# MA22 – AC – Rawls

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### Framework

#### I affirm the resolution. Resolved: In a democracy, the free press ought to prioritize objectivity over advocacy.

#### For clarity, I’d like to provide the following explanation of the core values of the topic.

#### First is objectivity. People often use objectivity in the sense of being balanced, yet that’s not a good way to think of it. Instead, we should think about objectivity as being about avoiding using values in the place of evidence. Philosophy Professor Douglas in 2004 writes:

Douglas, Heather. [Heather Douglas joined Michigan State University’s Department of Philosophy in the Fall of 2018. Her research focuses on the relationship between science and democracy, including the role of social and ethical values in science, the nature of scientists’ responsibility in and for science, and science-policy interfaces such as science advising, science funding, responsible research oversight/cultivation, and science communication. She is interested in how citizens can and should interact with science, including the bases for citizens’ trust in scientists. She has also worked on the nature of objectivity in science and how to weigh complex, non-convergent sets of evidence.] "The irreducible complexity of objectivity." Synthese 138, no. 3 (2004): 453-473. DOA: Mar 2, 2022. <https://link.springer.com/article/10.1023/B:SYNT.0000016451.18182.91> Heather Douglas is an associate prof of philosophy at MSU. https://philosophy.msu.edu/faculty-staff/heather-douglas/

When looking at individual thought processes, what does it mean to say that the end result of that process is objective? For example**, if we say that someone has written an objective overview of a problem, or produced an objective analysis of a situation, or developed an objective approach to a question, what do we mean?** Instead of focusing on the interaction between the experimenter and the world, this mode of objectivity focuses on the nature of the thought process under scrutiny, and in particular on the role of values in the individual's thought processes. I will discuss **three** **different senses of objectivity** under this mode. They **are often conflated** in practice, **with deeply problematic results**. **The** **least controversial sense of objectivity2 is the prohibition against using values in place of evidence**. **Simply because one wants something to be true does not make it so, and one's personal values should not blind one to the existence of unpleasant evidence**. As Lisa Lloyd wrote: "[I]f one is personally invested in a particular belief or attached to a point of view, such inflexibilities could impede the free acquisition of knowledge and the correct representation of (independent) reality" (1995, 354). **It is precisely for this reason that some metaphorical "distance" or detachment between the knower and their subject is recommended.** Such detachment, it is hoped, will keep one from wanting a particular outcome of inquiry too much, or from fearing another outcome to such an extent that one cannot see it. Let us call this sense detached objectivity2. **Unfortunately, detached objectivity2 is often rapidly expanded to value-free objectivity2**, the second sense under this mode. In value-free objectivity2, **all values (or all subjective or "biasing" influences) are banned from the reasoning process. This meaning of objectivity derives support from the idea that values are inherently subjective things, and thus their role in a process contaminates it, making it unobjective**. In an effort to prevent this, philosophers and scientists have argued that we need to exclude values from science, particularly ethical and societal values. Note **how much broader this prohibition is from prohibiting values from supplanting evidence. Values can play many roles in zthe reasoning process aside from displacing evidence, from focusing interests and questions to determining which errors are more tolerable**. However, **we remain under the grip of a post-positivist hangover that all (non-epistemic) values in the (internal stages of the) scientific reasoning process are bad.