Perfectionism with a Liberal Face? Nervous Liberals and Raz’s Political Theory

1. Introduction

Use of the concept "perfectionism" for the purpose of describing a certain view about the appropriate purposes and actions of the political state began with Rawls’s *A Theory of Justice*. Rawls not only coined the term (for use in this particular context, at least), but also elaborated an account of the relationship between liberal and perfectionist political moralities. The relationship was conceived as antagonistic and mutually exclusive; a commitment to publicly authoritative perfectionist principles was deemed incompatible with a commitment to liberal principles of political right. Rawlsian liberalism, in endorsing the priority of the right over the good, relegated perfectionist ideals to the realm of the nonpublic choice of individual ends, or "life-plans."\(^1\)

For two decades, commentators of various stripes challenged, in different ways, what they saw as the mistaken devaluation of the idea of the good in Rawls’s theory and liberalism generally. For the most part, these writers presented themselves as critics of liberalism, thus apparently testifying to the soundness of the view that liberals and perfectionists were horses of a different color. A clear and characteristic expression may be seen in Will Kymlicka’s definition of perfectionist theories as ones that "...claim that certain ways of life constitute human ‘perfection’ (or ‘excellence’), and that such ways of life should be promoted, while less worthy ways of life should be penalized. This is unlike liberal or libertarian theories, which do not try to encourage any particular way of life, but rather leave individuals free to use their resources in whatever ways they themselves find most valuable."\(^2\)
There have, however, been challenges to this conventional view, constituted by attempts to articulate a political morality showing liberal and perfectionist principles to be compatible with one another. The most widely discussed and praised attempt to develop a perfectionist liberalism has been that of Joseph Raz, the subject of critical attention herein. Liberals are sometimes caricatured as nervous and vacillating types, "unable to take their own side in an argument," as it is said. Raz's perfectionist liberalism reflects a very different sort of character; one confident in the rationality of his principles, unafraid of squarely endorsing state action in support of them, willing to walk tall, without guilt about the big stick he carries or the reasonability of swinging it (where warranted only, of course). Such a liberalism would have abandoned the implicit desire, overtly manifested in the discourse of neutrality, to be all things to all people, and would instead dare to speak in its own name.

Understood either as rhetorical performance or as a set of cogent arguments, Raz's liberalism is a powerful and attractive discourse. No liberal worth his or her salt could fail to be tempted by it. Whether, having followed him to the edge of perfectionist waters, one ought to go ahead and drink is another question. I lean toward abstinence, finding through the journey down to the water renewed appreciation for an old-fashioned, nervous and self-doubting, liberalism. My message to fellow travellers is that being tarred as relativists, feathered as irrationalists, and generally condemned for lacking a backbone may simply be the price to be paid for being liberal.

In Section 2, I discuss those elements of Raz's political theory which are most likely to make conventional liberals nervous. In 3, I discuss those elements of the theory which constitute in effect Raz's effort to take some of the apparentlyilliberal sting out of the message conveyed through the elements discussed in 2. In 4, I discuss Raz's explicit arguments against antiperfectionist forms of liberal theory. These arguments continue, in a different way, the task pursued by Raz's arguments considered in 3; they constitute an effort at relieving the anxiety generated by the perfectionist elements of the theory treated in 2. In Section 5, I advance a number of reasons explaining why I think liberals ought to decline
Raz’s invitation to relax and accept perfectionist liberalism. A sentiment underlying this judgment is that the current rush to perfectionism among liberal thinkers, at least in the United States, may have less to do with pure and disinterested advances in philosophic reasoning than with the fallout from increasingly moralistic, intransigent and sometimes hysterical strands in American political culture. There has never been, nor in the foreseeable future will there be, a shortage of conservatives willing to exclaim that the barbarians are at (or inside) the gates; liberals might therefore usefully leave that task to them who have traditionally performed it so well, abandon their flirtation with perfectionism, and return to their own traditional, if increasingly neglected, task; that of defending liberty, especially at the margins of what is socially and morally "respectable," "acceptable," and, above all else, "reasonable."

2. Making Liberals Nervous

There are three elements of Raz’s political theory likely to strike one as departures from liberalism as ordinarily understood. These are (a) the relation between autonomy and the good, (b) the view of “morals legislation” and (c) the view taken of the appropriateness of examples for consideration of perfectionist principles. Let us consider each in turn.

Raz’s conception of autonomy and its value is perplexing and, at first glance at least, paradoxical. On the one hand, Raz says that personal autonomy is "...a constituent element of the good life,"\(^4\) and he argues that governments must respect the liberty of individuals to make their own choices. This argument involves an endorsement of (a version of) Mill’s harm principle. It is tempting to think, then, that Raz holds that there is value in autonomous choosing, even when that which is chosen is, ex hypothesi, morally bad or evil. But that is not his view. Rather, he maintains that "...autonomy is valuable only if it is directed at the good (and) it supplies no reason to provide, nor any reason to protect, worthless let alone bad options."\(^5\) Government, rather than turning a blind eye to morality, is charged with the responsibility of "... enabling
individuals to pursue valid conceptions of the good and discourage(ing) evil or empty ones."

Thus Raz’s endorsement of the value of the autonomous life, which is itself partially responsible for the ascription of the label "liberal" to his theory, does not lead him to endorse a neutralist or anti-perfectionist position with regard to state activity, positions often thought to be constitutive of liberalism. Indeed, he argues that it leads to just the opposite.

It is worth noting that the conceptual tie Raz establishes between autonomy and goodness is not established in what one might call the old-fashioned Kantian-Rousseauian way, that is by "moralizing" the concept of autonomy to begin with. Raz is not claiming that one is not "truly" or "genuinely" autonomous if one fails to will and choose the good. Autonomy for Raz is "...essentially about the freedom of persons to choose their own lives." An autonomous life is "...opposed to a life of coerced choices," and is "...discerned not by what there is in it but by how it came to be." He clearly distinguishes this mundane and straightforward usage of the concept of autonomy from the Kantian notion of moral autonomy, wherein autonomy is linked grammatically to willing in accordance with universalizable rules.

How can it be then, that autonomy is a constituent element of the good life and yet at the same time "...valuable only if it is directed at the good"? The solution to this puzzle lies in Raz’s understanding and defense of what he terms "moral" or "value pluralism," an idea to be discussed in the next section. For the moment, I want only to have specified the sense in which Raz’s conception of the relation between autonomy and the good is likely to make a conventional liberal nervous.

A conventional liberal view is that respect for individual autonomy is incompatible with legislation enforcing "personal" morality. Mill’s harm principle is often taken as the paradigmatic expression of this view. Actions judged not to have harmed others are insulated from the reach of the criminal law, regardless of their moral quality. Denial of this principle of insulation is, on this view, taken to constitute an unwarranted
assault upon individual autonomy. The harm principle thus understood excludes morality from the scope of legislation.

