

Political Liberalism, Cultural Membership, and the Family

In a recent article on developments in John Rawls's theory of justice, S.A. Lloyd notes a problem in Rawls's treatment of the family. In *Political Liberalism* (hereafter *PL*), Rawls concedes that his theory assumes that "in some form the family is just."¹ And Lloyd takes this to mean

that the principles of justice do not require us to abolish families and rather, say, rear children collectively in state-run institutions. One might think that the principle of fair equality of opportunity *would* in fact require this, since differences in upbringing do differentially affect opportunities; but Rawls assumes that the family in some form, appropriately regulated is compatible with his principles of justice. . . . This is quite interesting, because if we ask why should the institution of the family have this special status—why permit the family, but only the family, to reciprocally constrain the principles of justice—it is not at all obvious what answer Rawls can give.²

In this paper, I will defend three claims. First, I argue that Lloyd's query is a serious challenge to Rawls's theory of justice, and that neither Rawls's answer nor Lloyd's answer is adequate. Second, I claim that appealing to the need for the good of cultural membership provides a compelling justification of the family. Finally, I will argue that the need for cultural membership provides justification within the framework of Rawls's recent work in *PL*, but not that of *A Theory of Justice* (hereafter *TOJ*).³ Far from requiring the upbringing of children by the state, Rawls's later theory all but prohibits it.⁴

We can define "family" for the present discussion in a relatively broad and loose way: those cultural institutions that consist of one or more adults who are primarily responsible for the upbringing of one or more children, and are prototypically (though not essentially) comprised of biological relatives of the children in a close and affective relationship with the children. While this definition could certainly be made more precise, I think a looser notion is best since nothing in the present discussion depends on the particular form of the family. For present purposes, we need only to be precise enough to distinguish the family from other means of raising children such as state-run child care.

In section 1, I detail Lloyd's challenge and consider constraints on a suitable answer. In section 2, I consider some ways to reconcile Lloyd's challenge with Rawls's conception of justice, but conclude that none of the available options provides an adequate answer. In section 3, I review arguments showing that Rawls and other liberals ought to treat cultural membership as a primary good: something everyone can be assumed to want, whatever else they want. In section 4, I suggest that recognizing the importance of cultural belonging can adequately ground Rawls's special treatment of the family, but only within a state organized around a *political* conception of justice, as it is developed in *PL*. Finally, in section 5, I consider some objections to the proposal and offer some clarifications.

1. Lloyd's Challenge: The Family and the Second Principle

Rawls's second principle of justice is supposed to constrain the basic structure of a society, including the family.⁵ The second principle is broken into two parts. Part (a)—the difference principle—requires that inequalities be positioned so as to be the greatest benefit to the least advantaged within a society while part (b)—the liberal principle of fair equality of opportunity—requires that offices and positions of benefit are open to all. Rawls writes that

the reasons for requiring open positions are not solely, or even primarily, those of efficiency. . . . For it may be possible to improve everyone's situation by assigning certain powers and benefits to positions despite the fact that certain groups are excluded from them. . . . But the principle of open positions forbids this. It expresses the conviction that if some places were not open on a basis fair to all, those kept out would be right in feeling unjustly treated even though they benefited from the greater efforts of those who were allowed to hold them. They would be justified in their complaint not only because they were excluded from certain external rewards of office such as wealth and privilege, but because they were debarred from experiencing the realization of self which comes from a skillful and devoted exercise of social duties. They would be deprived of one of the main forms of human good.⁶

On Rawls's view, even a better position for the worst off does not justify denying them fair equality of opportunity. He incorporates these thoughts succinctly in the requirement that the principle of fair equality of opportunity get priority over the difference principle.⁷

Given that the institutions of a well-ordered society will be structured by the two principles, Rawls appears to permit a real anomaly in sanctioning the family. As Lloyd points out, there is a sense in which the family is singular within the basic structure since the family itself undermines equality in a way inconsistent with Rawls's second principle of justice. Since different families will offer

different opportunities, different amounts of parental skill and parental investment, different numbers of siblings and other relatives, different immediate communities, and even different quantities of love, they cannot help but differentially affect children's life prospects. Moreover, given the early and formative nature of these conditions, we can expect that such inequalities could be magnified many times over as the children grow and pursue their various life paths and conceptions of the good.

When one conceives of a good familial situation as a position with certain benefits attached, it is clear that these positions are not "open to all." Nor do potential benefits to those deprived provide adequate redress for this unfair distribution. While such differing familial situations might not exactly offer different opportunities for the "skillful and devoted exercise of social duties," they do offer different opportunities for the realization of the self. Moreover, as mentioned above, such differences will potentially radically affect one's life chances. So, it appears that Rawls's second principle entails that the family ought to be abolished in order to better equalize opportunities for all involved.

Rawls himself seems to be very cognizant of the tension between equality and the family in *TOJ*. On the one hand, Rawls realizes the central importance of the family in equipping one with the appropriate moral, emotional, and conceptual equipment to be successful in the world. Rawls writes that

[t]he extent to which natural capacities develop and reach fruition is affected by all kinds of social conditions and class attitudes. Even the willingness to make an effort, to try, and so to be deserving in the ordinary sense is itself dependent upon happy family and social circumstances.⁸

But for the very reason of its importance, the family is a barrier to the satisfaction of the principle of fair equality of opportunity:

Even in a well-ordered society that satisfies the two principles of justice, the family may be a barrier to equal chances between individuals. For as I have defined it, the second principle only requires equal life prospects in all sectors of society for those similarly endowed and motivated. If there are variations among families in the same sector in how they shape the child's aspirations, then while fair equality of opportunity may obtain between sectors, equal chances between individuals will not. This possibility raises the question as to how far the notion of equality of opportunity can be carried.⁹

The family seems to, in Lloyd's terminology, place *reciprocal* constraints upon justice: Rawls means to allow the family that is "a barrier to equal chances among individuals" to continue as an

institution within the basic structure. But what possible reason could justify this special treatment of the family? Any appeal to justify familial inequality in virtue of the overall value of families to society would be inconsistent with Rawls's commitment to individuals. At the same time, sentiments favoring the family are so widespread and deeply held that if Rawls's conception of justice does entail the abolition of the family, his theory is far less appealing than many have supposed.

Given the *prima facie* incompatibility of the family with the second principle and strong intuitions favoring the family, we have two options for answering Lloyd's challenge. First, we can argue that despite appearances, the family is compatible with the two principles. We can do this if, for some reason, the family is necessary to, or an inevitable part of, a well-ordered society. In Section 2, I consider arguments to show that attempt to reconcile the special status of the family with the principle of fair equality of opportunity, and conclude that they are inadequate.

