

CHARITABLE INTERPRETATIONS
Emerson, Rawls, and Cavell on
the Use of Public Reason

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John Rawls offers an account of public reason that argues that comprehensive doctrines are admissible into public deliberations of fundamental political matters only when they are used to say things that can also be said on the basis of the noncomprehensive liberal political values of freedom and equality. This essay argues that elements of comprehensive doctrines ought to be allowed into public reason even when those elements cannot be translated into the terms of liberal political values. It draws on Ralph Waldo Emerson's conception of communication among citizens and Stanley Cavell's interpretation of Emersonian moral perfectionism to develop a conception of public reason that allows a greater range of views held by citizens to play a legitimate role in democratic deliberations. An Emersonian conception of liberal democracy differs from Rawls's in that it more explicitly views the democratic community as actively engaged in continually revising and perfecting the liberal political values of freedom and equality.

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To what extent can a liberal democracy accommodate political arguments based on religious, philosophical, or moral comprehensive doctrines? To what extent can those who affirm such comprehensive doctrines “hold a reasonable political conception of justice that supports a constitutional democratic society?”¹ In *Political Liberalism*, and again in “The Idea of Public

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Reason Revisited," Rawls offers an account of public reason that seeks to answer these questions. He argues that comprehensive doctrines are admissible into public deliberations of fundamental political matters only when they are used to say things that can also be said on the basis of noncomprehensive political values. This ban is necessary because of the possibility that comprehensive doctrines may compromise the liberal democratic nature of the polity. To protect public reason, Rawls develops the distinction between public reason, from which comprehensive doctrines are substantively excluded, and the background culture of civil society—what Habermas calls the public sphere—in which comprehensive doctrines may be freely expressed.²

Rawls means to ensure that all fundamental political debate is carried out in terms of the political values of freedom and equality. What this means for those who hold comprehensive doctrines is that they must translate the reasons and justifications for their political views from the terms of their doctrines into the terms of these liberal political values. Rawls proposes that "in public reason comprehensive doctrines of truth and right be replaced by an idea of the politically reasonable addressed to citizens as citizens."³ This translation requirement may be frustrating and difficult for some. Some citizens who express themselves naturally and with felicity in the vocabulary of their comprehensive doctrine may find themselves made suddenly inarticulate when they enter the sphere of public reason. This may be the result of the usual problems of any translation, and therefore regarded as an inconvenience requiring only good will and hard work to overcome. Rawls would suggest that citizens should be ready to accept this as the price of justice.

Rawls's requirement may, however, involve more than a translation problem. Some claims that can be expressed in comprehensive doctrines cannot be translated into terms of public reason. It is, of course, precisely these claims that Rawls wishes to exclude. He does this, as he says, for the sake of keeping the entire political conception reasonable and acceptable to all. He feels that those who affirm comprehensive doctrines should accept these limitations for the sake of a reasonable political conception.

In this essay, I argue that there are good grounds for allowing and indeed expecting the introduction of elements of comprehensive doctrines into public reason precisely when those elements cannot be translated into the terms of public reason. I draw on Ralph Waldo Emerson's conception of communication among citizens, and Stanley Cavell's interpretation of Emersonian moral perfectionism to develop a conception of public reason that allows a greater range of views held by citizens to play a legitimate role in democratic deliberations. Both Emerson and Cavell work from within a liberal perspective and address this question from the point of view of the citizen who is free

and equal. An Emersonian conception of liberal democracy differs from Rawls's in that it more explicitly views the democratic community as actively engaged in continually perfecting the content of public reason.

From the perspective of Emersonian perfectionism, the democratic community ought to view itself as oriented towards the future community that citizens are mutually creating. This future-orientation requires what I call the Emersonian principle of charitable interpretation, which involves citizens in a commitment to become mutually politically intelligible to one another. For Emerson a democracy is a political community designed to allow this mutual understanding—and the form of political contest it makes possible—to come about.

Given the necessity of rendering oneself intelligible to one's fellow citizens, there needs to be provision for allowing comprehensive doctrines into public reason. This provision needs to allow the introduction of some reasons that go beyond what can be stated in the currently prevailing interpretations of the political values. The admission of comprehensive doctrines may be necessary, because the political deliberation that takes place in public reason may fail to render citizens intelligible to one another. Cavell puts the problem this way:

The whole framework of principles in terms of which [we] must conduct the second conversation of justice is experienced as so pervasively and systematically unresponsive to [our] suffering that it appears to stifle [us], to constitute a vocabulary in which nothing that can be said truly speaks [our] mind, gives expression to [our] experience.⁴

Rawls's limit on the content of public reason, Cavell suggests, is unreasonably strict. I adapt Emerson's and Cavell's arguments to defend the legitimacy of the introduction of comprehensive doctrines into public reason in cases that go beyond those that Rawls's provision allows.

However, this introduction cannot threaten the core political values, since these remain as the criteria for what other citizens "may reasonably be expected to endorse along with us."⁵ This essay applies Rawls's basic distinction between public reason, in which the norms of public discourse apply, and the background culture, in which they do not, with the aim of reinforcing it by making it less susceptible to attack by those who hold comprehensive doctrines that are contrary to presently accepted interpretations of the political values. Although Rawls's account of the limits of public reason is ambiguous enough to require this explication, the argument I develop seems to be implicit in his own work. In any case, the conception of public reason that I argue for makes the best sense of Rawls's fundamental theoretical commitments.⁶

In the next section of this essay, I rehearse Rawls's argument for the limitation on the use of comprehensive doctrines in public reason. I outline his provision for the legitimate introduction of comprehensive doctrines in public reason. I then critique the conception of the history of public reason and the process by which the content of public reason may be modified over time that is implicit in this provision. In the third section, I sketch Emerson's conception of the principle of charitable interpretation as it applies to communication between citizens. This leads to the fourth section, in which I lay out a critique of Rawls's provision using Emerson and Cavell's interpretation of Emersonian perfectionism as it applies to democratic communities. Here I reformulate and broaden the statement of the provision for the introduction of comprehensive doctrines into public reason. In conclusion I outline some of the advantages and limitations of a conception of public reason animated by Emersonian perfectionism.

I. RAWLS'S IDEA OF PUBLIC REASON

The idea of public reason as Rawls conceives it applies only when "constitutional essentials and matters of basic justice are at stake,"⁷ including such questions as "who has the right to vote, or what religions are to be tolerated, or who is to be assured fair equality of opportunity, or to hold property."⁸ The limits of public reasons hold for citizens engaged in political advocacy in the public forum and for citizens voting in elections. The United States Supreme Court is the model forum for public reason, but other settings, including political campaigns, are just as significant.