Raz defends a "transformed version" of the harm principle. He interprets it not as "....a restraint upon the pursuit of moral goals by the state" but rather as "....a principle about the proper way to enforce morality." This transformed view of the harm principle renders it compatible with Raz's view that "....it is the function of governments to promote morality. That means that governments should promote the moral quality of the life of those whose lives and actions they can effect." The harm principle thus is understood as requiring the state to "....stop(s) at coercion and manipulation only where their use would not promote the ability of people to have a good life but frustrate or diminish it." He (wryly?) notes that "not all the traditional supporters of the harm principle will welcome its vindication in this form."

We shall consider below Raz's reasons for maintaining that harmless immoralities should not be legislated against, a position he shares with the conventional liberal. My aim here is simply to indicate the difference in the underlying premises between Raz and the conventional liberal. As a perfectionist, Raz argues not simply for the permission but for the duty of government to "....act with discrimination to encourage the good and the valuable and to discourage the worthless and the bad." What the conventional liberal refers to as "morals legislation" is obviously not excluded in principle from that sweeping mandate.

A third aspect of Raz's theory likely to make conventional liberals nervous is an aspect of his theorizing more than a position taken within that theory, though its legitimation is rooted in a position taken. The position is this. Raz divides political theory into two parts; "political morality" and a "theory of institutions." Political morality is said to "....consist in the principles which should guide political action. It provides the principles on the basis of which the theory of institutions constructs arguments for having political institutions of this character rather than that." In The Morality of Freedom, Raz concerns himself exclusively with "political morality," a consequence of which is that he does not discuss the way the principles defended therein are to be "translated" into political institutions. Nor does he discuss any
particular policies or issues which would or could be expected to arise through these institutions. This seems innocent enough as a matter of the division of intellectual labor.

A consequence of it, however, is that Raz "....says almost nothing about what makes an option or an individual’s conception of the good repugnant or immoral, even though the central thrust of his argument is to establish the government’s right, indeed its duty, to extirpate options of this sort." At first glance, this strategy of argument seems hypocritical; Raz’s theory demands that governments distinguish, and act upon the distinction, between good and bad ways of life, and yet he himself offers no substantive view in regard to this issue.18 W. J. Waluchow does take it to be "a serious limitation" of Raz’s theory that "it largely forgoes discussion of the concrete implications" it would yield.19 Yet Waldron, critical of Raz in a number of other respects, applauds Raz’s abstinence from making concrete ethical judgments. He says that Raz is "...right to ask whether there is anything left in the liberal critique of perfectionism once we set aside the possibility that perfectionism might be deployed to support mistaken standards. As a practical matter that possibility always remains, but it is worth being clear all the same about where exactly the critique is directed. For this reason, perfectionism is better defended without examples."20

We shall consider the adequacy of this view later. I take it that it is clear that conventional liberals (and perhaps others?) will not only be made nervous by Raz’s refusal to use examples in his theorizing, but will also complain that it constitutes a failure to lay his moral and political cards on the table.

3. Relieving Anxiety: Taking (Some of) the Sting out of Perfectionism

Raz at one point says of his theory that it "....may sound very rigoristic and paternalistic."21 I think he means that it may sound very illiberal; section 2 sought to explain why this is so. Raz says that while his views may "....conjure images of the state playing big brother forcing or manipulating people to do what it considers
good for them against their will," nevertheless, "...nothing could be further from the truth."\(^{22}\) (Nothing?). I want now to discuss four aspects of his theory which, taken together, may be thought of as aiming at relieving the conventional liberal of his or her anxieties concerning perfectionism.

Raz’s affirmation of "value pluralism" is the crucial link in the chain of theoretical reasoning designed to show that perfectionism need not yield an illiberal politics. Value pluralism is the view "...that there are many different and incompatible valuable ways of life....many of the routes open to us in our lives are both incompatible and valuable....it is this value multiplicity, this incompatibility of much that is valuable, that I mean by value pluralism."\(^{23}\)

The effect of value pluralism is to take the sting out of the proposition that the state is bound to concern itself with the moral goodness (or lack thereof) of the lives lived by its subjects. This is so because value pluralism insures that many different ways of life will pass the test of being valuable, or good, ones, and hence we need not fear the specter of a tyrannical state forcing upon us a single and narrow orthodox form of life. In effect, Raz is asking us to see that it is the monism, rather than the moralism, of (some) perfectionist states which is the genuine object of legitimate liberal fear. Raz’s perfectionist state is nonmonistic in affirming the diversity of valuable lives. Conventional liberals are thus counseled to relax upon the recognition that there will be a "wide" range of options from which individuals might choose.\(^{24}\)

The thesis of value pluralism also aims at resolving our original puzzlement over Raz’s seemingly paradoxical claim that autonomy was a constituent element of the good life and yet valuable only when directed at the good. How could choice be valuable and yet only be valuable when the good is chosen? Again, Raz asks us to see that this is paradoxical only if we assume moral monism. Given moral pluralism, the exercise of our capacities as autonomous choosers is given room for development and expression without contravening the principle that autonomy is valueless when the bad is chosen. Thus, for example, when Will Kymlicka argues that on a perfectionist view the state would interfere with "....a person’s ability to form and revise a conception
of the good."\(^{25}\) Raz is not without a reply. While granting that this ability is limited in a perfectionist state (that is, it does not extend to a right to choose a bad conception of the good), Raz, besides pointing out that such choice is limited by some standard in any state, can appeal to value pluralism to argue that there is nevertheless adequate space for the exercise of autonomy in forming and revising a conception of the good within the domain of valuable conceptions.

We can see here the sense in which the value of autonomy for Raz is "asymmetrical."\(^{26}\) The good chosen autonomously is of greater value than if enacted through accident or coercion. However, the bad chosen autonomously is not thereby made valuable; indeed it has a sort of negative value, for in Raz’s view the autonomous wrongdoer is worse than the nonautonomous one; "....those who freely choose the immoral, ignoble or worthless we judge more harshly precisely because their choice was free."\(^{27}\)

Value pluralism thus functions for Raz as "....the bulwark against uniformity, against a society imposing through its government or otherwise a uniform vision of the ideal form of life on its population."\(^{28}\) The government’s fundamental duty is to guarantee "....that an adequate range of diverse and valuable options shall be available to all."\(^{29}\) Meeting this duty will involve making and enforcing moral judgments about what are and are not "valuable" options, but value pluralism insures that the result of this process will not generate a monist tyranny. Even conventional liberals relieved by this will likely find themselves hoping (praying?) that Razian legislators are well-versed in the writings of those who have some experience with the diverse ways of being human.

Raz’s account of authority is rich and complex, and I cannot hope to do it exegetical justice here. I want to point to a feature of it which stands as another aspect of Raz’s theory which functions to relieve liberal anxiety regarding perfectionist politics. The relevant feature of Raz’s view of authority is succinctly summarized in what he labels the "normal justification" thesis, which is:

the normal way to establish that a person has authority over another person involves showing that the alleged subject is likely better to comply with reasons which apply to him (other than the alleged authoritative directives) if he accepts
the directives of the alleged authority as authoritatively binding and tries to follow them, rather than by trying to follow the reasons which apply to him directly.30

This gives rise to Raz's "service conception" of political authority. The (justifiable) state is the servant of its members insofar as it lacks authority unless following its directives actually serves to increase the likelihood of reasonable action by the citizen. If that condition is unsatisfied, then authority is lacking. The legitimate state is thus, seen through the lenses of this theory of authority, a relatively benign and beneficent creature, our aid and comfort rather than our oppressor.31 Its role is to help us act upon the basis of good reasons.