The second option for answering Lloyd's challenge is to allow that the two principles as stated are incomplete, and that the conception of justice we accept must be more rich to accommodate the special status of the family.

Rawls's idea of "wide reflective equilibrium" is useful here.¹⁰ Our principles of justice should, on the one hand, reflect our considered moral judgments. On the other hand, they should also have the capacity to cause us to revise those judgments. Rawls achieves this by suggesting that neither our moral intuitions nor our principles of justice are epistemologically privileged. Rather, we adjust sometimes one and sometimes the other to achieve the best overall fit. We adjust our moral judgments by revising them in light of our principles, and we adjust our principles by either altering the specification of the original position or by deciding that the choice parties in the original position should make is different from what we thought. When we have reached the point at which our principles match our moral judgments after considering all possible cases, arguments, and evidence, we have achieved wide reflective equilibrium.

If we are unable to show that the family is compatible with the two principles as stated, we can attempt to accommodate our strong preferences for the family by arguing that a conception of justice protecting the family would be chosen by the parties to the contractual situation (what Rawls calls the "original position") or by altering the specification of the conditions under which the choice of a

conception of justice is made. In Section 3 and the remainder of the paper, I pursue the former route, arguing that the family ensures a primary good—cultural membership—that the state cannot, in principle, provide. Moreover, this good is important enough to override the principle of fair equality of opportunity. As such, the parties in the original position ought to choose a conception of justice that protects the special status of the family. While this defense requires adding to Rawls's conception of justice, it is, I believe, generally compatible with it.

2. Some Arguments for the Family

It would be preferable if the special status that Rawls grants to the family were compatible with his conception of justice as it stands. This would be the case, for example, if the family were somehow a necessary or inevitable part of the basic structure of a well-ordered society. Rawls seems to assume this, but does not explain why. In this section, I will consider three attempts to answer Lloyd's challenge: that of Rawls, that of Lloyd, and another suggested by the work of Laurence Thomas. I will argue that none of them can reconcile the special status of the family with the two principles.

a. Rawls's Answer

While Rawls seems acutely aware of the implications of the principle of equality of opportunity for the special status of the family, the explanation he provides is unsatisfactory by his own criterion. In discussing the privileged position of the family within the basic structure, Rawls writes:

It seems that even when fair opportunity (as it has been defined) is satisfied, the family will lead to unequal chances between individuals (§46). Is the family to be abolished then? Taken by itself and given a certain primacy, the idea of equal opportunity inclines in this direction. But within the context of the theory of justice as a whole, there is much less urgency to take this course. The acknowledgment of the difference principle redefines the grounds for social inequalities as conceived in the system of liberal equality; and when the principles of fraternity and redress are allowed their appropriate weight, the natural distribution of assets and the contingencies of social circumstances can more easily be accepted.¹¹

Rawls recognizes the pull of equality towards the abolition of the family, but he suggests that within the well-ordered society the inequalities will not be so egregious as they seem, as economic and social inequalities will themselves be redressed by the institutions

required by the difference principle. Rawls's point seems to be that even if you are disadvantaged by your familial setting, the advantages which come to those in better circumstances will themselves be redistributed in your favor, thus mitigating the morally arbitrary "effects of the natural lottery itself."¹² Violations of equality of opportunity are less egregious in the face of redress of inequalities of outcome.

But by Rawls's own admission, this kind of explanation by itself is not satisfactory. On Rawls's view, it is not enough that those with less opportunity receive material compensation from those who win the familial lottery. They are still disadvantaged in experiencing the "realization of self" that would accompany a more beneficial setting and the life path that would follow from it. They would, in Rawls's words, "be deprived of one of the main forms of human good."¹³

What we wanted was a justification of the special status of the family, but what Rawls offers us is assurance that the inequalities of outcome it creates might not be particularly harmful. But by Rawls's own admission, that sort of assurance is inadequate to justify violating the principle of fair equality of opportunity. So Rawls ought to be led to the conclusion (as he nearly is in the passage above) that the family ought to be abolished, and the children raised in formally and materially equal circumstances, the benefits of which would be open to all.

b. Lloyd's Answer

Recognizing the gap in Rawls's account, Lloyd suggests that the underlying reason for Rawls's assumption is that

the moral development of children necessary to their becoming fully cooperating citizens requires an intense personal adult-to-child relationship of love and trust, and if it is plausible to suppose further that state-run child-rearing institutions would be significantly less likely to provide the needed intimate relationship, then the reliable reproduction of society over time will require that children be raised in families.¹⁴

If it is a condition upon the existence of a well-ordered society that children must be raised in families, then some sort of family structure must inevitably exist in the well-ordered society, and the reciprocal limits that the family places on justice are justified.

Lloyd thinks that this is the missing lemma in Rawls's argument, since Rawls himself emphasizes in his theory of moral development the importance of strong love between parents and adults.¹⁵ Since the adequate development of moral powers and a sense of justice is a *sine qua non* for a well-ordered society, if the family is needed

to bring these about, then the family too is a *sine qua non*. If such loving bond is necessary, it should be part of the basic structure of the society. Lloyd concludes: "What is missing in Rawls's account as it stands is an argument to the effect that families more reliably provide the needed relationship than state institutions could be expected to do."¹⁶

Rawls must show that families "more reliably" provide psychological prerequisites for moral development than would state institutions. In order for the state to displace the family, it is not necessary that it provide for moral development *better* than, or even as well as, a good family. Rather, the state need only do what is *sufficient* for the children's moral development, even if, in many cases, the family does the optimum. If a loving relationship is required in order to encourage moral development, Rawls must argue that the family is justified because it ensures a loving relationship in a way the state cannot. It is not required of the state to *maximize* the love a child receives, even if the family does just that.

Rawls is very clear that what is necessary to ensure the stability of the state is a "minimum requisite degree" of the moral powers, and later he suggests that what is required is that citizens have "at least to the essential minimum degree, the moral, intellectual, and physical capacities that enable them to be fully cooperating members of society over a complete life."¹⁷ So, if Lloyd's suggested justification of the family is to succeed, then the case needs to be made that state-run child care could not provide enough of a loving relationship for children to achieve the minimum degree of moral development, achieve moral powers that are, in Rawls's phrase, "above the line" of the minimum required.

