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Rawlsian Public Reason and Political Vice

James W. Boettcher
Saint Joseph's University, Philadelphia, PA, USA

Abstract: Rawls suggests that facts about the political virtues must be part of the construction of a reasonable political conception of justice. The thesis of this article is that, if an account of political virtue is a necessary element in a reasonable political conception, then so too is an account of political vice. The political vices are those attitudes, feelings, and dispositions that systematically work against reasonableness or the other cooperative or discursive goals of political virtue. The article concentrates on several epistemic-political vices along with practical-political vices that have epistemic elements. Epistemic-political vices such as close-mindedness or gullibility are especially worrisome in the digital age, given their tendency to undermine practices of public reasoning and deliberative democracy. Each political vice is understood as a characteristic failure of one of the Rawlsian burdens of judgment. Each is in this way a more specific form of unreasonableness.

Recent discussions of Rawlsian political philosophy have sounded traditional notes attuned to broadly classical themes such as virtue, the common good, and civic friendship.[1] Renewed attention to these themes is in keeping with Rawls's celebration of the "very great" and normally overriding virtues of political cooperation as well as his characterization of the liberal-democratic political relationship as a form of "civic friendship."[2]

Yet to adapt a remark from one of Rawls's most cherished academic colleagues, the late political scientist Judith Shklar, one misses a great deal by looking only at virtue.[3] For vice is an ordinary and pervasive feature of

James W. Boettcher is Professor in the Department of Philosophy at Saint Joseph's University, 5600 City Avenue. Philadelphia, PA 19131, USA (jboettch@sju.edu).

[1]See, e.g., Roberto Luppi, ed., *John Rawls and the Common Good* (New York: Routledge, 2022).

[2]John Rawls, *Political Liberalism*, expanded ed. (New York: Columbia University Press, 2005), 157, li, and 253.

[3]Judith Shklar, *Faces of Injustice* (New Haven: Yale University Press, 1990), 15: "One misses a great deal by looking only at justice. The sense of injustice, the difficulties of identifying the victims of injustice, and the many ways in which we all tend to live with each other's injustices tend to be ignored …" For Rawls's debt to Shklar, whom he calls a teacher of sorts, see *Political Liberalism*, xxxii.

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both everyday life and political affairs.[4] Understanding virtue, even in a more limited political sense, means paying attention also to vice. In what follows, I propose a general conception of political vice that is consistent with public reason liberalism. My inquiry is limited to what I consider several political vices that threaten practices of public reasoning and democratic deliberation. The method for locating these vices is to link each to a characteristic failure to honor the Rawlsian burdens of judgment. Because reasonable persons honor the burdens of judgment, the political vices identified by my inquiry are more specific forms of unreasonableness.

Section 1 provides a brief overview of Rawlsian political virtue and introduces the distinction between practical-political and epistemic-political virtue. Section 2 examines two practical vices with epistemic dimensions, intolerance and prejudice. Section 3 examines three primarily epistemic vices, close-mindedness, gullibility, and carelessness. Vices of this sort derive in part from familiar cognitive biases and heuristics and can appear in various concrete ways, such as closure with respect to scientific evidence, conspiratorial thinking, or indifference to truth. Various aspects of the digital age—for example, personally filtered information, internet echo chambers, cascading online opinions, and disinformation—make epistemic vices of this sort even more worrisome. Section 4 responds to several objections. The most obvious is that focusing on political vice is contrary to the spirit of the burdens of judgment which instructs us to approach disagreement with others as reasonable rather than as the result of shortcomings such as vices.

Rawls suggests that facts about the political virtues are part of a reasonable political conception of justice and, by implication, also part of the content of public reason. If the arguments of this article are sound, then facts about the political vices should be as well.

1. Conceptualizing Political Virtue and Vice

Rawlsian political virtues are attitudes, dispositions, and other qualities of character that define good liberal-democratic citizenship and that foster political cooperation on publicly acceptable terms.[5] Examples include reasonableness, toleration, mutual respect, a sense of fairness, civility, a spirit of compromise—with a corresponding "readiness to meet others halfway"—and what we might call civic moderation, that is, the refusal to revolt, at least in a "moderately well-governed" and minimally egalitarian regime.[6] Such

[4]Judith Shklar, *Ordinary Vices* (Cambridge, MA: Harvard University Press, 1984).

[5]This paragraph draws on my "Political Virtues" in *The Cambridge Rawls Lexicon*, ed. Jon Mandle and David Reidy (New York: Cambridge University Press, 2008), 631–34.

[6]Rawls, *Political Liberalism*, 122, 157, 163, 194, and 347.

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virtues are "political" in the distinctively Rawlsian sense. They apply to persons qua citizens and do not presuppose the truth of a comprehensive normative ethics or value theory. Facts about the virtues are among the considerations that make possible, and become part of, the construction of a reasonable political conception of justice.[7]

The examples listed above mostly fall into the category of what we might call practical-political virtues. They apply to our conduct toward and attitudes about persons, ourselves and others, as agents equipped with practical reason, and, more specifically, with the two basic moral powers, the capacities for a sense of justice and for a determinate conception of the good. Virtuous citizens are prepared to cooperate politically with others on fair terms and to recognize fair constraints on pursuing the good. Other political virtues are better understood as primarily intellectual or epistemic, even though they are relevant to our practical reasoning as moral and political agents. These are the virtues associated with seeking sound judgments in public reason. And some virtues, such as reasonableness, are described by Rawls as having both practical and epistemic dimensions. Reasonableness comprises normative attitudes and beliefs associated with politically liberal conceptions of the person, society, and pluralism. Yet it also includes important epistemic capacities and commitments, such as "abiding by the criteria and procedures of commonsense knowledge and accepting the methods and conclusions of science when not controversial."[8] Public reason is an exercise of "common human reason" and so includes "fundamental concepts of judgment, inference, and evidence," along with "standards of correctness and criteria of truth."[9]

By definition, reasonable persons also accept the burdens of judgment. Rawls observes that these burdens apply not only to our practical reasoning and value disagreements, but also to our "beliefs and schemes of thought" as well as to the use of our "theoretical" powers which are, presumably, cognitive and discursive faculties used to pursue justified belief and knowledge.[10] Indeed, four of the six burdens of judgment "sources" are said to "apply mainly" to such theoretical as opposed to immediately practical forms of reasoning.[11] Each of the six burdens of judgment sources is discussed in what follows. But a preliminary question concerns how epistemic virtues should be conceptualized, especially as part of a theory that would eschew reliance on the epistemology of a philosophical doctrine.

On the one hand, a politically liberal conception of epistemic virtue should not depend on resolving deeply contested theoretical debates, such as

[7]Rawls, *Political Liberalism*, 123.

[8]Rawls, *Political Liberalism*, 139.

[9]John Rawls, *Justice as Fairness*, ed. Erin Kelly (Cambridge, MA: Harvard University Press, 2001), 92.

[10]Rawls, *Political Liberalism*, 56.

[11]Rawls, *Political Liberalism*, 56–57.

