An inquiry on the theoretical roots of populism and its justifiability as an alternative to liberalism

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Table of Contents

Introduction

In the last few decades the interest in populism has notably increased both in academic and public debate. However, despite some agreement regarding *who* must be labelled as populist, it is still pretty unclear *what* the term *populism* means in general and especially in contemporary Western societies. As a consequence of such confusion, *populism* is often instrumentally used as a negative label to delegitimise political adversaries and their proposals, without a consistent conceptual framework to rely on. To complicate things further, along its brief history the concept of populism has been associated to extremely various social movements which have affected in a profoundly different way Russia, United States, Latin America and Europe among others. The complexity of any of these experiences makes extremely difficult both the elaboration of an acceptable and usable generalisation of the term, and the understanding of the specificities of populism as a historical phenomenon.

For these reasons, in what follows I will not focus on any empirical form of populism in particular. The main goal of the present work will not be to assess the practical feasibility or the political desirability of populism but rather to inquire its theoretical meaning as a philosophical concept. Instead of engaging myself in a comparative analysis of actual populisms, I will attempt to understand the theoretical roots of populism starting from its contrast with liberalism. Assuming liberalism as the hegemonic elaboration of democratic autonomy grounded on the construction of the *reasonable person* as the epistemic standard of public justification, I will frame populism in terms of a political challenge to such hegemony on the basis of the counter-hegemonic construction of *the people*. Then, through the deconstruction of the liberal theory of public justification and by presenting it as the political solution given by liberalism to the problem of autonomy, I will read the contrast between populism and liberalism as the clash of two alternative political interpretations of the modern idea of autonomy.

By conceiving populism and liberalism as two theories of democracy essentially conflicting, but equally legitimated, I will call into question two fundamental assumptions of the liberal theory of public justification: (1) that public justification is an exclusive liberal project and (2) that public

justification is a politically neutral justificatory device. For what concerns point (1), the understanding of populism and liberalism as two politically alternative elaborations of democratic autonomy will allow me to argue that both are committed to the democratic principles of liberty and equality, and therefore publicly justifiable – if public justification is understood as the device elaborated by liberalism to prove the legitimation of its own interpretation of democratic autonomy. About point (2), I will argue that once the essentially political nature of public justification is unveiled, a political theory of public justification appears plausible. By taking as example the Kantian publicity test, I will then propose to rethink the condition of publicity in a way that recognises its political implications. Therefore, if any project of public justification will prove to be a political project, then populism (understood as an interpretation of democratic autonomy alternative to liberalism) can stand as a publicly justifiable political theory, and its contrast with liberalism will appear as a political conflict that cannot be solved through the categories of normative ethics.

The discussion of these themes will be divided as follows. In the *first chapter*, I will specify the perspective assumed on populism throughout this work and identify what can be considered as the two main critiques of populism: to be just an instrumental communicative strategy to gain power without any ideal commitment (*non-ideal thesis*); or, alternatively, to actually have an ideological content, yet anti-democratic in its premises and/or outcomes (*non-democratic thesis*). My argument is that most of the vagueness that affects the concept of populism is due to the attempt to reduce populism to a demagogic form of political communication, that is a strategical arrangement of political discourse put into practice just in order to maximise popular consent. Indeed, treating populism as a mere rhetorical device preempts from capturing the specific traits of populism, since many of the features normally interpreted as distinctive signs of populism (ranging from the polarisation of the debate in opposite groups to the appeal to the people) are in fact part of the democratic public discourse. Therefore, if populism consists in these rhetorical elements, what will turn out is that much of the contemporary political parties, if not all, adopt a populist strategy at least in some circumstances and/or on some issues.

I then propose a rejection of the *non-ideal thesis* by referring to Ernesto Laclau's conceptualisation of populism as a discursive hegemonic strategy. In *On populist reason* (2007), indeed, Laclau argues that the populist appeal to the people is more than a rhetorical way of pleasing the common people: it is the expression of a kind of rationality, the populist reason, which

deploys its logic in a discursive hegemonic process for constructing the people as a political subject. As a form of hegemonic logic finalised to the formation of a collective identity, populism tries to construct the people by a totalising discursive elaboration of a signifier (*the people*) that need to be filled out in order to be meaningful. This hegemonic logic, understood by Laclau as "the operation of taking up, by a particularity, of an incommensurable universal signification" (2007: 70), results in the construction of the people as a subject through the totalisation of *the people* as a signifier. In my view, Laclau's theory of the populist construction of the people confers in fact an ideal content to populism and provides a theoretical framework to reject the *non-ideal thesis*.

Still, although Laclau stresses that the construction of a people is the *sine qua non* of democratic functioning, I will argue that his account is not sufficient to reject also the *non-democratic thesis*. What is missing in Laclau is a true link between populism and the democratic principles of liberty and equality: for Laclau, indeed, the populist logic fits democracy without being committed to any particular ideological content. By assuming populism as derived from the Rousseauvian approach to the idea of autonomy, I propose instead to interpret populism as committed to a democratic ideological content. Therefore, I conclude the first chapter embracing Laclau's explanation of populism as a discursive construction of the people as a political subject and yet claiming, *contra* Laclau, for the populist commitment to a radically egalitarian democratic ideology that challenges the priority assigned by liberalism to liberty over equality.

In the *second chapter*, the scope will be to frame populism in the light of the philosophical debate on public justification in order to path the way for testing my hypothesis of populism as a radical interpretation of democracy according to which equality is valued as priority over liberty. If populism can be publicly justified, then a sufficient reason must be provided to the relevant justificatory subject for accepting the populist interpretation of the democratic principles of liberty and equality. However, since according to my hypothesis the populist commitment to democratic principles is irreducibly in contrast with that of liberalism, and since from the liberal perspective the project of public justification is seen as an exclusive liberal project, in order to assess the public justifiability of populism as a political theory I have to deconstruct the liberal theory of public justification. At this scope, I first consider the public justification tradition in its theoretical polarisation between Rawls' consensual approach to Gaus' epistemic approach. The analysis of the contrast between these two prominent perspectives on public justification will lead to recognise, with D'Agostino (1992), the inherently political character of any project of public justification. If this is right, then the divergence between Rawls and Gaus is not just a clash between different

epistemological standards employed to assess what counts as a reason in a public justification theory: preferring the more consensual political liberalism's approach on public reasoning over the more convergent criterion adopted by justificatory liberalism is ultimately a political choice which reflects a certain conception of democracy.

In the *third chapter*, I will further D'Agostino's critique by arguing that the liberal project of public justification as such, and not only the choice between different liberal justificatory models, is essentially political. This follows from the acknowledgment of the inconclusiveness of the liberal project of public justification, namely the fact that the liberal public justification's epistemic model of the reasonable person cannot be in turn publicly justified. That will lead me to reject the liberal view of public reason as a neutral standard of rationality and understand public justification as a political project. This, in turn, undermines the assumption of public justification as an inherently liberal idea (Gaus 1996). Indeed, it cannot be proved that public justification is necessarily a liberal project unless it is provided an epistemic theory which can be in turn publicly justified.

In the rest of the chapter I will thus outline the requirements of a political interpretation of public justification in order to verify whether populism understood as an interpretation of democratic autonomy alternative to that of liberalism can meet such requirements. In doing so, I will first (1) specify what means conceiving public justification as a political project, and then (2) define the key elements a populist theory of public justification.

Regarding point (1), my argument will be that public justification involves a political dimension not only in setting the premises of the justificatory model, but also by requiring the condition of publicity. Thus, by looking back to the theory of publicity adopted by Kant in *Towards Perpetual Peace*, I will argue that a conception of publicity different to that employed in the liberal construction of public reason is required. Indeed, whilst the liberal approach to publicity in both Rawlsian consensual and Gausian epistemic approach leaves no substantial autonomy to politics, Kant's publicity test leaves enough space for autonomous political decisionism. Regarding point (2), my argument will be that populism can meet the requirements of a political model of public justification. Accordingly, the populist theory can be conceived as a construction of *the people* as the justificatory subject, centred on a consent-oriented model of normativity that is committed to an interpretation of democracy in which the equality principle is priority over the liberal one.

The deconstruction of the liberal project of public justification showed then that even if not every political theory can be publicly justified, yet any model of public justification is necessarily a political project that involves political choices. If populism and liberalism are two politically

justifiable alternative interpretations of democratic autonomy, as I have argued, then *the people* can be considered as the populist counterpart of *the reasonable person*, and their contrast conceived as a political conflict for the hegemony of the democratic space. A conflict that, given the inherently political character of public justification, cannot be reduced to a problem of normative ethics but must be treated in the political realm.

Chapter I

Approaching populism as a contested concept

The perception of populism as an essentially contested concept, namely a concept which involves endless disputes about its proper use (Gallie 1955), is widely represented in the academic debate (Mudde 2017). Yet from such a shared awareness seldom follows an adequately cautious use of the word, to such an extent that some scholars have questioned the analytical usefulness the concept itself of populism (Brubaker 2017). Hence, before considering the issue of the populist construction of the people as a political subject (§2.1, §3), it seems useful to draw a brief sketch of the most significant problems that theterm itself poses to anyone who would like to engage with this field of study. That is what I shall do in the next three subsections, where I focus on three major problems that weaken *populism* both as an analytical and a descriptive concept. In the wake of Brubaker's critical overview, the goal of the first section (§1.1) is to analyse three issues that affect the prevalent understanding of the word *populism*, which I refer to as the problems of *extension*, *connotation* and *accuracy*.

My argument will be that the great extension of the word *populism*, combined with a strong moral and political connotation, and with a disproportionate stress on ubiquitous practices often presented by scholars as peculiar of populism, determines a chronic vagueness about what populism actually means. Such vagueness, then, results in a prevalence of the connotative on the denotative use of the word, taking *connotation* as the set of moral and emotional associations evocated by a word and *denotation* as its actual reference. Therefore, since for *populism* the connotative use is much more definite than the denotative one, the term connotes too much and denotes too little. This way, the ideal content of populism is hardly seriously scrutinised, and the focus falls on the strategical and stylistic features of the populist discourse. Thus, although I share Brubaker's diagnosis, my conclusion is rather divergent from him as regards how to deal with such problem. From the perspective I will deepen in my thesis, indeed, treating populism just as a rhetorical strategy, in the sense of an instrumental adoption of a catchy style of argumentation with the mere scope of pleasing constituents and achieving power, prevents from wholly understanding the nature and relevance of populism. It would be mean holding populism as undistinguishable from seeking consensus by any means, a practice which is traditionally associated with demagoguery. Despite more substantive reasons for distinguishing populism and demagoguery will emerge only at the end of the thesis, when the standing of ideal theory of populism before the liberal project of

public justification will be clearer, for now I will focus on the problems that an interpretation of populism as a mere rhetorical strategy without ideal commitment would bring about.

In the next section (§1.1) I will individuate in the vagueness of extension, lack of accuracy and connotative power the three main causes for the prevalence of connotative over denotative use of populism. Given that, I will claim that is necessary to take a stand on the theoretical foundations of populism as a concept before engaging with it. I shall then proceed by identifying two fundamental approaches: (1) the ideal perspective which attributes a moral and/or an ideological commitment to populism and (2) the non-ideal approach, which faces populism as a rhetorical tool adopted strategically by different kinds of actors within the political space (§1.2). I then introduce Laclau's theoretical interpretation of populism and provide a critical analysis of the main elements of it. Finally, after striking a balance of Laclau's contribution (§3.1), I conclude by advancing an operative definition of populism as an ideal theory which will serve as the basis for further research (§4).