** We fear that any role for values (which some positivists defined as inherently meaning less) in epistemic processes will "distort" knowledge. We train scientists to believe that values are not allowed in science and they must ward off any appearance of personal values or personal judgments playing a role in their doing of science. Thus, scientific papers have a very formulaic structure in which the role of the scientist as active decision-maker in the scientific process is deftly hidden. I have argued elsewhere that **this is a mistake** (Douglas 2000). **Hiding the decisions that scientists make, and the important role values should play in those decisions, does not exclude values. It merely masks them, making them unexaminable by others. The difference between detached objectivity2 and value-free objective is thus a crucial one. It is irrational to simply ignore evidence but it is not irrational, for example, to consider some errors more serious than others** (and thus to be more assiduously avoided) or to choose a particular avenue of investigation because of one's interests. Scientists need to acknowledge the important role values must play in scientific reasoning, while not allowing values to supplant good reasoning. **The personal vigilance scientists have so long directed towards keeping values out of science needs to be redirected towards keeping val ues from directly supplanting evidence and towards openly acknowledging value judgments that are needed to do science**. In other words, scientists must learn to negotiate the fine but important line between allowing values to damage one's reasoning (e.g., blotting out important evidence, focusing only on desired evidence, etc.) and using values to appropriately make important decisions (e.g., to weigh the importance of uncertainties). It is that fine line that defines the first sense of objectivity2 (detached), and is obliterated by the second (value-free). **There is a third sense of objective that is also often conflated with value-free objectivity2, but plays an important and distinct role in modern discourse. This sense, value-neutral, should not be taken to mean free from all value influence. Instead of complete freedom from values, one instead focuses on taking a position that is balanced or neutral with respect to a spectrum of values.** In situations where values play important roles in making judgments, but there is no clearly "better" value position, taking a value-neutral position allows one to make the necessary judgments without taking a controversial value position, without committing oneself to values that may ignore other important aspects of a problem or that are more ex treme than they are supportable. It is in this sense that one can call a written overview of current literature "objective".10 **It takes no sides, not making commitments to any one value position, but takes a "balanced" position.** While the overview may in fact incorporate values in how it presents and views its topic, it does not allow extremes in those values. **Thus, under value-neutral objectivity2, objective can mean reflectively centrist**. One needs to be aware of the range of possible values at play in the situation, aware of the arguments for various sides, and to take a reflect ively balanced position. Such value-neutrality is not ideal in all contexts. **Sometimes a value-neutral position is unacceptable. For example, if racist or sexist values are at one end of the value continuum, value-neutrality would not be a good idea.** We have good moral reasons for not accepting racist or sexist values, and thus other values should not be balanced against them. But many value conflicts reflect ongoing and legitimate debates. One might think, for example, of debates between those placing primary value on robust local economies based on industrial jobs and those pla cing primary value on preventing health/environmental harms potentially caused by those industries. Another example would be the conflict between the needs of current generations around the globe, and the potential needs of future generations. In these and similar cases, value-neutral objective would be a clear asset. As with objectivityi, objectivity2 admits of degrees. One can be more or less detached from one's subject and thus more or less successful at keeping personal values from directly interfering with one's reasoning. One can be more or less neutral with respect to various values, more or less reflective on the spectrum of values and positioned in the middle of extremes. And, if one still holds to the ideal of value-free objectivity2, one can be more or less free from values in total. One determines the degree of objectivity2 by examining the reasoning process and looking at the role of values, or, for value-neutrality, by ensuring that one has considered the range of values and has taken a middle position considerate of that range. Thus objectivity2 is operationalized by internal retrospection or by external examination of an individual's reasoning process.

