

reason thus requires individuals to discuss and resolve conflicts in a manner which does not require either party to "lose" in the deep sense of being put in a position where they have to renounce their particular moral commitments in favor of their opponent's. To comply with the norm of public reason, speakers must therefore justify their public policy preferences in a manner that does not appeal to any distinct world-view. Instead of appealing to the authority of a totalizing (religious or secular) conception of the meaning and purpose of life, the norm of public reason enjoins us to articulate and defend our public policy positions with reference only to social values that are common to all world-views.

But this is not mere acting. An important element in the discourse norm of public reason is that political interlocutors must be (justifiably) disposed to believe each other's speech. The norm of public reason thus requires speakers to believe in good faith that their preferred public policy advances an overlapping conception of a socially desirable outcome. To conform to the norm of public reason, you must really believe what you say, and not secretly prefer a policy simply because it advances one's privately valued world view. The discourse norm of public reason therefore requires sincerity.ⁿ⁴⁵

One big problem with the norm of public reason, as Dan Kahan argues, is that as a cognitive matter we humans cannot really pull it off.ⁿ⁴⁶ Social psychologists have demonstrated that most people quite easily, and sincerely, believe that they themselves routinely conform their public-oriented thoughts and expression to the requirements of public reason, but they are doubtful that other people do the same. Social psychologists tell us that in these assessments we are usually right about other people and wrong about ourselves. Human thinking and decision-making is profoundly influenced by cognitive biases and self-serving motivations.ⁿ⁴⁷ While people genuinely believe that they analyze public policy problems "objectively," we in fact tend to assess [*209] policy debates through the biased frameworks of our own personal "world-views" (i.e., our private "preferences about how society should be organized.").ⁿ⁴⁸ We accurately diagnose this dynamic in our interlocutors, even as we are blind to it in ourselves. The term that social psychologists have settled on for this ironic epistemological dynamic is "naive realism"-we are naive about ourselves, realistic about others. We thus tend to view our interlocutors, especially those whose world views we do not share, as only pretending to conform to the norm of public reason. And they think the same of us.ⁿ⁴⁹

Kahan argues that since we are cognitively incapable of truly conforming to the norm of public reason, even people's good-faith efforts to conform to it are likely only to antagonize their opponents, who must now contend not only with an adversary whose world view they oppose, but an adversary who is lying about the relationship between [*210] their world view and the policies they support. This antagonizes social strife.ⁿ⁵⁰

If we analyze the norm of public reason in connection with corporate social and political speech this problem is particularly evident.ⁿ⁵¹ Firms endeavor to comply with the norm of public reason in their political speech.ⁿ⁵² But they do not succeed. We know that there are profound institutional biases and motivations behind the speech; in particular biases and motivations favoring the narrow interests of directors and shareholders, rather than the public good generally. Corporate speakers may believe in good faith that they fully conform to the norm of public reason. After all, corporate lobbyists are not corporate law scholars or psychologists. They are fully immersed within the norm of public reason and

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