1. Vagueness of extension, lack of accuracy and connotative power

The first problem that the word *populism* raises is its notably extensional vagueness. Neither is it plain *who are the people* appealed by populists nor *who are the populists* who appeal to the people. Any attempt to provide a clear denotation of *populism* and its social base produces extremely divergent characterisations: populism resembles nationalism when it is theorised on an ethno-national basis (Müller 2016), socialism when it provides a critique of the economic élite in behalf of the underdogs and with the declared aim of increasing equality (Laclau 2007), radical democracy when it stresses the sovereignty of people and the need of active participation (Canovan 1981 and 1999), authoritarianism when the anti-élite thrust involves the rejection of the idea of human rights inherited by the Enlightenment (Rummens 2017; Müller 2016) – just to mention some of the most common alternatives.

It can be useful, then, going back for a moment to the first uses of the word in order to understand which kind of intellectual shift made possible the current use of the term. As it has been pointed out by Allcock (1971), until the mid of sixties the word *populism* had two very punctual references: on the one side, the radical rural political groups from the American midwest, among which the Populist Party is the most famous example; on the other side, the Russian intellectualist utopic movement called *narodnichestvo* (from the Russian *narod*, which means 'people', 'folk'),

inspired to the figure of Alexander Herzen and moved by the idea that Russian moral and political regeneration could only come from peasant people. It is important to notice that even if both of these two phenomena occurred in the last decades of the XIX century, they apparently have no direct links. There was not any intention to put these two experiences under the same conceptual cap. *Populism* was firstly coined as a descriptive label for describing two different and distinct historical phenomena. An article written by Edward Shils in 1954 is probably the earliest attempt to transform populism in a concept that denotes more than the historical episode to which it refers. In Shils' article, populism represents a threat to the rule of law which is based on the "belief that the people are not just the equal of their rulers" but actually "better than their rulers" (Shils 1954).

The shift of *populism* from a historical to a philosophical category has been a decisive step in the development of the current idea of populism and made possible a broader application of the concept. It is not casual that such passage has been done through an ideological conception of populism, like Shils'. At the same time, the detachment of the concept from the concrete circumstances where it first emerged raises problems of consistency and unity. Despite that, the persistence of populism as an analytical category for describing social movements within (at least formally) democratic context constitutes an interesting element of reflection. It seems to suggest that there is something in the populist theoretical framework that allows to decipher an important source of tension of modern representative democracies. The acknowledgment that populism as a political philosophical category has a heuristic value, that is to say the capacity to frame a problem in a way that brings to the fore facts and relations that otherwise cannot be noticed, is thus one of the fundamental premises of my argument. This, in turn, leads to an interpretation of populism as an inherently modern concept. It is worth noticing, in this regard, that even if the exercise of political and rhetorical authority in pre-modern and ancient societies presented many features that are currently attributed to populism, the concept of populism itself was unknown. The figure of the populist, indeed, cannot be considered a modern heir of the ancient demagogue. Indeed, it is not possible to date back the phenomenon of populism to pre-modern times: it is essentially modern as a political concept in what requires (1) the kind of political autonomy that characterises the people in modern democratic pattern and (2) a representative form of democracy. This way, the extensional vagueness of *populism*, being mostly a consequence of the erroneous identification of populism and demagoguery, it may be handled by insuring a theoretical autonomy to the concept. Although a great amount of vagueness still persists as regards the extensional reference of *populism*, it is now at least possible to delimitate the remit of our analysis. It is not at the rhetorical

level that we have to look for understanding the nature of populism, but we should rather try to decodify its ideal commitments.

The second problem of *populism* as a philosophical category is its explanatory inaccuracy. This is obviously tied with that of extension, but it is slightly different. For 'explanatory accuracy' I mean the capacity of a concept to provide an analytical framework through which it is possible to explain phenomena and courses of action by recurring to elements that define specifically the concept itself. Of course, accuracy is a matter of degree and not every concept needs to provide maximal accuracy in order to have an effective explanatory capacity. However, the more a concept is inaccurate in this sense, the less is useful as an analytical category. With regard to *populism*, my concern is about uses of the term which present as characteristic of populism some elements that actually belong to the contemporary democratic context as such – for instance, the appeal to the people or the presumption to speak for them are transversally frequent in political discourses. "If populism is everywhere", Brubaker summarises efficaciously "then it is nowhere in particular, and it risks disappearing as a distinctive phenomenon" (2017: 359). This way, populism gradually has become an unsatisfactory and vague label that is used strategically by political parties to symbolise the failures of representative democracy and to delegitimise political adversaries. The lack of accuracy can be thus considered as the other face of the coin of the vagueness of extension: the former problem worsens the latter. To restore the analytical standing of populism is a precondition for reducing the extensional vagueness of the term. That means trying to single out the theoretical premises and implications of the populist approach, by analysing central concepts that inform populism as a theory of political authority. In other words, that means taking the phenomenon of populism seriously and going beyond the merely descriptive dimension of populism as a style of political communication.

The third main limit of *populism* consists in its strong connotative power, which is a consequence of the two above mentioned problems. The predominance of the connotative use of the word gave rise to a passive denotational dynamic, by which the meaning of *populism* is shaped independentlyof those who are affected by it. Although indeed *populism* was initially coined as a label to proudlymark political identity, nowadays those who are considered populists usually avoid defining themselves in that way. Then we have the paradox according to which *populism* is currently "used to label those who do not call themselves populists but ignores those who do" (Johnson 2020: 214).

The origins of populism have been almost removed and the word became a sort of floating label. As a result, we currently assist to an adjectivisation of populism that is testified by the increasingly frequent recourse to formulae, such as *juridical populism* or *economic populism*, in which the real function of the word *populism* is to remark the presence of a general (negative) trend in particular fields. Populism here is implicitly considered as a symptom of a pathology of democratic institutions, an alien element in the juridical or economical body respectively (it is not casual that the medical metaphor is largely adopted to define populism). Moreover, such an adjectivisation allows also a conception of populism as a matter of degree which does not require an autonomous content that is either present or absent. Therefore, this approach is favoured by those who do not attribute any ideological content and then any ideal commitment to populism. By contrast, those who consider populism in its ideological content are bent to oppose a more substantive conception, which leaves space for an ideal dimension of populist claim. As I believe that the only way to tackle these problems is to inquire into the theoretical foundations of populism, I will embrace the ideal approach. This will lead, in the next chapter, to focus on the relationship that exists between populism and liberalism in terms of public justified theories of democracy.

2. Ideal vs non-ideal approach to populism

There are two main ways of dismissing populism. To define them I refer to the debate, originated around Rawls' *A Theory of Justice* (1971), on a definition of the most appropriate degree of idealisation for a normative theory. Therefore, I identify a *non-ideal approach* as the tendency to relegate populism to a mere form of catchy political rhetoric (*non-ideal thesis*). According to such perspective, populism does not have any ideal commitment, and there is no other rationality in it but seeking instant popular consensus. The other approach, which I refer to as the *ideal approach*, recognises instead an ideological content but considers it as anti-democratic (*non-democratic thesis*). In this work I will argue against both of these theses, since I will frame populism as a political ideology committed to an egalitarian interpretation of democracy and its principles of equality and liberty.

In distinguishing between ideal and non-ideal perspective, I refer to the first meaning listed by Valentini (2012), according to which the difference between ideal and non-ideal theory lies on the kind of devised compliance. In this regard, an ideal theory requires full compliance whereas a non-ideal theory is modelled on a partial compliance scenario. Now, since populism has been

traditionally considered as the non-ideal degeneration of liberal democracy, trying to interpret it as an alternative ideal theory of democratic society involves automatically a critique of the liberal way to justify its normative principles. On the one hand, such a stand implies a clash of paradigms and a re-emergence of the political, as we shall see. On the other hand, it also implies that a further aspect needs to be considered: what is at stake here is the presence itself of any normative commitment in populism, not only to what degree of compliance such a commitment is presupposed. Therefore, the gap between non-ideal and ideal theories of populism is inevitably more than just methodological, it is a gap that concerns the relationship between populism and liberalism. In order to demonstrate that populism is not just a pathological externality of liberal democracy, namely a sign of disfunction that affects the liberal model of democracy, it must be proved that an ideal theory of populism can provide a justifiable theory of democracy that stands as an alternative to the liberal one. To do that, a conception of populism with a justifiable subject of political power and a justifiable model of normativity must be provided. In the next section, I will begin considering the first problem, while the question of normativity will be introduced in the second chapter, alongside the discussion on public justification.

2.1 Constructing the people: the ideal subject of populism

The first problem for an ideal approach to populism is to explain how the subjectivity of the people should be thought of. If indeed a consistent way to conceive the people cannot be provided, then it will not be possible to assign an ideal content to populism. The issue is even more pressing for those accounts of populism that interpret such an ideal content as a democratic commitment, since it is commonly argued that populism conceives the people as a homogeneous group revealing thus a threating authoritarian tendency (Mudde 2017; Rummens 2017; Müller 2016). Therefore, the hypothesis of populism as an ideal theory hinges firstly upon its capacity to advance an acceptable model of the people, alternative to the one promoted by liberalism. What *acceptable* exactly means will be clearer in the following chapters, where we will focus on the theory of public justification and the justificatory dimension of populism. Indeed, before considering whether 'the people' could be an acceptable social actor or it is just a rhetorical strategy, one should clarify who the people which populism refers to are. In posing the latter as the preliminary question of our inquiry, we are already moving from a non-ideal to an ideal theory of populism: we are already assuming a commitment to the people.

According to the ideal approach, then, looking for a conceptualisation of populism that may integrate all the various aspects of such phenomenon would be insufficent. The only feasible way to deal with the denotational problem of *populism* and *the people* is to reconsider the process of signification that comes into play. That is what Laclau does, by embodying the Lacanian insight about the role of naming in the construction of the identity and unity of the named object:

> It is only with Freudian/Lacanian description of the working of the unconscious that representation becomes ontologically primary – as we have seen, names retrospectively constitute the unity of the object. And it is difficult to find a terrain which *reveals* this constitution better than the constant fluctuations in naming the 'people' (Laclau 2007: 163, *emphasis* in the original)

The Lacanian approach, by conceiving the identity and the unity of the object as a result of the very act of naming, allows Laclau to describe populism as the emergence of the people instead of the appeal to a pre-existing and allegedly homogeneous social group. Then the people as a political subject can be presented by Laclau as an effect of the very operation of naming, that unifies different kinds of unfulfilled social demands from a heterogeneous group of persons without producing homogeneity. On the contrary, the non-ideal approach by interpreting the construction of *the people* as an attempt to reject pluralism, relegates populism out of the field of democracy, and therefore, due to the hegemonic power of liberal interpretation of democracy, out of the sphere of the political.