But this is implausible. To see this, we can take note of the widespread practices of foster care and surrogate mothers, daycare, baby-sitters and nannies, tutors, and nurses that have long characterized the everyday life of at least some children in many cultures. And since now such practices have become widespread in Western industrial and post-industrial culture, the loving contact between parent and child is increasingly becoming replaced by various community and public institutions. Add to the above examples the practice of public and private schools as well as that of boarding schools (institutions that may act *in loco parentis*) and the family seems to play an increasingly marginal role in the immediate raising of a child.¹⁸

On the basis of these examples, it is not clear why the state could not easily provide the kind of resources necessary to supplant the family in ensuring the adequate moral development of children. It might be that the state would need to provide more resources for such care than are currently provided, or even raise the standards of care above those now offered. But such qualifications do nothing to weaken the case that the state could, in principle, do an adequate job of raising children such that their moral development progresses to the minimum level.

c. Thomas's Answer

Perhaps to require that the state provide enough love is beside the point, though. Perhaps what Lloyd (and Rawls) believe is that the parent-child relationship is *qualitatively* different from any other relationship in the child's life. Laurence Thomas suggests that the important feature of the loving parent-child relationship is that the love is *unconditional* or *transparent*.¹⁹ Moreover, he suggests that the basis of such love is the evolutionary selection of psychological mechanisms that favor such love. He writes that

the significance of such love lies in the fact that such parental love engenders basic psychological security on the part of the child, and that this security, in addition to allaying or altogether precluding the fear of parental rejection, is one of the keys to the child's flourishing.²⁰

Thomas goes on to argue that this psychological security plays an essential role in the child's becoming an autonomous moral being since it provides a degree of immunity from the negative social opinions of others, immunity that is essential if we are to become autonomous moral agents.²¹ Thomas likens this immunity, this "safe zone" of self-esteem, to the way that the confidence brought by past achievements can allow one to carry through a current project despite disapproval from others.²²

If Thomas is correct, it suggests two lines of analysis that bolster the general defense of Rawls suggested by Lloyd. First, the unconditional love provided by a family may very well be essential to a child's upbringing. Insofar as the family is the only source of such love, it is an essential institution. Secondly, if Thomas's sociobiological analysis is correct, such unconditional love might arise more naturally or strongly between biological parents and children. Under these circumstances, the family turns out to be essential to the child's adequate moral development and moreover (perhaps) it is the

biological family that is essential. If so, this provides the needed argument for the necessity of the family in a Rawlsian state.

Again, however, we must be mindful that what is required is not that we show that alternatives to the family are *as good as* the family in fostering moral development—we need only show that they are *sufficient*. It seems improbable that biological parents are the only reliable source of appropriate upbringing. Numerous cases of divorce and remarriage, adoption and parental death would seem to rule out this suggestion as unlikely. While certainly many children in such circumstances face both material and emotional hardship, it is not clear that their hardship significantly affects their acquisition of the moral powers to the minimum level required, and it is even less clear that those who do fall short would continue to do so in a society ordered by Rawls's two principles of justice.

Still, it may be the case that *families* are necessary, even if biological families are not. Thomas's argument suggests that what is important is the unconditional love that parents can provide in a close and nurturing relationship with their children. On such an account, the various institutions of child-rearing mentioned above do not serve to undermine the family's role, as the essential feature of the family is the unconditional love it provides to children in its care.

While Thomas's account has much to recommend it, it remains less than convincing. On the one hand, it is not clear that the kind of unconditional love Thomas discusses is *necessary* for children to develop their moral powers to the requisite degree. On the other hand, it is unclear that they could not receive such love within state-run child care.

To begin with, we might wonder to what extent children actually receive the kind of unconditional love that Thomas thinks is necessary. Certainly many actual people would characterize the parental love they received as anything but unconditional. Nonetheless, such people generally seem to have developed the moral powers to the requisite degree. If this is right, then unconditional love is not a necessary condition for adequate moral development.

Even if the quality of parental love *is* what distinguishes it, it doesn't seem as if the quantity of love—the amount of time spent by parents with their children—is irrelevant. After all, they have to have *some* contact for the children to benefit from this distinctive parental love. And if this is so, we might again wonder at the increasingly limited contact between parents and their children in

Western post-industrial cultures. Since such children do apparently develop their moral powers to the minimum degree, it still seems implausible that there is something peculiar to parental love that is essential to a child's adequate moral development. So, Thomas's claim seems a tenuous foundation on which to rest the necessity of the family.

Finally, it is not clear that the kind of psychological security that Thomas considers a requisite for psychological autonomy does not come also or even exclusively from other sources. Thomas himself mentions past successes as a source of confidence in future situations. Perhaps success in negotiating the various problems and situations of life is what brings the sense of self-worth that engenders psychological security. Another possible source of psychological security is one's national or cultural identity. Avishai Margalit and Joseph Raz suggest that one's cultural identity is a primary source of psychological security and unconditional acceptance. The unconditional nature of cultural membership allows it to foster psychological security that in turn gives rise to moral autonomy.²³ If either or both of these suggestions are correct, they would tend to mitigate the importance of the family in providing psychological security.

But even if unconditional love were necessary to foster psychological security, it is not clear that parents are the only source of that either. Perhaps the children receive such love in other situations as well. After all, if the appropriate sort of loving relationship can arise between an adoptive parent and child, it is difficult to see why such love might not also arise between other caretakers and children. Many people recall the support of a teacher or coach or baby-sitter whose concern and care extended beyond the bounds required by their employment. If such support is forthcoming in such non-familial situations, it seems quite possible that such support would arise within institutions of state-run child care.

In short, none of the explanations offered seems to justify family in the face of the inequalities it creates. Rawls's explanation is unsatisfactory as it stands by the very criterion that Rawls himself laid down, and our attempt to find another justification for the necessity of the family has faltered as well, since there seem to be no familial functions that could not plausibly be fulfilled by well-funded, well-regulated, state-run child care. The loving support provided by a family hardly seems essential in an age in which commercial and communal child care abounds, even if we consider the particular, intense quality of parental love. Children seem to

develop moral powers to the requisite degree in the absence of such parental support, and moreover, it is not clear that children do not receive needed love and other means of psychological security from other sources. So, Rawls's problem remains. His commitment to equality of opportunity ought to lead him to advocate the abolition of the family in favor of more equitable, state-run child care.

