Reply to Matthias Fritsch

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I

Matthias Fritsch has made a careful, detailed, and insightful examination and critique of my views on wide reflective equilibrium and of my particular take on critical social theory. I am grateful to him for that. He compared my views with those of John Rawls and to a lesser extent with those of Norman Daniels. He takes and considers in careful detail a host of issues concerning both reflective equilibrium, narrow and wide, and also critical theory, that deserve careful consideration. If I were to consider even a goodly number of them I would far exceed the space at my disposal, so that detailed response will have to be for another time. Here I shall concentrate on what I take to be a—*not the*—central worry raised by him about my account, namely, what Fritsch politely calls the tension between my Rawlsian conception of wide reflective equilibrium and my defense of socialism and naturalism in what he calls the third step of reflective equilibrium. (See also here my responses to Idil Boran and Robert Sinclair in this volume.) I can't, Fritsch claims, both accept the Rawlsian notion of the method of avoidance (to set aside all metaphysical and similar substantial Philosophical claims) and still, as something that goes with what he calls the third step, argue for and indeed defend socialism, naturalism, and atheism within the limits of wide reflective equilibrium alone. These are comprehensive conceptions that would certainly clash with many reasonable comprehensive conceptions of many people in our liberal pluralist societies. They are not something about which there would be a consensus among reasonable people. If we continue to accept Rawls's method of avoidance, we should drop, Fritsch claims, those conceptions as something that should go into a critical social theory utilizing wide reflective equilibrium.

I shall seek to show that there are no contradictions or even tensions in my views here. But that will take some showing of what I mean by and how I use reflective equilibrium and both how it both grows (mistakenly or not) out of Rawls's views and how it differs from Rawls's views.

II

Many years ago when I first read Rawls's remarks about reflective equilibrium in *A Theory of Justice*, I then thought them very mistaken. They committed, I thought, Rawls to a conservatism and to something like what R. M. Hare called a defense of *received opinion*. I published four short articles criticizing Rawls here.[1] It was only when I heard and subsequently read his presidential address and had a long conversation with Norman Daniels that I began to see the error of my ways.[2] Our moral and political judgments contain and often are constituted by considered judgments *at all levels of abstraction*, and there is in justifying and explaining moral and political judgments a continual shuttling back and forth at all levels of moral judgment yielding modifications and sometimes even abandonment of judgments at all levels until we have forged for a time a consistent and coherent cluster of such convictions and beliefs so that they form a coherent whole and are not just the jumble and the mess that seem to go with our ordinary moral and political thinking, relying, as it does, heavily on our common views. In this way we are not at all stuck with a cluster of the received considered judgments of commonsense morality, if you will, our received opinion.

Moreover, wide reflective equilibrium is not just a view of a few principles and methodological rules justifying our specific considered judgments nor is it a way of justifying our general principles and methodological rules that allegedly explain out specific considered judgments. Instead (pace what Fritsch thinks I came to think) the interaction, the influence, is going *both ways*, with neither concrete convictions or moral general judgments always standing fast nor very abstract principles always standing fast. It has not been the case that when we move to considering the background culture and theoretical beliefs adverted to in wide reflective equilibrium that these background conditions and theoretical beliefs themselves *always* stand fast. Nothing need *always* stand fast. Sometimes we get modifications or abandonment at one level and sometimes at another. We get what Rawls calls *provisional* fixed points all along the line, but no Archimedean point that always takes priority and remains unchanging. Wide reflective equilibrium also does not go with an utterly coherentist conception, for some considered judgments are claimed to have some *initial* credibility. I should add that if someone wants to call the more abstract and general principles or (for that matter) the concrete ones we get in wide reflective equilibrium self-evident first principles, they can do so as long as they accept wide reflective equilibrium and the *political* principles of

justice and the fallibilism that go with it. We then still can have political and reasonable moral agreement on essentials and no more than provisional fixed points, and that is what Rawls cares about for political liberalism.

Rawls's notions of reflective equilibrium inspired my account, as did Norman Daniels's, but when I developed my account I was concerned with its adequacy and not with whether it was faithful to their accounts. I was, that is, concerned above all about its warranted assertability and not with its doctrinal fidelity to the views of Rawls and Daniels. I hoped it squared with them, for their accounts as I understood them seemed persuasive. But my aim was to construct a view of wide reflective equilibrium that was sound and perspicuous and could be used in many contexts. I didn't go back to check with their writings as to whether my account squared with them or didn't. I also didn't want to tar them with my brush by claiming our views were the same.

