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How Should Liberal Perfectionists Justify the State?

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Abstract

Liberal institutions should respect citizens as autonomous agents. But what does this mandate require and how should it shape the demands of liberal legitimacy? I trace the contemporary disagreement between liberal perfectionist and anti-perfectionist accounts of legitimacy back to this requirement to respect the autonomy of citizens in order to weigh up how well each approach fulfils this mandate. I argue that further reflection over the nature of respect for the value of personal autonomy gives liberals reason to favour moderate forms of perfectionism and be sceptical of criticisms of perfectionism grounded in concerns over respect.

Keywords: Autonomy, Legitimacy, Liberalism, Perfectionism, Respect

Liberal thinkers have long recognised that the concept of autonomy plays a central role in our understanding of legitimate political institutions. Although a belief in the importance of individual self-government is by no means uncontroversial, this belief is widely held (either implicitly or explicitly) in broad swathes of liberal thinking.¹ We find its most comprehensive defence in Joseph Raz's *The Morality of Freedom*, where Raz situates the value of personal autonomy at the heart of a robust and pluralistic form of perfectionism. Raz's theory of autonomy is well-known and influential, as are the pressing criticisms against his perfectionism offered by theorists who emphasise the diversity of conflicting but reasonably-held conceptions of the good life that we find in liberal societies. Not all of these views are compatible with the comprehensive value of personal autonomy when conceived in terms that are thick enough to ground a robust form of perfectionism. This leads liberal perfectionists and their anti-perfectionist critics to inevitable conflict over the precise role that autonomy should play in the justification of the liberal state. Both traditions believe that it should play some role, but what role should it play?

¹ For more on the background of this dispute, see Christman 2015.

This article is an invitation for liberal perfectionists to return back to justificatory basics and consider a new answer to this question. The conflict between perfectionist and anti-perfectionist liberals is well-known, firmly established, and pervasive. Prior attempts by liberal perfectionists to reconceive the justification of their approach in response to this conflict have proven productive (e.g. Metz 2001; Wall 2010). This article proceeds in a similar vein. My argument is partially interpretive and partially constructive. In what follows, I suggest a framework for how perfectionists should understand the requirements of liberal legitimacy (§ 1). I use this framework to diagnose the relevant points of disagreement between perfectionists and anti-perfectionists, and the well-known impasse that this disagreement creates (§ 2). I then propose a novel solution to this impasse that centres on the value of personal autonomy itself, rather than on autonomy's relationship with objective value pluralism or reasonable pluralistic disagreement (§3). I argue that respect for the value of personal autonomy is more compatible with perfectionism than anti-perfectionism (§4). I conclude from this that defences of anti-perfectionism as a requirement for respecting citizens as free and equal moral agents are morally costlier than they initially appear (§5).

This defence of perfectionism is more voluntarist and autonomy-focussed than Raz's traditional value-based defence of liberal perfectionism. As a result, this argument should be more persuasive to sceptics than the traditional Razian defence. This is because, although anti-perfectionists are happy to deny comprehensive value claims any significant role in the justification of constitutional essentials, both perfectionist and anti-perfectionist liberals accept that the legitimate liberal state must acknowledge the value of personal autonomy to some degree. Each view gives this value a different justificatory role to play in their account of legitimacy. My approach explores the consequences of these differing roles. By identifying the costs involved in supporting anti-perfectionism in terms that both parties recognise (although differ in the weight that they assign to these costs), I hope that my argument offers a further thread to perfectionism that is better suited to persuade sceptics of the compatibility between liberalism and perfectionism.

1. The Traditional Problem

In order to see the impasse between perfectionist and anti-perfectionist liberals, we must begin with the preceding question – what makes a liberal state legitimate? In order to answer this question, perfectionist liberals should acknowledge that any explanation of liberal political legitimacy is a subclass of the broader notion of legitimate political authority that is subject to further distinctly liberal constraints. Every state that satisfies the conditions of liberal political legitimacy will satisfy the conditions of political authority. However, many illiberal states will satisfy the latter without satisfying the former. This simple conceptual point requires our argument to meet two conditions: First, the state must satisfy the conceptual demands of legitimate political authority. Second, the state must meet further moral constraints on the scope of legitimate political action in order to satisfy the demands of liberal legitimacy.

Raz outlines the conceptual requirements of legitimate political authority in his well-known ‘Service Conception’ of authority. This theory seeks to answer the central problem of authority – how can one possess the right to rule, and in doing so, impose duties on others simply by expressing the intention to create those duties? The service conception answers this problem by suggesting that authorities mediate between subjects and the right reasons that apply to them (Raz 1996, p. 214). For example, doctors and nurses serve as medical authorities by caring for their patients in line with medical knowledge and parents serve as parental authorities by raising their children in line with the requirements of a good upbringing.

Legitimate authorities are institutions that are able to serve this purpose effectively in a pre-emptive manner. This feature of authority is captured by three theses:

Dependence – all authoritative directives should be based on reasons that already independently apply to the subjects of the directives and that are relevant to their behaviour in the circumstances covered by the directive (Raz 1986, p. 47).

Normal Justification – the alleged subject is likely to better comply with those dependent 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 (Raz 1986, p. 53).

Pre-Emption – the reasons provided by the commands of a legitimate authority both constitute first-order reasons for subjects and serve as reasons to disregard the independent reasons that they pre-empt (Raz 1986, p. 59).