3. Cultures, Comprehensive Doctrines, and Contexts of Choice

If the special status of the family is incompatible with the two principles as stated, it remains for us to attempt to alter the conception to protect the special status of the family, and show why the goods inherent to the family override the principle of fair equality of opportunity. It is not enough for us to simply emphasize our strong preference for the family, or take notice of the difficulties of making the transition to state-run child care. We must provide arguments as to why these preferences or difficulties are to be given weight by parties in the original position. What primary goods are at stake, and how do those weigh against the goods of self-realization ensured by the principle of fair equality of opportunity?

One promising avenue of justification for the family comes from its role as a transmitter of values and of cultural heritage. Will Kymlicka argues that cultural membership is so important that it ought to be protected as a primary good, as something that everyone is assumed to want, whatever else they want.²⁴ Insofar as the family is a primary vehicle of transmitting cultural membership, the defense of such cultural transmission becomes also a defense of the family. This line of defense will be successful, however, only if it can be shown that the family is a *necessary* and not merely sufficient condition for the transmission of cultural membership. Moreover, it must be the case that the primary good of cultural membership is of sufficient weight to override the goods ensured by the principle of fair equality of opportunity.

a. Conceptions of the Good and Cultural Membership

Rawls's political theory characterizes people as being motivated by particular conceptions of the good. Rawls says:

Such a conception must not be understood narrowly but rather as including a conception of what is valuable in human life. Thus, a conception of the good normally consists of a more or less determinate scheme of final ends, that is, ends we want to realize for their own sake, as well as attachments to other persons and

loyalties to various groups and associations. These attachments and loyalties give rise to devotions and affections, and so the flourishing of the persons and associations who are the objects of these sentiments is also part of our conception of the good. We also connect with such a conception a view of our relation to the world—religious, philosophical, and moral—by reference to which the value and significance of our ends and attachments are understood.²⁵

In a liberal society, people form certain rational life plans that are centered around their rich, particular conceptions of the good. Individual liberties are insisted upon since they protect the ability of individuals both to exercise their own diverse conceptions of the good and to revise and change their life plans as their ends and strategies change.

Kymlicka's argument aims to show that, like basic liberties, cultural membership is required in order for individuals to exercise their own conception of the good, and to revise and change their life plans. How is this so? Kymlicka writes:

From childhood on, we become aware both that we are already participants in certain forms of life (familial, religious, sexual, educational, etc.), and that there are other ways of life which offer alternative models and roles that we may, in time, come to endorse. We decide how to live our lives by situating ourselves in these cultural narratives, by adopting roles that have struck us as worthwhile ones, as ones worth living (which may, of course, include the roles we were brought up to occupy). . . . our language and history are the media through which we come to an awareness of the options available to us, and their significance; and this is a precondition of making intelligent judgements about how to lead our lives.²⁶

Cultural membership is a very important good because it, like the basic liberties, is essential to the possession of a meaningful capacity to exercise and revise one's conception of the good, and those deprived of cultural membership are inevitably at a disadvantage with respect to forming, revising, and pursuing the fulfillment of their conception of the good. So, Kymlicka argues, cultural membership ought to be regarded by liberals as a primary good, and it ought to be protected by group differentiated rights where threatened.

This view of the importance of culture in the formation of our conceptions of the good coheres well with Rawls's claim in *TOJ* that

[t]he many associations of varying sizes and aims [in a community] . . . simplify decision by offering definite ideals and forms of life that have been developed and tested by innumerable individuals, sometimes for generations. Thus in drawing up our plan of life we do not start *de novo*; we are not required to choose from countless possibilities without given structure or fixed contours.²⁷

Choices and modifications to our conceptions of the good are made within a context of values and choices which are identified, provided

by and made salient by one's particular cultural and historical upbringing.

Two features of a cultural structure or context are relevant in these passages from Kymlicka and Rawls. First, cultural structures provide a set of social roles, values and ideals, and life ends from which to choose. They provide what Kymlicka calls a context of choice. And second, these social roles, ideals, and life ends themselves are the value-laden product of a history and tradition. As such, they are not merely *any* social roles, but instead they reflect the various ideals, goods, and aims in a culture. Both Rawls and Kymlicka suggest that these options themselves offer an advantage over "starting fresh," as the options presented by a culture have been historically tested and refined.²⁸ Note that if they didn't think this, it would be unclear why having access to these narratives and roles would offer any substantial advantage (other than as a time-saving heuristic).

Nor are the roles and values of a culture exhaustive: it is not the case that all possible or desirable ideals, norms, or conceptions of the good can be found within a given culture. It is for this reason that Kymlicka insists on the right of individuals not only to choose among the values offered to them by their cultural structures, but also to adopt conceptions of the good affirming values and ideals from outside the culture.²⁹

Having the good of cultural membership, then, means having a starting place in forming and revising one's conception of the good—a starting place characterized by alternative narratives and ideals representing a particular tradition and a preferred subset of possible conceptions of the good. We can think of cultures—understood as contexts of choice—as being one or more of what Rawls calls comprehensive or partially comprehensive doctrines. According to Rawls, such a doctrine "includes conceptions of what is of value in human life, and ideals of personal character, as well as ideals of friendship and of familial and associational relationships, and much else that is to inform our conduct, and in the limit to our life as a whole."³⁰

It is against the background of a comprehensive doctrine or doctrines made salient by one's culture that persons have a meaningful ability to form and revise their conception of the good.³¹ Cultural membership allows individuals to "become aware, in a vivid way, of the options available to them, and intelligently examine their value."³² Without the good of cultural membership, Kymlicka argues,

individuals will lack the conceptual and institutional resources to evaluate and explore their life options. As such, liberals ought to consider cultural membership an important primary good.

b. Ranking Cultural Membership

Now, Rawls's two principles of justice embody equal distribution of liberty, opportunity, and wealth, but assign these goods certain values of priority as well (e.g., the priority of liberty).³³ If we are to add cultural membership to the list of primary goods, it will have to be assigned a priority relative to these other primary goods. And if this assignment is to justify the family, despite its creation of inequality, it must be ranked more highly than the goods of the second principle that guarantees equality of opportunity.

