

Draft, not for Citation

**Rekindling Interest In The Public Realm And Through This Establishing A Basis For
Mill's Cultivated Mind by Steven M. DeLue, Miami University, Oxford, Ohio.**

I. Introduction: Mill's Cultivated Mind

My talk was originally designed to discuss the use of materials in political thinking courses to teach general education, with a strong liberal arts and science bent. However, perhaps, owing to the title of my talk, I have been placed in the section on civic engagement. This is understandable. Many of the topics in the conference share relevance with other topics and surely mine is one of them. Indeed, I think what I do in my classes on political thinking has great relevance to civic engagement in liberal democratic states. In particular, I discuss the way in which political thinking is used to make political judgments about important public issues in liberal democratic states. To make political judgments about such issues requires not only a broad understanding of the interactions among the various dimensions of social and political life and culture, but also an understanding of the liberal democratic context in which civic life occurs. Included here, then, is an understanding of the core, public values that the liberal democratic state is designed to foster and that citizens are obligated to uphold during the course of making political judgments and engaging in civic life. These values are central aspects of John Stuart Mill's discussion of the "cultivated mind," and so making the latter central to the course is important to enabling political judgments that uphold the values of a liberal democratic regime during civic activities.

Mill says that in *On liberty* that the

cultivated mind—I do not mean that of a philosopher, but any mind to which the fountains of knowledge have been opened, and which has been taught, in any tolerable degree, to exercise its faculties—finds sources of inexhaustible interest in all that surrounds it; in the objects of nature, the achievements of art, the imaginations of poetry, the incidents of history, the ways of mankind past and present, and their prospects in the future. It is possible indeed, to become indifferent to all this, and that, too, without having exhausted a thousandth part of it; but only when one has had from the beginning no moral or human interest in these things, and has sought in them only the gratification of curiosity.

The "cultivated mind," as Mill understands the term is concerned with seeing many things from many points of view, it seeks to know from what is known the best that there is to know, and finally it seeks to use such knowledge for improving human life. And what is the best there is to know? In some cases, it is learning the nature of the definitive truth with respect to an area of knowledge. At other times, we discover important information that often points to competing but equally useful understandings of a particular domain, leaving many questions for further inquiry. This is often the situation found in many discussions of social and cultural matters. Moreover, this last state of affairs properly characterizes much of political discourse in liberal democratic states. In

the public realm of these states, citizens wrestle with competing but equally rational understandings of the world. For instance, notions of liberty and equality are often at odds with each other, yet each is desirable from the standpoint of the core values of a liberal democratic regime. Or, as often is the case, many discussions of public issues in liberal democratic states involve discerning appropriate limits to be placed on particular rights on behalf of protecting legitimate public interests. Throughout public discussions designed to make political judgments of pressing public matters such as those just mentioned there is a quest to achieve a proper balance between competing, but equally rational tendencies and points of view. This endeavor is aided and indeed sustained only in an atmosphere of free and open discourse in which contrary opinions to established ones are always considered during the course of reasoning about public issues in a liberal democratic public realm.

Overall, my intention in setting up and explaining the exercise in section IV is to enable students to replicate in the classroom an important dimension of the public realm of a liberal democratic state, and it is my hope that students will learn from reflections on the classroom experience lessons useful in civic engagement activities. To be clear, there is much at stake here. The public realm is the place where people from diverse walks of life and viewpoints come together in a liberal democratic society to discuss common issues and to seek solutions that are as beneficial as possible to the public as a whole. This means that the core purpose of public realm discussion is not so much to figure out how to use public authority to advance particular interests, but to find and to determine the common needs and interests of diverse people, and all of this is done on behalf of and in the name of furthering the basic values of a liberal democratic society.