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whether knowledge should be understood in terms of foundationalism or coherentism, or justification in terms of reliabilism or evidentialism.[12] On the other hand, any plausible account of public reason must surely proceed with some minimal assumptions about the differences between informed and misinformed judgments, justified and unjustified beliefs, or true and false propositions, at least with respect to politically relevant ordinary facts and scientific claims as well as basic civic knowledge of history, society, and government.[13] Indeed, Rawls observes that, without an educated citizenry sufficiently informed about "pressing problems," even "farsighted political leaders" will not succeed in addressing important matters of law and policy.[14]

The nature of virtue is hardly a major theme in Rawls's writings but what he does say seems philosophically commonplace. *Theory* defines virtue as the "sentiments and habitual attitudes" leading to right action, where "sentiments" are earlier said to be "dispositions and propensities" regulated by the higher-order desire for justice.[15] *Political Liberalism* makes the familiar point that virtues are the result of habitation and activity, for they are developed "slowly over time" and require regular and active "renewal."[16] In sum, political virtues have at least the following dimensions, recognized long ago by Aristotle: they are developed through and dispose one to activity; they involve the emotions; and they aim at excellence or success of some sort. We may define the practical-political virtues as those attitudes, feelings, and dispositions that reliably lead persons qua citizens to cooperate politically on the basis of a reasonable political conception of justice.[17] Epistemic-political virtues, in turn, are those attitudes, feelings, and dispositions that reliably lead persons qua citizens to seek publicly justified beliefs and to acquire, retain, or share politically relevant information or knowledge. Virtues are

[12]For criticism of public reason liberalism in this regard, see David Enoch, "Political Philosophy and Epistemology: The Case of Public Reason," *Oxford Studies in Political Philosophy* 3, ed. David Sobel, Peter Vallentyne, and Steven Wall (New York: Oxford University Press, 2017), 132–65.

[13]Rawls, *Political Liberalism*, 220, and *Justice as Fairness*, 92, observing that all forms of reasoning include "common elements" such as principles of inference or rules of evidence. For further discussion, see Joshua Cohen, "Truth and Public Reason," *Philosophy & Public Affairs* 37 (2008): 2–42.

[14]Rawls, *Political Liberalism*, 449.

[15]John Rawls, *A Theory of Justice*, revised ed. (Cambridge, MA: Harvard University Press, 1999), 383 and 167; for discussion, see Roberto Luppi's "Virtue," in *John Rawls and the Common Good*, 226–48.

[16]Rawls, *Political Liberalism*, 157, n. 23.

[17]Cf. Robert Audi's conception of "civic virtue" as consisting in those qualities of character that enable persons to excel in the role of citizen, thereby contributing to the realization of justice and other basic political goods: *Religious Commitment and Secular Reason* (New York: Cambridge University Press, 2000), 150.

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excellences and vices are failings. Define the political vices, then, as attitudes, feelings, and dispositions that systematically work against reasonableness or the other cooperative or discursive goals of political virtue.

Another initial question concerns the purpose of investigating vice as part of public reason liberalism. After all, it would seem to be more important to delineate political virtues and then to identify the social or cultural mechanisms needed to support them. Yet there are at least three reasons to pay attention to vice. First, especially in light of Rawls's rather cursory remarks about virtue, specifying the political virtues more fully includes understanding their corresponding vices. If virtues are normative standards that shape aspirations, guide choices, and support criticisms of misconduct, then we should be able to explain at least some of the characteristic ways of falling short of these standards, sufficient to merit disapprobation, whether directed toward oneself or another. A second reason is that it's sometimes possible to avoid vice—or, at least, its more extreme forms—even if one fails to achieve an otherwise obtainable virtue. And, assuming that vice is bad, working against vice is valuable even for the non-virtuous. While it is best to be fully reasonable, it is better to be not unreasonable than to be unreasonable.[18] Finally, and what's by now a familiar notion, some cognitive shortcomings appear to be so pervasive and persistent that they are not entirely avoidable for normal human beings. If so, establishing social and institutional scaffolding that would help to minimize the harm of such failures and any of their corresponding vices is a worthy endeavor. And a first step to doing so is to identify the political vices.

These reasons for investigating political vice are consistent with a modest idealization of the moral and epistemic capacities of ordinary citizens. To be sure, the Rawlsian conception of the person as a reasonable citizen is an exercise in ideal theory. It presupposes both a reciprocal commitment to accepting and advancing political liberalism's fundamental ideas and, with respect to deliberation, threshold levels of rationality, accurate information, and motivational coherence.[19] Some degree of idealization is a necessary feature of public reason liberalism, since public justification would be too difficult if it were to depend on what's acceptable to plainly uncooperative or profoundly irrational individuals. Yet the political conception of the person should not be so strongly idealized as to assume that political virtue is normally abiding and widespread while political vice is normally episodic and limited to bad actors. David Enoch argues that strong forms of idealization are an objectionable strategy for dodging

[18]Here I adapt what Rawls says about comprehensive doctrines directly to persons, namely, that they might present a mixture of both reasonable and unreasonable elements and that one unreasonable element does not render a doctrine (or, arguably, a person) unreasonable "as such" (*Political Liberalism*, 244, n. 32).

[19]Kevin Vallier associates idealization with rationality, information, and motivational coherence in "Against Public Reason's Accessibility Requirement," *Journal of Moral Philosophy* 8 (2011): 366–89.

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familiar criticisms of public reason, for example, that it arbitrarily excludes too many citizens or too many reasons from the justificatory pool, which is inconsistent with its contractarian roots emphasizing consent as a precondition for legitimate authority.[20]

Precisely determining the appropriate degree of idealization is beyond the scope of this paper. Public reason liberals of various stripes tend to seek a balance between idealization and justifiability to actual people, and I do the same through the following stipulations. Reasonable citizens accept the burdens of judgment along with politically liberal conceptions of the person, society, and pluralism. They are capable of understanding, at least roughly, their society's history and institutional structure, such as its constitutional provisions, governmental powers, and modes of economic organization. They are capable of the sort of critical thinking proficiency associated with, say, secondary school level or community college curricula covering basic argument types, validity and soundness, fallacies and heuristics, sources of evidence, and information literacy.[21] Reasonable persons value and pursue coherence among their beliefs, even if they don't always achieve it. Finally, and as indicated, they try to abide by common sense as well as the methods and conclusions of mainstream science.

2. Practical-Political Vices

It does not follow from the above idealization that reasonable persons always act fully reasonably or demonstrate all of the political virtues. That a person is capable of virtuous modes of activity does not mean that they would always realize such capabilities even under favorable conditions. Nor does it assume that most actual people can easily be categorized as reasonable or unreasonable *simpliciter*, since once we step out of ideal theory reasonableness is often a matter of degree. But the modestly idealized concept "reasonable citizen" does set the stage for examining unreasonableness and other political vices. Unreasonableness is a broad category that is closely related to—and sometimes comprises—other more specific vices. What are those other vices?

2.1. Intolerance

To tolerate is to put up with another's beliefs, actions, or projects, despite one's strong disapproval. As Rainer Forst explains, toleration is a complex moral

[20]David Enoch, "Against Public Reason," *Oxford Studies in Political Philosophy*, ed. David Sobel, Peter Vallentyne, and Steven Wall (Oxford: Oxford University Press, 2015), 112–44, with a reply by Andrew Lister, "The Coherence of Public Reason," *Journal of Moral Philosophy* 15 (2018): 64–84.

[21]Compare Audi who maintains that an adequate reason is one that would be intelligible to a normal adult with a good high school education: *Religious Commitment and Secular Reason*, 90.

