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Liberalism, Perfectionism, and Civic Virtue

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Abstract

This paper explores the question whether perfectionism amounts to a political doctrine that is more attractive than liberalism. I try to show that an egalitarian liberalism that is open to questions of value and that holds a conception of limited neutrality can meet the perfectionist challenge. My thesis is that liberalism can be reconciled easily with perfectionism read as a moral doctrine. Perfectionism as a political doctrine equally stays within the value framework of liberalism. Finally, I try to show that liberalism can give an account of civic virtue that is a sufficient basis for developing the normative guidelines of a rich and meaningful social life.

1. Introductory remarks

The extensive debates of the last two decades on the shortcomings of liberalism have generated a puzzling consequence B the recent renaissance of political perfectionism.[1] At first glance, perfectionism seems an outdated doctrine. We usually associate it with the political theories of ancient Greek philosophers and their endeavors to bring the concept of the good citizen in congruence with the idea of the good polis. Perfectionism makes us think of Plato′s design of a state in which the rulers are in possession of greater wisdom and nobler ambitions than the ruled. Their epistemologically privileged position supplies Plato′s rulers with legitimate authority to bring citizens to live up to the ideal of the good that the rulers have recognized as the correct one.

Modern democratic theory recoils from this form of perfectionism. Yet, the current defenders of perfectionism confront us with a different version of that doctrine. They defend a form of perfectionism that claims to be compatible with individual autonomy and value pluralism. Liberalism, so their thesis goes, has to fall back on perfectionism if it wants to overcome its deficiencies.

The new emergence of perfectionism is accompanied by a renewed interest in the concept of civic virtue. Perfectionism is connected with the idea that societies should enact policies to promote the good. Since the goodness of a society depends on the moral quality of the conceptions that the good citizens hold and the way they act, the question of civic virtue becomes relevant. If one takes the line ‘the more decent its members, the better the society,′ then it follows that governments should take an interest in the moral standards that guide the behavior of citizens. But this position seems to be in direct conflict with the basic postulate of some dominant strands within liberalism, namely that the political institutions of a liberal society should be neutral towards the different conceptions that the good citizens hold.

The rationale behind the liberal commitment to neutrality is the protection of individual freedom. Citizens should be free to choose what way of life they regard as valuable and worth pursuing. This implies that a liberal society has to tolerate some forms of life that are morally far from perfect. What does this mean in respect to the position of liberalism on the issue of

civic virtue? Can liberalism develop and defend a reasonable concept of civic virtue? Can a liberal society demand that its members act in conformity with a standard of civic virtue? Can liberalism answer the objection that it cannot uphold the neutrality postulate consistently and that it inevitably falls back on perfectionist assumptions?

In this paper, I want to take a closer look at these questions. I will argue that a certain form of political liberalism can meet the perfectionist challenge and can give a plausible account of the meaning and scope of the idea of civic virtue. I will try to show that a democratic political community does give room to perfectionist ideals, but that it keeps perfectionism away from the design, aims, and justification of its basic institutions. Finally, I want to show that the current rise of perfectionism and the interest in civic virtue, which is part of a recurrent critique of liberalism, amounts to a misguided attempt to give an account of the socio-moral foundations of democratic societies.

2. Liberalism and neutrality

The principle of neutrality is a central doctrine of liberalism. In the formulations of two prominent defenders of liberalism, Ronald Dworkin and John Rawls, it reads:

> It is a fundamental, almost defining, tenet of liberalism that the government of a political community should be tolerant of the different and often antagonistic convictions its citizens have about the right way to live: that it should be neutral, for example, between citizens who insist that a good life is necessarily a religious one and other citizens who fear religion as the only dangerous superstition.[2]

> [I]ndividuals find their good in different ways, and many things may be good for one person that would not be good for another. Moreover, there is no urgency to reach a publicly accepted judgement as to what is the good of particular individuals.[3]

> Historically one common theme of liberal thought is that the state must not favor any comprehensive doctrines and their associated conception of the good.[4]

Perfectionists focus their criticism on the principle of neutrality since neutrality as regards different conceptions of the good seems a major hindrance to perfectionist ambitions. If neutrality does not hold, then, so their argument goes, it follows that it is plausible to regard one way of life as more valuable than another and some conceptions of the good as better than others. Still, the question is whether the rejection of the neutrality postulate and the idea that one alternative is more valuable than another already brings us to endorse perfectionism. In the following section, by looking at Dworkin's and Rawls's defense of neutrality, I want to see whether we have reason to accept the perfectionist claim that we have to give up the neutrality postulate of liberalism as incoherent.

Dworkin's position on neutrality is part of his theory of liberalism for which a basic postulate of equality is central, namely that citizens should be treated with equal respect and consideration. Dworkin interprets this abstract principle of equality as the basis for a specific conception of distributive equality, namely equality of resources, which states that citizens are considered equally if an equal share of resources is available to them.

