

# **Democracy as public justification: towards a non-authoritarian political theory**

## **Abstract**

The thesis lays the foundations of a long-term research project addressing the problem of legitimacy of political authority in deeply pluralist societies. The author shows that because normative democratic theory finds itself in a problematic state due to its many-level dissonance (as opposed to the wished-for productive pluralism), political philosophers should approach democracy from a different perspective. This is provided by the theory of public justification (PJ) which addresses a similar class of question – namely how to ensure legitimacy in a morally deeply divided world. On this most generally, the thesis therefore explores the links between two major areas of contemporary political philosophy (democratic theory and public justification/public reason theorising, the latter owing much of its liveliness to the later work of John Rawls). After illustrating the general concerns on two fundamental issues of democratic theory – the concept of political representation, and the status of the majority principle as a decision-making method –, the author develops an analytical framework for understanding the structure of public justification and how it impacts on the resulting theories of PJ. Inspired by the wide-ranging work of Gerald Gaus, the author defends a maximally inclusive version of public justification, based on intelligible reasons, convergence approach to justification, weak internalism about reasons, moderate idealisation, and a combination of justificatory modalities (deliberation, universalisation, bargaining, and social evolution). This is conceptually related to delineation of what has been called qualified acceptability, the best-known variant of which is the notion of reasonableness – again, arguments in favour of an inclusive construal are put forward.

In the latter chapters, the author shows how his preferred account of public justification speaks to core debates in legal theory, because pluralism and disagreement is a fact of social life that law itself must come to terms with. Next, an inquiry into public justificatory capacities of constitutional courts and parliaments is carried out; it turns out that in contrast to an influential view in political and legal theory, it is parliaments which hold justificatory primacy, at least if the argument in the previous chapters is correct. The last “institution” to be explored via the lens of public justification are human rights, the philosophy of which seems strangely isolated from central concerns of contemporary political philosophy. Again, the account of public justification worked out earlier is found promising as a justificatory ground for human rights. The last two chapters overview several systemic objections to PJ theorising, in order to reconstruct a non-authoritarian justification of a liberal order with core elements of representative democracy.

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