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attitude that typically includes moments of both objection and acceptance.[22] In the paradigmatic case, one's objection is based on normative grounds, and acceptance consists in the willingness to endure what one considers bad or wrong, though not intolerably bad or wrong. The tolerator is not simply indifferent to others or too lazy to interfere with their beliefs or practices. Nor do they positively esteem those beliefs and practices, in which case there would be nothing to tolerate. The difficulty of toleration is that the tolerator must recognize and be motivated by sufficient reason, moral, political, or pragmatic, not to interfere, despite also having reason to oppose what they tolerate. Like citizens or officials who would discharge public reason's duty of civility, the tolerator must exercise an important measure of self-restraint.

Aristotle observes that virtues are like middle points between extremes (vices) and that for any given domain of action and feeling one extreme is typically more common than the other.[23] With respect to tolerance, a less common extreme would be having an oversupply of the relevant attitudes, sentiments, and dispositions. Consider someone who, in principle, aspires to put up with just about anything, no matter how profoundly objectionable they find another's convictions or choices. For example, as Catriona McKinnon observes, it hardly seems virtuous to refrain from condemning overt racism just because it is part of someone else's perspective and one is conscientiously committed to acknowledging all perspectives as having equal standing.[24] There are limits to tolerance, even if intolerance should be tolerated in some minimal fashion.[25] More common would be intolerance in the normal sense of having an insufficient supply of the accepting attitudes, sentiments, and dispositions. From a Rawlsian standpoint, denying the fact of reasonable pluralism is intolerant. So too is coercively preventing another from affirming a reasonable religious doctrine, or disfavoring them politically for doing so. An example of political intolerance would be the pre-Vatican II doctrine that "error has no rights," recommending limits to the expressive liberties of non-Catholics and authorizing their repression "by the police action of the state."[26]

[22]See his historical and conceptual analysis in Rainer Forst, *Toleration in Conflict*, trans. Ciaran Cronin (New York: Cambridge University Press, 2013).

[23]Aristotle, *Nicomachean Ethics*, 2nd ed., ed. Terence Irwin (Indianapolis: Hackett, 1999).

[24]Catriona McKinnon, *Toleration: A Critical Introduction* (New York: Routledge, 2008), 21.

[25]Forst identifies these limits in terms of a respect (rather than a permission) conception of toleration. On the degree to which the intolerant should be tolerated in some weaker sense of being entitled politically to their convictions, see his *Toleration in Conflict*, 23–25 and 568–71. See also Rawls, *Theory of Justice*, 190–94.

[26]John Courtney Murray, "The Problem of Religious Freedom," *Theological Studies* 25 (1964): 503–75, https://library.georgetown.edu/woodstock/murray/1964e#THE%20TWO%20VIEWS.

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The attitude sustaining much religious intolerance was clearly articulated by Pierre Bayle during the tumultuous instability of the 1680s. Because the intolerant person deems their own convictions to be true and sufficient for uniquely warranting persecution of or interference with the heterodox person, the intolerant person's interfering acts are "good Works" while otherwise similar acts by the other would be "criminal."[27] Bayle's account already suggests that there are important epistemic dimensions to intolerance. For the intolerant person only sees matters from their own point of view. They characteristically fail to appreciate the fifth source of the Rawlsian burdens of judgment (BJS5), according to which there are often different kinds of normative considerations on both sides of an issue and it is difficult to make an overall assessment.[28]

When political issues are bound up with doctrinal claims, and when a citizen rejects any framework for reasoning politically other than their own comprehensive doctrine, then they thereby fail to honor BJS5. Intolerant persons are not sufficiently open to self-criticism or to criticism of their judgments by others, at least when assessing competing considerations depends first on recognizing the limits of one's own perspective. In the worst case, unreasonably intolerant persons manifest forms of rigidity, if not self-appointed infallibilism, that elide both the importance and difficulty of justifying claims to diverse others.

2.2. Prejudice

Prejudice is a distinct vice which is neither necessary nor sufficient for intolerance. Elizabeth Anderson defines prejudice as the attribution of negative stereotypes to individuals due to their group membership or affiliation, thereby rationalizing antipathy toward them.[29] It may take different forms. For example, more subtle types of racial prejudice, such as racial resentment, persist even as explicit expressions of invidious racism have declined.[30] And prejudice consistently causes harm, for example, by contributing to various discriminatory practices.[31]

To identify prejudice as a practical-political vice is to focus on how it leads to harms such as workplace discrimination and mistreatment, thereby

[27]Pierre Bayle, *A Philosophical Commentary on These Words of the Gospel, Luke 14.23, "Compel Them to Come In, That My House May Be Full"* (Indianapolis: Liberty Fund, 2000), 134.

[28]Rawls, *Political Liberalism*, 56; hereafter I shall refer to the "sources" BJS1 through BJS6 simply as "burdens."

[29]Elizabeth Anderson, *The Imperative of Integration* (Princeton: Princeton University Press, 2010), 46.

[30]Donald Kinder and Lynn Sanders, *Divided by Color* (Chicago: University of Chicago Press, 1997).

[31]Anderson, *Imperative of Integration*, 53–60.

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militating against cooperation on the basis of a reasonable political conception. But there's also an epistemic dimension. Specifically, another person's experiences, along with the value judgments informed by those experiences, can be misunderstood or discredited, objectionably, based on stigmatizing beliefs or attitudes about the other due to the other's relation to a subordinated social position or identity. As Miranda Fricker has shown, victims of prejudice often suffer credibility deficits which can be resistant to counter-evidence.[32] Moreover, the relative lack of constructive social power among members of socially subordinated groups renders them disadvantaged in countering a shared social imaginary replete with prejudicial images and stereotypes.[33]

For instance, if reports of workplace sexual harassment or bias are less credible just because of a prejudicial stereotype against women who report them, then the knowledge and information available to members of the public, regarding employment regulations and civil rights protections, are to that extent impoverished. Christine Hartley and Lori Watson cite the complex credibility deficit experienced by Anita Hill during the 1991 Supreme Court confirmation hearings, due to both her gender and race.[34] Her testimony about the relevant facts was not given appropriate weight due to her reduced credibility as a speaker. They argue that when "stereotypes related to gender, race, and other aspects of social identity (or the intersection of multiple such categories) result in hearers systematically discounting speakers' testimony, the standing of persons as free and equal citizens is frustrated or undermined."[35] When prejudice systematically and objectionably frustrates members of the public in efforts to share politically relevant information with others, its viciousness is not only practical but also epistemic.

Judgment is shaped by experience which is in turn informed by social roles, social positions, and voluntary or ascriptive group-based social identities. Presumably such considerations are what led Rawls to formulate the fourth burden of judgment:

> BJS4: 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 positions, its various divisions of labor, its many social groups and their ethnic variety, citizens' total experiences are disparate enough for

[32]Miranda Fricker, *Epistemic Injustice* (New York: Oxford University Press, 2007), 35.

[33]For examples, see my "Immigration Policy and Civic-Political Identity," *Public Affairs Quarterly* 27 (2013): 1–23.

[34]Christie Hartley and Lori Watson, *Equal Citizenship and Public Reason: A Feminist Political Liberalism* (New York: Oxford University Press, 2018), 146.

[35]Hartley and Watson, *Equal Citizenship*, 148.