It is through appeal to this service conception of authority that Raz seeks to undermine the force of conventional liberal complaints about perfectionist tyranny. Thus he remarks that "....one needs constant reminders that the fact that the state considers anything to be valuable or valueless is no reason for anything. Only its being valuable or valueless is a reason. If it is likely that the government will not judge such matters correctly, then it has no authority to judge them at all" (emphasis added).32

As was the case with the doctrine of value pluralism, this is at once partially persuasive and gnawingly unsatisfying. One can't help but wonder whether it won't be the government that ends up judging whether that same government's judgment is more likely to be correct.33 Raz can remind such a wonderer that having the power to decide and deciding what is correct are separate issues, though I am unsure as to how consoled I should be by the thought that if my government should step on me I can point out (to myself? to other theorists?) that it had no authority to do so. On the other hand, this lingering sentiment of dissatisfaction with Raz's refusal to worry sufficiently about the sheer existential power of the state may reflect nothing more substantial than an American's inability to think of authority and the state as anything other than "other," a sentiment which is no doubt responsible for provoking Raz into the irritation which appears (not for the first time) in that "...one needs constant reminders..." turn of phrase.

A third anxiety-relieving aspect closely related to the second is Raz's (perfectly legitimate) plea to us that in evaluating his theory
of political morality we ought interpret it on the assumption that those enacting it have about as much common sense as we do. Mill remarked in *Utilitarianism* that "there is no difficulty in proving any ethical standard whatever to work ill if we suppose universal idiocy to be conjoined with it," and it is fair of Raz to ask that we read him in such a spirit. Thus he argues that "...perfectionism is not to be equated with the view that governments should always pursue all moral considerations at all costs. It is the view that whether or not a particular moral objective should be pursued by legal means is a question to be judged on the merit of each case, or class of cases, and not by a general exclusionary rule, as the so-called "neutralists" would have it." Perfectionism can then be seen as "merely a term" indicating that there are only strategic, not principled, inhibitions on governments acting upon "any valid moral reason."  

Raz suspects that the results of these strategic inhibitions will look a great deal like the results desired by conventional liberals, and this may well be so. The list of reasons which have traditionally led conventional liberals to fear perfectionism and to seek to exclude the question of the good from politics is very similar to the list of relevant strategic factors a Razian perfectionist legislator would presumably take into account. These would include "...the dangers inherent in the concentration of power in few hands, the dangers of corruption, of bureaucratic distortions and insensitivities, of fallibility of judgment, and uncertainty of purpose, and...the insufficiency and the distortion of the information reaching the central organs of government." Moreover, Raz is fully aware of, and in effect requests that his theory be evaluated upon the recognition that it is aware of, the "weaknesses" and "afflictions" that make actual governments fall short of perfectionist ideals. He closes *The Morality of Freedom* by acknowledging that "...the pursuit of full-blooded perfectionist policies, even of those which are entirely sound and justified, is likely, in many countries if not in all, to backfire by arousing popular resistance leading to civil strife. In such circumstances compromise is the order of the day. There is no abstract doctrine which can delineate what the terms of the compromise should be. All one can say is that it will confine perfectionist measures to
matters which command a large measure of social consensus, and it will further restrict the use of coercive and of greatly confining measure and will favor gentler measures favoring one trend or another....[under such circumstances] an attempt by the government to achieve more freedom will achieve less."38

Taken together, these considerations make perfectionism seem hardly more than common sense. The service conception of authority assures us that states lack authority to enforce unjustified moral ideals, and a charitable view of the conditions of enactment of Raz’s principles suggests that prudence, if not principle, will counsel against perfectionist intrusions upon liberty in cases of controversy. Who can complain about what appears to be leftover—governmental support for valid moral ideals enjoying consensual social support?

A fourth anxiety-reducing aspect of Raz’s theory is his reminder to us that "...not all perfectionist action is a coercive imposition of a style of life."

Much of it could be encouraging and facilitating action of the desired kind, or discouraging undesired modes of behavior. Conferring honors on creative and performing artists, giving grants or loans to people who start community centers, taxing one kind of leisure activity, for example, hunting, more heavily than others, are all cases in which political action in pursuit of conceptions of the good falls far short of the threatening popular image of imprisoning people who follow their religion, express their views in public, grow long hair, or consume harmless drugs.39

To appreciate the force of Raz’s point here we need to make clear the distinction between coercive and noncoercive instruments of perfectionist policy and the use to which Raz puts this distinction. The paradigmatic coercive instrument is the criminal law and the power of the state which enforces the sanctions attached thereto. Raz agrees with the conventional liberal in arguing against the use of the criminal law to pursue perfectionist goals by means of criminalizing and punishing harmless immoralities. As we saw in the previous section, however, his reasoning to this view is formally different than that of the conventional liberal. The conventional liberal understands the harm principle to constitute the principled barrier against such legislation; Raz’s opposition is strategic and contingent rather than
absolute. Acknowledging that perfectionist principles do not necessarily rule out the criminalization of (what are judged to be) harmless immoralities on moral grounds, he presents the following argument against such criminalization:

Coercion...violates the condition of independence and expresses a relation of domination and an attitude of disrespect for the coerced individual. Second, coercion by criminal penalties is a global and indiscriminate invasion of autonomy. Imprisoning a person prevents him from almost all autonomous pursuits. Other forms of coercion may be less severe, but they all invade autonomy, and they all, at least in this world, do it in a fairly indiscriminate way. That is, there is no practical way of ensuring that the coercion will restrict the victim's choice of repugnant options but will not interfere with their other choices.

Whether this argument is sufficient to underwrite an affirmation of the harm principle is a matter of debate. What does seem clear, however, is that Raz is correct in reminding us not only of the existence of noncoercive (or at least "more mildly coercive") forms of perfectionist action by governments, but also, by means of his examples, of our own intuitive support of many of them. Who, after all, can with a straight face complain if the government distributes citations of honor to citizens who have engaged in exemplary service to the community? (Of course, there will be controversy over particular judgments; but shall we do away with honors for those who help to feed the hungry because we can't agree on whether pro-choice or pro-life people deserve public honors?) Even those who take the preceding question to be a non-rhetorical one will, I assume, grant that there is some sort of relevant distinction to be made between the two types of policy instruments Raz distinguishes as coercive and non-coercive. Even if we say that there are elements of coercion attaching to all governmental judgments, if for no other reason than because of the unrivalled means of violence which are in the background of every such act, still it is not the case that all cows are grey—there is a morally relevant and politically important difference between being put in jail and not receiving the benefit of a tax incentive. To the extent that is so, the conventional liberal has here another reason to breathe a little easier about perfectionism. It now appears to amount to governmental support, largely if not exclusively
through non-coercive, incentive-based instruments, for valid moral ideals which enjoy widespread consensual social support. With that picture in mind, it's hard not to feel the pull of Raz's theory when he tells us that "...antiperfectionism in practice would lead not merely to a political standoff from support for valuable conceptions of the good. It would undermine the chances of survival of many cherished aspects of our culture."44