#### PhD Philosopher Fox contextualizes this ideal of objectivity to journalism in 2013:

Carl Fox, [Before joining the IDEA Centre, I completed my PhD, entitled Party to the Hypothetical Contract: Obligation, Legitimacy, and Autonomy, at the University of Sheffield. I have an MA in Philosophy from Sheffield, an MA in Journalism from Dublin City University, a BA in Philosophy and Political Science from Trinity College Dublin, and a gold star from my mother. Before coming to England to return to philosophy, I worked as a sub-editor for Real-Time Editing and Design. Research interests My doctoral research was rooted in the social contract tradition and aimed to build an account of the binding force of obligation that vindicates the significance of hypothetical consent and explains how political obligation, even when morally required, can still be voluntary. I also work on paternalism, authority, autonomy, and voluntariness], “Public Reason, Objectivity, and Journalism in Liberal Democratic Societies,” 2013, <https://link.springer.com/article/10.1007/s11158-013-9226-6#citeas> //LHP AV DOA: March 3, 2021

Objectivity Before we can rehabilitate the ideal of journalistic objectivity as an exercise in public reason, we must first say something about how it operates and is conceived at present, and what is meant by those who claim to instantiate it. **Objectivity is deeply embedded in the idea of journalism itself,** which is an idea about how we ought to communicate important and significant events, facts, discoveries, theories, opinions and so on. Of course, **the activity of communication for public purposes includes the pursuit of information and the decision to follow a particular line of inquiry.** **A journalist is no less a journalist if, in some particular instance, she fails to uncover the big scoop and is left with nothing to write**. Whether writing or pursuing a story, **the ideal of journalistic objectivity aims to set a standard to which the public can hold journalists**, one they must be entitled to expect to be met in order to move forward on the basis that the news and comment they read, watch, and listen to is fair and accurate. The foundation of **the common understanding of** the concept of **objectivity** **is the correspondence theory of truth**. The idea runs as follows: **the truth of claims about objects or states of affairs can be determined by their relationship to the actual objects or states of affairs in question**, that is, we can ascertain the accuracy of factual claims by comparing the substance of the claims to reality itself. For example, if a reporter claims that two people were killed and ten more were injured, we can check this simply by identifying all the victims and categorising their injuries. **However, the essence of this position is a bold assertion that human beings have the capacity to perceive and experience reality precisely as it is, unmediated or conditioned by the process of perception or** the nature of **experience**. I will not here delve deeply into the problems raised by epistemological scepticism. Rather, I raise the point in order **to introduce a healthy respect for the possibility of error and uncertainty** and, further, to **distinguish** the meaning of **objectivity for the journalist from that of the philosopher**. **Journalism presupposes a robust relationship between our perceptions** of events and objects **and** **the** same **events** and objects **as they are independent of our perception** of them. **Pragmatically this is supported and reinforced by the sheer success of our day-to-day efforts** to manipulate the world in which we live. We can engage with it and we can communicate about it. Essentially, **journalism starts from the premise that this is more than enough to be getting along with. For the journalist, questions of objectivity refer primarily to issues of presentation and selection of content** and it is with these that we shall here be concerned. It is critical to realise that **these issues are primarily methodological**. Journalism is not concerned with reporting objective things, rather it is about reporting significant things objectively. This insight indicates why even a sympathetic treatment of the correspondence theory of truth will not serve to ground journalistic objectivity. However generous we want to be in characterising our pragmatic, rough and ready access to the external world, a host of problems emerge when we turn to the process of interpreting what goes on in it. Interpretation is followed by communication, and this entails sifting and selecting the salient pieces of information. These must then be presented in an intelligible way. In both factual reporting and analysis this is accomplished by the imposition of some kind of narrative structure. **Journalism is a communicative enterprise suffused with normativity, rather than a purely descriptive one**. As such, we cannot simply assume the accuracy of any story. Herman and Chomsky (2002) are prominent proponents of a telling critique of a naı¨ve account of objectivity in journalism, contending that propaganda filters have been built into the very process of news selection and presentation, often to give the appearance of a rigorous, objective approach. These filters, they argue, actually amount to an ideological mechanism of control over the institution of journalism and thereby the powerful impact of the media. If we take their third filter as an example, they say: ‘Partly to maintain the image of objectivity, but also to protect themselves from criticisms of bias and the threat of libel suits, they (the media) need material that can be portrayed as presumptively accurate’ (2002, p. 19). They are referring here to the convenience of official sources and experts, de facto authorities, aligned to powerful political and economic forces for conveying information or explanations about the significance of such information. They hold that ‘through selection of topics, distribution of concerns, framing of issues, filtering of information, emphasis and tone, and by keeping debate within acceptable premises’ (2002, p. 298) journalists entirely fail to discharge their duties to citizens in democratic systems. Without engaging with their substantial arguments, I want to extract the simple point that **there can be no basis for trust unless journalists operate with a methodology that is both publicly known and easily assessed.** **It is not enough to present the extreme sides of an argument, or to approach both the government and the opposition for quotes. The vital role of journalism in a liberal democracy necessitates a transparent process and an ethos that is hostile to bias**. With the intention of recasting the journalistic commitment to objectivity as a definite methodology, I turn now to a discussion of Rawls’s conception of public reason.

#### As a result, my opponent might make claims about the impossibility of objectivity; however, within the context of journalism, objectivity is not the fact itself but rather the process of discovering and presenting information.

#### On the other hand is advocacy. Importantly, the aff does not prohibit advocacy journalism; rather, it only argues that it ought to be done only for the purpose of objectivity.