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> their judgments to diverge, at least to some degree, on many if not most cases of any significant complexity.[36]

I've briefly discussed two practical-political vices, intolerance and prejudice. They dispose persons to harm and injustice, and seem to persist even in somewhat well-ordered liberal-democratic societies, despite various institutional safeguards. Moreover, and as suggested above, there appear to be epistemic dimensions to both of these practical-political vices. Each vice is associated with a characteristic failure to acknowledge the Rawlsian burdens of judgment. In somewhat different ways, both intolerance and prejudice prevent one from adequately appreciating the diverse perspectives of others. And constrained or faulty perspective-taking makes honoring the burdens of judgment more difficult.

3. Epistemic Political Vice

A standard definition of epistemic vice is that it is an objectionable attitude, disposition, or way of thinking that systemically works against having or sharing knowledge. To deem a vice objectionable means that either the agent or simply the activity itself is subject to legitimate criticism. As Quassim Cassam observes, some vices take the form of stable and regular dispositions while other attitudes or ways of thinking systematically get in the way of knowledge regardless of the extent to which they are, or are similar to, enduring character traits.[37]

But what would it mean to call an epistemic vice *political*? First, such vices are somehow contrary to politically relevant knowledge or to informed public justification. This might mean preventing or undermining knowledge that is normally germane to political deliberation. Or, since knowledge is sometimes hard to achieve, epistemic vices are also political insofar as they work against the use of accurate information in public reasoning. Second, just like political virtues, epistemic political vices should be characterized in a manner that is consistent with the freestanding and reasonable political conceptions of justice which provide the content of public reason. If an account of political virtue should be part of the construction of a reasonable political conception of justice, as Rawls maintains, then such a conception should also address the political vices, including epistemic-political vices.

Rawls's references to the political virtues do not appear to aim at an exhaustive list, since he cites different (overlapping) sets of examples at

[36]Rawls, *Political Liberalism*, 56–57.

[37]Quassim Cassam, *Vices of the Mind* (New York: Oxford University Press, 2019), 23; see also José Medina, *The Epistemology of Resistance* (New York: Oxford University Press, 2013), 30.

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various points.[38] Likewise, there are more political vices than can be discussed here. As explained above, two practical-political vices—namely., intolerance and prejudice—are characteristic failures or deficiencies with respect to specific Rawlsian burdens of judgment, namely, BJS4 and BJS5. A similar organizing strategy is available for what are primarily epistemic-political vices. Just as with the political virtues, the attitudes, and dispositions comprised by the vices might be germane to political and nonpolitical contexts. I focus on describing a few epistemic vices that are political in the above senses, related to the burdens of judgment, and systematically contrary to the information and knowledge on which public reasoning depends.

3.1. Close-Mindedness

Democratic deliberation about law and policy is often based on observational or theoretical claims about both the natural world and social and behavioral regularities. Informed and determinate judgments about issues such as climate change, crime and punishment, fiscal and monetary policy, or public health interventions, for example, are often not possible simply as an exercise in articulating and balancing political values. This is because arguments about these issues also crucially depend on empirical facts and predictive judgments. And the claims supporting such arguments are difficult when the evidence is complicated, as per the first of the Rawlsian burdens of judgment:

> BJS1: The evidence—empirical and scientific—bearing on the case is conflicting and complex, and thus hard to assess and evaluate.[39]

The most obvious vice with respect to BJS1 is close-mindedness. To be sure, we can be close-minded with respect to normative claims and value commitments but following Rawls I concentrate on how close-mindedness affects the sort of evidence referenced in BJS1.

Cassam points out that close-mindedness is primarily a character trait, a disposition regularly to think and act in certain ways.[40] Social-psychologists measure these ways of thinking by factors such as rigidity, intolerance of ambiguity, and the need for closure.[41] It often involves limited and deficient perspective-taking, which, as we have seen, is the link between intolerance and BJS5. But arguably the defining feature of close-mindedness is ignoring or misunderstanding new or countervailing evidence. When the need for

[38]Each of the listings in *Political Liberalism* is partial in the sense that each is missing at least one political virtue, and normally more than one, cited by Rawls at least once elsewhere in the book (122, 157, 163, 194, and 347).

[39]Rawls, *Political Liberalism*, 56.

[40]Cassam, *Vices of the Mind*, 34.

[41]Jesse Acosta and Markus Kemmelmeier, "The Changing Association between Political Ideology and Close-Mindedness," *Journal of Social and Political Psychology* 10 (2022): 657–75, at 659.

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cognitive clarity and closure is extreme, people are less likely to consider new information and more likely to deny or misinterpret information that is inconsistent with their prior beliefs. As Cassam notes, close-minded individuals tend prematurely to "freeze" on a particular conception or explanation.[42] This tendency is a political vice to the extent that it systematically and objectionably gets in the way of having or sharing politically relevant information or knowledge.

Close-mindedness militates against ongoing inquiry, responsiveness to evidence, and open communication with other inquirers. An example would be refusing to give credence to new evidence about the public health impacts of drug decriminalization policies because one has reached closure on the degree, causes, and impacts of substance misuse in its relation to legal regulation or interdiction. Or consider the otherwise ordinary people who have been identified as "superforecasters" in Philip Tetlock's various experiments over the years, that is, individuals who are especially accurate in predictive judgments about complicated economic or political events. Their success is due to the very opposite of close-mindedness. Such individuals actively consider evidence contrary to their prior beliefs, pay special attention to those who disagree with them, and remain willing to adjust and revise their judgments accordingly.[43]

It would be implausible to expect most citizens or even government officials to be superforecasters. Nor do most people have technical expertise comparable to the researchers who produce and disseminate the complex natural- or social-scientific evidence that should inform democratic deliberation on various issues. Even more, the groundbreaking work of Kahneman and Tversky shows that all of us appear to be subject to numerous cognitive biases and heuristics that already incline us toward rigidity and closure.[44] These considerations suggest that, even in the case of modestly idealized reasonable persons, limiting or managing the vice of close-mindedness is a more practicable aim as compared to perfecting epistemic virtues such as open-mindedness or intellectual humility. That is not to say that such limiting or managing exercises are easy, especially insofar as close-mindedness is a "stealthy" vice that seems to block its own detection.[45] Often part of being close-minded is not being able to recognize one's close-mindedness. At the very least, then, Cassam recommends that we should look for moments of insight when others criticize us for our alleged close-mindedness or when closure leads to errors so arresting that they can no longer be ignored.[46]

[42]Cassam, *Vices of the Mind*, 33.

[43]Philip Tetlock and Dan Gardiner, *Superforecasting* (New York: Crown, 2015), 112–13.

[44]Daniel Kahneman, *Thinking Fast and Slow* (New York: Farrar, Straus, & Giroux, 2011), 81.

[45]Cassam, *Vices of the Mind*, 146.

[46]Cassam, *Vices of the Mind*, 183–84.