Before proceeding, I first wish to discuss the importance of political ideas in making the classroom into a simulated public realm, one that demonstrates the way in which Mill's cultivated mind is the ground for political judgment and civic engagement. This discussion demonstrates the necessity of political ideas as well as their inherent limitations---factors which are significant in understanding the parameters of political judgment and civic engagement. Those who wish to skip this material and move directly to the discussion of one of the exercises I use in the class should move directly to section IV.

II. What are political ideas?

Political ideas describe key elements constituting political life, such as the nature of power, the character of various types of political regimes, and so on. With these ideas in hand, we can look at the real world and raise questions, for instance, about whether the world is just and democratic. In so doing, what takes place is to see if the patterns we find in the world comport with the ideas we have about democracy and justice. Thus, without an idea of democracy, we would not be able to answer the question if the world in which we live is democratic because we would not know what to look for in the political circumstances we investigate to determine if the latter represent democratic practice. Without the idea of justice, we would not be able to answer a question pertaining to whether the world in which we live is just because we would lack a basis for understanding what justice entails. Without ideas of both justice and democracy we could not answer questions and make judgments with respect to whether a world that is democratic might still lack justice and vice versa.

Political ideas used in the ways just described enable us to both understand and to make assessments of the political world on terms that make it possible for us to answer questions we pose about the world. But it must be said that since political ideas are limited in their scope, so too are the assessments and understandings based on them. Indeed, from the standpoint of the cultivated mind it becomes clear that political ideas are limited and limiting in their capacity to help us both understand and critique the world. And this is because we use ideas in the context of human expectations and hopes, all of which seek a basis for a thriving life for society and for individuals. But since thriving embraces all aspects of human life and since most people will seek some of them and not others, the political ideas that we employ to discuss thriving will always be exposed to being viewed as overly limited in their application and use. For this reason, if we look to see if a particular society is just, we are likely to find that the idea of justice we use may be insufficient, in large part because it falls short of many people's expectations for flourishing lives. For instance, let's say I take the view that a just society allows people who exhibit merit to rise to the highest levels of their ability and hard work. This would mean that all people who are rewarded for their meritorious work are in some fundamental sense said to be treated justly. But what about those who say that society should be best run by a common, shared preference voiced by the majority? People may say this because of a fear that merit as the basis for determining justice ends up privileging a few--on arbitrary grounds--at the cost of a great many. Such individuals may ask, "why shouldn't merit be its own reward, and thus why should additional benefits, such as political power and social position, be given to people with special talents and skills?" People who take this position may then insist on a standard of justice that preferences the needs of the majority, all in the interest of achieving the greatest good for the greatest number of people. But some people may fear this standard, too. Such individuals may ask for instance, "what happens in this view of justice to the minority?" Those who raise this concern may demand that certain basic, civic goods be provided to all, regardless of what the majority pronounces as the common good. This is a rights-based view of justice, and it suggests that all people, regardless of status and ability, should be accorded the same rights and opportunities.

Thus, with political ideas we create a context with which to address problems such as those just discussed. Inevitably, when we do we must use of the ideas at hand, recognizing how far they can be taken, and when and if they must be supplemented. In the process, what we are inevitably doing when we engage in this kind of thinking is assessing and arguing about how much we value one political idea as opposed to another. Is the merit based view of justice better than the majority-based view? What are the arguments for one as opposed to the other? Is the best answer one that fits some circumstances and not others? Often in the course of the discussion there is no definitive answer, but instead we are left with competing answers and the best we can do and know is to arrange them in a way that obtains the best outcomes possible for society at a given time and place. Later, at another time and place, the arrangement and emphasis may have to be modified. Moreover, political thinking employs fact-based arguments to support its claims for designing arrangements of ideas said to be critical for the furtherance of human flourishing in society.