Is such a ranking of cultural membership justified, though? The second principle guarantees a certain amount of equality in a well-ordered society. Such equality is warranted, it is said, since it is wrong for morally arbitrary differences in opportunity and talent to result in greatly enhanced opportunities for some to pursue their conceptions of the good. If what we have said about the role of cultural context is correct, viable cultural transmission is a *pre-condition* for meaningful formation and revision of a conception of the good. So the protection of cultural membership, like the protection of basic liberties, takes priority over the equality of opportunity guaranteed by the second principle. The need to allow cultural transmission then could justify the creation of inequality if such inequality were shown to be necessary.³⁴

Notice that even if all of this is correct, even if cultural membership is a primary good that ought to be protected, we have at best provided an argument for *some* cultural transmission to a child. The considerations given do not justify the protection of any *particular* cultural transmission to a child. So while cultural institutions must be protected, it is not necessary that any particular cultural tradition or doctrine—considered in isolation—be protected from change or alteration.³⁵ What we need to protect is a context of choice.

c. The Defense of the Family

Regarding cultural membership as an important primary good provides an interesting and potentially powerful justification for the family. Since the family in its various forms provides the primary means of instilling a cultural heritage and cultural position in a child,

protecting cultural membership might require protecting the family. Insofar as the family is a necessary condition for instilling and preserving cultural membership, the family would be justified in its creation of inequality.

In order for this argument to successfully ground the special status of the family, two things must be true. First, cultural membership must be appropriately regarded as a primary good. Given the central role that cultural narratives and values play in allowing one to negotiate one's way in the world, and to devise and revise a conception of the good, this assumption would appear to be well-grounded, though I don't pretend to have proven this here. In addition, we still need an argument as to the insufficiency of state-run institutions to transmit culture.

Remember that Lloyd proposed that the family was necessary to foster the required moral development of children. While it does seem possible that the family does, at least in the best cases, best promote the moral development of children, we found it implausible that the family was necessary to achieve a *sufficient* level of moral development. Since there seems to be no reason why a state-run institution could not also foster the moral development of children to the requisite degree, we found no justification for the special status of the family in a just society.

Now our problem is analogous: what we need is an argument to show that state-run institutions cannot promote cultural membership, and provide a context of choice for children to a certain acceptable level. Again, it is not necessary that the state perform as well as the family in such transmission, but only that the state do a sufficient job. In the next section I will attempt to provide an argument that the state cannot, in principle, perform this task.³⁶

4. Liberalism and Political Liberalism

In this section, I will argue that the well-ordered society of Rawls's *PL* is fundamentally unable to establish state-run child-rearing institutions that transmit culture and thus it is incapable of ensuring the primary good of cultural membership to children in its care. As a result, culture must be transmitted by nonpublic associations like families—a function that renders families necessary.

a. From *TOJ* to *PL*: The Overlapping Consensus and the Limits of Public Reason

John Rawls's recent book *Political Liberalism* marks an important change from his earlier *A Theory of Justice*—a change founded on what Rawls sees as the earlier work's unrealistic assumptions of the political stability of any liberal state justified by a comprehensive moral doctrine. In *A Theory of Justice*, the justification of justice as fairness results from embracing a particular comprehensive philosophical doctrine that provides a moral foundation for it.³⁷ The problem with this earlier conception, as Rawls now sees it, is that it rests on an unrealistic view of the stability of a liberal society. Rawls now believes that if left unchecked by oppressive or authoritarian means, people will come to hold differing but reasonable conceptions of the good. And over time, they will come to endorse diverse and incompatible—but nonetheless reasonable—comprehensive or partially comprehensive moral, religious, and philosophical doctrines. But, Rawls notes, the stability of a democratic regime rests on the support of a substantial majority of the politically active citizenry. So, the fact of “reasonable pluralism” undermines the stability of any liberal democratic regime justified solely in reference to a single comprehensive philosophical, religious, or moral doctrine.

In order to resolve this problem of stability, Rawls offers up a “political conception of justice”: a conception whose content is still specified by the two principles of justice, but whose justification now stems from an overlapping consensus of reasonable comprehensive doctrines.³⁸ The political conception of justice is endorsed from within individual comprehensive and partially comprehensive doctrines as a basis for justice and mutual toleration. Rawls believes it is possible that an overlapping consensus of reasonable comprehensive doctrines can be reached on a political conception of justice, and that the political conception of justice can, in turn, form the foundation of a well-ordered though pluralistic society.³⁹

The political conception of justice is importantly limited by “public reason”—“the reason of equal citizens who, as a collective body, exercise final political and coercive power over one another in enacting laws and in amending their constitution.”⁴⁰ Public reason is a constrained sort of reason-giving to be used when citizens discuss and debate constitutional essentials and issues of basic justice. The constraints governing public reason require that citizens “be ready to explain the basis of their actions to one another in terms each could reasonably expect that others might endorse as consistent with

their freedom and equality.”⁴¹ Public reason provides a standard by which one is to abide when justifying oneself, for example, to those who hold different comprehensive doctrines. Such a circumscribed technique of justification is important to the well-ordered society of *PL*, since the members of this political society are assumed to affirm reasonable but contradictory conceptions of the good. Without an agreed upon format for discussing and resolving differences, debate would quickly devolve into a discussion of the possibly irreconcilable differences of the actors’ comprehensive doctrines.

Rawls distinguishes public reasons, those that one “could reasonably expect others might endorse,” from nonpublic reasons whose justifications stem from a particular comprehensive doctrine or partial comprehensive doctrine. Such nonpublic reasons include those of “churches and universities, scientific societies and professional groups”—groups that have internal methods of inquiry and standards of adequacy which are particular to the doctrines they exemplify.⁴² More generally, Rawls says that “[n]onpublic reasons comprise the many reasons of civil society and belong to what I have called the ‘background culture’ in contrast with the public political culture.”⁴³

On Rawls’s later view, the doctrines internal to our various associations, commitments, and ways of life are permissible means of justifying and regulating those institutions. But the political conception of justice is justified by appeal to an overlapping consensus of diverse but reasonable doctrines, so appeal to the internal reasons of one of these doctrines cannot serve to justify governmental acts on issues of justice, since such a nonpublic reason could not be expected to be endorsed by other reasonable doctrines within the overlapping consensus.

So, in the well-ordered society of *PL*, but not that of *TOJ*, public reason is to guide our reasoning in public matters, including the discussions within legislative bodies, the campaign speeches of political candidates, the voting choices of individual citizens, and the deliberations of the supreme court. Policies that cannot be justified by public reason will not be part of the basic structure of the well-ordered society.

b. The Necessity of Family and the Insufficiency of the State

What we needed was a reason why the state could not directly transmit cultural membership—a reason that would, by disqualifying state-run child care, reveal the necessity of the family. In what remains of this section, I shall make two claims. First, I will claim

that the theory of justice in *TOJ* is incapable of revealing the necessity of the family, since “justice as fairness” is there underwritten by appeal to a single comprehensive doctrine. Secondly, and more importantly, I will argue that the political conception of justice offered in *PL* does reveal why the family is necessary once you regard cultural membership as a primary good.

