explanation {et, eu, en}. Suppose also, for simplicity, that all reasons are genuine public reasons. In the most extreme case of difference, all reasons and explanations are distinct. Under such an extreme case, the reasoning between Catherine and Dominic on public matters has little overlap, and we should expect little, if any, uptake of one another’s reasons. We may say that while Catherine’s set of explanations provides evidence to Dominic that {q, r, s} are public reasons, the evidence is insufficient to make him believe that they are in fact public reasons.

However, some minor overlap can lead to uptake between both sides. Suppose, for example that Catherine’s explanation es is identical to Dominic’s explanation et, and that both had simply failed to reach the other’s reason. However, on being shown the other’s reasoning process, both see how an explanation already available to them leads to a novel (from their perspective) public reason. Given that they take their own reasoning to have been correct, and that the other party used identical reasoning, they have sufficient evidence to believe that the corresponding public reason of the other is a correct public reason. This leads to Catherine taking up reason t and Dominic reason s. Similarly, individuals may find that their shared reasons have distinct explanations, leading them to adopt new explanations, which in turn can lead to them adopting new reasons, and so on. Seeing that they have converged to identical conclusions from different kinds of evidence, they are lead to adopt novel evidence provided by the other reasoner. This process can also obtain among groups of three or more people, allowing for individuals who had no commonality at the start to come to share public reasons. Catherine and Edward may have absolutely no reasons nor explanations in common, however following exchange with Dominic, Catherine may come to have some overlap with Edward, leading to a further productive exchange between them. This process could extend to incorporate a significant portion of the population, facilitating the sharing of reasons between even the most diverse starting points through a long chain of gradually increasing partial overlap. The idea, then, is that public deliberation facilitates the acquisition of novel evidence, which leads to novel public reasons being endorsed, which in turn allows for the acquisition of even more evidence, and so on, expanding the domain of shareable public reasons.

The domain expanding model of deliberation, then, respects the epistemic limitations of individuals, since it incorporates fallibility in judging the publicity of reasons and in producing and appraising publicity explanations. But, this model also offers a plausible account of how from an epistemically limited starting point deliberation may nonetheless result in many, if not most, reasons being shared among deliberating individuals, even if few reasons were shared between them at the start. Despite accommodating and taking seriously the epistemic limitation of participants in a practice of public reason, this model of deliberative shareability will still face challenges arising from epistemic limitations, stemming from the path-dependence of reasoning and the loss of information stemming from communication among diverse persons. The domain expanding model assumes that no matter an individual’s starting point they can come to hold any public reason, but if reasoning is path-dependent this will not be the case.

***4.3 Path-dependence and Deliberation***

If deliberation is path-dependent, then the beliefs or reasons that an individual can come to hold is determined by the beliefs, reasons, and judgements, already held or made by that individual. From path-dependence it follows that different starting points are likely to lead to different end points, even in public reason (Gaus 2012b, pp. 239-44). Path-dependent deliberation, then, need not lead to all reasons being shared, since the different paths of deliberators may lead to certain public reasons being left unshared.

Path-dependence can arise from a number of factors. If for example, prior steps in deliberation constrain or inform future steps when reasoning from standards of justification, then the set of candidate public reasons which citizens come to hold will be path-dependent. Certain reasons may be incompatible by virtue of their lying down different paths. Different explanations, for example, may depend on incompatible conceptions of the public political culture. Dominic may endorses a conception of the public political culture which holds that formal written political documents express that culture, and this leads him to endorse a robust freedom of contract reason (in the United States, suppose). Suppose also that Catherine has a conception of the public political culture which relies instead on the principles informing officials documents, rather than the written documents themselves. This leads Catherine to endorse a welfarist restriction on the enforcement of certain contracts. Dominic will not be able to endorse Catherine’s welfarist constraint on contracts because it depends on a conception of the public political culture which Dominic rejects. Dominic has sufficient evidence to undermine the status of the welfarist constraint on contract enforcement as a public reason (see also Billingham 2017).

On the proposed model of domain expanding deliberation, there is an assumption that partial overlap always leads to the acquisition of new public reasons or publicity explanations. This assumption envisions the deliberative process as strictly additive, reasons can only be gained in the process of deliberation, and they are always gained where there is overlap. But this need not be the case, presumably epistemically limited individuals may not gain public reasons even when there is partial overlap, or they may even remove reasons from their set of public reasons.