I think at least most of the differences between Rawls and myself that Fritsch notes have to do with the *purpose* to which we put reflective equilibrium to work and the context in which we put it to work, and not with reflective equilibrium itself. (See here also particularly my response to Boran in this volume.) In his essays just before *Political Liberalism*, in *Political Liberalism* itself, in his masterful essay "Public Reason Revisited," and in *The Law of Peoples*, Rawls makes extensive use of wide reflective equilibrium, but he makes use of it principally for a distinctive purpose. It is deployed in a context in which he developed his conception of and defended political liberalism, noting that the liberties of the ancients *seemed* to conflict with the liberties of the moderns and that two crucial values—liberty and equality—at least appeared to conflict. Rawls was concerned to show that that conflict was only apparent.[3] He was also concerned with the role of tolerance in our social life in *Political Liberalism*, and even more so in *The Law of Peoples*. We should ask whether a political liberal can, except as a mere modus vivendi, tolerate what he called decent nonliberal societies and when (if at all) he should tolerate the intolerant. (See here my discussion of Jon Mandle in this volume.) Rawls did not seek to show, at least in his later works, how we could justify liberalism itself, that is, how we could answer Joseph de Maistre or Carl Schmitt, but to show, in our intractably pluralist liberal societies, how we could show the rationale *for liberals* of political liberalism: to show, that is, its internal coherence and plausibility to fellow liberals. He did not try to show why we should be political liberals rather than Bolsheviks, fascists, old-fashioned authoritarians, nihilists, or just indifferent to all political stances. No doubt he thought such things could be justified, perhaps even sometimes obviously. But he was concerned instead to show how political liberalism was internally consistent, plausible, and appealing, and to show how it could perspicuously be articulated for political liberals: people living, and willingly, in a politically liberal ethos and sharing its background assumptions.

He thought, both early and late, that such a political liberalism was compatible with a *liberal* socialism and no doubt with a liberal nondogmatic

atheism, though he certainly would not have shared Lenin's view that religion was something not to be discussed but to be abolished.[4] He was not concerned to argue the case either for or against religious belief, but to show how it was possible for the reasonably religious and the reasonably nonreligious to agree on politically liberal principles and practices.

With such an aim he would have certain restrictions in mind applicable to wide reflective equilibrium—*when it is being used to justify political liberalism*—that would not apply elsewhere. *Some* of the specific atheoretical considered judgments he appealed to are different than those appealed to in nonliberal societies (in theocratic societies, for example) and some of the beliefs appealed to at what Fritsch calls the third step of wide reflective equilibrium. Where the purpose is to justify political liberalism against nonliberal criticisms, certain constraints would obtain that are different from those that would be used in rationalizing political liberalism for political liberals or in justifying socialism or naturalism. What elements we should appeal to as background beliefs in our political-social culture—shared by some religious and some nonreligious people—would be more constrained when considering our political liberalism than in arguing for socialism or for, say, Christianity, or in arguing for either theism or naturalism. In rationalizing political liberalism we would affirm Rawls's background theories of the person, of a well-ordered society, of procedural justice, moral theories, and theories about the role of morality in society.

Both Rawls and I include these features and seek to get them into a wide reflective equilibrium with our specific particularized considered moral judgments and our more abstract moral principles, which, as Rawls noted in his presidential address, may also be considered judgments.[5] In that way we both go beyond narrow reflective equilibrium, and so far all is in accordance with political liberalism. But I *add* that we need to get, in what Fritsch calls step three of wide reflective equilibrium, (1) an empirical and broadly scientific conception of human nature and (2) accurate social description and explanation of contemporary societies including very centrally their political and economic structures. Gaining these things, I claim, would include theories of social stratification, class, and gender, theories about ideology, human nature, and the like. Furthermore, in an adequate setting out of the background conditions to be put in place in step three, we should bring in things that we know (or at least think we know) about the world, including scientific accounts of cosmology, though we should take pains to be reasonably confident that they are genuinely scientific accounts and not just speculative metaphysical accounts parading in scientific theories. (I do not say that this will always be easy to ascertain.)