Pre-Emption allows us to say that an authority enjoys the right to rule when its commands both exclude and replace a subject's antecedent reasons. This allows us to distinguish between legitimate and mere *de facto* authorities as the latter's orders will not pre-empt a subject's antecedent reasons in this way. Mere *de facto* authorities only appear to enjoy the right to rule.

Normal Justification explains the most common (but not the sole) manner by which authorities gain legitimacy - by excelling at their function.² Authorities often legitimate themselves by mediating between subjects and the right reasons that are relevant to them in a manner that makes it likelier that subjects will better comply with those reasons. *Dependence*, in turn, limits the scope of a legitimate authority to antecedent reasons that apply independently of the authority's commands.

These three theses offer us a conceptual model of legitimacy that applies to a wide range of different types of authority.³ It is for this reason that the service conception remains silent on the moral challenge that liberals pursue – how can a political state wield the

² For more on the incompleteness of the service conception, see Raz 2010, p. 298.

³ For further useful discussion of the service conception, see: Herschovitz 2003; Raz 2006; Himma 2007; Raz 2009; Darwall 2010; Quong 2011, pp. 108-36; Sherman 2010; Viehoff 2011.

right to rule in a manner that is compatible with the moral equality and presumptive freedom that liberal citizens should enjoy? Liberals agree that political institutions can be justified. However, they disagree about how we should justify the liberal state. That is, what justifies distinctly liberal policies?

Perfectionists can use the service conception as a framework to interpret the arguments provided by the social contract tradition. Doing so suggests that the reasons that the liberal state legitimately pre-empts must be nested in our general moral reasons to recognise citizens as free and equal autonomous agents. We enjoy autonomy in the absence of constraints on our actions, and so the justification of any constraints (including those imposed by political institutions) must give us reasons that can outweigh the value of the autonomy lost due to those constraints. If the moral legitimacy of the liberal state's authority to coerce citizens is premised on the state's ability to respect citizens as autonomous agents, then the reasons upon which the liberal state's authority should depend must be provided by some form of moral recognition respect for autonomy.⁴

For the purposes of this argument, we can characterise the requirement that the legitimate liberal state must respect the autonomy of citizens as generating the following three further conditions:

Recognition - The liberal state must treat citizens as presumptively free and equal in their possession of the capacity for autonomy. Citizens are moral equals in the sense that we all possess the minimal capacities for autonomous agency, and we are presumptively free because there is no natural authority that we are obliged to serve without good reason.

⁴ For more on the nature of moral recognition respect, see Darwall 1977, pp. 36-49; Darwall 2006, pp. 119-47.

Justification - These characteristics create a justificatory burden that must be met whenever one agent (or group of agents) restricts another's autonomous pursuit of his or her conception of the good. When one moral equal restricts the freedom of another moral equal, they must provide those affected with compelling reasons for doing so in order to acknowledge their equal status.

Voluntarism – A constraint on our freedom is not morally objectionable when those affected could or do autonomously consent to that restriction. So long as the state allows citizens the opportunity to autonomously consent (either explicitly, tacitly, or hypothetically) to its actions, then the state can meet its justificatory burden in a way that respects the status of citizens as autonomous agents by providing citizens with reasons that are compatible with that status.

This set of conditions is not exhaustive and is not intended to be endorsed by all self-identifying liberals.⁵ Rather, these conditions set further constraints on the actions of legitimate political authorities by giving additional moral content to *Normal Justification* and *Dependence*. By doing so, these conditions offer us just one possible explanation of the conditions that a perfectionist state must meet to become liberally legitimate. The liberal state acts legitimately when its coercive efforts coordinate the behaviour of citizens so that each citizen can pursue her conception of the good in a way that is compatible with respecting the autonomy of her fellow citizens. In turn, the moral status of citizens as autonomous agents constrains the actions of the legitimate liberal state so that if the state's commands contravene or disregard the autonomy of its citizens without good reason, then it undermines its own claim to being able to coerce citizens in a legitimate manner.

Fulfilling these three further conditions will allow an authority to establish itself as legitimate in line with the distinctive autonomy-sensitive demands of liberalism. Not only will the authority in question coordinatively benefit citizens by coercing them in a manner that allows them to better pursue their own conception of the good while

⁵ For a compelling alternative, see Quong 2011: 14-15.

respecting the autonomy of their fellow citizens, but it will also provide citizens with reasons that satisfactorily justify the coercion necessary for this benefit.

2. The Contemporary Disagreement

The above framework suggests that liberal perfectionists are searching for an argument that satisfies *Normal Justification* that can also satisfy the demands of *Recognition*, *Justification*, and *Voluntarism*. Such an argument would provide perfectionists with a better understanding of the principled limits of liberal state coercion. The contemporary debate between perfectionist and anti-perfectionist liberals can be seen to emerge out of the moral quagmire of this search. Specifically, there are various reasonable interpretations of the constraints that liberal legitimacy places on political institutions. While it is true that states which satisfy these conditions can reasonably claim to be liberal, different branches of liberal theory disagree over what the state must do in order to satisfy these conditions, how strict these conditions are, the content of the resulting laws that the liberal state may legitimately enact, and more. Perfectionists can interpret this disagreement as concerning the question of how the requirement to recognise and respect the autonomous agency of citizens should inform liberal political and legal institutions (Dworkin 1985, p. 191). Perfectionist liberals believe that the value of *personal* autonomy should guide policy prescriptions due to the structure of liberal society. In contrast, anti-perfectionist liberals believe that *political* autonomy should play this role. In this section, I employ the preceding framework to explain the main points of contention between liberal perfectionists and liberal anti-perfectionists, and the impasse that these contentions have created.