Let us again consider the connection between cultural membership and a particular conception of the good. A conception of the good, as Rawls uses it, includes “a conception of what is valuable in a human life,” and it also involves “a view of our relation to the world—religious, philosophical, and moral—by reference to which the value and significance of our ends . . . are understood.”⁴⁴ Cultural membership is essential because it outfits us with such a rich array of options to determine what is valuable, and also because it provides us a context in which to pursue and revise those values. So, in transmitting a culture, we are transmitting a preferred subset of possible conceptions of the good. While one’s particular conception of the good can be modified through later reflection, one’s cultural inheritance provides the starting place within which such modification takes place.

In transmitting a culture, not only must such a rich array of what is valuable be made available, but the ideals and goods it embodies must be taught to the child *as* (at least mostly) *true* ideals for human life. If the collection of narratives and ideals of a cultural conception did not reflect ways in which the world *actually is* or how people *ought to live*, it could not play its role of providing the foundation as a starting place for evaluating actions and ideas, life options, and life ends. So families, churches, and other cultural institutions instill a cultural position as a doctrine about *the Good*, about human lives and what things are valuable.

In *TOJ* the conception of justice is underwritten by the endorsement of a comprehensive philosophical doctrine. Such a doctrine also embodies “conceptions of what is of value in human life, and ideals of personal character, as well as ideals of friendship and of familial and associational relationships, and much else that is to inform our conduct, and in the limit to our life as a whole”—in short, it embodies conceptions of the good.⁴⁵

The comprehensive doctrine that justifies the conception of justice within *TOJ* itself implies a whole range of values and evaluations. Since the justification for the conception of justice in *TOJ* is grounded in the truth of this comprehensive doctrine, a government ordered

by such a conception can promote or implement the values of this doctrine within the institutions of the basic structure. And so it ought to be able to promote cultural membership via the establishment of cultural institutions that reflect the various conceptions of the good embodied in the comprehensive doctrine that provides the foundation for the conception of justice.

One can imagine the basic structure of *TOJ* including a sort of rich civic culture, the values of which are passed on to each new generation in state-run child care institutions. In such a state, the demands of both cultural membership and equality of opportunity would seem to be satisfied. So, from the point of view of *TOJ* (or any state justified by reference to a single comprehensive doctrine), the need for cultural membership provides no compelling justification for the family in the face of the demands for equality of opportunity.

In *PL*, however, Rawls shifts to a political conception of justice and introduces the overlapping consensus and the constraints of public reason. Instead of finding its justification within a particular comprehensive doctrine, the political conception of justice is a freestanding doctrine, a "module," that "fits into and can be supported by various reasonable comprehensive doctrines that endure in the society regulated by it."⁴⁶ Since the state's authority derives from the mandate provided by the overlapping consensus, the state's authority is also limited by that mandate—limited by public reason.

Public reason requires that policies governing issues of basic justice be justified by reasons that everyone could reasonably accept. Government—including judges, political candidates, legislators, and policy-makers—is constrained by public reason from advancing the contentious views of particular comprehensive doctrines in discussion over issues of constitutional essentials and basic justice. Indeed, anyone wishing it to do so is unreasonable.⁴⁷

But the state is prohibited from advancing the particular elements and the decidedly *nonpublic* reasons of comprehensive doctrines. To do so would favor certain comprehensive doctrines (and the conceptions of the good they made salient) above others, and this is precisely what a state governed by ideals of public reason cannot do. The limits imposed by public reason prevent the state from imposing particular elements of one or another comprehensive doctrine upon others who view that doctrine as irrelevant, an obstruction, or just incorrect. In the case of adults, these limits protect adults from unwanted intrusion into their personal and associational lives.

Children are a special case, for they have no ongoing conception of the good or comprehensive doctrine that would be interfered with by state sponsorship of one or another doctrine. It is not clear, for example, that if the state raised children to practice a particular religion, any harm would be done to the children, at least if the two principles of justice were otherwise honored. Nonetheless, adults in a state governed by a political conception of justice could be expected to object to the state and its various institutions being used to explicitly advance particular comprehensive doctrines, the specifics of which are at odds with their own reasonable comprehensive doctrines.

To suggest that the state advocate such particular comprehensive doctrines, and advocate them *as true*, is to ask that the state be used unreasonably, to promote values and doctrines that are not justified by the overlapping consensus and that agents with different comprehensive doctrines could not reasonably be expected to accept. So, in a state governed by a political conception of justice, no reasonable people could ask that the state advance their own comprehensive doctrine. But children need to be initiated into a cultural position that is itself a comprehensive doctrine or set of comprehensive doctrines. So the state cannot, in principle, provide for the needs of children in its care.

To recap, I have argued both that justice as fairness ought to endorse cultural membership as a primary good, and that a government ordered by justice as fairness endorsed as a political conception is precluded by the limits of public reason from directly advancing any particular comprehensive doctrine. It is for this reason, I suggest, that we need the family—a cultural institution that fulfills a role that cannot, in principle, be carried out by a state organized around a political conception of justice.

Notice that the family can play this role in transmitting culture even as it takes advantage of the many community institutions that aid in child-rearing, including schools, baby-sitters, churches, youth groups, and so on. As long as the family fulfills its responsibility to select such institutions in ways that conform to or are compatible with the values inherent in its members' comprehensive doctrines, it will simultaneously be using such opportunities to transmit cultural membership to its youth.

While these considerations do argue in favor of a family, they do not, by themselves, favor a particular form of the family. As such,

they are compatible with most of the many, many forms of family that exist in various cultural, ethnic, and religious communities.

5. Some Objections and Clarifications

Objection 1: *If society must provide for cultural membership, then wouldn't that still violate public reason?*

In section 3, I argued that cultural membership is a primary good of sufficient importance to override the concern for equality. But if society must ensure cultural transmission through governmental structures, that would appear to violate the mandate of the overlapping consensus as surely as state-operated child care would. The appropriate way to understand the protection of cultural membership, then, is as a *negative* right of the child: a right to acquire culture within the family, unimpeded by considerations of equal opportunity.

On this conception, might not some children then be deprived of cultural membership because of the lack of available resources? If a particular culture required special or extravagant resources in order to ensure the good of cultural membership, then children born into such a culture will be at a disadvantage in acquiring that particular cultural doctrine.