However, it can be said that such things *may* be fine for critical social theory, but they go far beyond what we should appeal to in justifying political liberalism. As Fritsch puts it, "These additions . . . go beyond the later Rawlsian understanding of the content and purpose of wide reflective equilibrium." Moreover, they not only go beyond what Rawls contends, they are at

least arguably incompatible with what Rawls utilizes in giving wide reflective equilibrium as an explanation and defense of the appropriate principles of political justice for political liberalism.

Over such considerations (e.g., conceptions of class, gender, ideology, human nature) we do not have and perhaps cannot get (even if our societies become thoroughly liberal) an overlapping consensus in our pluralistic liberal societies. And thus we could not get them in third step wide reflective equilibrium for such societies. Not all (to put it minimally) of what are taken to be reasonable comprehensive views of the good *in Rawls's "weak" sense of "reasonable"*[6] in politically liberal societies have socialism, let alone naturalism or atheism, as constituents of their comprehensive views of the good, and no doubt most citizens of such societies would strenuously resist having such conceptions introduced into the range of what they would take to be acceptable comprehensive conceptions of the good: conceptions we in liberal societies can agree to disagree about but where it is crucial that all of these comprehensive conceptions of goodness so accepted be compatible with liberal principles of political justice of the type exemplified by Rawls's principles of justice. (To be acceptable comprehensive conceptions of the good as construed here need not be the ones we hold ourselves.) Rawls, of course, has this view, but Rawls does not, and rightly, appeal to either liberal socialism or naturalism in using wide reflective equilibrium to justify liberalism. For that purpose, he neither affirms them nor denies them; using the method of avoidance, he blocks appeal to them. However, I appeal to them in my use of wide reflective equilibrium *in wider contexts than for political liberalism.* (Here, as I argue in discussing Boran, wide reflective equilibrium is used for different *purposes.*)

I am certainly not using the method of avoidance or traveling philosophically light in arguing for socialism or naturalism. There, it might seem, I am in plain conflict with Rawls. It *looks* like I can't have my socialism and atheism and my wide reflective equilibrium for liberal societies, too. We can't (if we would have overlapping consensus) proceed by assuming that only secular views are reasonable comprehensive views in a liberal society. It would be no way to proceed, without being question begging, to try to so justify political liberties in our pluralistic liberal societies. To make such an appeal, it is natural to say, is to be captured by a dogmatism that is incompatible with political liberalism. It is just a stamping of one's foot to insist on only secular views here. Political liberals need not be secular humanists.

III

In articulating political principles of justice for a liberal society, we must try to get all the reasonable (in Rawls's "weak" sense of "reasonable") comprehensive views in liberal society into wide reflective equilibrium where all of them yield an overlapping consensus concerning *political justice.* But we need not gain, and

indeed have not gained, an overlapping consensus concerning the good. But these various comprehensive conceptions of the good (to repeat) must all, as different as many of them are, to be in overlapping consensus in liberal societies, affirm a common political conception of justice or, more accurately, one of a family of such conceptions.[7] We cannot justifiably, or even acceptably exclude, any of these conceptions of the good. This includes not excluding conceptions such as socialism and naturalism. A political liberal need not accept them in justifying political liberalism. He can, like Rawls, stand clear of them in justifying political liberalism. But they are part of the comprehensive conception of the good of some political liberals and are not incompatible with Rawls's principles of political justice for liberalism, and so they must not be excluded from the family of liberal comprehensive conceptions. Other political liberals will disagree with them, but they must not, if they are to remain consistent political liberals, exclude them from the family of comprehensive liberal conceptions to be *so* accepted by political liberals. They are not necessary for political liberalism, though some political liberals can appeal to them in justifying political liberalism; but they *must* also be able to justify political liberalism apart from any such appeals.[8] The most decisive justifying points, and ones that cannot be bypassed for political liberalism, are free-standing views not requiring comprehensive theories or metaphysical or epistemological views. (In Richard Rorty's sense, Philosophical views.) (See Rorty in this volume and my response to him.)