III. Ideology, Action, and Political Thinking

Given the views thus far presented, it must be clear that political thinking is **NOT** the same as supporting an ideology. When we reduce ideas to ideology what we do is to transform political ideas, which represent the world in partial ways, into something that represents a total and to be sure perfected understanding of the world. There is a difference between saying on the one hand, as in political thinking, that meritocracy is an approach to achieving a just world but that this idea has its virtues and vices and saying on the other hand, as in ideological thinking, that meritocracy is the only way to organize the world since this idea has only virtues and no vices. I call this approach to using political ideas, “ideological” because it refuses to recognize the incomplete nature of any political idea that we use to investigate and to critique the world.

Political action, of course, embarks from political ideas that have been hardened into political ideologies. In consequence, we operate from a partial perspective, a fact which means that as we act we do not see all that we should see in order to address in as a comprehensive a way as we might like the problem or issue at hand. Indeed, political thinking warns us of the possible consequences of actions that embark from an ideological view, one that takes to the extreme ideas that are inherently limited in their ability to both explain and critique reality. These consequences are that we are likely to interact with factors we did not anticipate ever meeting, and further that we may trigger from the engagement counter-reactions that we never imagined. Moreover, the latter may be far worse than the problems we sought to address in the first place. That is the cost of action in general and it is the reason that political thinking when it is used as the basis for advising those engaged in political action, often advises them to be moderate and cautious in their approaches. Moderation in action, as in Aristotle’s conception of action through what he calls “practical wisdom,” means that change is undertaken very slowly, but in the process the hope is that the unintended consequences of actions will not arise to undermine the values that are central to the actor’s agenda. Of course, this gradualist approach to making important changes in existing practice is maddening for people who see grave injustices that need to be corrected by a wholesale change of circumstances not in the near future, but today. After all, what would the situation be today for civil rights in this country had Martin Luther King accepted the advice of pastors, as he noted in his “Letter from the Birmingham Jail,” to move more cautiously? All of which makes clear that political action, grounded in political ideology that places far more severe blinders on people than political thinking ever asks, is a matter of great risk taking; indeed, often necessary risk taking.

IV. Religion and Public life: Class Discussion Simulating the Public Realm.

Now, after having shown how and why political thinking is an enterprise to understand both the importance and the limits of political ideas in addressing political issues, I move to explain the implications of this understanding for discussing and then deriving judgments about political issues. I bring into the classroom a survey of many of the issues and concerns that are likely to be encountered in the setting for civic engagement. It is typical to focus on issues that are prominent at the time, and currently this means matters such as terrorism, multiculturalism, religion and politics, science and religion, human rights, the relationship between US foreign policy and the quest for international peace, the impact of globalization on our society, the place of civil society in advancing democracy, and the requisites of a democratic economy. The intention of the discussion about such matters is not just to find a way both to understand and to make

judgments about them, but to provide a facsimile of an authentic public realm in the classroom. It is hoped that by providing certain problems and encouraging students to discuss them in terms of the norms of a public realm, students can acquire a sense of the experience, that when reflected upon, makes clear the relationship between political judgments and civic activity.

So what I propose is to wade into the discussion of an important issue by first setting up the main dimensions of the matter. However, I expect to leave students with an array of questions that will need further consideration. All of which makes clear not only the way that our knowledge and judgments of political events are limited by the political ideas we use, but that the questions that continue to haunt the discussion are part of the whole range of information we label, from the standpoint of the cultivated mind, the best there is to know. Moreover, there is no substitute for the hard give and take of open discourse in the public realm where citizens test ideas against others during the course of finding out the best there is to know. Those who claim that the deficiencies of the public realm--and there are many including tendencies to follow in a herd like way prevailing opinion as opposed to critiquing it carefully--can be overcome by introducing market-like mechanisms for aggregating opinions make a serious mistake. The public realm is not a place where individuals give their opinions and hope that the resulting aggregation of opinions will achieve the common good. Rather, the public realm is place where citizens, holding the basic commitments of liberal democratic regimes, including respect for basic rights for all, consider diverse views and from this endeavor not only decide what is the best among the competing views, but as a result create a strong political will to move in the directions defined from this deliberative process.