On the level of distributive equality, a first argument for neutrality arises. Equality of resources implies neutrality since no one can demand a greater share of resources than others on the basis of the claim that her or his way of life is more valuable and demands more

resources than that of others. Resources are distributed by a procedure that guarantees fairness, as the members of society ideally start in a situation in which they have no possessions and have to acquire their resource bundles in an auction. In Dworkin's theory, a compensation is adequate only in the case of undeserved inequalities, inequalities that are due to bad luck (e.g., the case of handicapped persons) and that are not the result of option luck due to the risks of a freely chosen way of life.

The abstract principle of equality gives rise to a more general argument for neutrality. This argument claims that it amounts to a violation of the idea of equal worth that is part of the principle of equality if governments were to force citizens to accept a certain conception of the good life. This would mean for people with a different understanding of the good life that their right to equal consideration is violated.[5]

To understand fully Dworkin's interpretation and justification of neutrality, one has to consider his account of the ethical foundations of liberalism. Dworkin does not start from a strict separation of the right and the good. Rather, he seeks to connect politics and ethics with the help of a theory of the good so that a continuity arises between the principles of liberal morality and the philosophical ideas of a good life. Dworkin connects justice and ethics and regards justice as a parameter of ethics since only someone with a just share of resources can lead a good life. Individuals can accept the ethical foundations of liberalism without having to give up their basic convictions. Liberal equality is not neutral towards all imaginable conceptions of the good life. Those that are not compatible with the idea of equal worth and the principle of equality of resources do not get promoted. The principles of justice impose restrictions on the permissible conceptions of the good life. So, neutrality does not forbid that 'a racist is thwarted who claims that his life's mission is to promote white superiority.'[6]

We can restrict the liberty to pursue different conceptions of the good on the basis of either reasons of justice or ethical reasons. In the first case, a society bans a certain form of conduct since it is incompatible with the rights justice grants. In the second case, society forbids a certain form of conduct since it is considered to be less valuable, degrading, demeaning, corrupting, or simply a bad life. Dworkin regards only the first type of reasons as legitimate. The fact that a group or even the majority of a society regard someone's ethical convictions as wrong or demeaning cannot be a sufficient reason to restrict liberty.[7]

Liberal equality is not neutral in its consequences. Some ways of life are, according to Dworkin's theory, more difficult to lead, namely those that violate equality of respect and equality of resources. Neutrality does not mean to be indifferent to conceptions of the good. But in regard to the justification of public policies, neutrality is inevitable. It would be incompatible with equality if a government were to base its decisions on the specific preferences of some people about the way other people should live.

Equally, we find a subtle defense of neutrality in Rawls's work. One central aim of Rawls's political philosophy is to show that liberalism can refer to ideas of the good without any commitment to a comprehensive conception of the good.[8] Political liberalism appeals to five ideas of the good, the idea of goodness as rationality, the idea of primary goods, the idea of permissible comprehensive conceptions of the good, the idea of the political virtues, and the idea of the good of a well-ordered political society.

The priority of the right over the good establishes neutrality between different conceptions of the good individuals hold. Yet, the crucial question in the context of a discussion of perfectionist objections to liberalism is whether the reference to these different notions of the good does not violate the doctrine of neutrality.

The idea of goodness as rationality attributes to people a plan of life around which they match their needs and organize their circumstances. This idea of goodness as rationality does

not violate the neutrality assumption as it is compatible with the development of particular conceptions of the good. Also, the primary goods conception of the good does not contradict the principle of neutrality since it provides the means so that citizens can hold and pursue their different ideas of the good.[9]

The idea of permissible comprehensive conceptions of the good indicates, however, that Rawls holds only a limited conception of neutrality. Political liberalism does have non-neutral effects as it encourages the adherence to some specific comprehensive conceptions rather than others. To interpret this result adequately, it is important to take Rawls′s distinction between procedural neutrality, neutrality of aim, and neutrality of effect or influence into account. Procedural neutrality is given if a certain political conception depends on procedures that are independent of any specific moral values. Rawls′s theory of liberalism is not neutral in this sense since the principles of justice central to justice as fairness presuppose substantial moral values and not just procedural values such as impartiality, consistency, and equal opportunities for all parties to present their claims.

Justice as fairness is neutral in regard to aims. It designs the basic institutions of society in a way that they can be acknowledged by citizens who are adherents of different individual comprehensive conceptions. Rawls clearly distinguishes between neutrality of aim and neutrality of effect. Neutrality of effect is not given since political liberalism has effects on the likelihood that citizens tend to choose one comprehensive conception rather than another. Political liberalism is not indifferent to comprehensive conceptions since it allows only those that are part of an overlapping consensus and that agree to the basic principles of a democratic society.