The limit of public reason in political deliberation is based on the requirement that the content of public reason be able to be reasonably assumed to be acceptable to others. Outside of public reason Rawls is prepared to admit almost any doctrine, reasonable or unreasonable, into the background culture. Inside public reason, however, only reasonable liberal conceptions of the basic political values are acceptable. Rawls writes, "As reasonable and rational, and knowing that they affirm a diversity of reasonable religious and philosophical doctrines, they [citizens] should 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."⁹ The purpose of public reason, therefore, is to protect the liberal political values from illiberal doctrines, and to thereby preserve the possibility of political freedom. Rawls sums up the requirements of public reason in a statement of what he calls the duty of civility:

The ideal of citizenship imposes a moral, not a legal, duty—the duty of civility—to be able to explain to one another on those fundamental questions how the principles and policies they advocate and vote for can be supported by the political values of public reason.¹⁰

This is a duty to translate what one says into terms that others can reasonably be expected to understand and accept. Rawls interprets this as meaning that all such translation must be into language that respects the limit of public reason.

However, Rawls does make an allowance for the legitimate introduction of comprehensive doctrines into public reason. He sets out three rules about the place of comprehensive doctrines in public reason. (1) In a well-ordered society without dispute about the application of principles of justice, comprehensive doctrines may not ordinarily be introduced into public reason. (2) In such circumstances, this restriction is relaxed only when the introduction of comprehensive doctrines would serve to strengthen mutual trust and public confidence that those who embrace comprehensive doctrines also support the principles of political liberalism. For this purpose, one may “explain in the public forum how one’s comprehensive doctrine affirms the political values.”¹¹ (3) Finally, in an exception that in *Political Liberalism* seems to apply only to the circumstances of a disordered society, Rawls allows that comprehensive doctrines may be introduced if “the comprehensive reasons they appealed to were required to give sufficient strength to the political conception to be subsequently realized.”¹² In “The Idea of Public Reason Revisited,” however, the specific circumstances of a disordered society do not figure into his formulation of this exception. Here he names this final rule the *Proviso*, (I will refer to it as *Proviso*₁, as I introduce a *Proviso*₂ below).

*Proviso*₁: Reasonable comprehensive doctrines, religious or nonreligious, may be introduced in public political discussion at any time, provided that in due course proper political reasons—and not reasons given solely by comprehensive doctrines—are presented that are sufficient to support whatever the comprehensive doctrines introduced are said to support.¹³

He adds that *Proviso*₁ “does not change the nature and content of justification in public reason itself.”¹⁴ Thus, the third rule is formulated to allow comprehensive doctrines to be freely introduced when and only when they are used to say things that could readily be said in the terms of a liberal political conception of justice. To clarify this, Rawls writes,

The abolitionists could say, for example, that they supported political values of freedom and equality for all, but that given the comprehensive doctrines they held and the doc-

trines current in their day, it was necessary to invoke the comprehensive grounds on which those values were widely seen to rest.¹⁵

There may be any number of reasons why comprehensive doctrines are introduced—in this case the language of a comprehensive doctrine was necessary to make these political appeals rhetorically effective. The important point is that the substance of the claims could readily be stripped of the peculiarities of religious vocabulary, since those who use it are saying nothing that could not be said just as well without reference to comprehensive doctrines.

Significantly, however, Rawls's Proviso₁ is only able to sustain this limited introduction of comprehensive doctrines into public reason through a bias towards the present content of public reason. This makes the conception of public reason contained in Proviso₁ static and inflexible. According to Rawls, citizens may “appeal only to *presently* accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial”¹⁶ when seeking to justify the basic structure and its public policies. Public reason, he writes, may contain only “the plain truths *now* widely accepted, or available, to citizens generally.”¹⁷ Consider the time frame in which Proviso₁ is to be satisfied. Rawls asks whether Proviso₁ must be fulfilled on “the same day or on a latter day.” His answer is that it may in fact be filled “in due course.”¹⁸ However, the exception may be granted only if Proviso₁ *could* be fulfilled on the same day. The resources must already be within public reason, or Proviso₁ is not met.

The presentism of Proviso₁ prevents public reason from accommodating interpretive developments that would transform its present content. Those claims that cannot be formulated in the vocabulary of the current interpretations of the political values are forever shut out of public reason. This is not a disadvantage if public reason is complete and needs no emendation in its present form. This is precisely how Rawls insists citizens must regard it. “We honor public reason,” he writes, when we “believe public reason is suitably complete, that is, for at least the great majority of fundamental questions, possibly for all, some combination and balance of political values alone reasonably shows the answer.”¹⁹ Rawls seems to think that the current resources of public reason are varied and rich enough for any occasion.

Proviso₁ restricts the content of public reason in an unreasonable way, however. This is revealed in the odd conception of history to which it leads Rawls. Proviso₁ seems to be rooted in an ahistorical conception of the liberal political values of freedom and equality. This is evident in Rawls's attempts to illustrate the completeness of public reason with examples from American history. He writes,

Suppose we agree that the three most innovative periods of our constitutional history are the founding, Reconstruction, and the New Deal. Here it is important that all three seem to rely on, and only on, the political values of public reason. The constitution and its amendment process, the Reconstruction amendments that sought to remove the curse of slavery, and the modern activist so-called welfare state of the New Deal, all seem to fit this description.²⁰

By suggesting that the changes in these periods rely only on the political values of public reason, Rawls implies that these values were substantially complete and sufficient to justify the major changes in the American Constitution *before* the eras in which these changes took place. For Proviso₁ to have been satisfied, all the meanings and interpretations of the values of freedom and equality that made Reconstruction and the New Deal possible had to have already been present prior to the founding period and the writing of the U.S. Constitution. Rawls allows the abolitionists to frame their claims in public reason using the language of their comprehensive doctrines only because they *could* have made the same claims solely with reference to the political values.

The peculiar aspect of this account of history is the claim that the abolitionists did not have to reinterpret the political values at all. Rawls merely allows that they needed to translate their claims into the vernacular, as it were, of the contemporary religious doctrines so that they would be acknowledged and accepted. But were the interpretations of the political values available to the abolitionists prior to their involvement in this struggle in fact adequate to their task? Or did they need to modify and develop the current interpretations of the political values to better achieve the end of slavery?