#### Additionally, this resolution is not a question of state action; rather, it’s a question of journalistic ethics in a democratic political situation. Philosopher Carl Fox elaborates:

Carl Fox, [Before joining the IDEA Centre, I completed my PhD, entitled Party to the Hypothetical Contract: Obligation, Legitimacy, and Autonomy, at the University of Sheffield. I have an MA in Philosophy from Sheffield, an MA in Journalism from Dublin City University, a BA in Philosophy and Political Science from Trinity College Dublin, and a gold star from my mother. Before coming to England to return to philosophy, I worked as a sub-editor for Real-Time Editing and Design. Research interests My doctoral research was rooted in the social contract tradition and aimed to build an account of the binding force of obligation that vindicates the significance of hypothetical consent and explains how political obligation, even when morally required, can still be voluntary. I also work on paternalism, authority, autonomy, and voluntariness], “Public Reason, Objectivity, and Journalism in Liberal Democratic Societies,” 2013, <https://link.springer.com/article/10.1007/s11158-013-9226-6#citeas> //LHP AV DOA: March 3, 2022

**I do not think** that **the state should imprison people for failing to abide by the rules of public** **reason**. In the first place, **this obligation should be enforced informally by journalists** themselves **and the wider public**. Just as we blame wrongdoers and behave in such a way as to make it clear that their behaviour is unacceptable, **we can apply powerful social sanctions** to achieve our end. However, these need to be backed up by more formal measures.

#### Now, the framework. The resolution questions the obligations of the free press within a democracy; within political society, our obligations must be consistent with basic ideas of justice, such as freedom, equality, and democracy. Accordingly, I value democratic justice.

#### Within democratic society, it’s inevitable that people disagree, of course. This is not a bad thing: in fact, it’s the very lifeblood of democracy itself. However, reconciling inevitable disagreement with political stability is the foundational question of democratic society, as PhD Philosopher Fox writes about famous philosopher John Rawls in 2013:

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Rawls (1999, 2005) came to be deeply concerned with the implications of what he thought of as the brute fact of reasonable pluralism.5 **Reasonable and rational** **people, intelligent and thoughtful in their attempts** to understand and solve fundamental common problems **seem inevitably to differ and disagree**. Indeed, **Rawls described several ‘burdens of judgment’, such as complex** and conflicting **evidence**, **the inherent difficulty involved in the weighting of various considerations, and the subtle and shifting subjective biases** that arise of the experience of living life itself,6 so as to **demonstrate** **the inevitability of conflict** in the generation and application of foundational values and beliefs.7 These factors lead ultimately to a myriad of substantially different worldviews or comprehensive doctrines and, following Mill, he thought that it can be perfectly reasonable for people to disagree so deeply. However, **while we have no option but to come to terms with reasonable pluralism**, the difficulties it presents are enormous. Indeed, one of **the chief task**s **of political philosophy is the project of reconciling** **these doctrines** in order **to make a legitimate and stable political association** **a** **possibility**.

#### The solution to this problem is the ideal of public reason, through which we can build a society that is legitimate and reasonably acceptable to all members, Fox writes:

Carl Fox, [Before joining the IDEA Centre, I completed my PhD, entitled Party to the Hypothetical Contract: Obligation, Legitimacy, and Autonomy, at the University of Sheffield. I have an MA in Philosophy from Sheffield, an MA in Journalism from Dublin City University, a BA in Philosophy and Political Science from Trinity College Dublin, and a gold star from my mother. Before coming to England to return to philosophy, I worked as a sub-editor for Real-Time Editing and Design. Research interests My doctoral research was rooted in the social contract tradition and aimed to build an account of the binding force of obligation that vindicates the significance of hypothetical consent and explains how political obligation, even when morally required, can still be voluntary. I also work on paternalism, authority, autonomy, and voluntariness], “Public Reason, Objectivity, and Journalism in Liberal Democratic Societies,” 2013, <https://link.springer.com/article/10.1007/s11158-013-9226-6#citeas> //LHP AV DOA: March 3, 2022