3. Ernesto Laclau's discursive construction of *the people*

It is time now to explain in more details Laclau's insightful view on the problem of *the people*. His reflection on the discursive constitution of objectivity, influenced by Lacan and psychoanalysis, offers a stimulating perspective to understand the populist conception of *the people* as a political subject. In short, according to Laclau, *the people* is a political identity built on the valorisation of the equivalential bonds amongst different kinds of unfulfilled social demands. Therefore, for Laclau *populism* does not require neither a special social base nor a particular ideological orientation. Indeed, by saying that *the people* is constructed discursively, he wants to stress that *populism* does

not refer to a pre-existing social group, but expresses "a *political logic*" which aims at totalising the meaning of 'the people' as a signifier (Laclau 2007: 117).

The fundamental premise of Laclau's discursive approach is that "[d]iscourse is the primary terrain of the constitution of objectivity as such", where by 'discourse' it is not understood just as something restricted to speech and writing but as "any complex of elements in which *relations* play the constitutive role" (ivi: 68). This means assuming an idealistic stand, according to which objective reality hinges upon the subjective way to construct and organise it for understanding. Indeed, for the purpose of theoretically understanding what populism is and how it works, the preliminary step is not to find an actual empirical subject which corresponds to the people, but rather to understand the process of production of populism as a political subject. The idea is that populism implies a far more complex process than non-ideal approaches are able to acknowledge, in what populism does not simply *appeal* to the people but *creates* it as a collective identity through discursive practices in political action.

In order to see how the populist production of the people works in Laclau's discursive theory and how it could help to understand the rationality of populism, it is necessary to consider in a greater detail the idea of the production of emptiness. According to Laclau, populism aims at representing something that is constitutively irrepresentable. This is what he refers to as a "production of emptiness", a process of hegemonic totalisation of empty signifiers (such as *the people*) whereby power articulates itself in democracy. The idea of "producing emptiness" is drawn on Claude Lefort's conception of democracy as the regime in which the place of power remains empty. For Lefort this metaphoric emptiness is due to the fact that in democracy, unlike monarchy or other authoritarian regimes, the political power cannot be embodied in a single political entity once for all. What is necessary for Laclau is "to transfer the notion of emptiness from the *place* of power in a democratic regime – as proposed instead by Lefort – to the very subjects occupying that place" (2007: 169). Indeed, democracy being characterised by the emptiness of the place of political power, in order to occupy that place any particular force has to produce a collective political identity which works as an empty signifier, in what it misses any punctual denotational reference in reality and finds its meaning within the process of signification itself. Through the totalisation of the empty place of power, thus, any political force in democracy contributes to generate those identities that represent.

Populism, for Laclau, follows the same pattern. Given the fragmentation of the political power in democracy, with the majority representing qualitatively the will of the people not more

than the respective minority, there is not any punctual signified entity which could correspond to 'the people'. However, as what it is just said shows, the emptiness which characterises the subject of populism (*the people*) depends on the way in which political identities come up in representative democratic societies. The denotational vagueness of populism ceases to be a specific flaw of populism. The charge of considering the people as a homogeneous community ceases to be a pathological dynamic and appears as the outcome of a collective identity-building process which is a normal political phenomenon. This way, 'the people' can be *positively* characterised by Laclau as an empty signifier and populism as a discursive signification of 'the people' itself. In populism, through a process that Laclau calls hegemonisation, "a partial content takes up the representation of a universality with which it is incommensurable" (ivi: 106). In other words, this model explains the populist dynamic as one in which a series of independent social demands become aggregable beyond their particularism and acquires a universal value which constitutes the people as a political agent, in a social space polarised into two antagonistic fields.

It is worth stressing that according to Laclau such a production of emptiness is not an exclusive characteristic of populism, but it is rather a decisive component of democracy: "the construction of a 'people' is the *sine qua non* of democratic functioning. Without production of emptiness there is no 'people', no populism, but no democracy either" (2007: 169). This understanding of the people goes decisively in the direction of valorising populism's commitment to democracy, in the wake of the pioneering work of Margaret Canovan who has underlined the democratic potentiality of populism: "In some contexts, and for some of those who use the term, populism does not mean a threat to democracy but the true, radical ideal of democracy itself". This version of populism, Canovan states, "has some claim to be regarded as political ideology on a par with conservatism or liberalism" (1981: 172-3). In turn, this perspective on the democratic ideology of populism paths the way for an even more radical interpretation, according to which populism can be considered the democratic element of contemporary representative systems. Such a claim presupposes that the liberal democracy framework is interpreted as the result of an historically contingent articulation between liberalism and democracy. However, although Laclau seems to endorse this position (2007: 176), the conclusions he reaches in *On populist reason* are not fully consistent with it.

3.1 Achievements and limits of Laclau's conceptualisation of populism

Laclau's analysis of populism represents a fundamental attempt to read populism as an instance of a more general process, namely the social construction of political identities. This normalisation of populism clears the field of some ambiguities and provides a basis for a democratic interpretation of populism, a tradition which ranges from the moderate suggestion of a corrective function (Taguieff 1995; Arditi 2003) to the more radical idea of populism as the embodiment of the democratic ideology in liberal democracy (Canovan 1999; Mény and Surel 2002; Mouffe 2005). Laclau's contribution to this tradition consists in providing an articulated theoretical framework whereby the dominant narrative of populism as a disease of liberal democracy can be overturned. To appear pathological is not more the populist construction of a political subjectivity through the polarisation of political society between *the people*/*the elite*, but rather the liberal rejection of populism as such. Such rejection reveals for Laclau a misconception of the political and its conflictual dynamic. In line with an agonistic conception of democracy, conflicts and polarisations are seen in Laclau as generative processes of collective identities that have a fundamental role in democracy. If political identities are the result of the tension between a homogenising and a differentiating thrust, corresponding to particularism of social demands and universality of their link respectively, the understanding of the people as a homogeneous community is not different in principle from other kinds of political identity. Polarisation of the political field, as it happens in populist discursive construction of 'the people', is for Laclau a typical mark of the political process of identity building. What is at stake in such contrast between populist and liberal perspective is the very role of conflict in the conception of the political. According to the populist perspective, polarisation is not the definitive outcome but a necessary step for building a "political front" (Mouffe 2018). Neither a total differentiation nor a total homogenisation is compatible with the emergence of the people as a collective political actor. Indeed, though to succeed the populist operation requires that "the universalistic moment prevail[s] over the particularistic one" (Laclau 2007: 203), without a subsisting tension between the particularism of social demands and the universality of their equivalence, the representation of this equivalence through the construction of the people fails. What populism does is to rearticulate different social demands by interpreting them in line with a dichotomic division of the political field.

Therefore, Laclau's model tries to revalue the homogenization process of populism by inscribing it into a normal political process of construction of collective identities. This analysis of the constitutive process of 'the people' is the main thing I retain from Laclau. The capacity of names to retrospectively constitute the unity of the object to which they refer, an idea that he borrows

from Lacan and applies to the problem of political identities, contributes to reframe the fundamental question of populist subjectivity. The constitution of 'the people' from the aggregation of social demands and the appeal to it as a creation of a political front constitutes an insightful response to the idea of populism as a pathologic externality of representative democracy.

However, *On populist reason* has two main limits. Firstly, in Laclau's account the attempt to normalise populism fades into an excess of generalisation. Populism consists indeed for Laclau in the essence of political logic, rather than in a movement with a specific ideological content. As the populist dynamic is described as the hegemonic representation of a totality by a given particularity through the empty signifier of *the people*, populism loses its distinctive character compared to any other democratic formation of political identities. From a political logic it becomes the logic itself of democratic politics. Secondly, Laclau's attempt anchor the populist construction of 'the people' to the democratic principles and the mechanisms of democratic representation presupposes in fact a view of liberal democracy as a paradoxical union, in line with Mouffe (2018). This follows from the interpretation of populism as the democratic pillar of liberal democracy and grounds ultimately on a misconception of the relationship between populism and liberalism. In what follows, instead, I will argue that populism and liberalism stand as alternative justifiable elaborations of democratic autonomy, and that therefore it is in the problem of modern autonomy that we have to look for really anchoring populism to the democratic principles of liberty and equality.

If I am right, then Laclau's identification of populism as a hegemonic discursive practice is not enough for rejecting both the *non-ideal thesis* and the *non-democratic thesis*. It proves indeed that populism must have an ideal content (the construction of the people as a political subject) and that its dynamic is consistent with the empty nature of democratic power, yet it does not prove that such content fits with democratic principles and requirements.

4. A tentative framing of populism

The construction of *the people*, which is the result of populism, is defined by Laclau as "the political act *par excellence*" in what it involves "the production of empty signifiers in order to unify a multiplicity of heterogeneous demands in equivalential chains" (2007: 154). In other words, populism as a constitution of antagonistic frontiers and as a discursive construction of collective identities would become synonymous with the political as such. I will not follow Laclau on this path. My proposal is instead to consider populism as a discursive construction of *the people* as a collective

political agent (with Laclau), yet stressing its commitment to a radically egalitarian democratic ideology which ranks equity as priority over liberty (*contra* Laclau). This tentative definition provides a key to explain why populism can be at the same time tied up with the modern democratic context and be opposed by liberalism as an anti-democratic force, without being forced to interpret liberal democracy as a paradoxical mixture of a liberal and a democratic pillar[1]. Indeed, I consider the modern democratic context as characterised by a relentless process of redefinition of democratic power through the specifically modern conflict between two alternative interpretations of autonomy: the individualist one (which I will refer to as the *liberal*) and the collectivistic one (which I propose to define as the *populist*). According to my argument, it is from the analysis of this longstanding tension that the relationship between populism and democracy should be understood and populism's ideological content specified. In what follows, I will then analyse the arguably two main strands in the philosophical debate on autonomy, the Rousseauvian and the Kantian, in order to specify the ideological content that I attribute to populism and that allows me to assume a stronger link between populism and democracy than Laclau does. This will be done in chapter three, where the main focus of the analysis will be relationship between populism and liberalism: there I will try to apply the liberal concept of public justification to populism. However, since the project of public justification is commonly treated as an inherently liberal project (Gaus 1996), I first need to look at the liberal tradition on public justification to see whether or not such exclusivity can be defended. By focusing on the Gausian and Rawlsian theories of public reasoning, it will emerge that the liberal project is flawed in its pretension to conceive public justification as a "meta-political project", that is a justification valid above political categories, as stigmatised by D'Agostino (1992). My argument will be then that the populist construction of the people through a discursive hegemonic production of emptiness must be understood as a counterpart of the liberal project of public justification, understood in turn as a way to defend the hegemony of the liberal interpretation of democracy.

[1] For an interpretation which instead frames liberal democracy as a paradoxical synthesis of two pillars, see also Mouffe (2018). An useful overview on the question is provided by Rummens (2017).

Chapter II

The liberal theory of public justification

Following the hypothesis of populism as an alternative and equally justifiable interpretation of democratic autonomy, in the first chapter I have argued that populism should be understood as an ideal theory of democracy and not just as a political communicative strategy to maximise consent. In order to better understand the link between such ideal standing of populism and the democratic principles of liberty and equality, which I will treat in the next chapter, now I need to frame the problem starting from the analysis of the liberal theory of public justification. As a matter of fact, indeed, the idea of populism as challenging the priority assigned by liberalism to liberty over equality calls into question the relationship between liberalism and populism. This implies, on the one side, that populism builds on the same fundamental values of liberalism embodied in the ideal of the free and equal person (i.e. liberty and equality); and, on the other side, that the conflictual relationship with liberalism is a constitutive trait of populism.