2.1 Liberal Perfectionist Legitimacy

Perfectionists accept one of the following two claims:

Negative Thesis – ‘...there is no fundamental principled inhibition on governments acting for any valid moral reason.’ (Raz 1989, p. 1230).

Positive Thesis – ‘...political authorities should take an active role in creating and maintaining social conditions that best enable their subjects to lead valuable and worthwhile lives.’ (Wall 1996, p. 8).

There are many reasons to accept that political policies can be justified on perfectionist grounds. The most prominent reason for accepting perfectionism is:

Inseparability - our moral reasons and our ethical considerations flow from the same source: our reasons for action grounded in a range of incommensurable competitively plural objective values (Raz 1986, pp. 313-20).⁶

Inseparability is a conceptual claim about the nature of our practical reasons according to which our reasons for action flow from values in such a way as to make these values relevant to our moral claims. Our reasons for action track values and so, when we reason about how to act, we seek to pursue value. This pursuit of value is then constrained by our moral rights and duties because we have good moral reasons to act in morally acceptable ways. Further, those reasons themselves reference value claims. Hence, we commonly combine notions of the right and the good when we act.

Perfectionists argue that the truth of this conceptual claim should lead us to design policies that straddle both moral and ethical spheres. If political legitimacy is a question of coordinating subjects to better comply with their antecedent reasons, and those reasons do not distinguish between the right and the good, then it is the legitimate function of the state to coordinate citizens in their pursuit of value subject to the relevant moral constraints. Consequently, perfectionists believe that our political duties can range

⁶ See also Griffin 1986, pp. 155-62; Raz 1996, pp. 3-16; Raz 1999, pp. 303-332; Wall 1996, ch's 2-5; Wallace 2004.

over both the right and the good. We have no principled reason to restrain politics to only one sphere. Justice, properly conceived, must reference the flourishing of citizens.

Inseparability can inform many perfectionist accounts of legitimacy. The challenge for liberal perfectionists is to prove that *Inseparability* is consistent with key liberal values.⁷ Raz answers this challenge with:

Social Forms – liberal social structures require citizens to possess some capacity of personal autonomy in order to benefit from the valuable options available to them (Raz 1986, pp. 307-13).⁸

Contingent Value – the value of personal autonomy is contingent on the objective value or moral character of the goals that we autonomously pursue (Raz 1986, pp. 378-81).⁹

These theses require states coordinating citizens in discharging their perfectionist duties to do so in ways that are compatible with the value of personal autonomy (*Social Forms*). The liberal state owes it to citizens to facilitate their living good lives and succeeding at this within liberal society requires the capacity for autonomy. Personal autonomy is morally valuable for this reason. As a result, we each have moral reasons to help ourselves and others to live autonomous lives (Raz 1986, p. 407).

However, personal autonomy is not unconditionally valuable as it is only valuable if exercised in the pursuit of independently valuable ends (*Contingent Value*). Hence, respect for the moral equality and presumptive freedom of citizens requires the state to

⁷ Jonathan Quong provides us with a precise formulation of this claim in his *Liberal Perfectionist Thesis*: 'It is at least sometimes permissible for a liberal state to promote or discourage particular activities, ideals, or ways of life on grounds relating to their inherent or intrinsic value, or on the basis of other metaphysical claims.' (Quong 2011, p. 27).

⁸ See also, Wall 1996: 166-7; Wall 2010: 237. For criticism, see McCabe 2001.

⁹ See also, Wall 1996: 144. For criticism, see Lecce 2008, p. 130; Quong 2011, p. 60.

support a range of valuable opportunities for citizens to pursue. A failure to provide these opportunities would disrespect citizens as agents capable of enjoying these opportunities autonomously. Conversely, the state's failure to support valueless or disvaluable opportunities does not restrict any freedom that autonomous agents can benefit from.

These theses establish a version of perfectionism that is sensitive to the demands of autonomy and is capable of satisfying the requirements of liberal legitimacy. To summarise, this argument takes the following form:

1. Citizens possess moral duties toward each other that contain perfectionist requirements to help others live good lives (*Inseparability*).
2. The liberal perfectionist state can better coordinate citizens to discharge these duties (*Dependence & Normal Justification*).
3. This grants the perfectionist state the right to rule (*Pre-Emption*).
4. Coercion (e.g. taxation) required for this coordination is compatible with autonomy and can be justified to citizens according to autonomy's moral value (*Social Forms & Contingent Value*).
5. Thus, the liberal perfectionist state can treat citizens as presumptively free and equal autonomous agents by providing them with weighty moral reasons that they should accept as autonomous agents in order to justify this coercion (*Recognition, Justification, and Voluntarism*).

2.2 Why Anti-Perfectionists are not Perfectionists

Interpreted in this way, we can see how the above argument has been subject to a number of important criticisms by liberals who deny that liberalism is compatible with perfectionism (e.g. Lecce 2008; Quong 2011). Anti-perfectionists often deny that liberal

perfectionism can satisfy the demands of liberal legitimacy because it places too great a value on personal autonomy.¹⁰ Following John Rawls' pioneering work, we can describe the challenge to liberal perfectionism in the preceding framework's terms as follows: the state should treat citizens as presumptively free and equal (*Recognition*). However, the state should do so in a way that is informed by the fact of reasonable pluralism (Rawls 2005, p. 36). According to this premise, when a state secures basic liberal rights and freedoms, it also creates the social and political circumstances that generate a great diversity of reasonable and irreconcilably conflicting doctrines of belief (Rawls 2005, pp. 12-4).