The idea of **public reason is Rawls’s answer to** a vital question posed by **reasonable** **pluralism**, namely; how can a political community containing many comprehensive doctrines collectively decide fundamental political questions in spite of the apparently irreconcilable conflicts generated by these doctrines? Resolving this problem provides a template for a public sphere robust enough to withstand the difficulties that trouble, for example, Habermas. For Habermas (1996, 2008), the public sphere and the ability of private people to engage in rational public communication was a purely historical development that owes its origin to the radical effect of emerging capitalist values and strategies on the feudal hierarchy of the thirteenth century. It existed only briefly and soon flickered out, extinguished by the march of the very same political, social, and economic forces which gave rise to it. What remains for autonomous individuals is to commit to his ideal discourse theory, which espouses the creation of ideal conditions where ‘everyone is required to take the perspective of everyone else, and thus project herself into the understandings of the self and the world of others’ (Habermas 1995, p. 117). Ideal role-taking, he argues, can produce a common ‘weperspective’ which will eventually allow for undistorted communication. This is how we can (objectively) share the information we need to participate in political institutions and hold public authorities to account. The problem with using ideal discourse theory to model journalistic objectivity is that, unlike public reason, it requires a profound shift in our collective moral thinking when, if I am correct, we can follow Rawls in more pragmatically demanding that particular institutions conform to the rules of public reason.8 **When Rawls calls something political, he means that it is appropriate to a particular level of discussion, one about the preferred structure and operation of the systems of social cooperation** into which we are born and must necessarily engage, **and what principles and institutions we should have to govern them**. **Rawls’s theory of political liberalism, where he develops the ideal of public reason, is designed to have nothing to say about how people live their lives apart from their attitude towards basic political questions and towards members of other comprehensive doctrines when they engage in political debate**. **The principles** that apply at this level **must be neutral between reasonable conceptions of the good**. In tandem with this, he believes that **society needs ‘guidelines of inquiry: principles of reasoning** and rules of evidence **in the light of which citizens are to decide whether substantive principles** **properly** **apply** and to identify laws and policies that best satisfy them’ (Rawls 2005, p. 224). **These guidelines develop into the ideal of public reason**, the point of which is ‘that **citizens are to conduct their fundamental discussions within the framework of what each regards as** a **political** conception of **justice** **based on values that others can reasonably be expected to endorse’** (Rawls 2005, p. 226). Despite standing in opposition to comprehensive doctrines, however, **this political conception does have normative content**: ‘The conception of the person is worked up from the way citizens are regarded in the public political culture of a democratic society, in its basic political texts and in the historical tradition of the interpretation of those texts’ (Rawls 2003, p. 19). **Certain ideas**, **like** that of **people** as **being free and equal**, **are** said to be present in the public political culture of a democratic society. What this means is that, for Rawls, there are certain **basic ideas** **that** almost **all of us buy into** **and** **underpin the process of** **thinking** in terms **of** how we can have a **political community** at all. He describes **comprehensive doctrines as reasonable insofar as they endorse basic respect** for persons, **toleration** **and**, crucially, **accept** **the** **necessity** **of** engaging with one another in a **constructive** **dialogue** in order to maintain a pluralistic society.9 **Reasonableness is the key to the legitimacy of** coercive **political** **power10** and when we act as citizens, designing or imposing laws, **we owe to our fellow citizens a very particular sort of public justification** for our decisions. He introduces the criterion of reciprocity to show how reasonable citizens ought to motivate their political contributions with respect to their fellow citizens; ‘they must also think it at least reasonable for others to accept them, as free and equal citizens, and not as dominated or manipulated, or under the pressure of an inferior political or social position’ (Rawls 2005, p. 446). **People will disagree as to what is the best way to organise a political community**, **but** **so long as they can** come to **see** that **their** respective **submissions** **are** all **reasonable** **then** **there** **can** **be** a **stable** basis for political dialogue, **and** ultimately such things as **legitimate laws and institutions**. So, we can now see what **Rawls** means by **public** **reason**. It **is a mode of reasoning and justification** **that is appropriate to particular types of questions**, ones where we are obliged to recognise the status of our fellow citizens, from whichever comprehensive doctrine they may originate, as free and equal individuals, i.e. precisely as citizens. In these cases, **the reasons that we rely on for the positions we recommend in the public sphere** or endorse in the voting booth **must be such that we can reasonably expect others to view them at least as reasonable**, **and** thus **potentially** **acceptable**. **They cannot depend on values or beliefs that are peculiar to any** **particular comprehensive doctrine**. **For example, in arguing for a** legal **prohibition** **on** **abortion**, say, **Catholics cannot appeal to the** infallibility of the **pope** **or** the teachings of the **bible**. In this way broad agreement becomes a possibility.