Individuals may fail to acquire new public reasons, despite the presence of partial overlap, when that new reason is incompatible with the individual’s current set of public reasons. This was illustrated in the above case of Dominic rejecting the candidate public reason of welfarist constraint on the enforcement of contracts, on the basis of it depending on an explanation which was incompatible with Dominic’s own publicity explanations. The issue is that diverse individuals do not all regard the same claims as evidence for the same reasons being regarded as public. Under diverse conditions communication is not lossless, and so individuals may disregard the claims of others as carrying no evidential force at all by virtue of their claims being too different (or from their perspective, wrong, see Hankins and Gaus 2017). What seems to be evidence for some public reason R on Catherine’s perspective may appear to be noise carrying no evidential force at all on Dominic’s perspective.

In the above case public reasons are not acquired on account of path-dependence, but they may also be lost on account of path-dependence. Suppose, for example, Catherine had a candidate public reason regarding the freedom of individuals, and further that the sole justification for the publicity of this reason is the same as Dominic’s explanation for a robust freedom of contracts, namely that it is explicitly stated and protected in formal written political documents. As the robust freedom of contracts reason is incompatible with the reasons Catherine believes are properly public, she is committed to rejecting that reason and its explanation—since she has conclusive evidence that the reason is non-public, she also has conclusive evidence that the explanation is insufficient for publicity. In rejecting that publicity explanation, Catherine must also reject the reasons which she believes to be public solely on the basis of that explanation. This leads to Catherine no longer holding her reason regarding the freedom of individuals. As a result, Catherine’s set of reasons shrinks in the course of deliberation.

Path-dependence thus frustrates the reason sharing process in two ways. First, it stops reasons from becoming shared, due to the path-dependent incompatibility between certain reasons. Second, it can remove reasons that were shared, due to the dependence of those reasons on what some citizens conceive of as inadequate publicity explanations (i.e., citizens acquire sufficient undermining evidence regarding the status of some reason as public). Thus, even well-meaning citizens exchanging reasons and publicity explanations under favorable deliberative conditions need not come to share all public reasons on account of the path-dependence of reason acquisition. Once again, the problems of exclusion and self-defeat return for the shareability condition. A significant set of bona fide public reasons will likely be excluded from admission in public deliberation, and if path-dependence and difference in starting points is severe enough, no reasons may be shared at all. The demandingness of the shareability condition limit it in attaining the end it was designed to achieve.

We might again consider the reply from the shareability theorist that under ideal deliberative conditions such path-dependence will not occur. And again, we note that such a reply simply sets aside the problems of epistemic limitations, rather than addressing them. If our aim is to identify conditions under which the actual exchange of reasons will yield terms of social life acceptable to all diverse and reasonable persons, then features that will predictably influence the process of exchanging reasons should be accounted for in our search for those conditions. Ignoring such features will only lead to a structure of public reason whose outcomes fall short of its aim. One such pertinent feature is the epistemic limitation of agents, which is not just a contingent feature of a non-ideal world, but rather a characteristic of human cognition which is central in shaping individual reasoning.

Hence, even under idealized deliberative conditions the exclusion and self-defeat problems persist for the shareabiltiy theorist. By their own motivations, then, shareability theorists have reason to endorse more permissive standards of admissibility, since the demandingness of shareability lowers the prospects of publicly justifying the principles and values that motivate the introduction of shareability in the first place.

**Conclusion**

One might interpret the position proposed here as one of extreme skepticism; that epistemically limited individuals are incapable of sharing *anything*, given their fundamental limitations in reasoning. Such a strong position, however, is not being proposed here. Rather, the aim is to highlight how characteristic limitations in human reasoning will influence the process of public reasoning, and that the influence will lead to disagreement even in the domain of public reasons. Individuals will make the similar mistakes, and be subject to similar limitations, in the process of public reasoning as in other contexts, such as those of religion, comprehensive political doctrines, and even the sciences. Surely, the process of deliberation can lead to individuals gaining reasons in some cases, and it may do so even among agents who are very diverse compared to one another. But that some reasons might come to be shared among diverse epistemically limited individuals does not imply that all or most will be shared, even within the context of moderately idealized deliberation.