The aim of the present chapter is then to critically reconsider the liberal tradition of public justification in order to provide a ground on which the assumptions made in the previous chapter on the ideal stance of populism might be demonstrated. Since it has been assumed that populism has an ideal content and that such a content implies a commitment to democracy, now it must be taken into consideration whether or not public justification is an inherently liberal project (as liberals like Gaus explicitly affirm). If indeed Gaus is right, then there is no possibility for populism to be publicly justified. The main focus of the following sections will be thus the public justification framework and its conflicting articulations. Amongst the many who have elaborated on public justification, in this chapter I will consider the contributions three authors in particular: John Rawls, Gerald Gaus and Fred D'Agostino.

After an introduction about public reason and public justification, in which is assessed how these two concepts shaped the modern idea of legitimacy (§1), the second section will be dedicated to Rawls' theorisation of a political liberalism, that represents his definitive stand on the role of public reasoning and public justification in liberal society (§2). Then I will introduce the Gausian conception of public justification, by focusing in particular on the critical points he raises against Rawls (§3). The analysis of this contrast will lead us to depict not only the fundamental aspects of Gaus' justificatory liberalism, but also and mostly to cast light on two different approaches that are prominent within the liberal debate as regards the degree of idealisation of public reason and the

conception of the political. From the contrast between the Rawlsian and the Gausian conception of public justification, it will turn out that generally misses a neutral criterion to choose among different justificatory models. This leads me to consider D'Agostino's remarks on the ultimately political character of public justification (§4).

In my argumentation I will stress in particular two points. Firstly, that in the difference between the Rawlsian and the Gausian standpoints on public justification resonates the difference between the Kantian truth-oriented approach to justification and the Rousseauvian consent-oriented one. This way, acknowledging to Rawls a more voluntaristic approach to public justification, I will criticise by comparison Gaus' convergent conception of public justification as a form of epistemological elitism. Accordingly, Gaus' justificatory liberalism overestimates the importance of truth over consent and of liberty over autonomy, contrary to the Rawlsian one, which is a more consensual approach that tries to find a balance between liberty and autonomy. Secondly, that this debate amongst liberal thinkers about more or less idealised models of public justification shows the rightness of D'Agostino's critical perspective on the liberal approach to public justification. Such a revised conception of public justification, by stressing the unavoidable component of political choice in setting the premises of public justification, will provide a ground for extending the range of public justification beyond the field of the paradigm of political liberalism.

It should be clear now why I have emphasised the alternative between ideal and non-ideal theory as the decisive difference amongst several possible ways of framing populism. As an evaluative standard for assessing the justifiability or the acceptability of given principles, the idea of public reason requires indeed a certain degree of idealisation in the way it postulates the authors of justification. Recognising that populism implies an ideal commitment and an idealisation of the source of consent could leave room for applying public reason and public justification, in order to demonstrate that an ideal populist theory might meet the requirements of a conception of public justification, extended according to D'Agostino's critique. But this will be the scope of the next chapter, for now I will leave aside this question and will focus on the framework of public justification.

1. Liberal legitimacy from public reason to public justification

The main goal of the modern idea of public justification is to provide a legitimacy to political and/or moral authority of anyone over others. So broadly understood, it therefore assumes a conception

of individuals as free and equal and asks how it is possible a legitimate coercion among free and equals agents. Despite the privileged field of application of public justification has been the political dominion at the statal level, the same problem can be posed either on a larger scale among states as a justificatory device for regulating international relationships (Rawls 1999) and on a smaller scale as regulating intersubjective moral relationships, as in social morality (Gaus 2003). Three different contexts or degrees can be thus distinguished, ranging from the agency of concrete individuals to that of the states: social, political and international. Although they evidently are to be understood as intertwined one another, each of these scales of agency has its own implications and requirements, and many different perspectives can be assumed to analyse them.

For the major scope of my thesis is assessing the applicability of public justification to a populist political theory, I will focus on the political scale where public justification works as a device to assess the legitimacy of a system of social arrangements or a group of policies. By and large, according to public justification a social arrangement or a group of policies are legitimated if each member of the political community could find it reasonable. The core problem of public justification is therefore to provide a model of reasonability, namely an ideal standard for assessing what counts as a sufficient reason to comply for a rational agent, which is consistent with the requirements of a democratic order of free and equal citizens. In public justification theory such a model of reasonability is represented by the concept of public reason, which consists in a balance between the two previously mentioned ideals of truth and consent. The functioning of public justification as a legitimating device depends indeed on how we solve the tension between the democratic goal of consent and the epistemic goal of truth. On the one hand, indeed, the idea of public justification finds its legitimating force from the assumption that everyone, considering consciously and rationally the reasonability of a given principle or policy, would agree to the need of complying with it. The idea of consent is therefore fundamental. On the other hand, however, such consent must be subtracted from irrational bias and self-interested considerations to be universalizable, and therefore validatable as a public justification. There must be an idealised consent, and not an actual one: and idealised in the sense of providing consent only to what is truly reasonable. The problem is that there seems to be no uncontroversial model to abstract from actual consent, and therefore the two requirements of consent and truth come into conflict one another in designing such a model. The challenge is to find some way of giving the perspective of individual persons a significant role, without allowing this to collapse into consent. Indeed “public reason is not simply a way of identifying those principles to which people already consent”, but equally it “must not define those

principles that could be justified to, or be acceptable to, each person as simply those principles that are true" (Quong 2018).

Since the model of public justification relies wholly on the conceptualisation of public reasoning, before engaging with the liberal project of public justification it will be useful to see how the idea of public reason has been constructed by contemporary political philosophers, in order to better understand the premises of the liberal project of public justification. The idea of public reason precedes that of public justification not only chronologically, but also logically, as we have just seen. The most evident root of the concept is the classic distinction between public and private use of reason. However, that from Kant cannot be considered a direct derivation. If we consider the Kant's pamphlet *An Answer to the Question: "What Is Enlightenment?"*, we see that here the public use of reason is designed in order to revendicate a public space where to exert the freedom of thought and speech. It is not provided with a justificatory power. Kant's major goal seems rather to prove that the unfettered reason exerted by the scholar before his public of readers may harmoniously coexist, even in the same person, with the disciplined reason required to the public official (Kant 2006 [1784]). The boundary between *private* and *public* is thus not conceived by Kant in terms of justificatory power, and the public use of reason does not set any requirement in terms of content of the arguments employed. The Kantian argument in favour of public use of reason can be summed up as the thesis according to which (maximisation of) truth is the fruit of (maximisation of) freedom, and that limiting freedom would limit therefore the opportunity of improving our knowledge and our enlightenment. Indeed, in opposing the private to the public use of reason he makes a distinction in terms of circumstances and social roles, not in terms of the supposed universality of certain shared truths. Therefore, in Kant the justificatory component does not come into play through the notion of public reason but through the notion of publicity itself, the special status of which is testified by his *Transcendental Formula of Public Right* that we will consider later on in chapter three (III, §2).

On the top of that, it is worth stressing that whilst Rawls outspokenly maintains that the idea of public reason "belongs to a conception of a well ordered constitutional democratic society" (1997: 765), the Kantian version of public reason does not imply any commitment to a democratic form of government. This way, in Rawls the counterpart is not more the private use of reason, but those comprehensive doctrines that public reason "neither criticizes nor attacks" insofar as they are compatible with democratic polity and public reason itself. How did then Rawls derive the idea of public reason from Kant?

As it has been explained by Larmore, the idea of public reason gained in importance in Rawls' formulation of liberalism just in his late works. This coincided with a clarification about the role of publicity in Rawls' theory. In the essays published after *A Theory of Justice*, indeed, "Rawls acknowledges more clearly that the importance of publicity in a well-ordered society is not simply a matter of its principles of justice being known to all"; it consists above all in a "shared rationale" on the ground of which citizens affirm their principles (Larmore 2002: 375). From being identified with the shared knowledge of the principles, the condition of publicity became the requirement of a shared rationale in support of these principles. This way, public reason appears as a necessary condition to satisfy in order to justify any authority among free and equal persons. According to Larmore, such great prominence assumed by publicity in Rawls' account reflects the new direction in Rawls's thinking that leads to *Political Liberalism* and the acknowledgment of the importance of autonomy as a precondition of freedom. Rawlsian public reason, indeed, is built on a balance between the liberal freedom as non-interference and the political freedom as autonomy, recognising the fact of reasonable pluralism of comprehensive doctrines as a component of a democratic constituency. The aim is to guarantee, on the one side, the liberty of individuals to pursue their own goals in life according to their personal beliefs and, on the other side, the equality of autonomous agents to be subjected just to principles that they can reasonably accept. The central role assigned to autonomy, and thus to consent, in the Rawlsian account of public reason brings to the fore "a rather Rousseauvian conception of public reason", that is to say a more consent-oriented conception, which is somehow concealed by the constructivist interpretation of Kant that Rawls provides in his *Dewey Lectures* (Koukouzelis 2009: 859).

The intertwining of Kantian and Rousseauvian roots in the Rawlsian concept of public reason is the main critical object of the Gausian project of public justification. Rephrasing Quong, it can be said that Gaus considers Rawls' theory of public justification as relying on a concept of public reason that outweighs the balance between consent and truth in favour of the former. It is precisely to stigmatise such a stress on consent that Gaus describes Rawls' conception as a "populist theory of public reason" (1996: 136). Framing the contrast between Rawls' consensual approach and the Gausian epistemic approach to public justification in terms of the contrast between the Rousseauvian and the Kantian strands of autonomy is important for two reasons. On the one hand, it allows to understand public justification as an inherently democratic project, instead of an inherently liberal one. On the other hand, it paves the way for a reconsideration of populism as an

interpretation of democratic autonomy which is alternative to the liberal one, but equally publicly justifiable.

In what follows I will then focus on Rawlsian political liberalism and Gausian justificatory liberalism, which turned out as two polarised ways to conceive public reason and public justification from a liberal standpoint. As we will see, from the analysis of the conflict between Rawls and Gaus will emerge the need to radically rethink the paradigm of public justification. The awareness of that will lead me to consider the perspective advanced by D'Agostino, who criticises the liberal approach precisely for having misjudged the inherently political character of any settlement of public justification.

2. Rawls' Political Liberalism: the consensual approach to public justification

For Rawls, public reason is the result of the reasonable pluralism that necessarily belongs to democratic societies provided with free institutions. A pluralist democracy which preserves the freedom of its institutions is therefore the institutional precondition for applying of public justification, according to Rawlsian political liberalism. This way, public reason can be considered as a reciprocal guarantee both for and from those that Rawls calls "reasonable comprehensive doctrines", namely conflicting religious, philosophical and/or moral sets of beliefs on the ground of which "[c]itizens realize that they cannot reach agreement or even approach mutual understanding" (1997: 766). The role of public justification in this scheme is on the one hand to assure a space for political agreement where irreconcilable values must not interfere one another, and on the other hand to avoid that the political in turn could interfere by imposing or restricting moral values that belong to comprehensive doctrines. Such a reciprocal guarantee of non-interference between the political and the non-political is an answer to the problem of finding a coordinated way to treat political conflicts.