Rawls names the source of this reasonable pluralism the 'Burdens of Judgement' (Rawls 2005, pp. 54-8). These burdens give rise to a plurality of reasonable comprehensive doctrines.¹¹ This plurality creates difficulties for liberals over how to resolve conflicts between these views without resorting to the oppressive use of force (and becoming a form of sectarian state). Rawls' solution is to turn away from grounding liberalism in one comprehensive doctrine amongst many. He does this by interpreting *Justification* far more narrowly than his predecessors. Citizens cannot simply provide sound comprehensive reasons to justify state coercion because the soundness of those reasons does not prevent their comprehensive character from creating reasonable disagreement. Coercing citizens according to sound but reasonably controversial reasons fails to respect their status as political co-legislators in the face of the burdens of judgement. Thus, coercing citizens on these grounds fails to respect them as moral equals.

In order to avoid this pernicious form of disrespect, citizens must appeal to public reasons when justifying the constitutional essentials of their society. Public reasons allow citizens '...to conduct their fundamental discussions within the framework of what each regards as a political conception of justice based on values that others can reasonably be expected

¹⁰ Not all anti-perfectionists reject liberal perfectionism for this reason. In what follows, I set aside so-called convergence justifications of anti-perfectionism (e.g. Gaus 2011, 283-292) as more concerned with epistemic arguments for anti-perfectionism than autonomy-based arguments.

¹¹ Comprehensive doctrines appeal to conceptions of what is of value in human life for their justificatory weight. In contrast, political (i.e. non-comprehensive) doctrines can be both derived from comprehensive doctrines and justified independently from such value claims. Accepting a political doctrine does not presuppose the acceptance of any specific comprehensive doctrine.

to endorse and each is, in good faith, prepared to defend that conception so understood' (Rawls 2005, p. 226). Restricting *Justification* to the realm of public reason means that citizens should not appeal to sound but reasonably controversial reasons when justifying central acts of political legislation. This restriction establishes Rawls' well-known principle of liberal legitimacy: 'Our exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions – were we to state them as government officials – are sufficient, and we also reasonably think that other citizens might reasonably accept those reasons.' (Rawls 2005, 446-7).

So, according to anti-perfectionists, the burdens of judgement should inform how *Recognition* generates *Justification*. The justificatory burden generated by the liberal requirement to recognise citizens as free and equal autonomous agents should be sensitive to background features against which this burden is satisfied. Responding to the fact of reasonable pluralism by restricting the range of acceptable reasons has three important consequences for political legitimacy:

First, it leads anti-perfectionist versions of liberalism to prioritise the right over comprehensive forms of the good. Rawls conceives of political and ethical claims as complimentary because the successful justification of political principles will draw upon certain value judgments in order to weigh conflicting public reasons. However, these value judgements must belong to a reasonable political conception of justice. That is, they must be shareable by all citizens and not presuppose any particular comprehensive doctrine for their justificatory weight (Rawls 2005, pp. 174-6).¹²

Second, this priority establishes an anti-perfectionist restriction on political legitimacy of the sort that perfectionists explicitly reject. As we have seen, perfectionists deny any principled separation between the right and the good in the fundamental duties of citizens (*Inseparability*). The priority of the right over the good that is established by appealing to public reason prevents *Inseparability* from significantly shaping political morality. This conflicts with the perfectionist's belief that sound comprehensive value

¹² See also Ahlberg 2015.

claims can play a legitimate role in shaping political morality. For this reason, perfectionists cannot accept the degree to which Rawls prioritises the right over the good in response to the fact of reasonable pluralism. This priority is antithetical to the perfectionist duties that liberal perfectionists believe should motivate political discourse.

Third, this priority has important ramifications for how anti-perfectionists interpret *Voluntarism*. According to this constraint, the liberal state must meet its justificatory burden in a way that respects the status of citizens as autonomous agents (i.e. by providing citizens with reasons that are compatible with that status). Liberal perfectionists justify the promotion of valuable opportunities as compatible with the autonomy of citizens because they argue: (i) that citizens have reason to pursue value, (ii) that the pursuit of value in liberal society requires the capacities for personal autonomy, and (iii) that successful autonomous action is only valuable if the opportunity pursued is itself independently valuable. If these claims are true, then perfectionist policies aimed at improving the lives of citizens can be justified to citizens in a way that reflects their status as agents who enjoy the capacities for personal autonomy.

Anti-perfectionists interpret *Voluntarism* more narrowly than their perfectionist cousins. According to anti-perfectionists, the state should aim at helping citizens to enjoy autonomy in a 'political', rather than 'ethical', sense (Rawls 2005, pp. 77-8). Political autonomy consists of the '...legal independence and integrity of citizens and their sharing equally with others in the exercise of political power' (Rawls 2005, pp. 455-6). This differs substantially from the ethical notion of personal autonomy that perfectionists have in mind.¹³ Citizens can enjoy political autonomy even if they dismiss the ethical value of living a personally autonomous life. The fact that citizens enjoy the capacity for personal autonomy (as a moral power) is one consideration in favour of securing political autonomy for them. But there are competing considerations that should play a role in informing our political institutions.

¹³ For more on this distinction, see Wall 2015, pp. 164-9.

As a result, personal autonomy must be stripped of much of its comprehensive value if it is to play a role in a political system shaped by reasonable pluralism. This means that the anti-perfectionist state is obliged to secure the mere capacities for autonomous agency as the moral power to form and revise a conception of the good, without also promoting valuable opportunities for citizens to enjoy autonomously (Rawls 2005, p. 81). When it comes to understanding how anti-perfectionists conceive of autonomy, the political simply cannot be personal.