In the rest of this section, I provide an example of an exercise that achieves this objective. It is predicated on addressing the question of the place of religion in modern societies. I first discuss three different approaches, then I discuss different types of reasoning to resolve the conflicts among the competing views, and finally I describe the different outcomes likely to arise from these approaches, including a concern for the place and role of toleration, a fact which leaves further questions for discussion and judgment.

A. Religion and Freedom of Conscience in liberal democracy

A liberal democracy is built on an agreement to house religious diversity by on the one hand disallowing the imposition of any religious belief on to individuals from state, and on the other hand allowing each person to determine one's own religious views or absence of them—the dual requirements written into the First Amendment. This commitment to personal religious freedom and to the non-establishment of religion is a central public idea, one which is said to “overlap” all people in society, regardless of particular belief. To facilitate this public idea, which is given very high value by the society of a liberal democratic state, there is a public realm in which public discussions of shared policy and law take place, and these discussions must always embody and thus include the perspective of the core public, overlapping idea on religion. In developing responses to particular issues, then, every effort should be made in the public discourse of these issues to protect freedom of conscience with respect to religious belief and this includes ensuring that the state is not used to establish a particular approach to religion that all are expected to uphold. Still, to ensure the free practice of religion for all people, and thus to protect the freedom of conscience of each member of society, people strive in

the public realm to secure a private realm where each can practice (or not practice as the case may be) the religion of one's choice.

Next, I discuss three different approaches to interpreting this shared public commitment to freedom of conscience—conservative, moderate and secular views. Along with this discussion, I look at several issues-- abortion, prayer in public schools, and the teaching of evolution—and explain the way these different interpretations of freedom of conscience affect the approach to these issues. Then, we discuss several modes to public reasoning used to resolve the differences in the public realm.

B. Three Models for Religion and Politics.

1. Conservative view. On this view, the nation would be asked to accept a nonsectarian Christian perspective. Of course, given the importance of protecting freedom of conscience, no one would have to embrace this view unless one chose to do so. The conservative approach is thus not advocating the viewpoint of an authoritarian religious state or a theocracy, which would insist on each citizen embracing the religious values of the society and the policy positions that follow from them. Rather, there would be room in the public realm discussion for non-Christians and even non-believers. Nonetheless, embedded in the conservative view is an explicit critique of the public culture, and this critique suggests that at the present time the public culture has acted in ways damaging to the shared values of the society; in particular, the need to have religion occupy a central place in social life. Restoring religion to the center of the public sphere will correct this significant problem. As part of this enterprise, there must be--for the sake of the moral guidance provided by religion--a correspondence between positions taken on public policy issues and the shared religious belief in society. Thus, public realm discussions of public issues must incorporate, when relevant, the major positions that emanate from a broadly Christian view. Advocates of this position would demand that public prayer should be advanced across public institutions, including and most especially public schools; that abortion, for the sake of respecting religious teachings, should be made a crime (some views make exceptions for the life of the mothers and other views don't); and that religious teaching about science should be made the equal of science teaching about science and so intelligent design should be taught in science classes if evolution is taught there.

2. Moderate conservative and liberal positions. This view says that people in arguing for their views about public issues should be able to profess them from decidedly religious perspectives. People should be able to argue that abortion is wrong because it violates the will of God, as a religious believer might allege. But in making their claims, religious people must carefully consider and give equal consideration to other contrary voices. Here, because religious people will exist side by side with secular people, as well as with religious people who hold secular views on many issues including those involving science and abortion rights for instance, each will learn to find a place for the other, as they seek, collectively, to ensconce the public principle of freedom of conscience ever deeper in American political life. It is precisely this coalition that ensures that there will never be an agreement to impose a single religion--sectarian or nonsectarian--on all people. Regarding key issues, public prayer in public institutions would be severely limited in public schools, but not curtailed completely there; there would a need for compromise on abortion, perhaps preventing so-called partial birth abortion and certainly it would always be allowed to save the life of the mother; and whereas intelligent design

could be taught, still, it would preferable to have it taught in non-science classes like history or sociology.