#### Therefore, my value criterion is consistency with public reason.

#### Prefer this criterion for 2 additional reasons.

#### First, there is no particular community in the resolution, so it applies to societies with widely different cultures, languages, religions, customs, etc.; therefore, we must adopt a hypothetical ideal of shared public reasons as that is universally applicable.

#### Second, my framework entails the inclusion of all reasonable values, so my framework is a procedural prerequisite to any other ethical theory. For example, there’s a possibility they could be wrong in their framework, but my framework allows for uncertainty by incorporating all values, but ensuring values are objective first.

### Contention

#### Contention 1 is Journalistic Trust

#### In order to be consistent with public reason, journalists have to be procedurally objective. Procedural objectivity is about the method of aligning with values that people can reasonably accept, as I discussed above. PhD Philosopher Fox explains:

Carl Fox, [Before joining the IDEA Centre, I completed my PhD, entitled Party to the Hypothetical Contract: Obligation, Legitimacy, and Autonomy, at the University of Sheffield. I have an MA in Philosophy from Sheffield, an MA in Journalism from Dublin City University, a BA in Philosophy and Political Science from Trinity College Dublin, and a gold star from my mother. Before coming to England to return to philosophy, I worked as a sub-editor for Real-Time Editing and Design. Research interests My doctoral research was rooted in the social contract tradition and aimed to build an account of the binding force of obligation that vindicates the significance of hypothetical consent and explains how political obligation, even when morally required, can still be voluntary. I also work on paternalism, authority, autonomy, and voluntariness], “Public Reason, Objectivity, and Journalism in Liberal Democratic Societies,” 2013, <https://link.springer.com/article/10.1007/s11158-013-9226-6#citeas> //LHP AV DOA: March 3, 2022

I have already argued that **objectivity**, as it applies to the practice and theory of journalism, should be conceived methodologically. It is my contention that this method **can be successfully characterised as that of public reason**. **The purpose of public reason13 is to facilitate communication by ruling out recourse to irreconcilable values and beliefs**. Essentially, **it entails a deliberate and reflexive effort on the part of citizens to examine their own belief systems and weed out the propositions that they cannot reasonably expect others to endorse** or view as evidential when they are required in certain important contexts to engage with others who do not share them. **It involves and evolves a mutual respect between persons in their political dealings.** **Rawls himself characterises political principles** that are agreed upon **by way of public reason as objective**. He says: ‘a conception of objectivity must establish a public framework of thought sufficient for the concept of judgment to apply and for conclusions to be reached on the basis of reasons and evidence after discussion and due reflection. Indeed, this is required for all kinds of inquiry, whether moral, political, or scientific, or matters of common sense’ (Rawls 2005, p. 110). **The public use of reason is a mode of communication that citizens approximate by eliminating the dependence of their arguments or assertions on illegitimate comprehensive assumptions**.14 **Journalism should aim to accomplish exactly the same goal**. **Divesting articles**, reports, and opinion pieces **of implicit biases and reliance on controversial values would succeed in rendering journalism more objective precisely because it makes it less subjective**. For example, financial journalists working for the BBC must register their business interests in order to prevent potential conflicts of interest.15 Further, **the purpose of a commitment to the public use of reason would be to better serve a diverse audience**, the members of which are understood to be entitled to certain types of information. **If journalists commit to this method then they commit to** selecting and **presenting** **facts** and arguments in such a way **that** **even** **those** **inclined to disagree** with their particular angle **are still compelled to acknowledge it as reasonable and, therefore, legitimate**. This can establish a solid foundation for our use of information and re-establish trust in journalistic organisations because whatever else they may be, in Baggini’s terms they would be truthful. **As communicators, journalists have an interest in building (or rebuilding) this relationship with the public.**

#### Any comprehensive conception of liberty that is based on a robust conception of justice cannot be enforced in a democratic, pluralist society without violating freedom. The attempt of philosophers to say that rational people *should* agree with them still ignores the reality that many people don’t—and to simply say that they aren’t rational if they don’t agree justifies totalitarian logic across the board. UPenn Philosophy Profesor Freeman writes in 2004:

Samuel Freeman, [Professor of Philosophy and of Law at UPenn with Ph.D. Harvard University J.D. University of North Carolina, Chapel Hill A.B. (Highest Honors) University of North Carolina, Chapel Hill Samuel Freeman teaches courses on social and political philosophy. He has written books on Liberalism and Distributive Justice (2018), Justice and the Social Contract (2007) and on the political philosophy of John Rawls (Rawls, 2007). Freeman edited the Cambridge Companion to Rawls (2003), as well as John Rawls's Lectures on the History of Political Philosophy (2007) and his Collected Papers (1999). Freeman was elected to the American Academy of Arts and Sciences in 2017. He is currently working on a manuscript on liberalism.] Public Reason and Political Justifications, 72 Fordham L. Rev. 2021 (2004). Available at: <https://ir.lawnet.fordham.edu/flr/vol72/iss5/29>. //LHP BT DOA: March 4, 2022

Here it is evident that Rawls from the beginning conceived of justification in moral philosophy as establishing the reasonableness of moral principles. **For Rawls, reasonableness stands in for the notion of truth in moral philosophy**. Now the idea that reasonable moral principles are those that are generally acceptable to conscientious, informed, and morally motivated moral agents resurfaces in A Theory of Justice. It is found, not directly in the agreement in the original position, but in Rawls's account of moral persons and a well-ordered society. A condition upon rational parties' agreement in the original position is that the principles of justice be publicly knowable and generally acceptable among free and equal moral persons with a sense of justice in a well-ordered society regulated by those principles.' The publicity condition implicit in Rawls's account of a wellordered society suggests that he was concerned with an idea of public justification prior to explicitly appealing to that idea.6 The publicity condition in A Theory of Justice implies that principles of justice are reasonable only if they are generally acceptable to the members of a well-ordered society and could serve as a basis for public justification for them in resolving issues and disputes about justice. One of Rawls's primary arguments against utilitarianism is that the principle of utility could not serve as a basis for public justification in a wellordered society that remains stable, whereas the principles of justice are ideally suited to play this role because of their emphasis on reciprocity.7 Still, however much the idea of publicity and even public justification might have guided Rawls's arguments for the principles of justice up to and including A Theory of Justice, and afterwards in the 1980 Dewey Lectures, it is not until Political Liberalism that we find a need for the distinct idea of public reason.' The idea of public reason initially was designed to deal with a gap in Rawls's theory of justice, which arose after he discerned problems with the account of the stability of a well-ordered society, as depicted in A Theory of Justice. That account relied on the assumption that everyone in a well-ordered society of justice as fairness would find it rational to develop and exercise their capacities for justice in order to achieve the good of social union and realize their nature as free and equal autonomous moral beings. What made this argument for the "congruence of the right and the good"9 work (in so far as it did) was an assumption that the great majority of people in a well-ordered society would find it rational to affirm their (purported) nature as free rational beings by endorsing the Kantian ideal of moral autonomy as an intrinsic good. In order to achieve the good of autonomy, agents must incorporate into their life-plans a highest-order virtue to act for the sake of justice, which enables them to realize their moral capacities for justice and thereby achieve moral autonomy.10 For our purposes the important point in Rawls's complicated argument for the congruence of the right and the good is that, if it were true that the stability of a well-ordered society depended on such a congruence, then reasons of moral autonomy, self-realization of moral and rational capacities, and related Kantian ideas would serve as fundamental justifying reasons in making and interpreting laws, and more generally in public justification in a well-ordered society. To see why, consider what is needed to apply abstract principles of justice to decide on laws and to interpret and enforce their implications in particular cases. For example, what kinds of considerations are relevant to deciding the scope and limits of the basic liberties in Rawls's first principle, such as freedom of the person and freedom of association? What kinds of constitutional rights do these abstract liberties require? Do they imply a general right of privacy that protects a right of abortion and a right to same-sex relations? People with different religious and philosophical views disagree about this. But in A Theory of Justice Rawls envisioned political recourse to the values of moral and rational autonomy to decide such questions. In Rawls's first principle of justice, as stated in A Theory of Justice, basic liberties can only be limited for the sake of a more extensive system of basic liberties." One reason for the priority given to maximal basic liberty is that the most extensive scheme of basic liberties is needed to realize the moral and rational autonomy of free and equal moral persons.12 Following A Theory of Justice, public recourse to these kinds of reasons is perfectly appropriate, if not necessary, to interpret the constitution in a society governed by Rawls's principles of justice. **The problem Rawls subsequently discovered with official political appeals to autonomy are familiar. The value of autonomy is part of one or more "comprehensive doctrines" which (because of certain "burdens of judgment") could not be generally endorsed by conscientious moral agents, even in a well-ordered society where Rawls's own principles of justice are generally accepted. To justify application of the principles of justice by appealing to this and other Kantian or Millian values is to appeal to moral values which some conscientious citizens (liberal Catholics for example) explicitly reject**. Now **for many political and legal theorists, there is no genuine problem here. They will say that liberalism, if it did not originate with the idea of autonomy, receives its most robust and securest defense when grounded in the value of moral and rational autonomy** (as in Kant, Mill, or Rawls himself). If so, then these values should be made part of public political culture and education if liberalism is to be best secured against its potential adversaries. **Rawls gradually came to think that this position-namely, enforcing a generally accepted public conception of justice under the auspices of a philosophical doctrine that many reasonable citizens reject-borders on a violation of liberty of conscience. For even if that philosophical doctrine were true, still to enforce it politically differs little from the political enforcement of a religious faith from the point of view of reasonable and rational citizens rejecting that doctrine. A wellordered society's generally accepted conception of justice relies on comprehensive reasons and values which many reasonable and rational citizens still reject.** These comprehensive reasons are politically endorsed since they are officially consulted by legislatures and the courts to determine the application of principles of justice to the constitution. For Rawls, **any conception of justice (including justice as fairness) endorsed under these conditions no longer provides a public basis for justification, even though all reasonable people accept the principles embodied in that very conception and it is politically embodied in laws.**