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The digital age presents new challenges in countering close-mindedness. People are more empowered than ever to receive personally filtered information by attending only to outlets or sources that are likely to confirm their preexisting views. Cass Sunstein explains that online epistemic bubbles and echo chambers not only limit information but also increase confidence in what might appear to be largely unchallenged views supported by the preponderance of evidence.[47] All of this makes honoring BJS1 more difficult. After all, people who are generally unaware of what evidence there is are less likely to appreciate the reasonableness of judgments that rely on new evidence or different interpretations of existing evidence. Cass Sunstein's proposals for increasing opportunities for people to encounter opposing viewpoints or even unanticipated information online are modest but sensible in this regard.[48] Neil Levy suggests that undertaking even so-called "shallow" research into complex topics—for example, using the internet for reliable news media summaries of scientific debates—can be sufficient to help non-experts determine the degree to which scientific evidence is actually contested.[49] These are but two examples of what's probably a range of strategies needed to limit or reduce close-mindedness.

Close-mindedness is also relevant to the second Rawlsian burden of judgment, concerning the many difficulties in assigning weight to judgments: Even where we agree fully about the kinds of considerations that are relevant, we may disagree about their weight, and so arrive at different judgments.[50] This is because with respect to theoretical or normative claims a judgment's weight often depends on new evidence that may be elided or ignored by close-minded ways of thinking.

3.2. Gullibility

Another vice that interferes with efforts to assign weight is the tendency to assign weight to implausible or unfounded claims too quickly or easily. Whereas close-mindedness closes the door on various pertinent considerations, gullibility opens it to too many irrelevant ones. One source of gullibility, motivated reasoning, is noteworthy because it is so common. Another potential form of gullibility, superstitious or conspiratorial ways of thinking, is less common but also more likely to be a political vice.

[47]Cass Sunstein, *#Republic* (Princeton: Princeton University Press, 2017), 66–70; Cody Turner, "Online Echo Chambers, Online Epistemic Bubbles, and Open-Mindedness," *Episteme* (2023); Michela Del Vicario, Alessandro Bessi, Fabiana Zollo and Walter Quattrociocchi, "The Spreading of Misinformation Online," *PNAS* 113 (2016): 554–59.

[48]Sunstein, *#Republic*, 226–33.

[49]Neil Levy, "Do your own Research!," *Synthese* 200 (2022): 1–19.

[50]Rawls, *Political Liberalism*, 56.

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Motivated reasoning occurs when we adopt or maintain beliefs because we want them to be true. It is distinct from but often operates in tandem with confirmation bias, which skews judgments regardless of the extent to which persons care about the issues at hand. Motivated reasoning also encourages people to spend more time and energy seeking evidence that might help to confirm prior commitments. Politically motivated reasoning occurs when the assessment of political evidence or argument is non-trivially influenced by background political or socio-cultural commitments, beliefs, or identities.[51] In a much-discussed and contested study, involving subjects' assessment of evidence regarding capital punishment's deterrence effects, subjects assigned confirming and disconfirming weight to two opposing scientific studies based, respectively, on their prior attitudes and beliefs about the death penalty's legitimacy.[52] With respect to the normative questions of whether capital punishment is morally justifiable or constitutionally permissible, the difficulty in assigning weight to social-scientific analyses of its deterrence effects is a fitting example of the Rawlsian burdens of judgment. We should expect reasonable disagreement. Yet in this case the disagreement was patterned in a way that seems at odds with the burdens of judgment, as encountering scientific evidence on both sides of the question led to an opinion shift toward greater polarization.

Not all motivated reasoning is epistemically objectionable. There are epistemic benefits when we are motivated to spend more time reasoning about issues, even in one-sided ways. Nor is it obvious which conditions or circumstances would support a clear distinction between objectionable and acceptable forms of motivated reasoning. While thinking more carefully about the study that's more favorable to one's prior views about the death penalty, and less carefully about the other, may fall short of epistemic virtue, it's not necessarily evidence of vicious gullibility. For these reasons, I do not assume that politically motivated reasoning as such is a political vice. Rather motivated reasoning is a normal human tendency that sometimes leads to or compounds gullibility. This is especially the case when the desire or wish supporting motivated reasoning is less about the truth of contested political claims and more about one's self-conception as a member of a political party, movement, or socio-cultural identity group.

What is more worrisome about motivated reasoning is adopting or revising political judgments in order to fit into some desirable social milieu or affinity group. Robert Talisse has recently observed that everyday life in

[51]Here I adapt the terminology from J. Adam Carter and Robin McKenna, "Skepticism Motivated," *Canadian Journal of Philosophy* 50 (2020): 702–18.

[52]C. G., Lord, L. Ross, and M. R. Lepper, "Biased Assimilation and Attitude Polarization," *Journal of Personality and Social Psychology* 37 (1979), 2098–2109. On the limitations of this study, along with an extended argument that better designed experiments actually give rise to the opposite result, see Alexander Coppock, *Persuasion in Parallel* (Chicago: University of Chicago Press, 2022).

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democracy's background culture is increasingly saturated with society-wide political categories and identities, with greater opportunities than ever for citizens to inhabit, across various localities and regions, highly balkanized social spaces that serve as sites of group polarization.[53] Group polarization does not even require reasoning or arguments; the mere fact that anonymous others online, with whom one shares a group identity, support a policy position is normally sufficient to increase one's support for a more extreme version.[54] Moreover, social media platforms track what motivates consumers and, with respect to political information, provide more of what we seem to want and less of what challenges our prior convictions. As Sunstein notes, whether through social media or other digital platforms, political judgments are sometimes the result of informational or reputational cascades in opinion formation.[55] Ever more people adopt or assign greater weight to a judgment just because of a signal that the judgment is widely shared by others whose authority or esteem they value. It is a form of gullibility to assign weight uncritically to otherwise dubious political claims simply as an exercise in protecting one's reputation or solidifying one's group-based social identity.

Compared to most motivated reasoning, conspiratorial thinking represents a more extreme source of gullibility. Acknowledging that historically there have indeed been actual conspiracies, what starts as alternative theorizing about those conspiracies has, on occasion, been largely correct. But I focus on conspiracy theories in the epistemically faulty and pejorative sense, or what Cassam labels as capital "C" Conspiracy Theories as opposed to evidence-based historical inquiries into conspiracies.[56] Cass Sunstein and Adrian Vermeule offer a "pragmatic definition" of a conspiracy theory as "an effort to explain some event or practice by reference to the machinations of powerful people, who attempt to conceal their role (at least until their aims are accomplished)."[57] Despite this neutral definition, their focus is also on conspiratorial ways of thinking that are false, harmful, and unjustified from the standpoint of an open society with a free flow of information.[58] Well-known examples include theorizing that US government agents planned and carried out the September 11, 2001 terrorist attacks as an "inside job," or explaining the 2012 Sandy Hook, Connecticut, US school shootings as a hoax or a "false flag" operation orchestrated by gun control advocates.

[53]Robert Talisse, *Overdoing Democracy* (New York: Oxford University Press, 2019), 117.

[54]Sunstein, *#Republic*, 77–78; Talisse, *Overdoing Democracy*, 112–14.

[55]Sunstein, *#Republic*, 99–100.

[56]Quassim Cassam, *Conspiracy Theories* (Medford, MA: Polity Press, 2019). On the epistemological difficulties associated with drawing a bright line between unwarranted and warranted conspiracy theories, see Brian Keeley, "Of Conspiracy Theories," *Journal of Philosophy* 96 (1999): 109–26.

[57]Cass Sunstein and Adriane Vermeule, "Conspiracy Theories: Causes and Cures," *Journal of Political Philosophy* 17 (2009): 202–27, at 205.

[58]Sunstein and Vermeule, "Conspiracy Theories," 210.