Once it is accepted—as I think we should accept a roughly Rawlsian internal justification of political liberalism with the limitations he gives to his justification—no one is going to say (and be listened to in a genuinely liberal society), "We can by no means tolerate Catholics, Quakers, Jews, Muslims, atheists, or Communists." We must tolerate noncriminal citizens as being in good standing in our societies, no matter what their comprehensive views of the good, who will accept liberal political principles of justice such as Rawls's (or Thomas Scanlon's or Brian Barry's or mine) who will themselves tolerate others who are similarly tolerant. We can stop worrying (as long as genuinely politically liberal societies endure) that any of our comprehensive conceptions of the good will be pushed aside *as long as they are compatible with such political principles of justice.* With such compatibility they will not be repressed or excluded, but they cannot be uniquely appealed to in order to justify political liberalism. And none can be a final court of appeal here. Religious people (if they are also political liberals) can feel secure that their views will be *politically* acceptable and treated with tolerance, and the same obtains for those of us who are secularists and socialists. We may without hindrance try to persuade each other of our respective comprehensive conceptions. With the rise of modernity and, if you will, of postmodernity (actually a form of modernity) there are Christians who have become atheists, Jews who have become atheists, and Muslims who have become atheists. And sometimes the matters have been reversed. Comprehensive views change all the time. There were even a

few during the sixties who thought of themselves as "Christian atheists" or who advocated "God is dead Judaism." Both of these strange views gained temporary prominence during the Vietnam War period. Plainly "liberal socialist" is no longer viewed as an oxymoron, certainly not by Rawls himself. And I do not see why there cannot be "liberal communists." Indeed I think of myself as one. (See here my discussion of Lenin in this volume.)

IV

As I see it, what is equilibrated in wide reflective equilibrium will, with degrees, depend on what we are talking about and why and to whom. Wide reflective equilibrium is used by Rawls to justify his political principles of justice in a liberal culture and to internally justify political liberalism to people in liberal societies who share that ethos. I use it for that as well, and along Rawlsian lines. But I also use it for different purposes, as it was in effect used by Nelson Goodman and W. V. O. Quine for very different purposes. I use it to try to justify political liberalism over against views such as fascism or Stalinism or authoritarian religious views or utter nihilism. And people in a decent hierarchical society (if such can exist) or a theocratic society could use it in trying to justify their principles and practices, only they would have some different considered judgments, some of them sharply conflicting with those of political liberals, and as well they would have some different background beliefs and would equilibrate different things. But using these various beliefs, they could perhaps get their beliefs into a coherent whole, too. Wide reflective equilibrium isn't the property of political liberals. Carl Schmitt could have used it. We have here a common *method* of justification for different societies with different considered judgments and for different activities with different rationales. Wide reflective equilibrium can be used to make perspicuous these different rationales.

V

The sixty-four-thousand-dollar question is: Could we use wide reflective equilibrium to compare and sometimes to rank these different views? It would be harder, of course, but it could at least in principle be done. Or so I claim. We would have different considered judgments to consider, including conflicting ones, and some different general principles and rules and some different background beliefs for what Fritsch calls the third step in reflective equilibrium. It is there where the steps I have stressed come into play and talk of a critical theory of society comes on stream. We would want to know about class, about ideology, about the underlying functions of morality, about disenchantment and alienation, about theories of modernity, and about globalization, imperialism, and the like. But in deploying wide reflective equilibrium in the justifi-

cation of theories of this scope and type we would, at least as things are now and will continue to be for the foreseeable future, lack the overlapping consensus that may be necessary. What is involved is very different than justifying political liberalism. We would have few considered judgments or beliefs that could be taken as common data for the validations of accounts of these matters. We could shuttle back and forth between the various elements, cutting and pruning and modifying and seeking new considered judgments. (Think here of Jocelyne Couture's paper in this volume.) With things being so disparate and with the conflicts often being so deep, there would be little commonality to be discovered. But we seem at least to need some to carry out a justification. We could perhaps *forge* equilibria. But could hardly forge it out of nothing. It is very likely that we would have various quite different equilibria and very unlikely that we would be able to get any "grander" superequilibrium to pull them all together into one grand equilibrium or to be able to find a way in which we could nonarbitrarily choose between these different equilibria or grade them.