4. Relieving Anxiety: Anti-anti-perfectionism

The previous two sections have sketched elements of Raz's perfectionist political morality. Another source of support to which he appeals is indirect; it consists of a set of arguments designed to respond to standard objections to perfectionism raised by conventional liberals. Acknowledging that the concerns underlying these objections are "real and important," Raz nevertheless attempts to show that they do not, properly understood, justify anti-perfectionism. These "anti-anti-perfectionist" arguments, even if successful, could not of course establish the validity of perfectionism. They could, however, result in clearing the argumentative ground in such a way that one might be left more open to and receptive of the appeals of perfectionism. The four anti-perfectionist arguments to which Raz responds can be labelled the "hidden tyranny," "dangerous gambling," "overt tyranny," and "moral experts" arguments. Let us consider each in turn.

According to Raz, "the spring from which antiperfectionism flows is the feeling that foisting one's conception of the good on people offends their dignity and does not treat them with respect."45 This "spring" of anti-perfectionism gives rise to a certain view about the role of government in human affairs. This view was given classic expression by Mill in On Liberty, in the course of criticizing the belief that the rise of democratic government would itself serve to resolve the problem of governmental oppression of the people, since "the people" or "the will of the people" could not be opposed to itself. Mill argues
such phrases as "self-government," and "the power of the people over themselves," do not express the true state of the case. The "people" who exercise the power are not always the same people with those over whom it is exercised; and the "self-government" spoken of is not the government of each by himself, but of each by all the rest. The will of the people, moreover, practically means the will of the most numerous or the most active part of the people—the majority, or those who succeed in making themselves accepted as the majority; the people, consequently, may desire to oppress a part of their number, and precautions are as much needed against this as against any other abuse of power.

This view in turn gives rise to one form of anti-perfectionist argument: the government should not be allowed to act upon considerations of what is morally good for human beings because in fact what will be being acted upon are not such considerations at all, but rather, unavoidably, what some partial and powerful segment of the community considers to be what is morally good for human beings. This "hidden tyranny" argument relies on the meaningfulness of the distinction between: (a) good reasons for governmental action which refer to what is good for human beings, and (b) some partial body's view of what constitute good reasons for governmental action which refer to what (that partial body believes) is good for human beings.

This is an intuitively appealing line of argument for anti-perfectionist liberals, and many, including Mill as I understand him, have adopted it. Raz presents a strong argument against it. Accepting the force of his argument will not necessarily lead to the endorsement of perfectionism, but it does, I think, both reveal to anti-perfectionists the weakness of one of their traditional lines of defense, and force them to look elsewhere for support.

The anti-perfectionist argument derives its plausibility from the idea that all apparent cases of (a) in fact reduce to cases of (b). Raz argues that this is a mistake, resulting from confusing the actions of persons acting as authorities and the actions of persons acting for themselves. Consider Smith, who holds moral view X. As a private person and citizen, Smith advocates the legal enforcement of X. Smith is also a government official who finds herself in a position to act, under color of authority, with regard to X. On Raz's view, the fact that Smith believes there are sound reasons for supporting X is not itself a reason for Smith to act authoritatively in support of X. The belief is not a reason for action itself; rather,
the appeal is directly to the soundness of the reasons (supporting X) themselves. As Raz puts it, "...it is not merely that authorities refer not to their belief that there are good reasons for their decisions but to the reasons themselves as grounds for action." 47

This argument is important, for it seems to defeat the "hidden tyranny" argument in the following way. That argument believes that authoritative appeals to good reasons are in effect sheep’s clothing which conceal the moral preferences of a natural person or persons. But Raz’s argument separates conceptually the two phenomena in a compelling way. Smith acting as authority can never appeal to Smith the natural person’s moral beliefs as grounds for a decision; indeed to do so would clearly be recognized as an abdication of Smith’s duty as an authority. More importantly, Smith as authority cannot even appeal to Smith as authority’s belief that there are good reasons supporting X as itself a reason for supporting X; her belief, even in her capacity as authority, is irrelevant. The only relevant and appropriate ground for a decision on her part in support of X are the soundness of the reasons in support of X themselves. We might put it this way; were reasons to speak for and enforce themselves, Smith would be unnecessary—and that is the (unattainable) ideal from which the exercise of authority by natural persons acting as artificial persons of authority is to take its bearings and draw its legitimation. Smith as authority is in a sense a concession to the imperfection of reality. She speaks not her own voice but (imperfectly) the voice of reason, and is necessary only because reason itself is mute.

Now of course Smith will make mistakes. Raz recognizes this, while nevertheless accounting for the binding force of authoritative judgments generally. Thus, "while an authority’s belief that a decision is based on sound considerations makes it binding even if it is not in fact sound, the reason for this is that acknowledging the validity of an authority’s decision even if it is unsound is in fact more likely to lead to action supported by sound reason than any alternative method of deciding what to do." 48 This is the "normal justification" thesis described above.

Thus the argument of hidden tyranny seems defeated, for it is shown to rest upon a failure to consider carefully the nature of, and justification for, the exercise of authority. Of course, the Smiths of
the world may willfully subvert their duties and the procedures which are their source, but that does not show that authority is a mask for tyranny, but just the opposite. It shows that the Smiths in question are practicing tyranny by subverting authority. And one cannot insist that procedures of authority, to be acceptable, prevent absolutely their own subversion. That is to ask for the impossible, just as it is to insist that authority, in order to be legitimate, never issue in mistaken judgments.

Nevertheless, there is something important in the hidden tyranny argument which remains even after this critique. Granted everything that has been said, still there is the brute existential fact that the procedures of authority are put into motion and have life breathed into them only by what are, in the final analysis, natural persons. Hence there remains the basic and inevitable reality of the imposition of the will of some people upon the wills of others, no matter how much this brute reality is cloaked under the theory of authority. Doubtless this is inevitable, even justifiable, and coterminous with the existence of politics itself; still, it is important, indeed vitally important, that we recognize it as that, rather than deceive ourselves. Moreover, given that point, we have reason to restrain the scope of such activity as much as possible. And that means resisting the assimilation of matters of morality to the long arm of political authority.

A second source of anti-perfectionism is the recognition that governments are fallible, and will sometimes make mistakes when pursuing perfectionist policies. This gives rise to an argument we can label the "dangerous gamble" one. Raz recognizes the concern that gives rise to the argument, but attempts to deflate the anti-perfectionist significance of it by arguing that a suitably defined perfectionism can, and indeed must, accommodate such problems.

Raz argues that absent some special reason to think moral decisions a category of especially difficult ones, where the chances of error are greater than is the case in nonmoral ones, we have no more reason to prohibit all governmental action with regard to morals than we do to prohibit all governmental action on any issue. Moreover, the perfectionist can require of public officials the same caution and attempt to recognize the probabilities and
consequences of error in moral matters that all of us would require of such officials as a general duty of office with regard to any and all issues of concern. However stringent and effective that latter duty is, it is also applicable to moral issues, and thence may relieve some of our anti-perfectionist anxiety.