#### Because the free press is inherently a foundational political institution at the heart of democracy, it’s essential that they remain consistent with the demands of objectivity and public reason, PhD Philosopher Fox continues:

Carl Fox, [Before joining the IDEA Centre, I completed my PhD, entitled Party to the Hypothetical Contract: Obligation, Legitimacy, and Autonomy, at the University of Sheffield. I have an MA in Philosophy from Sheffield, an MA in Journalism from Dublin City University, a BA in Philosophy and Political Science from Trinity College Dublin, and a gold star from my mother. Before coming to England to return to philosophy, I worked as a sub-editor for Real-Time Editing and Design. Research interests My doctoral research was rooted in the social contract tradition and aimed to build an account of the binding force of obligation that vindicates the significance of hypothetical consent and explains how political obligation, even when morally required, can still be voluntary. I also work on paternalism, authority, autonomy, and voluntariness], “Public Reason, Objectivity, and Journalism in Liberal Democratic Societies,” 2013, <https://link.springer.com/article/10.1007/s11158-013-9226-6#citeas> //LHP AV DOA: March 3, 2022

But should we reconceive journalism as a political enterprise in the fashion that Rawls described? It is worth recalling that **journalists perform a political function**, both in the everyday sense of **engaging with the political process, and** in the Rawlsian sense of pertaining to the organisation of the basic structure of society. In order for it **to properly fulfil that role**, however, **it must also be seen as a basic political activity to which the requirement for public reason properly applies**. Most, if not all, substantial conceptions of **democracy include robust provisions for an informed and educated public and demand communication between elected officials and the citizenry, and indeed among the citizenry itself.**16 Consequently, we again return to the idea **that journalism is designed to serve the public, which is, as Rawls argued, composed of members of many different comprehensive doctrines**. **Objectivity**, understood as a methodological commitment to public reason, **grounds the practice of journalism in a concern for the political citizen and strives to accommodate its various functions with the brute fact of reasonable pluralism.** Conceiving of journalism as the watchdog of the sovereign public, the fourth estate, or as the primary source of public information entails recognising its fundamentally political character. And so, **we have good cause to embrace the idea of a public sphere, one which is guided by the ideal of public reason and paradigmatically instantiated in the practice of journalism.** If we accept this characterisation, then we are committed to a radical rethinking of what we mean when we apply the label of journalism in an everyday context. **The mark of the journalist is not simply a press card or a masthead. Rather, it becomes a commitment to public reason, to justifying and explaining the pursuit, presentation, and content of an instance of public communication in a way that reasonable people can reasonably be expected to view as acceptable and intelligible.**