3. Secular position: This group will argue that people can argue religious justifications for particular positions on issues in the public realm. Freedom of speech will never rule this option out. However, religiously based reasons will always be inferior to secular ones, which are seen as truly public in nature. And in order for religious views to receive any hearing at all, they must be grounded in reasons and arguments that are secular. As a consequence, secularists argue that the only bases for public argument are public reasons, or those reasons that apply to all people and overlap all beliefs common to society. The main public reason applicable to this case is to support the principle of separation of church and state as articulated in the idea that while protecting freedom to believe, the state must not impose a religion on society. This is the essential element of freedom of conscience. On this view, then, abortion would not be prohibited, nor would there be any restrictions other than the ones now in force in the Roe decision since doing so would violate principle of non-establishment of religion; likewise and for the same reason there would be no public prayer in public places, especially public schools; and evolution should be taught in science classes only, and if intelligent design were taught at all it would be taught in non-science class and labeled as contra science.

C. Approaches to Discourse in the Public realm:

1. Perfectionist argument: Using Plato as the guide, it should be possible from abstract reasoning alone-- reasoning as far removed as possible from any kind of cultural influence and existing experience--to create models for how best to organize political reality. As in *The Republic* where Plato developed from pure reasoning a blueprint for the best society, once one has derived such a blueprint from pure reasoning, one can then measure existing society against it and make proper reforms. This is the purest form of public reasoning because it places in the hands of people not only the same principles from which to assess issues in a society, but the same perspective from which to interpret that principle, insuring agreement among a variety of people about how best to apply a given principle in addressing a concrete issue.
2. Mill's cultivated mind and public reasoning: Mill's cultivated mind accepts the fact that culture and differences over the nature of human flourishing create strong biases that affect political judgments and thus pure reasoning of the type just discussed is never possible. Moreover, we cannot deny the fact that our ideas, however removed from culture, are limited and limiting in their reach and scope. Thus, the "truth" in any absolute sense is beyond our grasp, and we will never be able to achieve a perfected world which rules out contradictory even if rationally grounded approaches to issues. All we can obtain is the best that there is to know among what is known and often this means accepting equally rational but contrary points of view. So how does public reasoning take place in this context?
3. Rawls's public reason: It is necessary to locate public deliberation in public reasons or those shared ideas and values that overlap all people in the society no matter what their particular beliefs may be. The values in this case are those that give a preference to the idea of respect for the dignity of individuals through the provision to them of basic rights and liberties, including speech, conscience, association, due process of law and political freedom that ensures equal

participation. Naturally, these shared values will place a premium on the right of individuals, as autonomous persons, to have equal freedom to make their own judgments of public matters. An autonomous person, moreover, seeks to derive her own judgments from her own reasoning and thus is not subject to any collectivist approach that imposes values on her. Also, for the autonomous person, argument must be conducted from the standpoint of fact-based and reasoned discourse. Moreover, protecting autonomy is given preference over protecting the so-called rights of groups. (I make this claim about Rawls' view often against Rawls himself who claims otherwise, but nonetheless, I argue that autonomy is a central value of his argument in *Political Liberalism*.) But autonomous reasoning is not solipsistic. A person who practices it realizes that it is necessary to take part in public reasoning with others because people often make mistakes in facts, or because they make mistakes in logic and thus discussion helps to point out these mistakes so they can be corrected. And because civility facilitates such discussion it too is an important part of the process of public reasoning. Further, in public reasoning we also learn to recognize the limits and range of our ideas and concepts, and the wisdom at times of embracing more inclusive ideas and concepts than we begin with. This approach allows religious arguments in the public realm only if the public reasons embodied by them are made the bases for argument. So, for instance, in addressing abortion one would not be encouraged to say "I am against it because God thinks it is wrong or my religious doctrine forbids it," but "I don't support it because of a public reason, which in this case is the non-establishment principle, which secures a chance for autonomy for each person, regardless of gender."