If we understand culture as one or a set of comprehensive doctrines, however, it is difficult to see why children would be at a disadvantage in acquiring the doctrine. What seems more likely is that some doctrines make salient conceptions of the good that require more resources to lead a fulfilling life than others might. Children who acquire such comprehensive doctrines will indeed be at a disadvantage in fulfilling their conception of the good.

In this way, however, children are at no more disadvantage relative to their claim on material resources than anyone else whose conception of the good requires extra resources. It is an assumption of Rawls's theory that "citizens are thought to be capable of adjusting their aims and aspirations in the light of what they can reasonably expect to provide for."⁴⁸

If leading a good life according to one or another doctrine does not demand large or peculiar resources, however, then we can expect that the material basis of cultural transmission would be provided for by the system of primary goods and their distribution in the well-ordered society according to the difference principle. Since the system of primary goods makes no assumptions about particular

comprehensive doctrines, it is supported by the conception of justice founded in the overlapping consensus.

Objection 2: The state could teach comprehensive doctrines if the need was supported by public reasons.

The argument presented suggests that if state institutions raised children within a culture, the state would be advancing one or another particular comprehensive doctrine, and suggests that this would be unacceptable since reasonable people could not be expected to agree to the use of state power to advance a particular comprehensive doctrine at odds with their own reasonable conception. However, it may be that despite the objectionable nature of the content of the particular comprehensive doctrine, the policy itself—that of the government ensuring children the good of cultural membership—could be defended by offering public reasons alone.

Rawls's discussion of school prayer is suggestive:

Take the question of school prayer. One might suppose that a liberal position on this would reject their admissibility in public schools. But why so? We have to consider all the political values that can be invoked to settle this question and on which side the decisive reasons fall. The famous case of the debate in the Virginia House of Delegates in 1785 between Patrick Henry and James Madison over the establishment of the Anglican Church and involving religion in the schools was argued almost entirely by reference to political values alone.⁴⁹

Rawls goes on to say in a footnote that

[t]he special interest of the example of school prayer is that it shows that the idea of public reason is not a view about specific political institutions or policies, but a view about how they are to be argued for and justified to the citizen body that must decide the question.⁵⁰

If cultural membership is so important in allowing individuals to develop and revise their conceptions of the good, then that provides a public reason for its implementation in state-run child care facilities. There would still be the issue as to exactly which children should be raised according to which comprehensive doctrine. No one could reasonably be expected to assent to all children being raised within a comprehensive doctrine that they found mistaken, but perhaps the state could raise a certain proportion of children according to doctrine A, another proportion according to doctrine B, and so on. Such a solution might allow the state to transmit cultural belonging, but without sacrificing its impartiality among comprehensive doctrines.

Even if an agreement as to appropriate proportioning of children could be reached, this solution would not work. Remember the point

of undertaking such measures would be to create formal and material inequality among children in the state's care. But presumably a substantial amount of the inequality brought about by real families stems from the different cultural milieu that each inhabits. Because of the differences between their inherited comprehensive doctrines and conceptions of the good, people will differ in their capacity to pursue various goals.

Consider an extreme but illustrative example: if someone is brought up in a community that eschews technology and so has limited early contact with computers, but comes over time and experience to want to be a computer animator, that person could be at a substantial disadvantage relative to someone else brought up by computer animators in Silicon Valley. Even if the state could reproduce the different cultural milieus, it would do so at the cost of being unable to eliminate the inequality of opportunity these milieus presented to the children involved. For another example, consider historic Christian prohibitions against usury that had the effect of creating inequalities between abiding Christians and others. Differences in cultural doctrines bring inequities in their wake. To attempt to eliminate these inequities is to try to eliminate precisely the differences in particular conceptions of the good that basic liberties protect. Since eliminating such inequality was the whole reason to have the state raise children in the first place, it's hard to see how such a policy of publicly raising children in unequal circumstances could be justified.

Objection 3: At best you've shown that the state cannot raise children, but not that the family has to. Perhaps community facilities or religious organizations could raise children instead.

This objection is correct, to a point. In eliminating the state as an institution for raising children, I did leave open the possibility that other institutions besides the family—institutions governed by their own internal doctrines and not limited by public reason—could raise children. In fact, I even suggested at the end of Section 4 that families could take extensive advantage of such institutions.

So, it does remain a viable cultural option for children to be raised in some sort of communal setting outside the traditional family. Notice though, that if the motivation for doing this was to ensure equality of opportunity, then it will inevitably fall short. As we mentioned above (Objection 2), inequalities go hand in hand with differences in cultural positions or comprehensive doctrines. So even if those who shared a culture raised their children in common, these

children would nonetheless be unequal in various ways from other children raised in different cultural settings and in different familial arrangements.

Conclusion

The attachment to the family is so abiding and so deep that if liberalism entails its abolition, most would take that not as support for state-run child care, but as evidence that liberalism is wrong. The present account provides no illumination as to the special claims that parents have to their own children. While it seems certain that parents have strong prerogatives concerning the welfare and upbringing of their children, such prerogatives are not explored here, since I have supposed that liberal theory ought to regard any such parental rights as overridden in the face of injustice to children. On this assumption, parental rights are irrelevant to the present discussion.

There are lots of other issues that remain open here as well, in part because the justification of the family that I have provided does not favor particular conceptions of the family. So, for example, while it is true that ensuring cultural membership might require protection of the family, it is still not clear that it protects the *biological* family. Insofar as participation in *any* culture is sufficient to provide a child with cultural membership, the child will experience no deprivation.

I have argued that *TOJ* appears to entail the consequence that children ought to be raised by the state in order to reduce or eliminate differential outcomes resulting from morally arbitrary conditions. While Rawls and Lloyd both recognize this consequence, neither they nor Thomas provide a satisfactory justification for the special status of the family in constraining the second principle of justice.

A satisfactory answer to our problem can be found if we consider both cultural membership to be a primary good, and we consider the well-ordered society to be governed not by a comprehensive moral or political doctrine, but by a political conception of justice. For recognizing the importance of cultural membership means allowing each child to attain it. But the political conception of justice restricts the state from transmitting many elements of any culture or broad conception of the possibilities of human life, so the family is a necessary institution for a well-ordered liberal society governed by a political conception of justice.