Rawls allows for one kind of historical development in public reason itself. He shows this in his admission that in some societies comprehensive doctrines will be legitimately allowed in the sphere of public reason. He suggests

that it may happen that for a well-ordered society to come about in which public discussion consists mainly in the appeal to political values, prior historical conditions may require that comprehensive reasons be invoked to strengthen those values. . . . Add to these conditions another: namely, the idea of public reason with its duty of civility has not yet been expressed in the public culture and remains unknown.²¹

Comprehensive doctrines may be used as instruments for the attainment of the decisive moment when the kerugmatik words of the idea of public reason arrive in a culture and bring about a new historical epoch of (secular) liberal politics. Thus, the history of public reason, as distinct from the history of the conformity of actual political communities and institutions to public reason,

has already taken place and is effectively at its end prior to the beginning of the political history of any concrete community such as the United States. Proviso₁ skews any account of the history of public reason designed to show Proviso₁ functioning as it is written. Proviso₁ ought to be revised to accommodate the history of the political values, not the other way around.²²

II. EMERSON'S PRINCIPLE OF CHARITABLE INTERPRETATION

In contrast to the presentist conception of public reason embodied in Proviso₁, Emerson offers an account of how public reason may adapt and perfect itself when it is confronted with what he calls a “juster way of thinking.”²³ In his lectures and essays, Emerson develops a generous and charitable ethic of interpretation. The validity of this principle is based on consent to membership in a self-governing community, that is, citizenship in a democracy. According to Emerson speakers in democratic deliberations are to attempt to make themselves understood by others and to attempt to make their positions persuasive, that is, reasonably acceptable, to others. This means that citizens must share in the civic virtue of interpretive charity.²⁴ Interpretive charity is marked by a willingness to regard fellow citizens as intelligible and worthy members of public discourse.²⁵

The principle of charity expresses the commitment of democratic citizens to make themselves intelligible to one another.²⁶ Ordinary electioneering, in which candidates and representatives campaign for the support and votes of their constituencies, is made possible only by a general agreement to construe the utterances of fellow citizens as meaningful and valuable. This mutual regard of one another as intelligible is at the core of the status of citizen. The initial agreement to regard one another as citizens is (among other things) an agreement to regard one another as intelligible.

For Emerson, the political role of charity is found in what he calls “a believing love,”²⁷ which is the active—one might say willful—effort on the part of a speaker to believe that he will be understood and that other citizens are understandable. Emerson characterizes the cognitive content of this attitude as the “knowledge” that a “thousand others” also already share the speaker’s “thought and hope.”²⁸ The principle of charity allows the recognition of this commonality, this like-mindedness, where it exists, and fosters its creation where it doesn’t yet exist. The speaker must identify like-mindedness in his audience in order for the communicative process to get under way. In this way, individuals move from private thoughts to public expressions: “That fancy I had, and hesitated to utter because you would laugh,—the broker, the

attorney, the market-man are saying the same thing.”²⁹ Citizens, by virtue of being members of a communicative community, are presumed to be “saying the same thing.” This commonality is enacted as soon as citizens make utterances that embody this presumptive recognition. The hesitation Emerson is combating in the passage just quoted is the result of the lack of external or objective justification for believing that communication of this idea is possible. Only once communication is attempted is the commonality that exists between the speaker and the audience revealed. Emerson describes the effects of a speaker reaching out in this way: “delicate spirits, long unknown to themselves, masked and muffled in coarsest fortunes, who now hear their own native language for the first time, and leap to hear it.”³⁰ The attitude embodied in the principle of charity is prospective and forward-looking in that it calls on citizens to regard each other as potentially intelligible, and to therefore seek to attain mutual understanding.

For Emerson, as for Rawls, citizens have a moral—not a legal—duty to make their reasons intelligible to one another. For Emerson, this means that citizens may have to make clear and intelligible why they hold the views they do, and how others may reasonably come to hold similar views. Such explanations of why citizens actually hold the views they do will of course necessarily go beyond the political values of public reason. This duty would be fulfilled for the most part in the background culture. Sometimes, however, such explanation may be done in the sphere of public reason. Below I present Proviso₂ for the introduction of comprehensive doctrines into public reason on the basis of Emerson’s future-oriented principle of charity.

The intelligibility of one or another particular interpretation of the political values of freedom and equality may depend on the availability of the particular background culture from which it develops. Therefore, citizens can be called on to give an account of those elements of their background culture—in a way that itself can be understood by others—that their interpretation of the political values derives from and relies on for its reasonableness. Citizens must be prepared to disclose the various particular beliefs and values that underwrite the interpretation of the political values that they put forth in public. Part of speaking in public in this way involves the elaboration of those presuppositions, beliefs, and values that frame one’s political reasons. By making their beliefs and values (laws, categories, criteria) available, citizens are able to make their reasons available to the public. They must be prepared to answer the question, “What else must one believe and value, if one is to come to your conclusion about the reasonableness of your interpretation of the political values?” The possibility of the communication of these contributing reasons in public depends on the ability to develop the comprehensive doctrines that make such reasons sensible in such a way that others may find

that they share elements of those doctrines, or could come to share elements of them.

In contrast to Rawls's account, which requires that all claims made in public reason be translated into the terms of the political values, Emerson writes,

Each individual soul is such, in virtue of its being a power to translate the world into some particular language of its own; if not into a picture, a statue, or a dance,—why, then, into a trade, an art, a science, a mode of living, a conversation, a character, an influence.³¹

It is the principle of charity that creates the possibility of communicating these “thoughts and expressions” and making them “natural and familiar as household words,” even though they are genuinely new, and could not have been anticipated in advance.³² Such translation is the result of imaginative and sympathetic attempts to go beyond simply understanding what beliefs and values others have. It is achieved when the facts and motivational reasons that make such beliefs and values reasonable—that work to make them right and good—are also understood. Emerson provides examples of this:

We must in ourselves see the necessary reason of every fact,—see how it could and must be. So stand before every public and private work; before an oration of Burke, before a victory of Napoleon, before a martyrdom of Sir Thomas More, of Sidney, of Marmaduke Robinson, before a French Reign of Terror, and a Salem hanging of witches, before a fanatic Revival, and the Animal Magnetism in Paris, or in Providence. We assume that we under like influence should be alike affected, and should achieve the like; and we aim to master intellectually the steps, and reach the same height or the same degradation, that our fellow, our proxy, has done.³³

The “influences” that Emerson talks about in this passage are the background beliefs and experiences that are the relevant reasons that make such facts plausible or reasonable to someone. These background beliefs and experiences are entered into imaginatively or sympathetically, as part of the general possibility of understanding that derives from the presupposition that whatever is possible for any human being is possible for each individual as well. This presupposition, which is essential for initial understanding, is now put to work in transforming a thought from something merely intelligible into a possible reason for action.