My argument has been targeted against shareability qua standard of admissibility, hence the frequent appeal characteristic features of the actual process of public reasoning. Standards of admissibility are to some extent practical elements of theory of public reason, they suggest what reasons can be admitted in the course of actual public deliberation in order to achieve the ends suggested by that theory of public reason. This practical aim, I believe, provides us with good reason to take account of predictable and permanent features of such deliberation, epistemic limitations being among them.

Note also that taking account of epistemic limitation is quite different from conceding to failures in public reasoning. Surely it remains the case that even in well-designed concrete frameworks of public reason human beings can fall well below the standard expected of them, indeed human history too often reminds us of how common it is fall below some of the even most rudimentary normative requirements. We need not revise our theories to accommodate such failings in conduct. But epistemic limitations should not be conceived of as such a failing; characteristic limitations are not mere lapses in reasoning but rather permanent features of human cognition. We might create an account of public reason which rejects this, holding that humans are accountable for failings caused by their epistemic limitations, in which case humans will simply never be up to the standard they are held to. Among other problems, such an account is simply unhelpful. What would such a demanding accounts tell us about how to accommodate diverse individuals in a liberal society? It may tell us how humans could accommodate such diversity were they not marked by the flaw of epistemic limitations, but this tells us little of how actual humans, flaws and all, can form a liberal society accommodative of deep diversity. Actual human beings are not perfect epistemic agents. These imperfections, I have argued, will influence the process of public reasoning. In light of this influence, requirements that reasons be shared are too demanding to achieve the ends of public reason liberalism.[[7]](#endnote-7)

References:

Billingham, P. (2017). Can my religion influence my conception of justice? Political liberalism and the role of comprehensive doctrines. *Critical Review of International Social and Political Philosophy*, *20*(4), 402–424.

Boettcher, J. W. (2015). Against the Asymmetric Convergence Model of Public Justification. *Ethical Theory and Moral Practice*, *18*(1), 191–208.

Cohen, J. (2003). Procedure and Substance in Deliberative Democracy. In T. Christiano (Ed.), *Philosophy and Democracy: An Anthology* (pp. 17–39). Cambridge: MIT Press.

Enoch, David. 2013. “The Disorder of Public Reason.” *Ethics* 124 (1): 131–76.

Gaus, G. (2011). A Tale of Two Sets: Public Reason in Equilibrium. *Public Affairs Quarterly*, *25*(4), 305–325.

Gaus, G. (2012a). Sectarianism Without Perfection? Quong’s Political Liberalism. *Filosofia E Questioni Pubbliche*, *2*(1), 7–15.

Gaus, G. (2012b). *The Order of Public Reason: A Theory of Freedom and Morality in a Diverse and Bounded World*. Cambridge: Cambridge University Press.

Gaus, G., and Hankins, K. (2017). “Searching for the Ideal: The Fundamental Diversity Dilemma.” In *Political Utopias*, edited by Kevin Vallier and Michael Weber, 175–203. Oxford: Oxford University Press.

Gaus, G., & Vallier, K. (2009). The roles of religious conviction in a publicly justified polity: The implications of convergence, asymmetry and political institutions. *Philosophy and Social Crticism*, *35*(1–2), 51–76.

Gigerenzer, G. (2008). *Rationality for Mortals: How People Cope with Uncertainty*. New York: Oxford University Press.

Hartley, C., & Watson, L. (2009). Feminism, religion, and shared reasons: A defense of exclusive public reason. *Law and Philosophy*, *28*(5), 493–536.

Hartley, C., & Watson, L. (2018). *Equal Citizenship and Public Reason: A Feminist Political Liberalism*. Oxford: Oxford University Press.

Hong, L., & Page, S. E. (2001). Problem Solving by Heterogenous Agents. *Journal of Economic Theory*, *97*, 123–163.

Hong, L., & Page, S. E. (2004). Groups of diverse problem solvers can outperform groups of high-ability problem solvers. *Proceedings of the National Academy of Sciences*, 16385–16389.

Kahneman, D. (2011). *Thinking Fast and Slow*. New York: Farrar, Straus, and Giroux.