Let's look at Raz's question: is there some special reason to fear failure or the consequences of failure when trying to promote conceptions of the good? We might be tempted to fear failure upon the consideration that moral questions do not admit of right answers, but Raz anticipates such a view and responds in no uncertain terms that this would be to presuppose a "deep skepticism" which in effect undermines any position in political morality, including the anti-perfectionist's, and not just Raz's. Raz aggressively proclaims:

Nowhere in this book will general moral skepticism be discussed. General moral skepticism claims either that there never is a better moral reason for one action rather than another, or that one can never have good grounds for believing that one action is better supported by moral reason than another. If either of these claims is true then nothing in this book is of any value, nor is there any room for any discussion of the morality of political action.

Suppose, in accordance with the rhetorical spirit of this statement, we label the skeptic's position the position of "wanton irrationality," and provisionally accept Raz's dismissal of it as a non-starter in arguments of political morality. Are there other grounds upon which anti-perfectionist liberals might reasonably resist Raz's view that there are no reasons to fear failure or the consequences of failure when trying to promote conceptions of the good any more than we fear failure or the consequences of failure with regard to other governmental decisions? I think there are, but we have to question certain foundational postulates of Raz's argument rather than the argument itself in order to explicate them.

What postulates, then, are the questionable ones? There are two from which anti-perfectionist liberals may wish to depart. One is that which maintains that the ideal with regard to governmental action is that it meet the test of being in accord with good reason. The other would involve claiming that decisions about the right are less difficult than decisions about the good, and hence it would
deny the postulate that all governmental decisions concerning morality, whether they be in regard to principles of right or conceptions of the good, are of the same order of difficulty. Now at first glance, I imagine that most will find the second anti-perfectionist strategy the preferable one, if for no other reason than that the first seems doomed to collapse into the position of wanton irrationality. But I want to suggest that this is not necessarily so, and that in fact the first is the preferable one. First, however, let us consider the second.

The argument of ("the early") Rawls in *A Theory of Justice* is a good example of this strategy. Justice as Fairness is there understood as a theory which places the right prior to the good, at least part of the notion being that however diverse and incommensurable our conceptions of the good may be, it is possible to specify terms of agreement constituting fair principles of right which are acceptable to all free and equal persons. The "thin theory of the good" constituted by the doctrine of primary goods is understood not to compromise this priority, on the grounds that it is neutral amongst the thick conceptions of the good, whatever they turn out to be. However, there are two lines of objection to this understanding of Justice as Fairness that may lead us to doubt it. First, we may, as many critics have, doubt that the thin theory of the good is thin enough. That is to say, a view of the good may be unwittingly "infecting" the alleged "pure" reasoning about the right. If this is so, then the theory will have failed in the respect of articulating a way of showing that questions of right are less plagued by disagreement and difficulty than questions of the good. Second, and more directly, there seems on reflection to be no reason for thinking that the principle of right specifying, say, equal liberties, is any less "difficult" a moral position to defend upon the basis of sound reasons than is some principle which specifies a conception of the good as indeed a good one. It probably is the case that in contemporary liberal societies there is less controversy and disagreement over the principle of equal liberty than there is over alternative conceptions of what constitutes a good life, but that fact, if indeed it is that, does not tell us anything about the soundness of the reasons, whatever they are, supporting equal liberty. Raz presses hard the distinction between political
consensus and rational validity. The "later Rawls" seems to have accepted that distinction as well as moved away from the argument of *A Theory of Justice* insofar as social consensus upon a conception of the person as free and equal, rather than any direct appeal to the soundness of the reasons which can be adduced to support that ideal of the person, is now identified as the foundation of the theory. In any case, the relevant point here is that this consideration of both the doubts registered against Rawls's original theory and the shifts he has himself made since then suggest the plausibility of Raz's position that questions of the right are no different than questions of the good in respect of their difficulty from the perspective of moral reason. As he puts it,

....is there reason to think that one is more likely to be wrong about the character of the good life than about the sort of moral considerations which all agree should influence political action such as the right to life, to free expression, or free religious worship? I know of no such arguments.50

If that is right, then the second anti-perfectionist strategy of separating the right from the good upon the basis of difficulty, and then using this as a foundation for blocking appeals to the good by governments based upon the principles of right, will not work. Of course, someone may yet produce such an argument, but let us proceed for now on the assumption that it can't be done. The problem is that there seems to be nowhere for we nervous liberals to turn but back into Raz's waiting perfectionist arms.

Perhaps then it is worth reconsidering the first anti-perfectionist strategy, that which calls into question the notion that the ideal with regard to governmental action is that it meet the test of being in accord with good reason. The immediate objection to pursuing this strategy is that it appears to collapse into the position of wanton irrationality, and hence to be self-defeating as a strategy of argumentative defense in support of a non-perfectionist liberalism. But this appearance is deceiving.

Raz's position depends on setting up the following dichotomy; either (a) one accepts that the criteria of governmental action and policy is being in accordance with good reason or (b) one denies this as the appropriate criteria. The corollary of (a) is Raz's perfectionism; the corollary of (b) is the self-defeating thesis of
wanton irrationality, given that neutrality is ruled out as a possibility in the first place. Faced with that menu, the obvious choice is (a) and its corollary. But is it true that affirming (b) commits one to the thesis of wanton irrationality? To successfully answer "no" to this, we need to specify a sense in which it is reasonable to reject good reasons as the criteria of governmental action. In section 5, I attempt to speak in defense of that position.

A third source of anti-perfectionist sentiment is a blunter version of the first, "hidden tyranny," argument. There, the concern was that whatever the intention of legislation, the effect of legislative activity is the imposition of some people's views about the good upon others. Here, the argument is that perfectionism would provide a license allowing people to openly use the government and its organs to impose their favored style of life upon others. Raz says this view rests upon a "confusion" which is both practical and moral. He argues that practically it assumes "....that perfectionist action is aimed by one group at another, attempting to bring it to conform with its habits and way of life." His argument designed to show that this is confused seems especially weak. He points out that this need not necessarily be so, and that perfectionist action could be taken "....in support of social institutions which enjoy unanimous support in the community." Doubtless that is true, but the critic's concern is obviously in regard to those (many) cases where it is not true. Raz also points out in this regard that not all perfectionist action need be coercive, but again it seems a strange response to the anti-perfectionist critic worried about tyranny; his (the critic's) concern is surely with the cases where coercion is involved. I cannot see the force of telling him that some cases won't be like this; what about the ones that are?