The constellation of circumstances and the intellectual steps that provide the context for these thoughts are viewed hypothetically, as it were, since they are not actually undergone and adopted by other citizens. The result of the hypothetical consideration of these thoughts is that they become possibilities open for adoption. However, the process of “mastering intellectually the steps” only results in the recognition that the thought *would* be reasonable for

someone to have under specific circumstances. It does not necessarily result in the thought becoming *actually* reasonable and persuasive to any other citizen as a result of the provision of those influences and intellectual steps. Citizens must use their judgment in determining which of such new reasons for political action they will adopt as their own. That judgment is shaped by those reasons that are currently held. Emerson's claim that "the fact narrated must correspond to something in me to be credible"³⁴ indicates how the introduction of the new is limited by its continuity with the old.

Making some thought part of public reason is not only an effort at producing understanding, it is also an attempt at persuasion. By providing the background material necessary for the mastery of intellectual steps, communication in public reason aims at getting others to adopt these reasons as their own, and to judge and act in similar fashion. However, the context Emerson gives to the process (in the quotation above) raises the question of whether political outcomes in a democracy might conform to democratic procedures, but nevertheless be unjust in their substance. The limit on democratic outcomes that Emerson emphasizes is the personal responsibility of every citizen to judge for himself or herself the merits of a proposed reason. The characters of both the individual citizen and the people as a whole become central issues with this sort of communication. If the reasons behind the Reign of Terror become more than intelligible, if they become persuasive, then the fault lies with those who find themselves in a position to be so persuaded. The responsibility for what is persuasive lies ultimately with those citizens who are persuaded. Discretion and judgment are exercised in adopting only those reasons that ensure that the process of public reasoning itself can continue.

The responsibility of citizens to the process of public reasoning is itself generated by the presently accepted or available interpretations of the political values. Emerson says, "Democracy is better for us. . . . Born democrats, we are nowise qualified to judge of monarchy, which, to our fathers living in the monarchical idea, was also relatively right."³⁵ Democracy is the regime most appropriate for us, given what we are. If we were different—had we been born aristocrats, had we some other religious sentiment—then some other regime would be appropriate for us. But democracy is not contingently related to *us*, given what we are—born democrats. For Emerson our democratic principles in the form of the political values form the basis of our responsibility.

Emerson offers as an example of the principle of charity at work its role in the political mobilization of the newly enfranchised (white male) working-class electorate. Emerson's description of the dynamic of vote solicitation ties electioneering directly to the charitable interpretations of other citizens:

In every knot of laborers, the rich man does not feel himself among his friends,—and at the polls he finds them arrayed in a mass in distinct opposition to him. We complain that the politics of masses of the people are controlled by designing men, and led in opposition to manifest justice and the common weal, and to their own interest. But the people do not wish to be represented or ruled by the ignorant and base. They only vote for these, because they were asked with the voice and semblance of kindness.³⁶

As this quotation indicates, Emerson's principle of charity means giving the "salute in the streets" in "the voice and semblance of kindness" that allows the formation of a new political community or constituency. The politician who would succeed must see the "wide society of laboring men and women" and "greet their talents," "rejoice in their good fortune," "foster their hopes," and "in the assembly of the people vote for what is dear to them."³⁷ That is, he must campaign for support among new constituencies on the basis of their own principles and projects, in a language they can understand.

Emerson calls for "the greatest of all revolutions,"³⁸ the one based on love, which is "the one remedy for all ills, the panacea of nature."³⁹ Love, for Emerson, is the charitable interpretation of others' utterances. At bottom, such a revolution means only that citizens make a commitment to joint membership in a democratic community, and a concomitant commitment to democratic procedures. He calls this commitment, which underlies both democratic fraternity as well as political conflict, "fidelity." He writes,

I remember standing at the polls one day, when the anger of the political contest gave a certain grimness to the faces of the independent electors, and a good man at my side looking on the people, remarked, 'I am satisfied that the largest part of these men, on either side, mean to vote right.' I suppose, considerate observers looking at the masses of men, in their blameless, and in their equivocal actions, will assent, that in spite of selfishness and frivolity, the general purpose in the great number of persons is fidelity.⁴⁰

The revolution thus culminates in nothing more, nor less, glorious than the mutual recognition of citizen-rulers in a line at a polling station.

III. THE PERFECTIBLE DEMOCRATIC COMMUNITY AND PROVISIO₂

The application of Emerson's principle of charity to public reason requires a modification of Proviso₁. A revised Proviso should allow the present content of public reason to be oriented as much as possible toward its possible future content, in keeping with the possible futures the democratic community faces. Of course, the purpose of the idea of public reason is to keep certain ideas, specifically those inimical to the political values of freedom

and equality, from being used as reasons for political action. So it is no argument against public reason that some citizens may not express some of their moral claims and ethical commitments in fundamental political deliberations. If an exception to the rule restricting comprehensive doctrines in public reason is to be made, and the idea of public reason is not to be abandoned all together, then Rawls is right that the introduction of comprehensive doctrines must somehow be done “in ways that strengthen the ideal of public reason itself.”⁴¹ This means that the political values must remain the touchstone even for an expanded conception of the content of public reason.

The justification of the exceptions that should be made to the ban on comprehensive doctrines is rooted in the prospective character of Emerson’s principle of charity. Cavell calls Emerson’s future orientation his perfectionism. A perfectionistic conception of the political values and public reason differs from that contained in Proviso₁ by giving greater weight to the possible future content of public reason. Proviso₁ bans all formulations and claims that cannot be translated into the *present* terms of the political values. A perfectionistic conception of public reason allows some claims that may not be readily expressible in terms of the *currently* available interpretations of the political values because they may come to be so expressible in *future* interpretations. A perfectionistic conception of the political values allows people to formulate their moral claims in a way that strengthens the institution of public reason, because it strengthens citizens’ commitment to the liberal democratic regime as a whole.