According to Rawls, the idea of public reason has not only a "definite structure" (which he specifies in five aspects) but also a narrowly delimited range of application:

> It is imperative to realize that the idea of public reason does not apply to all political discussions of fundamental questions, but only to discussions of those questions in what I refer to as the public political forum (1997: 767)

The idea of public reason applies therefore only to the discussions of fundamental questions (that is to say, discussions of constitutional essentials and basic justice) within the public political forum, that he defines by distinguishing it from 'background culture' – which is the culture of civil society and encompasses all of society's comprehensive doctrines (Lewin 2014). This distinction is decisive for understanding the Rawlsian idea of public justification, and it is particularly relevant for framing the contrast with Gaus'. Indeed, by binding public reasoning to the political sphere ('public political forum'), Rawls tries to delimitate the political as an autonomous space which is somehow distinct from moral relationships. Rawlsian conception of public reasoning acknowledges a peculiar standing to political judgments and conceives the political as something different either to the justification of intersubjective moral claims and to the meeting of epistemic standards. It gives to politics an autonomy before both morality and whole social life. According to Rawls, thus, public justification requires political judgment and such judgment can be guided *exclusively* neither by the need to protect individual liberty nor by the epistemic requirements that define a true belief. It must *also* respect the autonomy of citizens in a substantive way, by acknowledging the importance of their consent. Although such consent is idealised by Rawls through the filter of the 'reasonable person', in what principles need just to be acceptable by reasonable citizens in order to be justified, the relevance given to autonomy in this model is the key element of the Rawlsian consensual approach. In the Rawlsian perspective the political is thus conceived as the space of public reasoning, the forum where the plurality of reasonable conflicting comprehensive doctrines that pullulates in liberal democracies finds a reasonable point of agreement above and apart from the comprehensive values, by joining a common standpoint amongst different political values. Political values play thus a decisive role in political liberalism, as they guarantee stability in a society marked by reasonable pluralism of conflicting comprehensive values. Let see then how Rawls devises political conceptions. He individuates three fundamental features:

> First, their principles apply to basic political and social institutions (the basic structure of society);
>
> Second, they can be presented independently from comprehensive doctrines of any kind (although they may, of course, be supported by a reasonable overlapping consensus of suchdoctrines); and

> Finally, they can be worked out from fundamental ideas seen as implicit in the public politicalculture of a constitutional regime, such as the conceptions of citizens as free and equal persons, and of society as a fair system of cooperation. (Rawls 1997: 776)

These three conditions restrain *de facto* the group of properly political conceptions to alternatives within the family of liberalism. Indeed, since public reason has been limited to the acceptance of constitutional democracy and the political has been then defined in terms of public reason, it appears unclear how nonliberal political conceptions could fall within the category of the political – despite Rawls explicitly maintains that (ivi: 777). This contradiction casts serious doubts about both validity and efficacy of Rawlsian definition of the political. As regards its validity, it should be noted that the attempt to relegate conflict outside the political field, which is the ultimate scope of liberal accounts of public reason and public justification, conceals the political character of any project of public justification (D'Agostino 1992). As I will argue more extensively in the next chapter, the political relation should be understood in a more substantial way than it is depicted by Rawls; and populism, despite all its justificatory problems, should be taken as an instance of such urgence of politics to regain its centrality (Mouffe 2018). On the other side, Rawlsian definition of the political appears unsatisfactory in what he fails to provide a working distinction between political and non-political values. As underlined by Gaus, all the three features that would define the political conceptions according to Rawls already presuppose what we need to know: the first and the third are indeed explained by making reference to the idea of the political in their formulation. Neither can we define political values according to the second feature, since even freestanding political values are explained by saying that they can be worked out from the public political culture (Gaus 2003: 182-83). What is thus the characteristic that distinguishes political values from others? For Gaus, Rawls fails to provide a feasible solution to that problem. Until this point, I found Gaus' critique absolutely agreeable. The conclusions he draws from that, however, are more controversial. He concludes his discussion by rejecting as irrelevant the distinction between the comprehensive and the political: what counts according to him is just distinguishing between the reasonably disputed and the not reasonably disputed (ivi: 185). Indeed, if Rawls by limiting the political domain to those arguments and doctrines that can rely on public reasons (and therefore do not require the acceptance of any comprehensive doctrine) seems to condemn politics to a sort of non-conflicting neutrality, the Gausian approach appears rather to deny any substantial autonomy to the political. As we will see in the next section, indeed, the diminished role that is assigned to politics in the liberal

project of public justification in general, is pursued in a much more radical way by the Gausian justificatory theory.

3. Gaus' Justificatory Liberalism: the epistemic approach to public justification

In *Justificatory Liberalism* Gaus aims at developing a liberal theory of public justification in which a sufficient reason for complying can be provided independently from the assent of those affected. Accordingly, for Gaus public justification can override the epistemic authority of the individual over his own beliefs, and a higher epistemic standard must be satisfied (1996: 159). This way, "by redefining acceptability (and thus liberal legitimacy) in terms of reasonable beliefs rather than beliefs of reasonable people (…) Gaus deprives public justification of much of its voluntarism" (Rossi 2014: 20). In the highly idealised perspective of Gaus' justificatory liberalism, indeed, none legitimating power is left to will and consent: the idea is that "the public nature of an account of normative justifiability that does the legitimising work" (ivi: 11). It is such a scarce consideration of commonsense will, which even if not expressed in perfectly rational terms is still democratically valuable, that configures the Gausian model as an epistemic elitism. The problems showed by Rawls' theory of public justification are therefore far from being solved. By contrast, Gausian justificatory liberalism seems to aggravate the difficulty. As stated by Rossi, "rather than simply amending political liberalism, justificatory liberalism casts serious doubts on the sustainability of the very idea of legitimacy through public justification" (ivi: 24).

By refusing to recognise any justificatory value to assent, the Gausian epistemic approach to public justification collocates itself at the opposite side of Rawlsian consensual model, that is based on the idea of justification as the capacity to provide a sufficient reason which a reasonable person can *assent* to. At the root of the polarisation between the consensual and the epistemic approach to public justification there is not only a different way to conceive the functioning of justification, but a different approach to the notion of publicity. Indeed, the choice of a higher or a lower standard of proof is not just a technical issue. To make assent "so attractive in justificatory arguments" is not only the fact that, avoiding overriding a person's epistemic authority, assent "can justify a proposition with a lower standard of proof" (Gaus 1996: 151). There is a political evaluation to be made, that is to what extent the publicity condition must be respectful of the role that actual and ideal assent has in democratic theory.

This way, the contrast between Rawls and Gaus shifts the focus from the role of political judgment *within* liberal theories of public justification to the role of political judgment *for* setting the conditions of public justification itself. This shift leaves room for inquiring the presumed neutrality of the liberal conception of public justification. It is exactly what D'Agostino does in an insightful paper in which he suggests another perspective that recognises the unavoidably political character of any project of public justification. Unveiling that any model of public justification ultimately relies on a political decision, D'Agostino provides another perspective for understanding not only the liberal project of public justification, but also the relationship between populism and public justification.

4. D'Agostino's critique and the political preconditions of public justification

The starting point of D'Agostino's essay on *The Idea and Ideal of Public Justification* (1992) is the disagreement amongst liberals about the right conception of public justification, despite the importance of such concept within liberal political theory. He then proceeds by articulating four distinct features) that count as the most important desiderata of any account of public justification. These features express the capacity of a public justification model to enable principles that are: independent from morally irrelevant contingencies (*robustness*); able to actually motivate persons to comply with (*motivational force*); justifiable for the widest possible relevant subjects (*inclusiveness*); and preempted from imposing trivial constraints on the behaviour of individual human beings (*strongness*). The problem is that these desiderata cannot be satisfied at the same time by any single theory of public justification. No model of public justification is thus complete, no one could equal the ideal of public justification fulfilling all the desiderata. For this reason, D'Agostino argues that any conceptualisation of public justification requires a political choice about which desiderata fulfil in setting the public justificatory model itself. As D'Agostino writes:

> To settle on a particular conception of public justification, it is therefore necessary to settle questions (…) which are themselves properly political questions. The project of publicjustification therefore cannot be beyond or prior to politics itself. It is not a meta-political project, as some might have wishfully thought; it is, rather, itself a part of the realm of properly political argumentation" (1992: 158)

The problem of the political, that we have discussed above as a boundary issue internal to a given model of public justification, emerges here in full force. According to D'Agostino, indeed, this choice amongst the four desiderata is not a neutral one. As a consequence, thus, the liberal conception of public justification as meta-political project cannot be sustained:

> Many contemporary liberals believe, I think, that the project of public justification is meta- political in the sense that it involves a specification, which is neutral with respect to the topicsand outcomes of argumentation, of the ways in which properly political discourse should beconducted (D'Agostino 1992: 156)

Since to choose to settle on a particular conception of public justification equals to settle question that are properly political questions, both the Rawlsian attempt to construe the political as a neutral public forum detached from conflicts of comprehensive doctrines and the Gausian reduction of the political to social morality do not solve the incommensurability of political conflict. Acknowledging the political character of the decision involved in setting the conditions of public justification potentially undermines not only the purpose to conclusively provide justified foundations of political authority, but also the liberal claim for an exclusive commitment to public justification. Therefore, if this reading of D'Agostino's critique is right then the whole liberal project of public justification might be reconsidered as a political one, and the universality of public reasoning as an attempt to neutralise the inherently conflictual nature of the political. In relation to our problem, what D'Agostino calls the liberal meta-political reading of public justification would then appear as an hegemonic move to totalise the signifier of *the political*, comparable to the construction of the people of populism as an hegemonic move to totalise the signifier of *the people*. Could those two opposite models be encompassed by a conception of public justification which recognises its political premises, in the wake of D'Agostino's suggestions? The hypothesis I will follow is that *the people* could be the populist idealised counterpart of the liberal concept of the *reasonable person*: they are apparently both built on a contrast ('*reasonable*'/'unreasonable' and 'the people'/'the elite' respectively), *ideally* committed to reciprocity (they both aim at giving sufficient reasons for complying), and *actually* exclusionary (they both ignores actual consensus in different ways). It is now time to see then whether this parallel between populism and liberalism can be defended, and whether the instances advanced by an ideal theory of populism can meet such revised conception of public justification as a political project.

Chapter III

Towards a populist theory of public justification

In the previous chapter, we have focused on the debate on public justification within the liberal framework by singling out Rawls and Gaus' models as representative of two contrasting views. The former appeared indeed as based on a consensual approach on public reason, the latter on what can be rather called a convergent version of public reason in which common reasoning may require overriding the individual epistemic authority. These two different levels of idealisation of public reason, as we have seen, gave birth to two distinct models of public justification. The subsequent contrast between them, that I have assumed as representative of two major positions within liberal debate on this subject, showed also the importance of the choice on priorities that follow from the adoption of any model of public justification. On the heels of D'Agostino's insights taken from his essay on *The Idea and the Ideal of Public Justification* (1992), I have thus agreed that this kind of choice has a fundamental and unavoidable political character. That is to say that the questions to confront in order to settle on a particular conception of public justification are themselves properly *political questions*.

Such acknowledgment of the reliance of any project of public justification on a political decision, underlined by D'Agostino against the meta-political characterisation of the liberal project, raises doubts about the liberal claim for an exclusive commitment to public justification. Following D'Agostino, indeed, it seems plausible to ask whether it may be possible to conceive public justification *beyond* liberalism. This is precisely what I am going to do in the present chapter, in which I will test whether and to what extent it is possible to conceive a populist commitment to public justification.