Another criticism Raz considers is that which maintains that "....perfectionism assumes that some people have greater insight into moral truth than others. But if one assumes that all stand an equal chance of erring in moral matters should we not let all adult persons conduct themselves by their own lights?" Subject to the addition of a clause specifying that conduct would have to be within bounds which enabled others to have an equal liberty to do so as well, I see nothing obviously weak about this view. Raz's response to it is somewhat peculiar, in that it seems not to respond
to it at all, but to raise a different matter. He says that "....whatever else can be said about this argument one point is decisive. Supporting valuable forms of life is a social rather than an individual matter...perfectionist ideals require public action for their viability." The claim that public action is necessary to maintain and provide a variety of valuable forms of life so as to insure the ability of individuals to live autonomously is one of Raz's main arguments in support of perfectionism, and we shall want to consider it more carefully. But I cannot see how it constitutes a response, let alone a "decisive" one, to the anti-perfectionist argument which stems from the view that only the vain and proud are foolish enough to fail to recognize that when it comes to matters moral, we are practically equal in seeing darkly at best.

5. Reason, Will and Nervous Liberalism

Let us turn to a more direct assessment of Raz's theory as thus far explicated. In section 5, I discuss three aspects of Raz's account open to criticism on immanent grounds. Later, I speak to the larger question of whether Raz succeeds in talking the conventional, anti-perfectionist liberal out of his fears and into an endorsement of perfectionism. I try and explain there why he leaves me more, rather than less, afraid of perfectionism.

One of Raz's arguments in support of perfectionism appeals to the recognition (a) that "....supporting valuable forms of life is a social rather than an individual matter." From (a) he argues to (b), that "....perfectionist ideals require public actions for their validity," and hence that anti-perfectionism in practice would "....undermine the chances of survival of many cherished aspects of our culture." I accept (a), but find (b) questionable. Taking "social" in (a) to mean "collective" as opposed to "individual," it remains open whether this collective activity is to be located at the level of civil society or at that of the state (or possibly both). Raz closes that issue in stating that the collective action must be "public" for the viability of (valuable) forms of life to be maintained. But is that
necessarily so? Conventional liberals sympathetic to (a) might nevertheless argue that such collective activity as is necessary to maintain forms of life can and should be left to occur at the voluntaristic level of civil society. Kymlicka has advanced such an argument, suggesting that rather than seeing the issue as one of perfectionism vs. neutrality, it might be better cast as being between "....social perfectionism and state perfectionism – for the flip side of state neutrality is support for the role of perfectionist ideals in civil society."57

Kymlicka, however, may be robbing Peter to pay Paul in endorsing (and assuming that liberals will endorse) social perfectionism as a means of criticizing state perfectionism. In criticizing state perfectionism, he suggests a number of ways in which the "....threats and inducements of coercive power" entailed by state perfectionism would "....distort rather than improve the process of individual judgment and cultural development."58 The arguments are, as I see it, strong ones, but Kymlicka admits that the problems which he identifies as telling against state perfectionism "....also arise in the cultural marketplace."59 The problems referred to here are social prejudice against subordinate groups and the surplus disadvantage placed upon subordinate groups when they are required to (successfully) articulate their claims at the level of law and policy, wherein they must "....immediately aim at persuading the majority" rather than being able to "...gain adherents from the majority slowly, one by one," and wherein they are also forced, as a matter of efficient strategy, to speak about themselves and their practices in a manner "...most palatable to the majority, even if that describes incorrectly the real meaning and value of the practice, which often arises precisely in opposition to dominant practices."60

Kymlicka’s arguments may be too powerful for his purposes, for they would seem to tell against social as well as state perfectionism. Where the primary value needing protection is autonomy, coercion in the form of majority opinion at the social level seems hardly less threatening than legal coercion. Even if it is less threatening, and Kymlicka does present a case in support of such a conclusion, we may still wonder whether a liberal might not want to resist Kymlicka’s casual (as it seems to me) assertion that
the "...flip side of state neutrality is support for the role of perfectionist ideals in civil society."\textsuperscript{61} It could be, though another option motivated by the same arguments Kymlicka advanced against state perfectionism, would be to affirm a libertarian resistance to perfectionism at either level.

However that may be, it is clear that thinking about perfectionism against the background of the distinction between civil society and the state allows us to see a problematic ambiguity in Raz's theory. Raz says that governments "...cannot make people have a flourishing autonomous life. That is up to each one to see to himself."\textsuperscript{62} Governments can, though, help people flourish "...primarily by guaranteeing that an adequate range of diverse and valuable options shall be available to all."\textsuperscript{63} The question arises as to how the menu of options is to be set. We know that Raz allows state action in support of good options and against bad ones. But which good ones? Only those that "already" exist at the level of civil society, or also those that could be brought into existence through state activity? If the former, then the actions of the perfectionist state are constrained by the "prior" workings of civil society, which is, conceptually, the level at which the menu of choices is determined. This "passive" interpretation would seem consistent with Raz's service conception of authority, and also has the advantage, rhetorically, of quieting (some) liberal anxiety about the scope of activity in principle available to a perfectionist state. On this view, the state is merely "tidying up" and reinforcing the decision making which has occurred at the level of civil society. Ironically, the perfectionist state here gains advantage by manifesting an appearance of itself very similar to the traditional images of the neutral, liberal state.

On the other hand, this (relatively) benign state may not be capable of fulfilling the charge put to it by Raz. He does not, after all, say that the state's duty is to reproduce the status quo of civil society, but rather that it is to "...guarantee an adequate range of diverse and valuable options available to all."\textsuperscript{64} This raises the question of whether the state can act so as to create options necessary to secure "an adequate range" where such a range does not exist (a matter which is itself determined by the state). Raz seems to indicate an affirmative answer to that question when he...
social theory and practice

says that "...governments can help put people in conditions where they are able to have that kind of life [that is, flourishing autonomously] by protecting and promoting the creation of the environment which makes such a life a possibility." Protecting can be read as suggesting a state subordinate to civil society; promoting is ambiguous, while "the creation of the environment" suggests an activist state which molds civil society in accordance with a definition of what count as good and bad options. This is thus to envision, as a legitimate scenario, cases where the judgments of the perfectionist state regarding good and bad options are enforced, although these judgments are opposed to those held by the citizens at the level of civil society.

This "activist" interpretation of Raz's view seems necessary to allow the state the means of meeting the responsibility of providing or creating an "adequate range" of good options at the level of civil society necessary to sustain autonomy. However, one is thereby forced to wonder about the account of authority which could legitimate such activity; it is obviously not coming from the consent of the governed, since the activity of the state is occasioned precisely by the failures of citizens to achieve an adequate range at the level of civil society. Suppose, for example, that volleyball is a good practice, but that everyone wants to play softball, which is a bad one. What would it mean for the state to "provide" volleyball as an option under such circumstances, that is, in cases where the "good" which is (somehow?) seen clearly by the state is ignored by its citizens? Could such provision be made without violating the liberty of citizens? Perhaps, in the sense that rather than forcing softball players to play volleyball, the perfectionist state could "merely" provide incentives to entice them to "freely" change their practices. But is this less objectionable in principle?