In summary, the disagreement between perfectionist and anti-perfectionist liberals leads anti-perfectionists to accept *Recognition* but interpret *Justification* and *Voluntarism* far more narrowly than perfectionists because they believe that *Recognition* must acknowledge the burdens of judgement. This difference rests upon a fundamental disagreement over the content of the duties that motivate political morality. Perfectionists believe that citizens owe it to each other to help them lead flourishing lives as autonomous agents, and that the state gains its legitimacy by coordinating citizens to discharge these duties more efficiently than they otherwise would. Anti-perfectionists disagree, rejecting the claim that political duties can directly concern themselves with comprehensive accounts of flourishing (given the fact of reasonable pluralism). This disagreement creates:

The Impasse: Liberal perfectionist accounts of legitimacy assume the existence of a set of fundamental (perfectionist) moral duties that anti-perfectionists reject.

3. An Autonomy-First Solution?

Having traced the contemporary disagreement between perfectionist and anti-perfectionist liberals from the traditional problem of liberal political legitimacy, we have a clearer view of the impasse at which the two parties stand. The consequences of this impasse are considerable: perfectionist liberals believe that the demands of political legitimacy require citizens to be respected as presumptively free and equal personally

autonomous agents. In contrast, anti-perfectionist liberals believe that citizens should be respected as free and equal agents who enjoy political autonomy. The latter trades off the comprehensive value of personal autonomy for other political gains against the background created by the burdens of judgement.

While much impressive work has been done on the relative plausibility of various defences of perfectionism and anti-perfectionism, I believe that tracing the contemporary debate back to its roots in this way offers perfectionists important insights that are sensitive to the nature of the impasse that they face. This backtracking allows us to situate both traditions in the broader debate over how the moral requirements to recognise and respect the autonomy of citizens should inform our institutions. This, in turn, allows us a better understanding of the benefits and costs of different accounts of *Justification* and *Voluntarism*.

Specifically, by putting the requirements of autonomy ahead of those of objective value or reasonable pluralism, perfectionists afford themselves a more persuasive standard of comparison. This standard is relatively neutral because both approaches claim to respect the value of autonomy. Liberals of both stripes accept that the state should recognise citizens as autonomous agents but they disagree over how this recognition should inform *Justification* and *Voluntarism*. Perfectionists acknowledge and embrace the ethical qualities of personal autonomy, while anti-perfectionists disregard these qualities in order to establish political autonomy for citizens.

Framing the disagreement in this way allows perfectionists to appeal to the concept of autonomy in order to better understand the benefits and costs of different accounts of *Justification* and *Voluntarism*. To do so, we can ask: how should the moral requirements to recognise and respect the autonomous agency of citizens inform liberal institutions? Perfectionist and anti-perfectionist liberals differ in their answers to this question in the following way:

Liberal perfectionists value personal autonomy as a social requirement for living a successful life in liberal society. They can defend the claim that respect for personal autonomy requires the state to guarantee that citizens enjoy *both* the capacity to form and revise our autonomous conceptions of the good and the likelihood of successfully pursuing those conceptions (*Capacity & Success*).

In contrast, liberal anti-perfectionists value personal autonomy as a moral power - a central part of the reasonable moral psychology used to model the difficulties of publicly justifying a legitimate system of rules that can satisfy the demands of justice under conditions of reasonable pluralism. It follows from this that anti-perfectionists can defend the narrower claim that respect for autonomy requires us to guarantee the capacity to form and revise an autonomous conception of the good *without* supporting actual opportunities for successful autonomous action (*Capacity Without Success*).

Foregrounding this distinction allows us to consider which of these explanations of the demands of respect for personal autonomy is more plausible and less costly.¹⁴ As we have seen, both theories accept that liberal legitimacy requires the state to recognise citizens as free and equal autonomous agents. Further, both theories take this requirement to mean that the value of personal autonomy should play some role in justifying liberal policies (either as a comprehensive value or as a moral power). By taking an autonomy-first approach, we can compare *Capacity & Success* to *Capacity Without Success* in order to better understand which approach best reflects the character of personal autonomy. If one approach mishandles this character, then it is costlier (in terms of personal autonomy) than the other. Such costs generate a presumptive reason against the offending view that liberals on both sides should recognise.

¹⁴ It should be noted that the difference between *Capacity & Success* and *Capacity Without Success* is not one that is easily captured by the distinction between protecting and promoting personal autonomy, with the former generating negative duties of non-interference and the latter generating positive duties of enablement. Though initially attractive, this distinction is too simplistic. Anti-perfectionists are willing to interfere with a wide range of unreasonable autonomous decisions and perfectionists are unlikely to enable disvaluable autonomous choices. Further, we can protect or promote the capacity for autonomous action independently from protecting or promoting the likelihood of success of acting from this capacity. The distinction I offer is intended to cut across these various considerations, each of which is part of (but not the complete) meaning that we should concern ourselves with. I thank an anonymous reviewer for encouraging me to clarify this thought further.

4. Personal Autonomy and Liberal Perfectionism

In this section, I argue that proper respect for personal autonomy requires us to value and protect a particular type of self-reflective self-controlled behaviour. This gives us reason to provide those capable of this valuable form of behaviour with both the capacities and opportunities to succeed in this behaviour. This is because the motivational profile of personal autonomy gives us reasons to believe that the concept has a 'success condition'.¹⁵ If autonomous agents are to enjoy the value of personal autonomy, they must succeed in behaving autonomously. This necessary condition requires political institutions looking to respect the value of acting autonomously to provide sufficient opportunities to succeed in acting in this way (*Capacity & Success*). Failing to do so will frustrate the motivational qualities that lend autonomy its value.