In the first section (§1), I will argue that the liberal theory of public justification is undermined in its pretension to provide a conclusive and universally valid legitimation of liberal principles by the lack of an epistemic theory which can be in turn publicly justified. I will then proceed by furthering the perspective suggested by D'Agostino in two ways.

On the one hand, I will firstly argue that public justification should be regarded as a political project. Indeed, a political dimension is involved not only in setting the premises of the justificatory model, but also in the condition of publicity. I will thus refer to the Kantian condition of publicity, freed from the Rawlsian constructivist interpretation, as a concept of publicity that acknowledges such political dimension (§2). The political character of justification will be then specified through

the link with the idea of autonomy, and the alternative between populist and liberal theory of public justification will be identified as two different conceptions of democratic autonomy (§3), in order to reject the suspect that the requirement of public justification so understood may be fulfilled by any kind of political theory (§2.1).

On the other hand, I will further D'Agostino critique by outlining a populist theory of public justification (§4), that I will specify in its fundamental components: the justificatory subject (§4.1), the normativity (§4.2) and the foundational principles (§4.3) of populism as understood in this work. Considering *the people* as the populist counterpart of *the reasonable person*, both will appear justifiable as idealisations of the justificatory public. I will thus conclude that the contrast between populism and liberalism cannot be solved by normative ethics but must be understood as a political conflict that calls into question the liberal hegemony on the definition of democratic autonomy and on the exercise of democratic power (§5).

1. The open problem of public justification

The whole liberal project of public justification is grounded on the assumption that it is possible finding a non-controversial moral basis to look at social disagreements, preserving pluralism of moral values and guaranteeing to everyone freedom of choosing one's own ends in life. The validating criterion is the principle of public justification, according to which a given principle or policy (*P*) is justified if and only if a sufficient reason for complying is provided for all those potentially affected by such *P*. Since the liberal idea of public justification lies on reason as universal source of normativity, the major task of the liberal principle of public justification appears to harmonise the normative approach to reason with the descriptive approach to the fact of pluralism. The universalizable normativity of reason is thus filtered by the *reasonable person*, a model of rational choice that as an ideal surrogate of the actual individual (*S*) represents virtually everyone. It works as a regulative standard for rational choice in ideal conditions, in absence of cognitive bias and contingent motivational forces.

The challenge of public justification so understood is to achieve a non-controversial criterion of *sufficient reason* apt to provide a universally valid and accessible standard of rational choice, compatible with the moral commitment of treating individuals as free and equal. This way, according to Gaus, the liberal project of public justification embodies the broad task of the Post-Enlightenment liberalism: to rethink the Kantian idea of autonomy in order to outweigh the

Enlightenment liberalism's failure in appreciating the diversity of reasonable views and then develop "a liberal theory that takes seriously the fact of reasonable pluralism" (Gaus 2003: 18). The source of normativity, thus, is still the Enlightened idea of reason (universalistic and cosmopolitan, modelled on scientific knowledge and reluctant towards the emotional sphere), but compressed now in a model of rational choice that is less morally exigent and more tolerant towards different views. So understood, the public justification principle is supposed to work as a bridge between the democratic call for political autonomy (which implies a commitment to equality principle) and the liberal idea of moral autonomy (which rests on an individual-based principle of liberty).

The ambitious liberal justificatory project, which aims to provide a criterion to solve substantive disagreements and to found political authority, fails however to provide a justification of the epistemological model it assumes. As more sceptical perspectives suggest, this lack of justification is not surprising: indeed, unlike that in scientific knowledge, "[i]n the midst of moral disagreement we are not in possession of any uncontroversial moral epistemology" (Waldron 2004: 254). Since most theories of moral knowledge are associated directly with a particular set of substantive moral claims, the adoption of an epistemic model implies a recourse to substantive moral claims which in turn need to be justified. As a consequence, the capacity to *conclusively* justify any moral or political principle is essentially undermined. Indeed, any attempt to publicly justify a given model of public justification (*reflexivity requirement*) leads to a *regressus ad infinitum*, in what there is apparently no way to achieve conclusive justification. This is what I refer to as 'the open problem of public justification'.

Gaus himself acknowledges that "the epistemic theory on which the public justification of liberal principles rests is not itself publicly (conclusively) justified" (1996: 175), but he excludes that this is a reason to prevent the liberal project of public justification from conclusively justifying political authority:

> For D'Agostino, to publicly justify [the norm] *N* one must publicly justify that one has publicly justified it. Just as in the case of the "Know, Know" thesis, this leads to skepticism. And becausemany proponents of public justification embrace the reflexivity requirement and succumb to itsattendant skepticism, they are driven toward a consensual and populist notion of public reason. As with the "Know, Know" thesis, I conclude that we ought to reject the requirement that we must publicly justify our concept of public justification (ivi: 178)

Within the liberal account, the ultimate inconclusiveness of any public justification model raises two kinds of problems, depending on whether it affects epistemic authority at the practical or at the

theoretical level. On the one side, indeed, inconclusiveness of public reasoning concerns the interpretation of justified principles and requires a solution to a practical issue: what has to be done. Insofar as it is limited to a practical sphere, the dispute can be treated *as it were* a mere coordination problem that can be solved through a coordinator or a coordination rule that reduces risks of conflict and harmonises interpersonal behaviour. Procedural norms are the typical genre of response to coordination problems. On the other side, however, disputes might be ultimately epistemological and consist in a disagreement about what is publicly justified[3]. In the latter case, liberal model requires "an umpire, judge or arbitrator" invested with political authority (Gaus 1996: 190). Such an arbitrator is the way out provided by the social contract tradition. It "constitutes a complicated mix of epistemological and practical concerns" that requires some principles and rules that are "victoriously justified" (ivi: 189).

Now, although Gaus is right in saying that public justification does not need to fulfil the reflexivity requirement in order to work properly within a given justificatory model, yet such a fulfilment seems necessary to hold that liberalism has an exclusive commitment to public justification. It cannot be proved that public justification is an inherently liberal project unless it is provided an epistemic theory which can be in turn publicly justified. Therefore, once that such inconclusiveness is acknowledged, persevering on the universal validity of the liberal basic principles must appear as an imposition over all those who do not accept either the liberal values or the priority order through which they are organised[4]. This is, I argue, the pretty radical perspective from which populism approaches the problem of public justification. This way, populism challenges the liberal project of public justification in two fundamental senses: (1) it calls into doubts the epistemological model of the reasonable person which is grounded on the application of a scientific model of knowledge to the problem of disagreement about moral and political principles; (2) it rejects the underlying claim of any liberal account of public justification, according to which public justification is an inherently liberal project.

2. Public justification as a political project

The first section of the present chapter has confirmed the limits of the liberal project of public justification that have emerged in the previous chapter from the comparison between Rawls' political liberalism and Gaus' justificatory liberalism. Indeed, both of them fail to provide a solution to the tension between consent and truth in public justification, then resulting unable to invalidate the more radically consensual approach offered by populism. This fact, combined with the

inconclusiveness of the liberal justificatory model that I have considered in the section above, leaves room for a revisited version of public justification that acknowledges the centrality of political decision. The scope of this section is thus to elaborate further on D'Agostino's critique of the liberal theory of public justification as a "meta-political" project, in order to clarify essentially two points: (1) what is instead a *political* project of public justification and (2) in which sense the justification provided by a political justificatory project can be said *public*. Indeed, the acceptance of an inherently political character of public justification imposes a rethinking of the notion publicity.

To begin with, talking of a political project of public justification means acknowledging the irreducible plurality of justificatory models. Such plurality, in turn, results in a form of relativism: that is to say, the conclusive justification of a principle or a policy (*P*) in a given justificatory model (*J*) does not necessarily imply that *P* is conclusively justified in any *J*. Indeed, since every theory of public justification ultimately rests on a model of rational choice, in order to justify a given *P* in any *J* it would be necessary to assume a universally validatable model of rational choice. This explains why the justificatory subject, who embodies the parameters of the given rational choice model, plays a crucial role in any liberal theory of public justification. It works as a surrogate of rationality which represents all the individuals potentially affected at the best of their rational capacity. However, the presence of a plurality of models and the difficulty to conclusively prove the superiority of one model over the others makes unplausible to find a neutral criterion to assess which surrogate of human rationality is the most representative and valuable. It is due to the incompatibility of different criteria – for instance, inclusiveness and strength are inversely proportional – and the incommensurability of the choice amongst values they embody that a political decision is already required in setting on the conditions of public justification. Therefore, D'Agostino rightly maintains that it would be misleading to conceive public justification as a neutral project, "one which is prior to and establishes a framework for properly political argumentation" (1992: 143). Indeed, establishing the conditions for properly political framework is not a self-evident process but instead an evaluative operation that involves a series of political decisions. Therefore, acknowledging the political character of any theory of public justification firstly means rejecting what can be defined as the liberal axiom on public justification, that is the idea that only liberal political theories can be committed to public justification.

One might be wonder, however, how such political interpretation of any justificatory project can still provide *public* justification. Answering this question requires to look back to Kant and get rid of the constructivist reading of publicity proposed by Rawls. The liberal theory of public justification conceives indeed *publicity* of principles as undistinguishable, in fact, from *universality* of truth. This

way, the notion of publicity has fully lost its social and political dimension to become a solipsistic derivation from a putatively universal model of rationality. The risk of misjudging the political character of publicity, and thus also of any given standard of public justification, is to lose connection with some substantive democratic values. If the political-practical side of autonomy is suppressed by the moral-transcendental one, self-ruling capacity, which is an essential element of autonomy, becomes an a priori condition that cannot be falsified. To put it differently, the attempt of moralising politics pursued by the liberal project of public justification is flawed by a notion of publicity that reduces excessively the space for political decision. By contrast, recognising that public justification rests on political decisions metaphorically reopens such space. It also compels, however, to redefine the role of publicity and its significance within and amongst justificatory models. Although it is not possible here to elaborate in detail on publicity, it is worth considering how the Kantian account of publicity could serve as a starting point for an alternative option. Indeed, rediscovering the autonomous role assigned to politics in Kant's account of publicity could not only shed light on the theoretical premises of contemporary theories of public justification, but could also suggest a different equilibrium between morality and politics.

In the second section of the Appendix to *Toward Perpetual Peace*, Kant exposes a principle of publicity which is designed for enabling to know a priori whether or not in making public our purposes we can rely on the supports of others. The principle, known as the *Transcendental Formula of Public Right*, requires that "all actions that affect the rights of the other human beings, the maxims of which are incompatible with publicity, are unjust" (2006: 104). To this *negative* formulation, Kant adds another one that can be said *positive*, according to which "all maxims that *require* publicity (in order that they not miss their aim) are in agreement with both politics and right" (ivi: 109).

There is something peculiar in the Kantian publicity test that the moral universalisation of Categorical Imperative lacks. What the transcendental principle of publicity adds to a pure moral perspective is exactly the autonomy of politics. Kant treats several applications of the principle of publicity, but the case of revolution is particularly interesting for our purposes, in what it introduces a political perspective to the rational choice theory of public justification by acknowledging the limits of the a priori reason. The starting point is how the principle of publicity approaches the problem of rebellion, namely whether or not rebellion is a rightful means to cast off an oppressive authority. According to Kant, from the fact that maxims in favour of rebellion do not pass the test of publicity (in what they must be concealed to succeed), it does *not* follow that those who have gained power by revolt must give it away. Indeed, argues Kant, "[i]f the revolt of people succeeds then [the] head

of state will withdraw to the position of subject, and will thus likewise not be permitted to initiate any attempt to regain power" (ivi: 106).