In *Conditions Handsome and Unhandsome*, Cavell, drawing on Emerson, suggests that a key limit of Rawls’s view of justice is that it allows for citizens at some point in political deliberation to say that “our conduct is above reproach” in regard to injustices that may exist in the existing political system.⁴² Mulhall renders this to mean that “if an initial judgment that an injustice is being perpetuated cannot ultimately be backed up by reference to (or articulated in terms of) a principle of justice, then it must be rejected.”⁴³ This, Cavell notes, is not a part of political deliberation, but an end to political communication. Cavell writes,

It seems to me that Rawls is taking encouragement from the proof concerning the resolution for the original position, to regard “above reproach” as a rational response to the question of affirming a plan of life in our actual society. Whereas this bottom line is not a response to but a refusal of further conversation.⁴⁴

This refusal does more than silence difference in the ordinary way that public reason is designed to do; that is, it does more than ban illiberal reasons from the deliberation of fundamental issues. By bringing an end to the conversa-

tion, it closes down the possibility of any future development in the interpretation of the political values. From the perspective of Emerson and Cavell, it is this refusal to entertain the possibility of new interpretations of the political values that makes Proviso₁'s account of public reason inadequate.

Cavell suggests that any account of justice must allow room for the development of new interpretations of what justice demands. This view allows that citizens will possibly understand the values of freedom and equality differently at some time in the future. Cavell writes,

Perfectionism's contribution to thinking about the moral necessity of making oneself intelligible (one's actions, one's sufferings, one's position) is, I think it can be said, its emphasis before all on becoming intelligible to oneself, as if the threat to one's moral coherence comes most insistently from that quarter, from one's sense of obscurity to oneself, as if we are subject to demands we cannot formulate, leaving us unjustified, as if our lives condemn themselves.⁴⁵

An openness to a different moral future is often experienced in the present as a sense of incompleteness, inadequacy, or reproach. What Cavell is concerned with is the possibility that this reproach may occur from *within* the moral life and from *within* moral judgments, and not only as a result of a failure to achieve moral standards. In politics, this means that the values of freedom and equality *as they are presently understood* cannot keep us beyond reproach. Even though citizens may be beyond reproach in terms of the present interpretation of the political values, this does not mean that it is impossible that they be confronted with a "juster way of thinking"⁴⁶ that condemns them precisely for the interpretation of the political values that they hold.

Emerson emphasizes this possibility with the self-deprecating claim that "the reputations of the nineteenth century will one day be quoted to prove its barbarism."⁴⁷ Emerson also describes the openness to future moral development as appearing as a sense of the inadequacy of the present understanding of the moral life. He asks,

Why do men feel that the natural history of man has never been written, but he is always leaving behind what you have said of him, and it becomes old, and books of metaphysics worthless? The philosophy of six thousand years has not searched the chambers and magazines of the soul. In its experiments there has always remained, in the last analysis, a residuum it could not resolve.⁴⁸

Citizens and their political values are not as yet fully known to themselves. Therefore, citizens have, in addition to their present selves, what Cavell calls "further selves."⁴⁹ These selves are the selves that relate to the political values as they will come to be understood as the result of further public reasoning. A

perfectionistic understanding of public reason entails the acknowledgment that just as the character of the moral self changes from time to time and age to age, so too do citizens' understandings of freedom and equality change and develop. This in turn changes the nature of what justice demands of the democratic community.

The perfection of the political values of freedom and equality that comprise the conception of the citizen must result in changes in the conception of the political community as well. The "further self" of the citizen is complemented by a "further realm" of democracy in which future conceptions of the political values are worked out. Cavell puts Emersonian perfectionism at the center of his conception of democratic morality. According to Cavell, to be a member of a community of citizens perfecting their understanding of the political values means "holding oneself open to the further state of one's self and one's society, requiring oneself to become intelligible as a member of that further realm and expecting others to be similarly intelligible."⁵⁰ The formation of such a community, in which members make themselves intelligible to one another, is a project to be aimed at in the process of continual political communication.

Cavell indicates how Emersonian perfectionism extends questions of moral perfection beyond the cultivation of the individual to include the cultivation of the community. Adopting a perfectionistic democratic conception of citizenship means allowing that one's political community may alter one's moral self and moral life. The claim of this democracy is inherently a claim of mutually constituted moral community. Perfectionistic democratic citizenship means "expecting oneself to be . . . intelligible as an inhabitant now also of a further realm . . . and to show oneself prepared to recognize others as belonging there."⁵¹ Emerson names this moral claim the "call of worth," by virtue of which individuals are "transfigured and raised above themselves."⁵² The "call of worth" presents individuals with the claim of the "highest duty that man should be honored in us."⁵³ This claim rests on the proposition that there exists—at least potentially—a community of duty and honor, which for Emerson are the social manifestations of the political values of freedom and equal dignity. Such a community is the legitimate basis of democracy. It deserves the name of "the people," and deserves to be called sovereign, as the only sort of community that can be entrusted with the freedom and equality of each of its members.

The address "The President's Proclamation" delivered October 12, 1862, illustrates Emerson's conception of how such a people comes into being. When individuals and communities are incorporated into the normal business of government, the advance is reflected in the character and spirit of the community. Consent to democracy means consent to a process of political

communication that may change the moral character of both its individual members and the community as a whole, and produce what Emerson calls “a new public.” He writes,

In so many arid forms which states incrust themselves with, once in a century, if so often, a poetic act and record occur. . . . Liberty is a slow fruit. It comes, like religion, for short periods and in rare conditions, as if awaiting a culture of the race which shall make it organic and permanent. . . . [Emerson lists examples, concluding with “President Lincoln’s Proclamation”⁵⁴]. . . . These measures provoke no noisy joy, but are received into a sympathy so deep as to apprise us that mankind are greater and better than we know. At such times, it appears as if a new public were created to greet the new event.⁵⁵

Public reason must be open to those kinds of reasons that work a change in the understanding of the political values. The content of public reason may change so fundamentally as to warrant speaking of a “new public” and a “further realm” that succeeds the older forms.

Rawls’s original Proviso₁ can be modified to include the prospective requirements of Emerson’s principle of charitable interpretation and Cavell’s application of Emersonian perfectionism to the democratic community.

Proviso₂: Reasonable comprehensive doctrines, religious or nonreligious, may be introduced in public political discussion at any time, provided that it is reasonable to expect that in due course it will be possible to present proper political reasons—and not reasons given solely by comprehensive doctrines—that are sufficient to support whatever the comprehensive doctrines introduced are said to support.