It follows that *Capacity Without Success* arguments fail to acknowledge that the value of personal autonomy comes from successful autonomous behaviour. As a result, some anti-perfectionist policies will risk actively frustrating the valuable phenomenon of autonomous motivation. In contrast, perfectionists who support *Capacity & Success* are better placed to correctly acknowledge and avoid frustrating this value by promoting worthwhile opportunities for citizens to autonomously pursue. This outcome suggests that anti-perfectionism's support for political autonomy is costlier than it initially appears. This cost gives liberals seeking to respect autonomy reason to believe that liberal perfectionism better respects the qualities that make personal autonomy valuable than its anti-perfectionist rival.

4.1 Autonomy and Motivation

When we respect something, we recognise the source of its value and respond accordingly (Raz 2001, pp. 160-4). Respecting other people as autonomous requires us

¹⁵ I owe this turn of phrase to Ben Colburn.

to recognise and respond to the source of personal autonomy's value. The source of personal autonomy's value is the psychological notion of autonomous agency.¹⁶ A person's ability to act according to her own will gives purpose to our capacities for reason-responsive rationality, reflective endorsement, and self-conscious prudential reasoning that we use to form, revise, and successfully pursue our conception of the good.

These capacities inform Raz's canonical statement on the issue: 'The ruling idea behind the ideal of personal autonomy is that people should make their own lives. The autonomous person is a (part) author of his own life. The ideal of personal autonomy is the vision of people controlling, to some degree, their own destiny, fashioning it through successive decisions throughout their lives' (Raz 1986, p. 369). The value of these capacities explains liberalism's ability to ground its commitments to equality and freedom in respect for personal autonomy. Insofar as any agent possesses these valuable capacities, they are morally equal. The value of these capacities then gives us a presumptive reason to secure independence and freedom for our fellow agents to enjoy (Raz 1986, pp. 377-8).

If autonomous agents are to exhibit Raz's sense of control over the narrative of their lives then they must take an active role in shaping their own life by conceiving of and pursuing opportunities that they value. This control requires autonomous agents to be more than a mere passive bystander toward their motivations for action (Frankfurt 1998, p. 54).¹⁷ This agential control is the source of autonomy's value as this control is necessary for an agent to successfully act according to her will. We act according to our will when we motivate ourselves to act in a manner that reflects our authentic self-conception and our reflectively endorsed commitments.¹⁸

¹⁶ For criticism, see Garnett 2013; Garnett 2014.

¹⁷ For an explanation of Raz's conception of autonomy as distinctly separate from Frankfurt's motivational model, see Colburn 2010, pp. 9-19.

¹⁸ Raz links autonomy to integrity in a similar way (Raz 1986, pp. 382-3).

Acting in this way is valuable for two reasons: When an agent acts in this way, she pursues the values that she endorses and shapes the world according to her will. This is the *external* source of autonomy's value. Additionally, when an agent acts in this way, she also exhibits control over her commitments and self-conception. This is the *internal* source of autonomy's value.¹⁹

Locating the source of autonomy in the relationship between a particular type of self-controlling agency and our own identity has the important consequence of ensuring that not all motivations are formed equal. Some motivations reflect this relationship better than others. Motivations that reflect the agent's authentic will can motivate autonomous action, whereas motivations that fail to reflect our authentic will can threaten heteronomous action. By avoiding heteronomy, authentic motivation for action better instantiates both the external and internal values of autonomous agency.²⁰

Seen in this way, the notion of authenticity can explain autonomy's value through our motivational states. It is this relationship between autonomy and motivation that gives us reason to believe that respect for autonomy is best conceived of as requiring the conditions for successful autonomous action. This is because motivations are not mental phenomena that reside silently within us. Rather, motivating phenomena *motivate* us to action. Thus, recognition for the autonomy of another agent means that we must help them to form, revise and successfully pursue their conception of the good. We cannot adequately respect the autonomy of our fellow citizens by just helping them to form a conception of the good. Doing so would ignore the fact that conceptions of the good guide us to authentically motivated autonomous action.

¹⁹ For further discussion of the process of identification, see Bratman 1996; Frankfurt 1998, pp. 103-4. Velleman 2002; Ekstrom 2005. For further defence of the value of personal autonomy in terms of agential identification, see Hurka 1987; Korsgaard 2009. I thank an anonymous reviewer for the suggestion that Frankfurt himself may disagree with this implication.

²⁰ For the purposes of this argument, I remain deliberately agnostic on whether these motivations are evaluative preferences, brute desires, or some other mental spring for action. Critics may worry that this agnosticism oversimplifies a series of important distinctions in debates over the philosophy of action. Regrettably, discussion of these distinctions falls beyond the scope of this paper. Suffice to say, my argument should apply to any mental phenomena that is capable of authenticity (in the sense described) and that is capable of motivating wilful action.

Consequently, we must also provide our fellow citizens with the opportunities that they need to pursue their conceptions of the good. We cannot force them to act in this way without undermining the value of autonomous motivation itself. However, failure to provide these opportunities would disfigure the concept of personal autonomy by severing it from its source of value. The state cannot go beyond or fall short of this standard. This is the tightrope that the autonomy-respecting state must walk when providing opportunities for autonomous actions to its citizens.