The family is a special institution in the basic structure since it can instill children with a sense of cultural belonging, an important primary good. Nonetheless, as a private association, it is free from the limits placed on public life—limits that would exclude precisely the rich, culturally laden doctrines that children need to foster the concepts, values, purposes, and selves that are required to negotiate successfully the many challenges of life.⁵¹

Notes

1. John Rawls, *Political Liberalism* (hereafter *PL*), paperback ed. (New York: Columbia University Press, 1996), p. xxxi.
2. S.A. Lloyd, "Family Justice and Social Justice," *Pacific Philosophical Quarterly* 75 (1994): 353-71, p. 360. Since the objection to the family is that it differentially affects opportunities, it apparently reciprocally constrains only the second principle of justice and not the first.
3. John Rawls, *A Theory of Justice* (hereafter *TOJ*) (Cambridge, Mass.: Harvard University Press, 1971).
4. James Fishkin offers a critique similar to, though more general than, Lloyd's. Fishkin argues that liberalism's commitment to equal opportunity is inconsistent with its sanctioning the autonomy of the family. In the present paper I concentrate on answering Lloyd's challenge to Rawls. Still, if the answer provided is satisfactory, it may suggest a solution to Fishkin's challenge as well. See James S. Fishkin, *Justice, Equal Opportunity, and the Family* (New Haven: Yale University Press, 1983).
5. Rawls, *TOJ*, pp. 462-63. Susan Moller Okin suggests that one reasonable interpretation of Rawls's *PL* is that it requires that the family be internally subject to the two principles of justice. So, under this interpretation, patriarchal family forms might be disallowed by Rawls's theory. See Okin, "Political Liberalism, Justice and Gender," *Ethics* 105 (1994): 23-43. S.A. Lloyd's paper is a response to Okin, arguing that while the "nature of the family" is part of the basic structure (Rawls, *PL*, p. 258), this is not tantamount to the requirement that the family be internally organized by the two principles (any more than, say, a supreme court is required to make decisions on the basis of the difference principle, despite its important position within the basic structure). I assume here that Lloyd's reading is correct.
6. Rawls, *TOJ*, p. 84.
7. *Ibid.*, p. 302 f.
8. *Ibid.*, p. 74.
9. *Ibid.*, p. 301.
10. *Ibid.*, pp. 20 f., 48-51, 570. The distinction between "wide" and "narrow" reflective equilibrium is implicit in *TOJ*, and is made explicit in Rawls, "The Independence of Moral Theory," *Proceedings of the American Philosophical Association* 49 (1974): 5-22.
11. Rawls, *TOJ*, pp. 511-12.
12. *Ibid.*, p. 74.
13. *Ibid.*, p. 84.

14. Lloyd, p. 361.
15. Rawls, *TOJ*, §70.
16. Lloyd, p. 361.
17. Rawls, *PL*, pp. 74, 183.
18. If the direct interaction of the biological family with the child is essential to the child's well-being and the child's adequate moral development, as the current proposal suggests, the above institutions of child-rearing ought to be opposed by liberals in the Rawlsian tradition.
19. Laurence Thomas, *Living Morally: A Psychology of Moral Character* (Philadelphia: Temple University Press, 1989).
20. *Ibid.*, p. 62.
21. *Ibid.*, pp. 89-96.
22. *Ibid.*, pp. 90-91.
23. Avishai Margalit and Joseph Raz, "National Self-Determination," *Journal of Philosophy* 87 (1990): 439-61, pp. 446-47.
24. Will Kymlicka, *Liberalism, Community and Culture* (New York: Oxford University Press, 1989).
25. Rawls, *PL*, pp. 19-20.
26. Kymlicka, p. 165.
27. Rawls, *TOJ*, pp. 563-64.
28. Rawls states as much in the passage cited, a passage Kymlicka cites approvingly (p. 164).
29. E.g., Kymlicka, p. 60.
30. Rawls, *PL*, p. 13.
31. We should bear in mind, however, that individuating cultures or comprehensive doctrines will be in large part a pragmatic matter, and whether we decide there is a single culture or doctrine, or a set, will often depend on just what the point of our discussion is.
32. Kymlicka, p. 165.
33. Rawls, *TOJ*, p. 63.
34. Kymlicka argues for the stronger thesis that cultural membership is so valuable that it can at least at times temporarily override protection of certain basic liberties. The present discussion requires only the weaker thesis that ensuring cultural transmission, like respect for basic liberties, is important enough to override equality of opportunity.
35. Kymlicka suggests that the requirement is to preserve cultural institutions which provide individuals with a context of choice and provide children with a cultural tradition. But this does not require us to prevent any alteration in the *character* of a culture—i.e., individual doctrines that comprise it.
36. This argument assumes that the family (in some form) or the state are the only viable alternatives to provide for the transmission of culture to children. So, by disqualifying the state, we vindicate the necessity of the family. We will examine this assumption more carefully in Section 4.
37. Rawls, *PL*, p. xviii. Such a doctrine embodies a great deal of the information and value system that form a part of a cultural understanding of the world. So, joining Rawls with Kymlicka, we can see ensuring the transmission of a comprehensive doctrine or partially comprehensive doctrine to be one central element in ensuring the good of cultural membership.
38. Rawls, *PL*, IV.

39. Rawls takes some pains to note that since the conception is endorsed from within comprehensive doctrines, its foundation remains a moral one. Since each comprehensive doctrine participating in the overlapping consensus endorses the political conception of justice for moral reasons, the political conception will have the stability that a moral foundation provides. This is despite the fact that different comprehensive doctrines might endorse the political conception for different reasons.
40. Rawls, *PL*, p. 214.
41. *Ibid.*, p. 218.
42. *Ibid.*, p. 220.
43. *Ibid.*
44. *Ibid.*, pp. 19-20.
45. *Ibid.*, p. 13.
46. *Ibid.*, p. 12.
47. In the "Introduction to the Paperback Edition," Rawls backs away from the strong exclusion of nonpublic reasons found in VI:8. In his new formulation, called "the proviso," Rawls says that "reasonable doctrines may be introduced in public reason at any time, provided that in due course public reasons, given by a reasonable political conception, are presented sufficient to support whatever the comprehensive doctrines are introduced to support" (p. lii). Just when and how these public reasons are required to be provided remains an open question.
48. Rawls, *PL*, p. 34.
49. *Ibid.*, p. liii-liv.
50. *Ibid.*, p. liv, fn.
51. Thanks to the Rutgers Graduate Colloquia, Ulf Nilsson, Jennifer Roth, Ted Zenzinger, and especially Howard McGary and an anonymous reviewer for this journal for comments and discussion on earlier drafts.

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