4. Dworkin's expanded public reason: He says that in *Is Democracy Possible Here?* "we must not try to exclude people's most profound convictions from political debate...we must try to achieve a genuine debate within civil society about those profound convictions. Liberals [what I called secularists] must try to show that religious conservatives that their ambition to fuse religion and politics in the way they now propose is an error because it contradicts the very principles that are also part of their faith." Conservatives [what I called moderates] must try to show liberals that they are wrong in that judgment." Dworkin presumes that almost all of us accept a principle of human dignity that accords people freedom to make choices about beliefs we will incorporate into our lives. Thus, Dworkin's doctrine of expanded public reason would reject a religiously-based position that even if consistent with its main principles violated this core principle. In effect, Dworkin simply adds another dimension to Rawls's view of public reason, the requirement that as a first step we allow people to argue their positions in terms of their most profound convictions. But he would not accept these convictions any more than would Rawls if they violated the overlapping consensus of a rights-based democratic society; in particular, the commitment to the basic freedoms that enable individuals *qua* individuals and not as members of particular groups to make their own judgments, in this case on matters pertaining to religion.

D. Given these different approaches to reasoning, what is the best that we can know about the relationship between religion and society.

Dworkin and Rawls would straddle, which is to say, seek a way to accommodate both the moderate and secular views, but ultimately both would rule out the conservative position and lean heavily in favor of the secular position. This is the case even though each would provide ample room for the moderate view. Thus, both would encourage religious people to take full part in the public realm, using their religious views as the bases for their positions. Dworkin would be more open to religious positions being promoted in the public realm than would Rawls, even though the latter would accept them, too. In each case, however, public reasons would trump religious ones as the basis for public discourse. Moreover, both the secularists and the moderates would be more comfortable with public reasoning than would the conservatives, because the latter would wish to make religious reasons preeminent. Also, my estimation is that on the issues mentioned throughout—and this is just an estimate—that abortion will be continued and discussions about its continuation will take place in a narrow range of limits; public prayer will largely be denied a place in public institutions, especially in most but probably not all public school settings; and evolution will hold sway and be taught exclusively in science classes.

V. The Special Burden of Toleration

The idea of toleration presumes that there can be spaces in society which enable people to live as they choose. But what the conservative critic of both the moderate and secular views points out is that whereas the latter would be comfortable with public reasoning, the conservative would not be, and this is because public reasoning would not allow conservatives to make religious views preeminent in the public realm discussions. Given this context, the conservative would say that her beliefs will be tolerated somewhat in the public sphere but not fully, and the only place where conservatives can approach full expression is in private sphere. So now students are faced with the challenge from conservatives that public reason, used by Rawls and Dworkin and largely supported in moderate and secular positions, is a way to impose intolerance on others in the name of protecting liberal democracy and what the latter supports, toleration.

What is the response from the argument of public reason arising from Rawls and Dworkin? There are a series of questions that follow.

VI. Conclusion: The Burden of Toleration: The Problem for Discussions

1. Does the use of public reason represent the best there is to know because it represents the best that we can do in a circumstance where the goal is to foster freedom of religious choice, and thus of conscience, without jeopardizing the social and political stability necessary to secure this right as well as all the others typically associated with liberal democratic regimes, such as speech, conscience, and so on?
2. What other ways of thinking can be employed to reason about these issues than public reason? And would other ways of thinking uphold the basic rights that are at issue here, while at the same time maintaining the necessary social and political stability that secures them?
3. In making judgments about issues like those just discussed—the place of religion in politics—isn't it the case that we have to choose among alternatives and find the least bad or the ones with the most good? If we put

our full support behind Rawls' and Dworkin's views of public reason, have we not done this? Is this the best there is to know?