If, on the other hand, to avoid these issues of legitimate authority, we retreat to the passive interpretation of Raz's view of the legitimate scope of state activity, the state can no longer meet the perfectionist charge which Raz has defended as appropriate to it, that of standing in judgment of the good and the bad (not merely what is held to be good and bad sociologically) and acting accordingly.
My point is not that Raz leaves this choice hanging, for I think it is clear that he endorses the activist interpretation; it goes hand in hand with his endorsement of the "reason" over the "will" interpretation of the notion of respecting persons, to be discussed in the next section. What I would emphasize are two points. First, that the degree of latitude provided to the state by the activist view is often obscured in Raz's formulations by the use of "passive" verbs to articulate it. The conjunction of the passive "protecting" with the activist "promoting the creation of" in the quote above is a case in point. Raz's perfectionist doctrine requires the activist reading of the legitimate scope of state activity, a fact which, when recognized, is likely to generate anxiety on the part of the conventional liberal. The articulation of this doctrine through the sometime use of passive verbs is a means of relieving that anxiety, but I believe it is ultimately an illusory one. Second, this consideration of Raz's perfectionism against the background of the state/society distinction brings to light just how tenuous, in my view, Raz's claim to the descriptive title of "liberal" is. His perfectionist state is provided with the authority not only to aid us in the pursuit of that good which we (are presumed to) already see and know, but also in the pursuit of that to which we (but not it) are blind.

In the course of criticizing the theories of liberalism advanced by Rawls and Thomas Nagel, Raz draws a distinction between two ways of interpreting the widely accepted (but very general) notion of a political theory "respecting persons." Raz's question is whether in aiming to respect persons we aim to respect their will or their intellect? To respect will is to argue "that it is sometimes more important for a person to choose freely than to choose correctly, that acting freely is itself an important ingredient of individual well-being." Put more strongly, such a view would maintain that "respecting persons is an imperative binding on us independently of any conception of the good, an imperative that enjoins us to respect the will of others, rather than their intellect." On the other hand, to respect intellect is to respect the reasonable choices of individuals, rather than necessarily their brute empirical choices. The notion of "reasonable," of course, admits of various
interpretations itself, but I trust the structural difference between the two models of "respecting persons" is evident.

Now each model has an attractive feature, and each an unattractive one. The attractive feature of each is appreciated when it is seen as a response to the unattractive feature of the other. We find ourselves attracted to the will model because of its apparently tolerant and nonjudgmental character; everyone's choices are to be respected equally, and no one can ride roughshod over another by using coercion premised on the (alleged) truth of his or her conception of the good. But the intellect model pushes us off our acceptance by raising (at least) one unsettling problem: how is agreement, and hence order, even possible if we insist upon respecting will pure and simple? This is a troubling, seemingly decisive, question. As Raz says, it isn't clear why we should "...reject valid or true principles, the implementation of which may actually be of benefit to all, just because a small sector of the population cannot be convinced of this fact."67 How is agreement possible if, in effect, each and every brute will is given a veto power over collective choices?

What, then, would solve our problem? To move to the intellect model, of course. Here, we are bound to respect the reasonable choices of others, and that little adjective, however it turns out to be interpreted, will provide the guarantee of consensus. To refuse to agree to rational terms of consensus is to be unreasonable. But just as we are feeling satisfied, the will model unsettles us by asking whether upon the intellect model it does not turn out that "our duty to act only on political principles to which the reasonable consent is simply the duty to act on well-founded, valid principles. For that is what the reasonable consent to. This eliminates the independent role of consent."68 We are troubled, then, by the thought that the intellect model of respect, in effect, makes the notion of consent a superfluous one.

We (liberals, at least) seem then to be in a position of not being able to live with the will model, but not being able to live without it. To endorse it is to remove the possibility of consensus, in the name of inclusiveness; to deny it, and affirm instead the intellect model, is to purchase consensus at the price of inclusiveness. What is to be done?
A good deal of philosophical energy has been devoted to seeking the desideratum of a synthetic account integrating the two models in a systematic and normatively compelling way. Raz, however, provocatively suggests that we may have to simply embrace one or the other horn of the dilemma. He writes: "Politics must take people as they come and be accessible to them, capable of commanding their consent without expecting them to change in any radical way. But at the same time, justified political principles may be controversial, and may fail to command actual consent. Nagel and Rawls offer interpretations of this intuition which aim to be both coherent and attractive. Their failure suggests that the underlying idea may be at bottom unstable and incoherent. There may be no middle way between actual (including implied) agreement and rational justification." Raz has, of course, pursued the path of rational justification through the articulation of a doctrine of perfectionist liberalism. I have come to believe that he is right to doubt the possibility of a synthetic theory integrating the will and intellect models successfully, and thus am sympathetic to the view that liberals must bite the bullet and embrace one or the other model. Ironically, what reading Raz has made me far less convinced of than I once was is that the intellect model is the one worth endorsing.

Raz's theory presupposes conceptions of "good reasons" and "reasonable action" which are epistemologically separate from the practices and discourses of a given social order. This has to be so, otherwise those practices and discourses could not be evaluated from the point of view of reason in a noncircular way. If they could not, in principle, be so evaluated, it would no longer be possible to posit the idea of "good reasons for action" as the rationale of government. If, as Raz claims, a person's fundamental interest lies in "....realizing the sound conception of the good," and the justification of government lies in its ability to aid this process, then there has to be a way of cashing out the notions of "soundness" and "reason" which reveals them to be uncontaminated by the political and social practices upon which they are to pronounce judgment.

Any sociopolitical formation will exclude certain identities, forms of life, behaviors from the terms which constitute it as an
order. No one, neither Raz nor Rawls nor any other liberal, denies that. What is objectionable about Raz’s perfectionism, in my view, is that it acts to consecrate the acts by which the lines of inclusion/exclusion are drawn in the name of a reason which is understood to be noncontingent and noncontestable, a reason which acts, ironically enough in a theory so critical of neutralist liberalism, as a disinterested sovereign power untainted by the politics which it judges.

In so doing, it seems to me to be a discourse which adds unnecessary insult to unavoidable injury. A liberal sociopolitical formation, like any other, makes possible the realization of some forms of human identity and life at the cost of excluding others. The lines of demarcation which characterize it are, in the last analysis, contingent creations of collective will, not instantiations of transcendental reason. I do not maintain that this means there is nothing more for liberals to say to the people upon whom they impose the terms of liberal order than "more of us than there are of you." There is a great deal for liberals to say by way of explaining their commitment to terms of liberal order and their willingness to exercise power and coercion in order to maintain it in the face of internal challenges. However, one thing I don’t think they can legitimately say is that some large and sovereign thing called Reason is underwriting the decision to draw the lines of inclusion/exclusion just here. As I see it, the (overwhelming) temptation to say that is the measure of our weakness, our wish to avoid the responsibility that accompanies acting. The danger of it is that it is an intimation of cruelty, vicariously exercised every time the views of "those people" are dismissed on grounds that they refuse to accept the terms of reasonable discussion, reasonable rules of inference, reasonable rules of evidence, and so on. In my view, Raz’s perfectionist liberalism encourages, rather than discourages, our manifest failings in this respect.