A failure to promote the capacity to form and revise our conception of the good without also providing particular opportunities to successfully pursue that conception of the good wrongs autonomous agents in two distinctive ways:

First, it constitutes an expressive failure to acknowledge and respond to the source of autonomy's value. It does this by displaying a troubling form of thoughtlessness - a failure to live up to the categorical requirements of acknowledging the status of our fellow citizens as autonomous agents (Green 2010, p. 222). Let us call this the *Acknowledgement* objection.

Second, it threatens to actively frustrate the relationship of authentic motivation that gives personal autonomy its value. It does this by providing us with the ability to do something valuable without providing us with the opportunity to act in this valuable manner. If the current opportunities for pursuing our conceptions of the good are found lacking, then we will be unable to employ those capacities in meaningful ways (Raz 1986, pp. 407-12).²¹ Let us call this the *Frustration* objection.

Together, these objections explain why *Capacity Without Success* arguments do a worse job of recognising and responding to the valuable motivational profile of autonomous action than *Capacity & Success* arguments. *Capacity Without Success* fails to correctly

²¹ See also Wall 1996, pp. 205-33; Colburn 2010, pp. 69-77.

respond to this value because it removes important protections of valuable successful autonomous behaviour that *Capacity & Success* provides.

4.2 Autonomy and Perfectionism

In the previous section, I argued that *Capacity & Success* conceptions of respect for the value of personal autonomy are better suited to their task than *Capacity Without Success* conceptions. What remains to be shown is how *Capacity & Success* conceptions generate perfectionist principles. Critics may accept that respecting the value of personal autonomy requires us to help others to pursue the goals that reflect their authentic commitments and conceptions of the good, but they may query how this duty establishes perfectionist political principles. Perfectionism is the promotion or discouragement of particular opportunities due to their intrinsic value. How does a commitment to this political principle follow from accepting that respect for autonomy requires a success condition?

The link between success conditions and perfectionism can be found in *Inseparability*. As we saw in §2.1, the most prominent reason to accept perfectionism is that our everyday reasons for action combine moral and ethical notions as they flow from incommensurable competitively plural objective values. This is a conceptual claim concerning our process of practical reasoning – we want to live lives that we believe are good and moral. It suggests, negatively, that we have no *prima facie* reason to avoid perfectionism. Further, it suggests more positively that our everyday reasons for action give us reason to support perfectionism; justice and the good life are entwined. In an important sense, perfectionism accepts our practical reasoning for what it is – a complex blend of the right and the good.

If this claim is plausible (as perfectionists assume) then it informs *Capacity & Success* in the following way: According to *Inseparability*, agents pursue what they believe to be valuable and have good reasons to do so in a moral fashion. Thus, the right and the good blend together in our everyday pursuit of value in a way that makes them difficult to

separate. This means that there is often no clear distinction between the right and the good within our conceptions of the good. If respect for our autonomy requires us to enjoy both the capacity and opportunity to succeed in acting autonomously (*Capacity & Success*), and our authentic conceptions of the good contain comprehensive ethical claims (*Inseparability*), then respect for autonomy requires us to help others pursue their authentic conceptions of the good regardless of the comprehensive nature of that conception.²²

This argument provides the final link in a chain that derives support for perfectionist policies from autonomy. Respect for personal autonomy requires others to help us pursue our authentic conceptions of the good (or else risking *Acknowledgement* and *Frustration*). Our conceptions of the good reference both the right and the good (*Inseparability*), so the autonomy-respecting state has a reason to promote autonomy-compatible ways of life to facilitate citizens in their autonomous pursuit of the good. Put another way, perfectionists defend state support for valuable but reasonably controversial legislative policies. I have shown that such policies can be motivated by *Capacity & Success* conceptions of respect for the value of personal autonomy because the conditions for successful autonomous behaviour require the presence of opportunities to pursue such behaviour as we conceive of it (i.e. regardless of the comprehensive controversial nature of that conception).

Therefore, if liberals accept that the legitimate state should respect citizens as free and equal autonomous agents, then they should accept *Capacity & Success* and its resulting moderate perfectionism grounded in the value of personal autonomy. Respecting personal autonomy with a success condition supports moderately perfectionist policies.

²² Important questions arise here concerning whether this view must support autonomy-constraining or heteronomous pursuits. The answer to this question partly depends on how we answer certain structural questions concerning the nature of personal autonomy (e.g. whether it is a procedural, substantive, or hybrid concept). Each of these views will permit different types of constraints and identify different pursuits as heteronomous. My argument concerns the value (rather than the structure) of personal autonomy. As a result, it is intentionally agnostic on this point. Further, answering this question will depend on how we weight autonomy against other competing political values (in order to determine how much heteronomy is permissible). Again, this task falls beyond the scope of my current argument, which seeks to establish the costs of this weighting rather than the final outcome of such a process, which may differ from state to state. I thank an anonymous reviewer for prompting me to answer this question.

The need for a success condition, in turn, flows from the need to avoid frustrating the relationship of authentic motivation that gives autonomy its value.

In summary, this argument takes the following form:

1. The legitimate liberal state respects the autonomy of its citizens.
2. Citizens possess the capacity for personal autonomy.
3. Personal autonomy derives its value from a particular type of motivation that is authentic to our will and our conception of the good.
4. Respecting personal autonomy's motivational profile requires facilitating success in our pursuit of our authentic conception of the good.
5. We do not commonly distinguish between the right and the good when forming our conception of the good.
6. Thus, respect for the value of personal autonomy gives us a presumptive reason in favour of helping others succeed in pursuing their conception of the good regardless of the comprehensive content of that conception.