It is reasonable to expect to be able to present proper political reasons in place of reasons given by comprehensive doctrines if (1) there are present in contemporary interpretations of the political values resources sufficient to express the claims made in terms of comprehensive doctrines (this is the condition in Proviso₁), or (2) the comprehensive doctrine is being used not only to make particular claims of justice, but also to introduce a new interpretation of the political values that has a reasonable chance of being achieved. When a new interpretation of the political values is achieved, claims that could formerly be made only in terms of a comprehensive doctrine will be readily translated into the terms of the political values.

Consenting to membership in a democratic community means consenting to being mutually responsible for the transformation of that community, along with the transformation of its members. Cavell writes that in consenting,

I recognize the society and its government, so constituted, as *mine*; which means that I am answerable not merely to it, but for it. So far, then, as I recognize myself to be exercising

my responsibility for it, my obedience to it is obedience to my own laws; citizenship in that case is the same as my autonomy; the polis is the field within which I work out my personal identity and it is the creation of (political) *freedom*.⁵⁶

Thus, democratic citizens do not enjoy perfect moral autonomy, not only in that they entrust their freedom and equal standing to “the people,” but because they open themselves to moral transformations initiated by other citizens on the basis of moral commitments that they may not currently share.

Rawls points to this openness to moral transformation by the claims of others obliquely when he says that we, as citizens, must “sincerely believe that the reasons we would offer for our political actions—were we to state them as government officials [which is to say, using public reason]—are sufficient.”⁵⁷ For political purposes, public reason must displace whatever contrary doctrines citizens may hold. Citizens, qua citizens, must conform themselves, that is, their beliefs and judgments, to public reason so that they believe that public reason is complete and adequate for their political purposes. Only such a moral transformation can result in the necessary sincerity of commitment to the content of public reason. However, Rawls does not elaborate on the moral transformations necessary to attain this sincerity. The openness to transformation that this view entails requires a perfectionistic conception of the political community’s relation to the political values. This requirement should be interpreted in light of Proviso₂, so that it is clear that citizens should be open to transformation by public reason, while at the same time public reason is in turn open to transformation by citizens.

It is reasonable for an individual to contract with others to form a perfectible democratic community and make himself or herself open to moral transformation if he or she wants others to be similarly open. The advantage of such citizenship is membership in a community that is open to transformations as a result of his or her own calling of others to become members of some further realm, as a result of moral commitments that he or she has, but that other citizens do not yet share.

Public reason—the discourse that is accepted as legitimate for deliberation about fundamental political matters—ought to allow the members of the democratic community as much room as possible for expressing their deepest commitments. This strengthens the social bond by ensuring to the greatest degree possible that citizens have a home within the public political world, and not just in the background culture. The limits of public reason are not only constraints on the content of political deliberations. A restriction on the introduction of comprehensive doctrines will be experienced as a restriction of citizens’ ability to speak for themselves and to speak in ways that give expression to their experiences. Thus, it is also a restriction on participation

in the political process. This is because, as Cavell says, “the alternative to speaking for yourself politically is not: speaking for yourself privately. . . . The alternative is having nothing (political) to say.”⁵⁸ The importance of the future orientation of public reason in ensuring full participation is captured by Emerson’s ideal of “the republican at home.”⁵⁹ The “republican at home” is the citizen who feels “at home” in her community, in large part because of her sense that her beliefs and values are given a public expression, and that she has a public identity within her community that is adequate to her self-conception. It is the condition of being at home in one’s political community that Emersonian democracy aims to perfect.

Emerson views charitable interpretation as necessary for understanding the speaker as a uniquely positioned individual and for relating the speaker to his or her audience. The broadly charitable interpretation of a speaker’s comprehensive doctrines may be necessary for understanding the deliberative significance of reasons that relate specifically and uniquely to the speaker’s situation and intentions. Cavell argues that an Emersonian willingness to admit reasons that do not fit with the prespecified constraints of any particular interpretation of liberal justice may allow some otherwise marginalized citizens to participate more fully in the conversation of justice. It is possible that new moral claims will need to be made, perhaps against new moral wrongs committed, or perhaps on the basis of new constructive understandings of the political values.

Cavell gives two general examples of this. First, he quotes Marx’s description of the proletariat as the class that has “*radical chains* . . . and which does not claim a *particular redress* because the wrong which is done to it is not a *particular wrong* but *wrong in general*.”⁶⁰ It is conceivable that the strange fruits of racism and totalitarianism in the twentieth century, for instance, generate similar claims. Cavell’s second example is in the plight of Nora in Ibsen’s *A Doll’s House*. The problem that she faces is not a violation of her rights, at least not in the ways in which her rights can be formulated in her current milieu. Rather, the problem is that the moral vocabulary available to her doesn’t allow her to express her grievances. Unless she can come up with some other moral vocabulary to express a new interpretation of freedom and equality—and unless she is allowed to use this vocabulary in public reason, which is to say, unless she is heard with charity—she won’t be able to express her sense of grievance. So Nora doesn’t need the kind of critique, feminist or humanist, that simply asserts a set of well-understood if poorly implemented rights against which current practice is measured. Rather, what she more likely needs is a kind of feminism (or humanism) that relies on imaginative new ways of describing what it means to be a woman (or a human being),

what kinds of wrongs women (or persons) are especially subject to, how the sexes should relate to one another, and so forth.⁶¹

Proviso₂ allows, while Proviso₁ denies, the legitimate entry into public reason of accounts of equality and liberty that are articulated in terms of a comprehensive doctrine, and which are not (yet) common sense. This is necessary because the current understanding of the values of liberal political theory may be inadequate to answer some political questions. Consider the justificatory basis of a distributive welfare system that treats all citizens as equals. The specifics of the shape (or existence) of the welfare system will depend in part on a specific conception of equality. Equality may be understood in terms of each's need, happiness (or its surrogate), entitlement to an equal share, ability and achievement, merit or desert, effort, or productive contribution. Furthermore, the first of these, need, may be interpreted to extend to security, basic material necessities, health care, a cultural context in which one is at home, or aesthetic and intellectual stimulation. Of course, some arguments for these positions can be made explicitly in terms of the present content of public reason. But inevitably the process by which one or another of these conceptions of equality becomes persuasive and generally accepted will depend in part on an appeal to reasons beyond those supporting the prevailing interpretation of equality. It is here that Proviso₂ allows a diversity of arguments rooted in comprehensive doctrines, from Amos's religious standpoint, to Kantian and Millian comprehensive individualisms, to Marx's and Dewey's comprehensive secular humanisms, to be legitimately called upon.