Perhaps things are not so bad? Consider our situation in arguing for naturalism—a substantive naturalism and not a methodological one—in the face of theism (standard or otherwise) or other religious views or forms of spirituality.[9] A theist and a naturalist—if either can think at all clearly and have some philosophical sophistication—would agree on some things and have some common points of reference where they could begin to sort out their differences and perhaps see who had the more coherent view.[10] That God (if there is one) is a being greater than which is inconceivable; that if anything is worthy of worship such a reality is; that an eternal being could not come into existence or cease to exist; that God (if there is one) is an eternal being; that we cannot intelligibly ask whether a being which is eternal actually exists; that still there may be no eternal beings; that the God of the Jewish-Christian-Islamic strand (if he exists) is omnipotent, omniscient, and perfectly good; that still there is evil in the world; that even an omnipotent being cannot do what is *logically* impossible but that that is not a limitation on the omnipotence of such a being; that existence is not a predicate, though necessary existence is; that that necessary existence (if such there be) is not something that is *logically* necessary though it may be in some other sense or senses necessary: philosophically literate atheists, agnostics (naturalists, more generally), and theists (standard or otherwise) can agree on these things. It gives them some common toehold from which to argue. Aside from "there is evil in the world" and "there may be no eternal beings," all the rest of the above are at least good candidates for what Wittgenstein would call grammatical remarks, and the two remarks just quoted are truisms, though still substantive.

We have a toehold here, all right, but hardly a sufficiently robust one for believing that if we reflectively endorse these considered judgments, we still have enough overlapping consensus to get either naturalism or at least one of its alternatives into wide reflective equilibrium. There could be agreement over

the above remarks concerning religion but no agreement about whether any of the grand belief claims, religious or nonreligious, can be placed in wide reflective equilibrium. *Perhaps* Wolterstorff is right and it all comes down to which Zeitgeist is extant at a given time and place. It is all a matter of where and when you have lived and how you have been socialized, or perhaps even a matter of your genetic endowment. Or perhaps we need a radically different way of arguing and looking at things. But which way?

There may, however, be this possibility: Suppose we are in politically liberal societies or that gradually all societies become politically liberal. (A rather wistful Whiggish conjecture!) In either case no one's comprehensive views would be threatened with repression as long as they remained reasonable in the weak sense Rawls utilizes in arguing for political liberalism.[11] They would be so reasonable if these comprehensive views reasoned in accordance with Rawls-like principles of political justice. Both naturalist and nonnaturalist religious views could be reasonable in this sense and would not be threatened with repression or even exclusion in such societies or in such a world. People might come to either accept or not accept one or the other, or, perhaps quixotically, to accept both (e.g., to be Christian naturalists). But that is another matter. They would not be held to be unreasonable (in this sense) if they were either naturalists or theists or neither. One's reasonable comprehensive views would deliberately be *taken off the political and legal agenda* but they would not be repressed or excluded, though they might in time, though without forcing, wither away. (Remember Voizard on weaning us away from religion.) No political views would rest on either religious or naturalist grounds; no such metaphysical doctrines would be required of anyone to be in good standing in a liberal society.

In such a world liberal socialism and naturalism would continue to be taken in the relevant sense to be reasonable views, as well as their liberally committed denials and the views of those who remained undecided over such issues. They could be discussed and reasoned about in the public sphere by people committed to public reason (that need not exhaust their politically relevant commitments) and to achieving wide reflective equilibrium where it can be achieved (see Couture in this volume). (There might be considerable disagreement about when it could be achieved and over the likelihood of its achievement.) But they would not be worldviews that are required of anyone. That is the mark of a thoroughly liberal society. Moreover, times change; sometimes, new considered judgments come on stream and come to be persuasive. Naturalism and atheism themselves might become abstract considered judgments for many people supported via a network of more specific considered judgments. It *may*—for me something devoutly to be desired—become something everyone or almost everyone thinks and feels and comes to take as a matter of course. But it will be required of none and imposed on none. There are even now, and have been for some considerable time, people who think of themselves and have thought of themselves as naturalistic Christians. In such

an ethos naturalism would go easily into wide reflective equilibrium. Similar things can be said for liberal socialism.