Landemore, H., & Page, S. E. (2015). Deliberation and disagreement: Problem solving, prediction, and positive dissensus. *Politics, Philosophy, and Economics*, *14*(3), 229–254.

Lister, A. (2011). Public Justification of What? Coercion vs. Decision as Competing Frames for the Basic Principle of Justificatory Liberalism. *Public Affairs Quarterly*, *25*(4), 349–367.

Nagel, T. (1987). Moral Conflict and Political Legitimacy. *Philosophy & Public Affairs*, *16*(3), 215–240.

Page, S. E. (2008). *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies*. Princeton: Princeton University Press.

Quong, J. (2011). *Liberalism Without Perfection*. Oxford: Oxford University Press.

Rawls, J. (1999). *A Theory of Justice*. Revised. Cambridge: Harvard University Press.

Rawls, J. (2005). *Political Liberalism: Expanded Edition*. New York: Columbia University Press.

Simon, H. A. (1972). Theories of Bounded Rationality. In C. B. McGuire & R. Radner (Eds.), *Decision and Organization: A Volume in honor of Jacob Maschak* (p. 161). Cambridge: MIT Press.

Vallier, K. (2011). Convergence and Consensus in Public Reason. *Public Affairs Quarterly*, *25*(4), 261–280.

Vallier, K. (2019). *Must Politics Be War?: Restoring Our Trust in the Open Society*. Oxford: Oxford University Press.

Weinberg, J. M. (2015). “The Methodological Necessity of Experimental Philosophy.” *Discipline Filosofiche* 25 (1): 23–42.

Williamson, T. (2016). “Philosophical Criticisms of Experimental Philosophy.” In *A Companion to Experimental Philosophy*, edited by Justin Systma and Wesley Buckwalter, 23–36. Oxford: Wiley Blackwell.

1. My argument can also be extended to apply to accessibility views, depending on how demanding the requirement of accessibility into the evaluative standards of others is. See Boettcher 2015. [↑](#endnote-ref-1)
2. These conditions are that: i) the problem is difficult, ii) the problem solvers need to be sufficiently smart so as to make some contribution, iii) the heterogenous group must be relatively diverse, and iv) the initial population from which the group is drawn is large. See Page 2008, pp. 131-74. [↑](#endnote-ref-2)
3. The role of standards of justification in public reason was highlighted by Quong 2011, p.193. I adopt his usage here. [↑](#endnote-ref-3)
4. Rawls 2005, p. 376 sketches the conditions of freestandingness: a) taking the basic structure as subject, b) independence from substantive philosophical theories, and c) the fundamental ideas are drawn from the public political culture. With respect to condition (c), the above discussion on the public political culture apply *mutatis mutandi*. The remaining conditions are no more trivial. With regards to (a), one must have ready an account of what constitutes the basic structure of a society, which requires appeal, at the very least, to a theory of social systems (Rawls himself recognizes the need to posit a substantive account of social systems, see 1999, p.55). Theories of social systems are descriptive, rather than philosophical, attempts to characterize the functioning of social orders. And, given the complexity of such orders, we can anticipate that reasonable individuals may come to disagree about what constitutes the basic structure of a social order. As for (b), one must engage with questions of what constitutes substantive philosophical theories what qualifies as controversial commitments. These considerations in turn constitute ongoing controversial methodological disputes about the nature of philosophy. For one example, consider contemporary debates about experimental philosophy—to some appeal to experimental results in philosophy is uncontroversially permissible, whereas for others it is completely inadmissible, for some examples see Weinberg 2015 and Williamson 2016. Whether some theoretical commitment requires appeal to a controversial philosophical account will depend on what philosophical theories are conceived of as subjects of reasonable controversy, and what constitutes reasonable controversy, it turns out, is a rather complex methodological question of philosophical substance itself. [↑](#endnote-ref-4)
5. On diversity and non-culpability of disagreement, see Vallier 2018, p. 21. [↑](#endnote-ref-5)
6. On the problem of overly demanding idealization in theories of public reason, see Enoch 2013. [↑](#endnote-ref-6)
7. My thanks to Phil Smolenski and an anonymous reviewer at the *European Journal of Philosophy* for numerous helpful comments on earlier drafts of this paper. [↑](#endnote-ref-7)