Likewise, equality as it applies to punishment, and the death penalty in particular, may be interpreted in radically different ways, as part of two broad approaches to punishment: retributivism and utilitarianism. Equality retributivism, such as that which Kant supports, will recommend the principle of an "eye for an eye, a life for a life." On the other hand, a regard for equal happiness, such as Bentham advocated, may lead to the abolition of capital punishment if it is found to fail to maximize the general welfare. Some arguments for these two perspectives are found in the domain of common sense and public reason as it stands. But the persuasiveness of one or the other of these two conceptions of equality in punishment may depend on comprehensive doctrines. That is because the ultimate premises that divide the retributivists from the utilitarians depend on fundamental and complex judgments about human nature, social existence, and broad ethical and philosophical commitments.

Such comprehensive doctrines are permitted into public reason by Proviso₂ precisely because they aim to support one or another interpretation of the political values of equality and liberty. When this introduction is success-

ful, the current understanding of the political values are modified, and arguments for policy choices on the basis of those conceptions of liberty and equality will, from that point on, be able to be made solely in terms of publicly accessible reasons. Proviso₂ only allows the introduction of comprehensive doctrines in an effort to modify the interpretation of the political values. This ensures that public reason will have the resources to answer political questions, and that citizens will come to be able to honor public reason, as Rawls enjoins them to do, by believing public reason to be “suitably complete.”⁶²

IV. THE PERPETUAL REPROACH OF JUSTER WAYS OF THINKING

Emerson uses the principle of charitable interpretation to distinguish the specific character of communication among democratic citizens based on their refusal to interpret what other citizens say as irrational, unintelligible, or alien. The principle of charitable interpretation enjoins the presumptive imputation of intelligibility and value to the utterances of others in the political community. It accounts for the provocative and persuasive character of deliberation, in which new and unpredictable reasons alter the course of arguments and political judgments. A perfectionistic conception of public reason suggests that the present interpretations of the political values became available as part of public reason only because comprehensive doctrines have enlarged and transformed former interpretations of the political values.

At times Rawls points to the reciprocal relationship between comprehensive doctrines and the content of public reason, as, for example, when he allows that

it is inevitable and often desirable that citizens have different views as to the most appropriate political conception; for the public political culture is bound to contain different fundamental ideas that can be developed in different ways. An orderly contest between them over time is a reliable way to find which one, if any, is most reasonable.⁶³

However, Proviso₁ too severely limits the nature of that contest as it takes place in public reason. Proviso₁ confines contests over the meaning of freedom and equality to the background culture, and reserves public reason for those interpretations that are generally accepted in what Rawls calls “common sense.”⁶⁴ How contested views become part of common sense is not clear in Rawls’s account. However, at one point Rawls does seem to allow that there will be fundamental controversy within public reason. He writes,

Note here that different political conceptions of justice will represent different interpretations of the constitutional essentials and matters of basic justice. There are also different interpretations of the same conception, since its concepts and values may be taken in different ways. . . . The important point is that since the content of public reason is a family of political conceptions, that content admits the interpretations we may need. It is not as if we were stuck with a fixed conception, much less with one interpretation of it.⁶⁵

This must surely be the case, and for this reason Rawls's original Proviso₁ should be modified to accommodate the inevitable changes that the content of public reason undergoes.

Proviso₂ allows elements of comprehensive doctrines directly into public reason for the purpose of challenging, and sometimes changing, the commonly held interpretations of the political values. When citizens attempt to alter the content of public reason with reasons from a comprehensive doctrine, they put that doctrine on trial before the tribunal of the public, and ask whether or not those reasons could become part of the "common sense" of public reason. As Cavell points out, these attempts will not always be successful:

To speak for oneself politically is to speak for the others with whom you consent to association, and it is to consent to be spoken for by them—not as a parent speaks for you, i.e., instead of you but as someone in mutuality speaks for you, i.e., speaks your mind. Who these others are, for whom you speak and by whom you are spoken for, is not known a priori, though it is in practice generally treated as given. To speak for yourself then means risking the rebuff—on some occasion, perhaps once for all—of those for whom you claimed to be speaking; and it means risking having to rebuff—on some occasion, perhaps once for all—those who claim to be speaking for you.⁶⁶

The conception of the limit of public reason in Proviso₂ is somewhat less strict than the one in Proviso₁, and it therefore involves greater risk. The public recognition and acceptance of the purported continuity of the older and the proposed newer interpretations of the political values are not by any means guaranteed. Some attempts at modifying currently accepted interpretations of the political values through the use of comprehensive doctrines will fail. In such cases the introduced elements of comprehensive doctrines will not gain a legitimate place in public reason, but their introduction to public reason will itself remain part of the legitimate process of the never-ending historical attempt to bring citizens' political commitments into an acceptable reflective equilibrium.

For Proviso₂ to be satisfied, it must be true that those comprehensive reasons that are used and adopted can, in due course, be presented as aspects of an interpretation of a reasonable balance of political values. Sometimes it will only be possible to fulfill this requirement on a later day, and *not* on the

same day as the reasons are used. This is because the content of public reason must first be transformed to accommodate what is presented—but not yet generally accepted—as a “juster way of thinking.”⁶⁷ Under Proviso₂ citizens must accept that some unreasonableness and some injustice is always possible—perhaps inevitable—as a result of the introduction of comprehensive doctrines into public reason. Therefore, citizens will always remain open to the possibility of reproach. This, however, must be accepted as the price of membership in a political union that is open to becoming more just and more perfect.

NOTES

1. John Rawls, “The Idea of Public Reason Revisited,” *University of Chicago Law Review* 64, no. 3 (summer 1997): 807.

2. Rawls clarifies his distinction in “The Idea of Public Reason Revisited.” He writes, “[Benhabib] means by the public sphere what Habermas does, namely what *Political Liberalism* calls the background culture of civil society in which the ideal of public reason does not apply” (p. 775, fn. 28).

3. Rawls, “The Idea of Public Reason Revisited,” 766.

4. Steven Mulhall, “Promising, Consent and Citizenship,” *Political Theory* 25, no. 2 (1997): 186.

5. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996), 226.

6. I am indebted to one of my anonymous readers for helping me see how close the position I develop in this essay is to a certain strain of Rawls’s thought. This strain is not always the most prominent, however, as my discussion below indicates.