VI

I have argued that we cannot *now* get either theistic beliefs or naturalistic beliefs into wide reflective equilibrium. But we can conceive of circumstances in which one or the other or both might be so equilibrated. If the conditions of modernity, with its pervasive disenchantment of the world, go right on rolling along, this becomes increasingly likely for naturalism and secularism. At any rate, that can at least be coherently conceived.[12]

Wide reflective equilibrium can be used for many purposes, and some elements of it change with the purpose it is used for, though it is an incompletely coherentist method with the atypical twist that some beliefs, observations, convictions, abstractions, and judgments in any coherently articulated package at any time have some *initial* credibility. For the sciences what are principally taken to have initial credibility are observations, while for morality and normative politics and perhaps religion it is considered judgments or convictions. But these starting points or closure points (always only *contingently* closure points) both so taken tend to change over time (though not all of them at once or *some* perhaps ever). What is in reflective equilibria at T1 may not be at T2, and there may even be a deeply different wide reflective equilibria then. With Rawls's utilization of wide reflective equilibrium for articulating political liberalism as an internally coherent system with a rationale, we have something that is, I believe, for now secure *as such a coherent system*. (Surely, as a *political reality* the neoconservatives, now the dominant power and constituting a new and in some ways a sophisticated barbarism, would like to make political liberalism a thing of the past.)[13] Do we have the resources in a liberal (social democratic) society to non-question-beggingly deflect that challenge? I have tried (a) to make a case for wide reflective equilibrium to be used for displaying and arguing for the internal coherence of political liberalism, (b) to gesture at a case for using wide reflective equilibrium in arguing for the intellectual and moral superiority of political liberalism over its opponents, and (c) to make a case for using wide reflective equilibrium in arguing for liberal socialism and for a naturalistic worldview as being superior to other worldviews. For (b) and (c) matters are more problematic than is the case for (a), but not so problematic that they should be set aside as nonstarters. Careful philosophical argument, narrative construction, and attention to the empirical facts may lead us down the liberal socialist and naturalist paths.

NOTES

1. Kai Nielsen, "Our Considered Judgements," *Ratio* 19 (January 1977): 21–30; "Some Remarks on Philosophical Method," *Metaphilosophy* 9, no. 1 (1978): 23–36; "Considered Judgments Again," *Human Studies* 5, no. 2 (1982): 109–18; and "On Needing a Moral Theory: Rationality, Considered Judgments, and the Grounding of Morality," *Metaphilosophy* 13, no. 2 (1982): 97–116.

2. John Rawls, *Collected Papers* (Cambridge, MA: Harvard University Press, 1999), pp. 286–302.

3. Burton Dreben, "On Rawls and Political Liberalism," in *Cambridge Companion to Rawls*, ed. Samuel Freeman (Cambridge: Cambridge University Press, 2003), pp. 316–46.

4. Kai Nielsen, "Lenin," in *Encyclopedia of Unbelief*, ed. Tom Flynn (Amherst, NY: Prometheus Books, 2007). I characterize Lenin's views on religion and, right at the end of my essay, raise questions about how Lenin's views (though problematically) challenge our standard liberal views about religious tolerance.

5. Rawls, *Collected Papers*, pp. 286–302.

6. Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), pp. 49–60.

7. Rawls, *Collected Papers*, pp. 573–615.

8. Ibid., pp. 590–91.

9. Kai Nielsen, *Naturalism and Religion* (Amherst, NY: Prometheus Books, 2001), pp. 135–98.

10. See my preface to the paperback edition of my *Atheism and Philosophy* (Amherst, NY: Prometheus Books, 2006), pp. 9–45.

11. Rawls, *Political Liberalism*, pp. 49–60.

12. In our "Bush world" this seems rather unlikely. It is too easy, though tempting, to think that this view is so Neanderthal that in time modernity will sweep it away. But whatever holds for Bush, those in the neoconservative group that are his trainers (advisors would be a less *parti-pris* but perhaps less accurate way of putting it) are anything but stupid.

13. I say it is secure as a coherent and plausible intellectual and moral structure. I do not say as a political and social reality. There is no room for complacency there. We may, as Richard Falk worries, be on our way to a new fascism. See his *Declining World Order: America's Imperial Geopolitics* (New York: Routledge, 2003), pp. 241–52.