5. Concluding Remarks

The argument outlined in §4 generates an important conclusion from an uncontroversial premise – perfectionists can argue that the demands of liberal legitimacy require the liberal state to respect the personal autonomy of citizens and this requirement generates a reason to favour moderate perfectionism. They can appeal to the framework set out in

the first-half of this paper to argue that it is more difficult for *Capacity Without Success* conceptions of autonomy, such as those favoured by anti-perfectionists, to satisfy the requirements of liberal legitimacy. By narrowing *Justification* to the realm of public reason, anti-perfectionists only partially satisfy *Recognition* and *Voluntarism* when these conditions are understood in a way that reflects the most plausible understanding of the value of personal autonomy. The priority of the right over the good, and its resulting censure of *Inseparability* leads anti-perfectionists to acknowledge the capacity for autonomy without doing enough to acknowledge the value of that capacity. Anti-perfectionism fails to capture all of the morally relevant dependent reasons that a liberal account of legitimacy should pre-empt.

Responding to the impasse in this manner generates a fresh argument in favour of perfectionism that is sensitive to the distinctive value of personal autonomy. This argument is less controversial than traditional defences of liberal perfectionism as it does not rely on *Social Forms* or *Contingent Value*.²³ Further, this argument is more persuasive to liberals as it grounds its support for perfectionism in autonomy rather than objective value. Liberal sceptics of perfectionism should be more sympathetic to the former than the latter. Finally, this argument goes further to engage with anti-perfectionists by identifying a cost with anti-perfectionism and reframing this cost in opposition to the reasons in favour of perfectionism.

Anti-perfectionists may answer this challenge by either: i) denying that respecting personal autonomy requires a success condition (e.g. by rejecting autonomy's motivational profile), ii) denying that respecting personal autonomy to this degree is incompatible with securing political autonomy (e.g. by showing that the burdens of judgement are compatible with moderate perfectionism), or iii) biting the bullet and explaining why securing political autonomy is worth failing to adequately respect the value of personal autonomy.

²³ This is an important benefit. For example, *Contingent Value* often plays an important role in rejections of liberal perfectionism (e.g. Lecce 2008, p. 130; Quong 2011, p. 60).

The first two responses simply reject the above argument. If we set these responses aside then we are left with the third option. Anti-perfectionists may respond to my argument by accepting its main points and replying that securing political autonomy in the face of the burdens of judgement is more important than allowing citizens to enjoy the comprehensive ethical value of a personally autonomous life. This response should not surprise us as it follows quite naturally from anti-perfectionism's rejection of the comprehensive ethical value of personal autonomy. Liberals who favour this rejection must be willing to pay the price of doing so. However, this response threatens to create a new version of the impasse. For this reason, it is worth briefly indulging at this late stage.

In order to justify this trade-off, anti-perfectionists require a further principled moral reason to separate the right from the good in political discourse other than respect for personal autonomy.²⁴ Likely contenders for this role are the importance of living in a reciprocal and stable political society.²⁵ Institutions that citizens endorse (via public reasoning) are likely to persist over time even under conditions of reasonable pluralism. This endorsement allows the state to fulfil the conditions of democratic legitimacy despite the burdens of judgement, and this fulfilment is worth the cost of failing to respect personal autonomy to the fullest degree.

On this view, anti-perfectionists may object that perfectionist states are unable to secure endorsement for the right reasons because some citizens reasonably object to the state supporting valuable ways of life. Citizens may reasonably disagree about whether they are subject to perfectionist duties to aid others in pursuing objectively valuable ends and may reasonably disagree about whether those duties (if they do exist) should play a major role in politics. This disagreement will lead some citizens to favour stability and political autonomy over the comprehensive value of personal autonomy. This preference would then lead them to reasonably reject the liberal perfectionist state's claim to legitimacy by rejecting the existence of the foundational perfectionist duties that perfectionist liberals take for granted.

²⁴ To rely on the latter as a justificatory reason would return critics to the prior objections.

²⁵ These concerns are captured by Rawls' famous pursuit of free-standing principles of justice that are capable of securing endorsement 'for the right reasons' (Rawls 2005, p. 391) and the belief that citizens are more likely to support institutions that they judge to be just (Rawls 2005, pp. 140-4).

If anti-perfectionists are to take this route to reject liberal perfectionism as illegitimate on the grounds of stability, they must explain why stability is so important to legitimacy that it cannot be traded off against, and must trump, other considerations (such as respect for personal autonomy). Further, they must show why they are justified in holding perfectionism to a higher standard of stability than anti-perfectionism, or else show that they are holding perfectionism to the same standard as their own, that this standard is the correct one, and that anti-perfectionism better satisfies this standard. In short, they must explain precisely what type of endorsement matters to stability, and show that perfectionism is incapable of generating the required endorsement.²⁶

In the absence of this type of response, my argument goes some way toward levelling the playing field between the two branches of liberalism by suggesting a problem for anti-perfectionists. I have offered a significant moral objection against the plausibility of anti-perfectionism that does not rely on the brute assumption that controversial perfectionist duties exist and are relevant to politics. Anti-perfectionists deny this assumption and so such arguments are unpersuasive. Rather, I have moved beyond the traditional impasse to show that a compelling account of respect for the value of personal autonomy supports moderate perfectionism in politics. Liberals of all stripes accept that this value has at least some role to play in politics and so should find this argument (and the costs that it identifies) more persuasive.

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²⁶ I thank Anthony Taylor for helping me clarify this point further.

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