The Kantian principle of publicity introduces a different perspective to the rational choice theory of public justification. The individualistic standard of the Categoric Imperative is now adapted to the social context of politics. The reference point is thus no more the rational person as such, but the public. In doing so, Kant bridges morality and politics in a way that leaves a degree of autonomy to politics. The idea of publicity that emerges from Kant's transcendental concept of public right suggests thus a broader perspective for understanding public justification. In this sense, indeed, public justification requires *not only* to provide, to everyone potentially affected, a sufficient reason for complying with *P* according to a given model of rationality. Public justification must *also* require that the given *P* satisfies publicity in a different sense: namely, *P* must be such that holding it publicly does not obstacle, but instead works as a necessary condition, for obtaining compliance with *P*. In other words, publicity is not only a feature that defines any *P* insofar as it is the outcome of a process of universalisation from a surrogate of rationality (*S*), but it is also a condition that such *P* must satisfy regardless of its derivation from *S* (i.e. the reasonable person in the liberal theory). This latter requirement of publicity differs from the former as politics from morality. Indeed, the ultimate goal of meta-political projects of public justification, in the sense of D'Agostino, is to subordinate politics to morality, restricting its decisional power to a moment within the dialectic between the reasonable person and the model of rational choice. According to this view, political praxis appears as deriving its principle deductively from morality. Political decisions in conflict and disagreement lose at least part of their power in a model that considers as publicly justified any *P* that fulfils the requirements of a given *S* that cannot be publicly discussed. On the contrary, the political theory of public justification openly poses the problem of reflexivity justification, requiring that even the chosen surrogate of rationality must be politically justified.

2.1 The cherry-picking objection

In the previous sections I have argued that the inconclusiveness of the liberal model of public justification, due to the impossibility to provide an epistemic theory that can be in turn publicly justified, undermines the assumption of public justification as an inherently liberal project. This fact, combined with the dependence of any model of public justification from a political decision, as underlined by D'Agostino, has allowed me to think of public justification as an inherently political project. It could be argued, however, that if public justification is understood as a political project,

then not only populism but virtually any political position may be publicly justified. Defining public justification as a political project, the objection continues, would mean depriving it of its proper function, that is to provide a justificatory standard which neither lies on actual consent nor on a priori deduction. I refer to this possible counterargument as the *cherry-picking objection*.

Throughout this work I have argued that the liberal project of public justification *de facto* amounts to a political project consisting in a totalisation of the concept of public justification through the construction of the model of the *reasonable person*. Does such reading pave the way for the possibility to justify any principle, policy and theory, as the *cherry-picking objection* suggests? I will argue that this is not the case for at least two reasons.

Firstly, the political interpretation of public justification is still committed to democratic autonomy. Indeed, public justification requires that a given principle or policy is justified only if each person of the relevant justificatory public has a reason to accept it, and in the constraint of providing a *sufficient reason* is already embodied the idea of autonomy. If it is legitimate only what can be reasonably accepted, then it is not possible that a political position that does not respect liberty and equality can be publicly justified. In a word, political justification works only if autonomy, and thus democracy, is presupposed.

Secondly, the political character of public justification concerns mostly the conflicting ways to conceive the relevant public rather than allowing arbitrary justification of principles and policies. The populist alternative contests, for instance, the possibility to individuate a universal model of rational choice. Whilst the liberal universalism is supposed to refer to the reasonable person as a universal model of rationality, populism proposes a more particularistic model, centred on the political community. In my view, this difference affects the way in which populism ranks the democratic principles of liberty and equality as compared to liberalism, and not the commitment to them. So, again, a model of public justification interpreted as above as a political project does not path the way to publicly justify any kind of political doctrine.

3. Liberalism and populism as two alternative interpretations of the concept of autonomy

The relevance of the open problem of public justification can be fully appreciated by considering its rooting in the modern concept of autonomy. According to the constructivist perspective, indeed, both scepticism and dogmatism in ethics can be avoided only by recognising to reason the autonomy of providing normative moral truths. The epistemology of Post-Enlightenment liberal tradition rests on the rationalist attempt to contrast both sceptical relativism and metaphysical dogmatism through

the construction of the idea of *objectivity*, which implies the possibility of a universally valid, accessible and verifiable kind of knowledge. Kantian criticism and the Enlightenment at large have provided the ideal of scientific knowledge as the model of such objectivity. The fundamental idea that underlies such vision of scientific knowledge as objectivity is that people reasoning correctly arrive at the same answers and might thus achieve an agreement which is not grounded on the power of particular will or belief, but rather on the rightness of universal truth. In Kantian ethics, the self-normativity capacity of reason is embodied by the Categorical Imperative. Who is the subject that concretely embodies such a self-legislative activity of reason in public justification model?

Answering this question requires facing the fundamental duality of the modern concept of autonomy. On the one hand, indeed, autonomy is thought of as the realisation of the ideal of the perfectly rational agency. In this first sense, autonomy is an individual achievement that acquires intersubjective validity through the universal validity of reason. It consists thus in the rule of the rational part over the irrational one, in terms of self-control and self-domination. On the other hand, autonomy is bound to the ideal of self-ruling agency, a concept rooted in the Rousseauvian theory of general will which has had an important role in shaping the democratic principle of popular sovereignty. Any account of autonomy provides a synthesis of these two aspects, by stressing the self-domination or the self-ruling agency, the individualistic or the collectivistic dimension. The two major strands of Western modern autonomy, the Kantian and the Rousseauvian, can be read in the light of this alternative. In Rousseau, indeed, autonomy is obtained through the exercise of political freedom and the model of rational agency is somehow embodied in the self-ruling power of the general will. It is the civil state that provides “moral freedom, which alone renders man truly the master of himself” (Rousseau 1997). By contrast, in Kant it is the self-ruling moment to be embodied in the model of rational agency, and such internalisation grounds moral freedom as the individualistic capacity to self-impose of a universal moral law.

If seen from that perspective, the so-called Post-Enlightenment liberalism can be framed as an attempt to neutralise the challenges that the Rousseauvian strand of autonomy moves to the Enlightened idea of autonomy. Post-Enlightenment theories of liberalism are thus characterised by the endeavour of taming the tension implied in the fact of pluralism by assuming a minimalist model of rationality which is assumed to be valid, insofar as it is universally accessible and acceptable. Although an exhaustive analysis of autonomy goes far beyond the purview of the present work, yet it is important to note that such duality is intertwined not only with the open problem of public justification, but also with the contrast between liberalism and populism. These two souls of the modern concept of autonomy are not fully incompatible one another, though they are always

looking for a balance. Their instability is due to the difficulty of demonstrating the universal validity of any model of rationality. Indeed, once a model of rationality is postulated as universally valid, self-ruling element of autonomy follows as a consequence. Vice versa, if one frames disagreement on foundational principles as irreducible through the appeal to a universally valid model of rationality, then the ideal of a perfectly rational agency results subordinated to the self-ruling requirement. Liberalism and populism, as I understood them in this work, take reciprocally exclusionary stands on this point. If the crucial point of conflict between liberalism and populism can be read as the tension between the two strains of the modern concept of individual autonomy, it is possible to think of the liberal project of public justification not as a neutral justificatory device, but as an attempt to solve the conflict within the twofold nature of the modern conception of individual autonomy by subordinating one ideal to the other.

4. The populist theory of public justification

The acknowledgment of the essentially political character of any project of public justification is decisive to understand the populist point of view. From a populist perspective, indeed, the idealised epistemic model of *the reasonable person* is precisely the means through which liberalism deploys and justifies its hegemony as economic-political order. In other words, populism recognises the political nature of the liberal project of public justification and reads it as an expression of hegemonic power. Populism challenges liberalism and its justificatory device by proposing itself as a political alternative to liberalism, grounded on a radically different interpretation of autonomy, according to which the community rather than the individual is considered the priority source of normativity.

In what follows, I will try to outline how the focal points of such contrast shed light to the basic components of a populist theory of public justification. As far as I can tell, three are the key elements of the liberal theory of public justification that populism cannot embrace. Firstly, the reasonable person as the justificatory subject; secondly, the truth-oriented normativity derived from the adoption of scientific knowledge as the epistemic model for assessing social principles; and thirdly, the assumption of the liberty principle as priority over that of equality. By analysing how these three elements work within the liberal paradigm and what might be their populist counterparts, the next final sections will provide an outlook of the populist theory of public justification and will argue for its standing as a publicly justifiable political theory alternative to liberalism.

4.1 The justificatory subject: *the reasonable person* vs *the people*

The first defining feature of the liberal project of public justification is the construction of the *reasonable person* as justificatory subject, that is to say a personification of epistemological and moral requirements that works as a regulative standard for public justification. Despite differences in conceiving the normativity of reason, both Rawlsian political liberalism and Gausian justificatory liberalism can be traced back to this scheme[1]. Whether it works as a hypothetical agreement which favourites inclusiveness over conclusiveness (Rawls' consensual approach) or as a validation process which prioritises the normative appropriateness of inferences over their acceptability through reciprocal agreement (Gaus' convergent approach), within the liberal framework the test of public justification remains an individualised process of universalisation. The Enlightened rationalist account, with its faith in the universal validity and accessibility of reason, profoundly informs the liberal approach to public justification. The idea is that abstraction from actual and fully evaluative positions allows to reduce the problem of justification "to the choice of one person" (Gaus 2007: 100). And since there is no space for an actual interpersonal weighting of reasons, strictly speaking there is no way to call into doubts the epistemological model through which the reasonable person is idealised. The key element here is the guaranty of reciprocity provided by the epistemological model of the reasonable person. It is only due to the feature of reciprocity, indeed, that the liberal theory of public justification can work as a universalising device. This way, the construction of the reasonable person as the justificatory subject has two main advantages: on the one side, provides an interpersonal dimension to publicity despite the abstraction required by the epistemological model; on the other side, provides a way to harmonise the liberal concept of individual autonomy with the democratic principle of popular sovereignty without recurring to actual consent, which is seen as a potential source of irrationality.

If seen from a populist perspective, the reduction of the justificatory public to an idealised and abstract individuality, the *reasonable person*, appears not less arbitrary than the assumption of *the people* appears from a liberal perspective. According to an egalitarian and substantive reading of populism, indeed, the model of the reasonable person represents a potential violation of the

[1] Since Gaus criticises the Rawlsian account as a form of "justificatory populism" (1996: 231) and reads what he calls "the reasonable person thesis" as an inappropriate assumption of common sense reasoning as public justificatory epistemic standard, it would be more precise to contrast Rawlsian standard of the *reasonable person* with a Gausian more demanding standard of, say, the *rational person*. However, for the sake of brevity and as this difference is not relevant for the argument of the present section, I will use the *reasonable person* for referring to the liberal individual-based approach at large.

fundamental democratic principle of popular sovereignty, insofar as it works as the ultimate criterion of what can and cannot legitimately partake in the public sphere. Through the construction of a political front (the people vs the elite), *the people* is thus conceived as the political subject who challenges liberalism in its presumption to neutrally set the normative conditions for political argumentation.