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Survey data suggest that there's widespread support for bizarre and far-fetched conspiracy theories.[59] Of course, as Levy points out, these data may misrepresent the degree to which people actually accept the beliefs associated with conspiracy theories.[60] Survey responses are sometimes expressions of partisan commitment or affiliation rather than sincere belief. Yet even outlandish conspiracy theories persist over time. This is in part due to what Sunstein and Vermuele call their "self-sealing" quality. Not only are such theories difficult to disprove, with their esoteric and speculative features, but often strong countervailing evidence is easily reinterpreted as evidence in their favor.[61] Alleged conspirators have every reason to distort or falsify records, testimony, experimental results, and other forms of evidence put forward by government, academic, scientific, or media officials. Furthermore, conspiracy-strengthening biases and heuristics are more powerful when believers are "socially and informationally" isolated, as often happens when proponents of more extreme conspiracy theories self-select into like-minded groups.[62] Digital platforms that both narrowly filter information and serve as echo chambers for like-minded persons are thus a fertile source of conspiratorial thinking.

While close-mindedness and other vices are also surely relevant to BJS2, conspiracy theories provide a dramatic illustration of how gullibility leads people to assign too much weight to limited or faulty evidence and too little to considerations such as testimonial or scientific evidence from relevant experts. Such theories do provide possible explanations that are attractive due to their simplicity or their ideological bent. The problem is that, contrary to BJS2, adherents normally do not appreciate other, weightier considerations that are at odds with the conspiracy theory. Recall that reasonableness includes abiding by common sense and accepting scientific methods and conclusions. For many of us, this means placing significant trust in the testimony of the well-positioned observers or experts whose judgments are regularly rejected by conspiracy theories. Trusting experts does not imply always deferring to their epistemic authority. But when political arguments

[59]Consider the 2020 survey result that fewer than half of US respondents were willing to label the following statement as false: "A group of Satan-worshiping elites who run a child sex ring are trying to control our politics and media." In this NPR/Ipsos poll 17% of respondents reported that the statement is true and 37% weren't sure (Ipsos [December 30, 2020] https://www.ipsos.com/en-us/news-polls/npr-misinformation-123020). The example is not meant to suggest that conspiracy theories are only a product of the far right, as this one is. People on both sides of the electoral-partisan divide are prone to conspiratorial thinking.

[60]Neil Levy, "It's our Epistemic Environment, Not our Attitude towards Truth, that Matters," *Critical Review* 35 (2023): 94–111.

[61]Sunstein and Vermeule, "Conspiracy Theories," 223. On the reinterpretation of evidence, see Keeley, "Of Conspiracy Theories," 120.

[62]Sunstein and Vermeule "Conspiracy Theories," 217.

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depend on empirical facts or scientific claims, acknowledging the favorable epistemic position of experts is appropriate.

At the same time, there's some tension between working against gullibility and avoiding the close-mindedness that is also contrary to the burdens of judgment. The amateurish quality of many conspiracy theories derives from the tendency to eschew observer or expert knowledge with the motto "Do your own research!" This approach to knowledge is presumably considered a positive quality, a mark of open-mindedness, in the self-understanding of many of those who have adopted it.[63] But, combined with gullibility, this attitude also prevents people from appreciating the weight associated with scientific or commonsense judgments. Insofar as this attitude systematically gets in the way of having, maintaining, or sharing politically relevant information and knowledge, then it is an epistemic political vice.

3.3. Carelessness

It might seem inapt to highlight carelessness as a vice associated with the third Rawlsian burden of judgment, according to which:

> BJS3: To some extent all our concepts, and not only moral and political concepts, are vague and subject to hard cases; and this indeterminacy means that we must rely on judgment and interpretation (and on judgments about interpretations) within some range (not sharply specifiable) where reasonable persons may differ.[64]

As concepts are often vague, reasonable persons should be wary of both close-mindedness, which forecloses rival plausible interpretations, and intolerance, which fails to take seriously the fact of reasonable pluralism. Nevertheless, if political judgments are often difficult, then that provides a good reason to devote sufficient care in making them. The failure to do so is a vice, namely, carelessness. It is an epistemic-political vice mainly because it systematically works against informed practices of public reasoning.

The Rawlsian idea of public reason includes some guidance for how to respond to the indeterminacy associated with vague concepts and hard cases. The content of public reason consists of the family of reasonable political conceptions, each member of which is subject to a completeness constraint. Reasonable political conceptions should be complete in the sense that they provide reasonable answers "to all, or nearly all, questions involving constitutional essentials and matters of basic justice."[65] Completeness is made possible by ordering criteria for political values, such as negative and positive liberty, equality, opportunity, efficiency, community, diversity, material well-being, health and safety, and so on. In this way, hard cases are not decided

[63]Levy, "Do your own Research!"
[64]Rawls, *Political Liberalism*, 56.
[65]Rawls, *Political Liberalism*, 454.

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carelessly, for example, (i) simply arbitrarily and *ad hoc* or (ii) by drawing directly and solely on comprehensive doctrine. To be sure, indeterminacy remains a problem, despite the completeness constraint. In at least some hard cases, the ordering criteria of reasonable political conceptions may fail to yield determinate judgments either because there are too many competing considerations on both sides of a question, or because, unless one draws upon background theoretical or possibly even comprehensive considerations, there are insufficient resources from within a political conception to resolve the question.[66] Vagueness contributes to both of these indeterminacy problems.

Avoiding careless reasoning will not resolve indeterminacy problems but it may reduce them. Consider the role of judge and, even more, judges who serve on the highest constitutional court, which Rawls identifies as the "exemplar of public reason."[67] No human being could be as careful as Hercules, Ronald Dworkin's ideal judge, endowed with "super human intelligence and patience."[68] But all judges should aspire to a high level of care. This means avoiding both of the careless forms of reasoning mentioned above. According to Rawls, judges should refrain from relying on (ii) "personal morality" or "other people's religious or philosophical views."[69] Presumably they should also avoid (i) arbitrary and *ad hoc* decision-making by seeking principled rulings and following familiar judicial principles such as *stare decisis*. I assume that these expectations hold irrespective of any particular approach to legal interpretation, though the Dworkinian approach that Rawls appears to favor would also constrain judicial decision-making with Dworkin's two interpretative standards of fit and general justification, that is, for any given case, seeking the interpretation that both fits and best justifies the law as a whole.[70] It is part of what Rawls deems the educative role of a well-functioning constitutional court to exemplify decision-making through public reason. When vague concepts render judgments in hard cases uncertain or potentially even indeterminate, the court proceeds by carefully marshaling the best available arguments, with majority and dissenting opinions promulgated as a matter of public record and as an example of reasonable disagreement.

Citizens too should avoid carelessness. Doing so would seem to be increasingly easier in the digital age, which promises widespread and thoroughgoing access to the kind of information and educational programming upon

[66]For examples and discussion, see David Reidy, "Public Political Reason: Still Not Wide Enough," in *John Rawls: Debating Major Questions*, ed. Jon Mandle and Sarah Roberts-Cady (New York: Oxford University Press, 2020), 21–34.

[67]Rawls, *Political Liberalism*, 231.

[68]Ronald Dworkin, *Law's Empire* (Cambridge, MA: Harvard University Press, 1986), 239.

[69]Rawls, *Political Liberalism*, 236.