7. Rawls, *Political Liberalism*, 215.

8. *Ibid.*, 214.

9. *Ibid.*, 218.

10. *Ibid.*, 217.

11. *Ibid.*, 249.

12. *Ibid.*, 251.

13. Rawls, “The Idea of Public Reason Revisited,” 784.

14. *Ibid.*, 784.

15. Rawls, *Political Liberalism*, 251.

16. *Ibid.*, 224. Emphasis added.

17. *Ibid.*, 225. Emphasis added.

18. Rawls, “The Idea of Public Reason Revisited,” 786.

19. Rawls, *Political Liberalism*, 241.

20. *Ibid.*, 234.

21. *Ibid.*, 251, fn. 41.

22. This seems to be Rawls’s considered view, even if it is not articulated in Proviso₁. His long-standing use of formative moments in U.S. constitutional and political history as touchstones for his theory of justice bears this out.

23. Ralph Waldo Emerson, “Man the Reformer,” in *Essays and Lectures* (New York: The Library of America, 1983) (*Essays* hereafter), 146. The location of the quotation is indicated by the name of the essay or lecture from which it is taken.

24. I use the language of charity to describe this principle for two reasons. First, Emerson uses the terms *charity* and *love* to express what is required for mutual understanding. Secondly, I follow Donald Davidson in "The Structure and Content of Truth," *Journal of Philosophy* 87, no. 6 (June 1990), in adopting this phrase from N. L. Wilson's article "Substance without Substrata," *Review of Metaphysics* 12, no. 4 (June 1959). However, these arguments move far beyond the sphere of the political, and I do not rely on them in what follows. Davidson writes, "Charity is forced on us; whether we like it or not, if we want to understand others, we must count them right in most matters." "On the Very Idea of a Conceptual Scheme," in *Inquiries into Truth and Interpretation* (Oxford: Clarendon, 1984), 197. This is broader than a democratic imperative, and for our political purposes democracy takes precedence over philosophical reflections on the nature of things. However, it may be worth mentioning that the political view can be given some philosophical support. For further example, Paul Tillich writes, "All things and all men, so to speak, call on us with small or loud voices. They want us to listen, they want us to understand their intrinsic claims, their justice of being." *Love, Power, and Justice* (Oxford: Oxford University Press, 1954), 84. Augustine also adopts this view in his *Confessions* where he says, "I shall be believed by those whose ears are opened to me by charity." Book X, chap. 3.

25. Another account of the role of what Romand Coles calls postsecular *caritas* and receptive generosity is found in his "Liberty, Equality, Receptive Generosity: Neo-Nietzschean Reflections on the Ethics and Politics of Coalition," *American Political Science Review* 90, no. 2 (June 1996): 375-88.

26. Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, MA: Harvard University Press, 2000), interestingly embraces a "partnership" conception of democracy that is very similar to the theory Emerson develops. Dworkin writes, "According to the partnership conception, government by 'the people' means government by *all* the people, acting together as full and equal partners in a collective enterprise of self-government" (p. 358).

27. Emerson, "Spiritual Laws," *Essays*, 309.

28. Emerson, "Man the Reformer," *Essays*, 136.

29. *Ibid.*, 136.

30. Emerson, "Eloquence," in *Society and Solitude* (Boston: Houghton, Mifflin, 1904), 67.

31. Emerson, "The Method of Nature," *Essays*, 122.

32. *Ibid.*, 129.

33. Emerson, "History," *Essays*, 241.

34. *Ibid.*, 238.

35. Emerson, "Politics," *Essays*, 563.

36. Emerson, "Man the Reformer," *Essays*, 148.

37. *Ibid.*, 148.

38. *Ibid.*, 149.

39. *Ibid.*, 148.

40. Emerson, "New England Reformers," *Essays*, 605.

41. Rawls, *Political Liberalism*, 247.

42. John Rawls, *A Theory of Justice* (Oxford, UK: Oxford University Press, 1972), 246.

43. Stephen Mulhall, *Stanley Cavell: Philosophy's Recounting of the Ordinary* (Oxford, UK: Clarendon, 1994), 272.

44. Stanley Cavell, *Conditions Handsome and Unhandsome: The Constitution of Emersonian Perfectionism* (Chicago: University of Chicago Press, 1990), xxv.

45. *Ibid.*, xxxi-xxxii.

46. Emerson, "Man the Reformer," *Essays*, 146.

47. Emerson, "Uses of Great Men," *Essays*, 630.

48. Emerson, "The Over-Soul," *Essays*, 385.

49. Cavell, *Conditions Handsome and Unhandsome*, 270.
50. *Ibid.*, 282.
51. *Ibid.*, 125.
52. Emerson, "Man the Reformer," *Essays*, 147.
53. *Ibid.*, 146.
54. Emerson writes, "Such moments of expansion in modern history were, the Confession of Augsburg; the plantation of America; the English Commonwealth of 1648; the Declaration of American Independence in 1776; the British emancipation of slaves in the West Indies; the passage of the Reform Bill; the repeal of the Corn Laws; the magnetic ocean Telegraph; though yet imperfect, the passage of the Homestead Bill in the last Congress; and now, eminently, President Lincoln's Proclamation on the twenty-second of September." "The President's Proclamation," 129. The preliminary proclamation of emancipation was issued on September 22, 1862.
55. Emerson, "The President's Proclamation," 129.
56. Stanley Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy* (New York: Oxford University Press, 1979), 23.
57. Rawls, "The Idea of Public Reason Revisited," 771.
58. Cavell, *The Claim of Reason*, 27-28.
59. Emerson, "Politics," *Essays*, 557.
60. Karl Marx, "Contribution to the Critique of Hegel's *Philosophy of Right*: Introduction," in *The Marx-Engels Reader*, ed. Robert C. Tucker (New York: W. W. Norton, 1978), 64.
61. Such a feminism is described in Richard Rorty's essay "Feminism and Pragmatism," in *Truth and Progress: Philosophical Papers Vol. 3* (New York: Cambridge University Press, 1998).
62. Rawls, *Political Liberalism*, 241.
63. *Ibid.*, 227.
64. *Ibid.*, 224.
65. Rawls, "The Idea of Public Reason Revisited," 777-78, fn. 35.
66. Cavell, *The Claim of Reason*, 27.
67. Emerson, "Man the Reformer," *Essays*, 146.

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