From this perspective, Raz’s apparently innocuous practice of defending perfectionism without examples appears in a more questionable light. The rationale for the practice, recall, is to avoid entangling the evaluation of perfectionism itself with Raz’s (or any other) particular views regarding what modes of life are good and bad. Granted that point, it is nevertheless the case that the
avoidance of examples obscures from the observer’s consciousness the contentious and arguable position Raz assumes in maintaining that the distinction between good and bad lives is an epistemologically stable, sound and secure one, a distinction based upon a noncontingent Reason uncontaminated by will or power. Raz’s defense of this metaphysic relies upon pointing out that "global skeptics" and relativists will believe otherwise; presumably, we all know where that path leads.

Perhaps. But someone who isn’t bluffed into affirming Raz’s confident brand of objectivism by the specter of being branded "skeptic" or "relativist" might still have doubts about the stability, the firmness, of the epistemic distinction upon which his perfectionist theory is built. And any example involving substantive modes of life will exacerbate those doubts, or at least the questions behind them.  

Suppose you and I disagree about whether X is a bad mode of life. You say, let’s avoid a discussion of X because it will distract us from the discussion of perfectionism in terms of its formal properties as a theory of legitimate state activity. But my point is that the two dimensions are not as distinct from one another as this view supposes. One thing that could (it often does) happen if we discussed X is that as we begin to see X from the perspective of others (and if we begin to see those "others" as "similars"), we will also begin to reflect upon the underlying epistemic question, call it "meta-x," of what it means to talk of "good and bad from the point of view of reason." Such interactions can of course take many paths; one such path involves doubt regarding the sort of epistemic rationalism upon which Raz builds, and hence potentially doubts regarding the adequacy of the perfectionism which is built upon it. The avoidance of examples thus functions so as to divert critical attention away from this potentially destabilizing process, and is thus not as trivial a matter as it first appeared to be.

We may also note in this context the irony contained in the following consideration. Anti-perfectionist liberalism of the type perfected by Rawls is often criticized for being overly abstract and formal, too detached (it is said) from the local meanings and practices of social and political reality. Yet Raz’s perfectionism is every bit as formal, abstract, and apolitical as the neutralist
liberalism it criticizes. It is a purely formal perfectionism, a perfectionism without an account of perfection; from this angle of vision, it seems that neither position will take its own side in the argument!

Now to be sure, affirmation of the will model of liberalism will generate intractable practical problems. If we strive to include everyone, and everyone is allowed to come just as they are, with the views and ideas they actually have, without those views being sanitized and laundered by the test of "reasonableness," without a plea, then we are not going to be able to articulate a theory which... does what? Which justifies the exercise of power by the state? As Raz says, political theories, like a will account of liberalism, which do not insist upon denying skepticism,"....leave(s) little room for any justification of general policies." Can one not imagine a liberal who would count that a point in favor of his side, not against it? Raz goes on to remark that "Skepticism, whether local or global, holds little promise for any political theorist." That is true only if the task of political theorists is to justify the exercise of power by the state. But why should political thinkers feel so compelled? Does the modern state lack bureaucrats as it is?

But that puts it too strongly. Even as we recognize that no synthesis of the will and intellect models is available to us, it does not follow that the alternative stance is one of affirming one at the expense of the other. A people who would live freely have reason to realize that each model, and the perspective which it symbolizes, is absolutely necessary to the existence of a regime of freedom. To affirm the intellect model at the expense of the will model is to have become frozen into the perspective of authority and the (entirely legitimate) concern of trying to justify it. It is the frozenness, the immobility of the stance, not the perspective and the concern which defines it, which is the vice here. To affirm the will model at the expense of the intellect model is similarly to have become frozen into the perspective of the subject and the (entirely legitimate) concern of trying to protect it from the fallout arising from the contingencies of even "justified" authority. To become frozen and immobilized here is to have abdicated the responsibility of ruling, to, ironically enough, have come to view authority as
itself entirely "other." We cannot affirm one at the expense of the other—and yet no synthesis is possible.

There is no "solution" to this "problem." Perhaps we should say that it is not a "problem" after all, but rather a description of the lifegiving antagonism which is constitutive of a free politics. The ancient and venerable trope which intimates this mode of life is "ruling and being ruled in turn." But it is only a trope, not a theory, or a program, or a solution. Because it is only that, and because we yearn so strongly to make it more than that, and because the means by which we attempt such heroic results yield only frozenness and fragmentation, one may say of that beguiling and beautiful trope what one so often has occasion to say of our own efforts to be free: that it is easier said than done.

Notes

1. An early challenge to Rawls's view, arguing that it had to be at least supplemented by perfectionist considerations, was Vinit Haksar, Equality, Liberty and Perfectionism (Oxford: Oxford University Press, 1979).
3. I say "in effect," not "by intention." I find it illuminating to think of certain features of Raz's theory as functioning to relieve liberal anxiety about perfectionism; I do not claim that it was necessarily Raz's personal intention to frame his discourse so as to achieve this aim.
10. For purposes of discussion I am going to refer to this as "the conventional liberal view." That is, of course, a generalization which, like all generalizations, admits of exceptions.
18. Monogamous marriage does crop up a few times as an illustrative example, but is never overtly defended in principle.
24. The term "wide" is used in Raz, "Liberalism, Skepticism and Democracy," p. 781.
25. Will Kymlicka, Contemporary Political Philosophy, p. 33.
31. To say this of the legitimate state is not necessarily to say it of the state per se.
40. Robert George takes the opposite view in his "The Unorthodox Liberalism of Joseph Raz," Review of Politics 53 (1991): 662. I learned a great deal from George's illuminating discussion, but cannot understand why he views Raz as "...opposing the legal prohibition of victimless immoralities as a matter of moral principle."
42. For the view that it is not, see Wojciech Sadurski, "Joseph Raz on Liberal Neutrality and the Harm Principle," Oxford Journal of Legal Studies 10 (1990): 130-33; Raz's defense is at The Morality of Freedom, pp. 419-29.
64. Raz, "Liberalism, Skepticism and Democracy," p. 782.
70. Raz, "Facing Diversity," p. 56.
71. The contemporary theorist who, in my view, takes the consequences of this most seriously and thinks it through most deeply is William Connolly. See, for example, "Identity and Difference in Liberalism," in R. Bruce Douglass, Gerald M. Mara and Henry S. Richardson, eds., Liberalism and the Good (New York: Routledge, 1990), pp. 65-83.
72. The echo is of Weber, though personally it is St. Augustine who informs my thinking in this regard. My candidate for the phrase which captures (what I see as) the best expression of liberal character comes from Augustine, who in responding to legalistic quarrels regarding what was and was not expected
in the way of Christian behavior, responded in divine Platonic fashion: "Love God and do as you wish."

73. Even the merely illustrative examples Raz does employ unwittingly reveal this. For example, at one point he contrasts the life of a gambler with that of a farmer, in a context which supposes the reader will find it easy to see that all else equal, the life of the farmer is more valuable than that of the gambler. I am not so sure; Bart Maverick is, on my perfectionistic calculus, ranked higher than any farmer known to me. See Raz, *The Morality of Freedom*, pp. 298-99.

76. I am grateful to Bob Pepperman Taylor and Alan Wertheimer for helpful comments.

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