4.2 The justificatory normativity: *truth-oriented* vs *will-oriented*

Another fundamental element of the liberal model of public justification that is called into question from a populist approach is the truth-oriented model of normativity. The ideal of scientific knowledge has been the reference point for shaping the normativity of the liberal idea of public reason. A quotation from Rawls' *Political Liberalism* (54) well expresses how this tendency to apply a scientific model of normativity to political and social matters is rooted in an optimistic approach to rationality: "Why does not our conscientious attempt to reason with one another lead to reasonable agreement? It seems to do so in natural science, at least in the long run". Whether the ultimate target is conceived as an agreement amongst the beliefs of reasonable persons as in Rawls' consensual approach or as a convergence of reasonable beliefs as in Gaus' convergent approach (Rossi 2014: 20), the idea behind liberal public justification remains the same: that by following reason people come to the same conclusions, at least in the long run.

The other side of such optimistic rationalism is that disagreement stems ultimately from limitedness of human reason, whether such limitedness depends on a shortage of knowledge or on irrational cognitive errors that prevent people from being consistent in their inferences. The conception of truth as something given that needs to be discovered by reason suggests that a sort of theological roots come into play in defining liberal epistemology. Rawls' veil of ignorance, for instance, despite the author's intention not to present it as a metaphysical but as a political thought experiment (1971: 12), results in a presumption of omniscience. Indeed, the original position is just apparently a deficit in knowledge: once prevented to know his actual contingent situation, the reasonable person has ideally access to an objective perspective on evaluative alternatives. Such ideal privileged access to reason is tempered with pragmatic non-ideal constraints known as "the burdens of judgement", namely "the many hazards involved in the correct (and conscientious) exercise of our powers of reason and judgment in the ordinary course of political life" (Rawls 2005: 56). In other words, reasonable pluralism is not treated as a value in itself but works instead as a non-ideal component of the justificatory theory: a compromise required by the actual condition of

human reasoning, expressed by the limitations of the burdens of judgement. As Rawls recognises, indeed, "many of our most important judgements are made under conditions where it is not to be expected that conscientious persons with full powers of reason, even after free discussion, will arrive at the same conclusion" (ivi: 58). Paradoxically, since reasonable pluralism is characterised as a non-ideal element of political theory, it results ultimately rooted in the monistic ideal of rationality inherited from the Enlightenment.

The unrealisable aspiration to a *reductio ad unum* of human rationality, that marks the Enlightened epistemological model of scientific knowledge as production of objectivity, influences the idea of truth on which the criterion of normativity of the liberal theory of public justification rests. The source of such truth-oriented normativity is the ideal of a universally valid model of reason, in the light of which *disagreement* results as the negative outcome of inefficiency in dealing with the non-ideal conditions of social interaction. The only acceptable disagreement is that which remains outside the public sphere (where public reason is properly employed) and constitutes in Rawls' terms the reasonable pluralism of comprehensive doctrines. As Waldron points out, however, "pluralism of comprehensive religious, philosophical, and moral doctrines is not the only pluralism with which we have to deal in a modern democratic society": indeed, "we have also to deal with justice pluralism and disagreement about rights" (2004: 159). The acknowledgment of "the fact of pluralism", that characterises the constellation of liberal theories renamed by Gaus as Post-Enlightenment liberalism, appears thus rather a laic theory of tolerance than a true pluralism of moral values and principles. Indeed, if the idea that "reason can lead us to converge on public principles securing human freedom" (Gaus 2003: 19) is the major inspiration of Post-Enlightenment liberalisms, any disagreement which undermines such convergence can be preventively suspected of being unreasonable.

To the scheme of reason as a supra-historical and meta-political source of normativity, populism counterposes a voluntaristic rooting in the will of a political community. Thereby, if the liberal construction of the reasonable person ambitiously attempts to embody a cosmopolitan and universalistic point of view about which principles and rights are legitimate, populist construction of the people appears more focused on a defence of the identity and the interests of particular communities. This does not mean necessarily rejecting liberal principles or policies but claiming the necessity to pass them through political justification and so to recognise a normative power to the popular will. As far as I understood it, indeed, the contrast between the populist and the liberal model is not about the principles as such, but about the way of ranking them; it is not about policies as such, but about the normative role assigned to political decisions in shaping them. And it is from

such voluntaristic claim for the autonomy of politics that a different justificatory subject follows. In populist terms, *the people* as justificatory subject is thought of as the concrete surrogate of the will of the political community in front of *the reasonable person* as the liberal abstract surrogate of a universally normative individual reason. From such standpoint, the global perspective of liberalism is seen by populists as endangering not only local communities and their values, but also basic rights of the individuals. As Rossi says to sum up the clash between Rawls' more voluntarist approach and Gausian rationalism, "[i]f I am unable to accept something even despite seeing that it is rationally optimal, then coercing me to act as if I could accept it is a violation of my autonomy, at least on a voluntaristic rather than a rationalistic notion of autonomy" (2014: 21).

The populist approach to normativity is thus radically different. If the liberal theory of public justification, despite the different nuances we have seen in Rawls and Gaus, still lies essentially on a truth-oriented view of autonomy and normativity, populist construction of *the people* can be understood as a way to move from an epistemological to a political test of public justification. Accordingly, then, from a populist perspective the requirement for public justification for *P* would remain to provide a sufficient reason to everyone affected to comply such *P*. Now, *the people* is neither an actual aggregate nor necessarily needs to be a majoritarian group, but stands as the authentic representative of popular sovereignty as well as the *reasonable person* stands as the authentic representative of individual self-domination. The political will-oriented interpretation of autonomy, that grounds *the people* as the justificatory surrogate in opposition to the liberal truth-oriented view, affects necessarily the foundational principles of public justification. Therefore, if I am right in framing populism as essentially democratic and fundamentally modern due to its emerging in contests where individual autonomy and democracy are formally acknowledged (or at least claimed), then it seems plausible that it would propose a different approach even to the two fundamental principles of democracy: liberty and equality.

4.3 The justificatory foundational principle: *liberty* vs *equality*

As we have seen, the reasonable person, which is held by liberalism as the justificatory subject, is rejected by populism as a hegemonic construction that reflects the power of a cultural, economic and social elite in shaping the normative standards of public justification. The populist alternative does not consist just in some adjustments, but in a different political theory built on the construction of *the people* as the justificatory subject and a voluntaristic theory of normativity. These divergences culminate in an opposite assignation of priority between the two competing principles of democracy,

liberty and equality. According to my hypothesis, thus, populism and liberalism share the same basic democratic principles, but order them differently by posing as the foundational principle of political authority equality and liberty respectively.

In its classical formulations, the liberal vision is characterised by what it could be called a presumption of liberty: liberty should be presumed unless there is a reason to presume otherwise. This idea is well expressed by the two maxims of Gaus' *Liberal Principle* (2003: 207):

> (1) A person is under no standing obligation to justify his actions;
> (2) Interference with another's action requires justification; unjustified interference is unjust

Liberals normally assume liberty as a natural pre-political right and consider each person free to act as he prefers until a justified constraint is presented to limit his liberty. Accordingly, thus, autonomy does not emerge within political community, but is a pre-political expression of individual liberty. Once that individual rights are presumed to be naturally and unhistorically given, pre-existing society and its reciprocal bonds, the source of autonomy can be fully internalised. The paradoxical dynamic of autonomy, its reaching freedom through obedience, is thus subtracted from the social realm of politics to become an individualised thought experiment. It is important to stress that such model of testing public justifiability implies a depoliticization of autonomy: in *the reasonable person* scheme any conflict is reduced to the clash between individual will and universal reason, with no space left to the political conflict of particular wills. The liberal theory of public justification represents in fact an attempt to tame the voluntarism embedded in the idea of political autonomy by subordinating it to the universal authority of reason.

On the contrary, the populist idea of autonomy relies on a presumption of equality, namely the commitment to presume equality until there is a reason to presume otherwise. Gaus expresses it through the *Egalitarian Principle* (Gaus 1996: 164):

> Any discriminatory act, any action that provides differential advantages or burdens, stands in need of justification

The corollary of this principle is that in absence of justified reasons any departure from equality demands redressing. In comparison to the liberal approach, it postulates an opposite starting point in which the onus of justification is placed on the principle of liberty. According to the presumption of equality, indeed, permissible inequalities must be established through successful justificatory

arguments, but in the absence of successful justificatory arguments a moral demand for equality is always standing. For that reason, Gaus maintains that the presumption in favour of equality is in fact an illiberal form of egalitarianism, despite many liberal philosophers embrace it. There is indeed a substantive divergence between the liberal and the populist presumption. However, this does not mean that the moral demands of equality and liberty are incompatible as such (they indeed imply one another), but just that they cannot stand together as the ultimate moral demand. They configure two alternative approaches to the problem of political legitimation and public justification: the one sees in liberty the only possible ground to reach and preserve equality, whereas the other conceives equality as the necessary starting point to guarantee and promote liberty. If one reads the alternative between these two conceptions of democratic foundational principles in terms of the alternative between liberalism and populism, these pretty vague labels can be broadened enough to express the fundamental tension between a more libertarian and a more egalitarian interpretation of democracy.

Concluding remarks: populism and liberalism as political alternatives

The task of the present work has been to inquire the theoretical nature of populism in order to weight its plausibility as an alternative to liberalism. To do that, in the last section I have attempted to outline the fundamental elements of a populist theory of public justification. My purpose has been to demonstrate that a democratic and public justifiable version of populism is *theoretically* possible, contrary to what the liberal approach to public justification concedes. This does not imply that populism must be regarded as a preferable political theory. Indeed, it has been out of my purpose either to endorse and to reject populism as such. What my argument implies is rather that populism and liberalism must be regarded as two political alternatives, the contrast of which cannot be decided by recurring to normative ethics.

Throughout my thesis I have interpreted the contrast between populism and liberalism as rooted in two different interpretations of democratic autonomy. In order to do that, I first had to reject the view of populism as a form of demagoguery with no ideal content. Laclau's discursive interpretation of the populist construction of *the people* on the one side, and the specification of such ideal content in terms of a Rousseauvian interpretation of autonomy on the other side, have allowed me to acknowledge both an ideal content and a democratic commitment to populism. Once I have framed the relationship between populism and liberalism in these terms, I have attempted to demonstrate how populism so understood can be justified. This required a deconstructing process of the idea of public reason and public justification elaborated within the liberal perspective, a deconstruction that I conducted in the light of a polarisation within liberal debate on public justification between a Rawlsian consensual and a Gausian epistemic conceptualisation of public justification. Furthering then D'Agostino's critique of the liberal project of public justification as ultimately relying on a political decision, I have then proposed to understand public justification as an inherently political project, by interpreting the condition of publicity not as an abstract universalization of the *reasonable person*'s perspective, but as a justificatory test that has an irreducible political dimension.

The deconstruction of the liberal project of public justification and the interpretation of liberalism and populism as two politically alternative elaborations of democratic autonomy showed that another reading of the contrast between populism and liberalism is possible. Advancing this interpretation of populism and of its relationship with liberalism and public justification, I thus suggest to read such contrast as a quintessentially political conflict that calls into question the liberal hegemony on both the definition of democratic autonomy and the exercise of democratic power.

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