[70]Dworkin, *Law's Empire*, 228.

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which democratic deliberation depends. Critics of democracy claim that neither access to online information nor a more educated citizenry have done much to alter survey results measuring political knowledge or ignorance among voters. Defenders respond that, under appropriately deliberative conditions, the citizenry as a collective is sufficiently knowledgeable about at least the most important political questions.[71] Furthermore, Alexander Coppock has recently shown that providing people with good information does lead them to adjust their views accordingly, irrespective of partisanship and despite normal tendencies toward motivated reasoning.[72]

Another risk to deliberation in the digital age is the greater demand on our attention through social media, advertising, and entertainment. Reasoning takes time and producers of online content compete for limited attention.[73] Social media platforms allow for quick and easy communication but, with respect to political messaging, they are hardly conducive to thoughtful and thorough analysis. They provide the signals that facilitate online opinion cascades but they are not a suitable forum for the kind of discursive exchange by means of which we test judgments by posing questions, giving arguments, citing evidence, challenging others with reasons, and so on. It is incumbent on citizens to adjust their digital environment so as to reserve sufficient time and attention for careful deliberation.

I have left aside the general question of how expectations of virtue or criticisms of vice might be different for government officials as opposed to ordinary citizens. But with Rawls I assume that citizens should do their best to hold government officials accountable to requirements of public reasoning.[74] At the same time, and even in the best circumstances, very few citizens are likely to have the time, resources, or training that supports the procedural and deliberative rationality of a court or even a legislature. As discussed above with respect to gullibility, citizens must also be able to trust officials to some degree. Trusting government officials means, in part, assuming that official decision-making is not *ad hoc*, driven solely by personal morality, or careless in some other manner.

Another manner of carelessness sometimes discussed in connection with epistemic vice is what Harry Frankfurt calls "bullshit."[75] One way that ordinary citizens work against carelessness is to remain attentive to and wary of bullshit on the part of government officials. Frankfurt famously defines bullshit as a lack of concern with the truth or with getting things

[71]Hélène Landemore, *Democratic Reason* (Princeton: Princeton University Press, 2013), 52.

[72]Coppock, *Persuasion in Parallel*, 3.

[73]Sunstein, *#Republic*, 229–31.

[74]Rawls, *Political Liberalism*, 445.

[75]Harry Frankfurt, *On Bullshit* (Princeton: Princeton University Press, 2005), also referenced in discussions of epistemic vice by Linda Zagzebski (*On Epistemology*, Centgage, 2009, 19–22) and Cassam (*Vices of the Mind*, 78–99).

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right. The bullshitter is "neither on the side of the true nor on the side of the false. His eye is not on the facts at all … except insofar as they may be pertinent to his interest in getting away with what he says."[76] Consider the example of a US governor's seemingly contradictory 2019 remarks about the historical meaning of the Confederate flag, namely, that it is has been "a symbol of service, sacrifice and heritage" for many people and, several days later, that "everyone knows the flag has always been a symbol of slavery, discrimination and hate."[77] Strictly speaking, the first statement is probably true and the second statement, with its quantifier, is surely false. But when combined with a subsequent claim by the same official that the US has never been a racist country, as well as with the unwillingness to mention slavery in response to a townhall question about the causes of the US Civil War, these dissonant historical remarks begin to sound like bullshit in Frankfurt's sense. They seem to be uttered neither for the sake of the truth nor for the sake of promoting falsehoods but for purposes such as appeasing particular audiences and managing public opinion.

If identifying and sharing politically relevant information depends on an attitude of caring about what is true or false, and if bullshit on the part of government officials is by definition contrary to that attitude, then it is to that extent objectionable. Identifying and sharing politically relevant information often does depend on caring about what is true or false. Not caring is a disincentive to conducting inquiry or gathering and testing evidence.[78] Members of the public should be able to trust that officials at least aim to identify and share accurate information even if officials understandably sometimes rely upon or share information that is somehow faulty, that is, consisting of false statements, or only partial truths, or misleading claims, or inferential errors, and so on. If citizens were to trust officials unconditionally and always believe what's put forward even when it is the result of carelessness, then they are less likely to have as much accurate information as would otherwise be the case. And if they were always to mistrust officials, then they would thereby be deprived of what would otherwise be a normal channel for transmitting politically relevant information.[79] Objectionable carelessness that systematically works against informed public reasoning is a vice. And

[76]Frankfurt, *On Bullshit*, 56.

[77]These statements were made two days apart, to different public audiences, and in reference to a 2015 South Carolina mass shooting targeting black church-goers and the subsequent decision to remove the Confederate flag from the state capitol building. Meg Kinnard and Matt Brown, "Nikki Haley has Called out Prejudice But Rejected Talk of Systemic Racism throughout her Career," Associated Press (February 2, 2024).

[78]Cassam, *Vices of the Mind*, 86.

[79]I adapt a similar dilemma formulated by Zagzebski, concerning how bullshit affects the desirability of the hearer's life (*On Epistemology*, 21).

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so reprimanding government officials for it should be part of a citizen's efforts to hold officials accountable to public reason and political virtue.

3.4. Other Vices

The relevant pages of *Political Liberalism* list only a handful of political virtues. Likewise, by highlighting some political vices I have concentrated on those that threaten public reasoning and deliberative democracy. I have ignored other traits or attitudes that are characterized by Rawls as "great vices," such as servility, arrogance, and the will to dominate.[80] Even more, the digital age allows for new forms of cruelty, for example, all manner of humiliating and degrading online messages that risk undermining the social bases of self-respect, especially in the case of already marginalized individuals or groups.[81]

Just as there is reasonable disagreement about which member of the family of reasonable political conceptions to affirm, we might reasonably disagree about which vices a political conception should address. That there may be no clear answer to this question is consistent with how Rawls formulates the final burden of judgment:

> BJS6: [A]ny system of social institutions is limited in the values it can admit so that some selection must be made from the full range of moral and political values that might be realized. This is because any system of institutions has, as it were, a limited social space. In being forced to select among cherished values, or when we hold to several and must restrict each in view of the requirements of the others, we face great difficulties in setting priorities and making adjustments. Many hard decisions may seem to have no clear answer.[82]

Unlike in the case of the other burdens of judgment, I shall not propose a specific vice as a characteristic failure to abide by BJS6. There is, instead, a more general philosophical point about value disagreement. Ranking and balancing political values should be based not only on the goods that we wish to promote but also on harms that we wish to avoid. And among those harmful things are various political vices, some of which are worse than others.

4. Replies to Objections

An obvious and important objection to what I have said so far is that highlighting political vice as a part of public reason liberalism—or, even

[80]Rawls, *Justice as Fairness*, 131. See also the lengthier discussion of envy in *Theory of Justice*, 530–40.

[81]On cruelty, see Shklar, *Ordinary Vices*, 7–44.

[82]Rawls, *Political Liberalism*, 57.

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more, considering treatment of the vices as part of constructing a reasonable political conception of justice—is contrary to the spirit of the burdens of judgment. This is because citizens who are looking for political vices will be more inclined to find them whether they are there or not, thereby ignoring the burdens of judgment or wrongly labeling others as uncooperative or misinformed. After all, Rawls introduces the burdens by contrasting them with shortcomings such as selfishness, irrationality, or error. These other explanations of disagreement are "too easy and not the kind we want."[83] The objection, then, is that paying more attention to the vices will work against honoring the burdens of judgment.

There are two replies. First, and returning to an earlier point, a conceptual analysis of the political virtues needs to include treatment of corresponding vices. For example, understanding the nature of intolerance is arguably necessary for responding to the various paradoxes often associated with the general concept of toleration, for example, for explaining why efforts to reject intolerance are not themselves instances of intolerance. Moreover, the burdens of judgment are formulated from the standpoint of "ideal theory" and with the assumption that everyone is "fully reasonable."[84] Yet the political vices are among the characteristic ways in which actual people typically fall short of acting reasonably and so an account of them enriches our understanding of what it means to be reasonable. Honoring BJS1, for example, is largely about avoiding close-mindedness with respect to new or varied evidence. From the philosophical standpoint of "you and me"—the standpoint from which a theory of public reason liberalism itself would be set forth—an account of political vice is a necessary companion to reasonableness and the other virtues.[85]

The second reply assumes the standpoint of citizens. The primary purpose of an account of political vice is to scrutinize ourselves, to reflect on our potential shortcomings and failures as part of the effort to honor the burdens of judgment. Understanding political vice in this way is consistent with the sorts of self-regarding attitudes and habits normally associated with deliberative democracy. That said, we often do need others to assist in detecting our own vices. An essential deliberative attitude is to remain receptive to another's criticisms when they point to what may be a vicious trait or style of thinking on our part. So while the vices are sometimes legitimate grounds for criticizing others, such criticism is a necessary companion to the principal aim of monitoring our own judgment and conduct in order to guard against vice.

A second objection is an extension of the first, namely, that focusing more on the vices would lead to less civility and even more polarization in political discourse. Partisans are likely to look for vices mainly among those who have

[83]Rawls, *Political Liberalism*, 54.
[84]Rawls, *Political Liberalism*, 56–57.
[85]Rawls, *Political Liberalism*, 28.

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opposing views or affiliations. Accusations of vice by one partisan might be treated by the accused party as evidence of the former's incivility, which is, presumably, also a political vice. That in turn might push each side to even more extreme political positions and away from fair-minded compromise. To approach all disagreement as caused by shortcomings or vice is, according to Rawls, not only "unrealistic" but also likely to engender "mutual suspicion and hostility" among citizens.[86]

The reply to the first objection applies to the second, namely, that incorporating the political vices into a political conception of justice is primarily a way of remaining on guard against our own potential shortcomings and tendencies toward vice. Accepting the burdens of judgment means, in part, making sure that one's own response to the other's different judgment is not distorted by one's own motivated reasoning. Similarly, appreciating the burdens means recognizing that one's own life experiences along with normal cognitive biases and heuristics shape one's judgments in ways that make reaching agreement more difficult than it needs to be.

Second, it is surely plausible for a citizen to abide by what Rawls calls the precepts of reasonable discussion while still sometimes recognizing and criticizing another's vices. Indeed, it is by first following the precepts that each citizen helps to reassure the others that any charges of vice are not simply a reflection of unreasonableness, incivility, or unprincipled partisanship. The precepts of reasonable discussion are said to follow from the burdens of judgment.[87] They instruct citizens (i) to seek reasonable agreement and, for that reason, to refrain from unwarranted accusations of vice; (ii) to expect substantive and intractable disagreement; and (iii) to assume that others are deliberating in good faith. It is surely possible to satisfy these precepts while at the same time objecting to vice when, as it turns out, vice is in fact fueling disagreement or compromising public deliberation. Identifying and criticizing vice need not and should not invoke a vituperative voice or tone. When government officials display obvious carelessness or prejudice, for example, citizens are warranted in criticizing them, even if criticism is subsequent to an initial effort to give them the benefit of the doubt.

This final worry is about conflicts among efforts to avoid political vices and, by extension, to realize virtue. I have not proposed a ranking of the vices. And the somewhat stylized strategy of identifying particular vices by contrasting them with the six burdens of judgment arguably ignores what are other, equally important vices such as those mentioned in section 3.4. Furthermore, attempts to avoid one vice may make one more susceptible to another. Avoiding gullibility risks close-mindedness. Trusting information from others for the sake of more informed deliberation risks gullibility.

[86]Rawls, *Political Liberalism*, 58.

[87]John Rawls, *Collected Papers*, ed. Samuel Freeman (Cambridge, MA: Harvard University Press, 2001), 478–79.

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Criticizing carelessness—and, particularly carelessness on the part of government officials—risks incivility.

There is no perfect solution to this problem. Rawls understands the virtues as regulated by a higher-order desire for justice. Similarly, efforts to avoid political vice should be regulated by this desire along with the ongoing commitment to both the practical and epistemic senses of reasonableness. Yet these are simply guiding principles for the difficult, everyday work of attending to and managing tendencies toward vices of various sorts.

Conclusion

The goal of this article has been to propose a conception of political vice for public reason liberalism and deliberative democracy and to examine several such vices and the ways in which they appear in public-political life. Political vices are attitudes, feelings, and dispositions that systematically work against reasonableness or the other cooperative or discursive goals of political virtue. Some vices are primarily practical-political in that they are opposed to the attitudes, feelings, and dispositions that reliably lead persons qua citizens to cooperate politically on the basis of a reasonable political conception of justice. Others are primarily epistemic-political in that they work against citizens reliably seeking public justification and acquiring, retaining, or sharing politically relevant information or knowledge. Nevertheless, several vices correspond to a characteristic way of failing to abide by the burdens of judgment and so each of those is a more particular form of unreasonableness in the Rawlsian sense. Close-mindedness, gullibility, and carelessness are primarily epistemic-political vices while prejudice and intolerance are primarily practical-political vices with epistemic elements.

Treatment of political vice should be part of the construction of a reasonable political conception of justice. Citizens and officials would in this way remain aware of and strive to avoid especially worrisome vices. Countering vice is admittedly difficult, first because many vices are supported by normal cognitive biases and heuristics. Second, deliberate efforts to avoid one vice might contribute to tendencies toward another one.

But working against vice is especially urgent for democratic deliberation in a digital age. Online epistemic bubbles present one-sided content, echoed by like-minded others, increasing confidence in what might appear to be views that are largely unchallenged by contrary evidence. The result is both group polarization and cascades of opinion-formation. Social media compound these problems by signaling group affiliation with impoverished political discourse. At the extreme, the result is the kind of misinformation or disinformation associated with politically charged conspiracy theories. Close-mindedness, gullibility, and carelessness are all rendered more common and harmful by these trends.

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I have mentioned only a few strategies for reducing or managing vice, which is a topic worthy of a separate inquiry. A first step is thematizing and conceptualizing political vice. Yet paying attention to the vices as I have done here might seem contrary to the very spirit of the burdens of judgment and, for that reason, counter-productive as part of public reason liberalism and deliberative democracy. Against this objection, I have argued that aspiring to reasonableness and the other political virtues sometimes requires a better understanding of vice. Abiding by the Rawlsian precepts of reasonable discussion allows citizens both to respect the burdens of judgment and attend to destructive vices in a reasonable manner. Most important, understanding political vice reminds us of what's already implicit in the call to honor the burdens of judgment, namely, that each of us—we ourselves, not only the others —often incline toward unreasonableness and its various political vices.

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