One consequence of this limited neutrality is that political liberalism is not indifferent to the way citizens are. Political liberalism encourages citizens to endorse certain moral and political virtues. The stability of a liberal society depends on the fact that a large part of the members of society develop the attitudes to keep to the principles of justice. The political virtues Rawls regards as necessary for political liberalism include forms of judgment and conduct that help to make possible social cooperation over time.[10] The political institutions define the role of the good citizen as one who acknowledges the rules defining the basic institutions of society. Political virtues are different from those virtues that are part of a comprehensive religious or moral doctrine.

The idea of the good in the form of a well-ordered political society is equally compatible with the idea of neutrality. A well-ordered society grants citizens equal basic rights, liberties, and opportunities and secures the public recognition of their status as citizens, as fully cooperating members of society.[11] These are the basic axiological assumptions of political liberalism that do not amount to a comprehensive conception of the good.

Both Dworkin and Rawls are advocates of a limited neutrality. Their political theories set limits on the conceptions of the good and the good life citizens can hold. The restrictions are set by the conception of justice that is at the center of their versions of liberalism. Liberal equality and justice as fairness encourage citizens to live certain forms of life and discourage them to adopt others. But the idea of freedom that is basic to liberalism forbids any use of force to bring citizens to lead certain ways of life except when these ways of life violate the basic legally guaranteed rights of others. Democratic societies do not allow missionary expeditions into the territory of personal autonomy.

Perfectionists still criticize this position of limited neutrality. But what exactly makes them so uneasy? What seems wrong in granting a certain freedom in developing one′s personal conception of a worthwhile life? Why should a society have more ambitions than securing liberty and equality for citizens?

The main objection of the defenders of perfectionism is that this limited neutrality still retains too much indifference towards the various conceptions of the good that citizens hold. Apart from serious violations of legal norms, the government does not see good reason to interfere with the lives of its citizens. Perfectionists, on the other hand, consider it 'Y 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 affect.'[12] Governments have to see to it that citizens choose more valuable forms of life than others. Societies must aim to establish policies that bring about an improvement. Instead of indifference, the political institutions must offer incentives so that citizens go for the more valuable options.

Much depends here on the way we interpret 'aiming for the more valuable,' 'striving for the morally better.' If we take it to mean that a political philosophy should be based on certain moral foundations that support policies that seek to improve the lives of the members of society, then political liberalism fulfills this condition. For liberals like Dworkin and Rawls, neutrality of effect does not hold. Liberals have a vision of a good society and to attribute to them the view that they are indifferent to varying conceptions of the good and to the various outcomes of policies is unfair.

There is one aspect in Dworkin's account of liberalism that makes the objections by defenders of perfectionism at least understandable. For Dworkin, a liberal society has to tolerate demonstrations of racism and antisemitism. It has to tolerate that some people have bad preferences and that they make them public. This seems exactly the point on which perfectionists focus in their critique: Liberalism, by tolerating instead of banning bad convictions, does not make a distinction between deficient and valuable ways of life.

I do not think that this conclusion is correct. Dworkin's tolerance of racist utterances and demonstrations is not the result of his acceptance of the principle of neutrality. It is, instead, a direct consequence of his interpretation of the right to freedom of speech. For Dworkin, governments have no reason to ban racist or sexist utterances legally. In the framework of a democratic society, these utterances amount for him to an offense to feelings. But that, so Dworkin's argument goes, simply cannot be the basis for a legal prohibition since this would give way to several forms of censorship due to claims of insult and hurt feelings.

Dworkin's interpretation of the right to free speech is notoriously wide. He subsumes ways of acting and behaving under 'speech' that critics regard as forms of action.[13] In respect to antisemitism and fascism, countries like Germany and Austria, for example, have much more restrictive legal regulations than Dworkin's theory allows. Yet, in the context of our discussion Dworkin's interpretation of the right to free speech has to be separated from the question of neutrality. I think there is good reason to criticize Dworkin's too liberal understanding of the right to free speech. But his wide reading of the free speech principle does not imply that he is indifferent towards racism and antisemitism. He emphasizes that, though we cannot ban certain expressions of racism, we have every right to fight it by political means, and we should do so. Liberals like Dworkin do not consider racism on a par with valuable and ambitious forms of life. They just think that the fact that certain views are not morally valuable is not a valid reason to prohibit their public demonstrations.

Any decent political philosophy must make a distinction between the good and the bad, the valuable and the mean. Liberalism has a sense of affirming the valuable and the search for a better society. Since liberal neutrality does not reduce to indifference, perfectionism cannot refute liberalism by just emphasizing the necessity of promoting valuable political choices. Maybe the stakes for perfectionism are higher. Maybe perfectionism does not simply want to recommend the choice of the more valuable of two alternatives, but aims for the intrinsically and absolutely best for societies and citizens. If this is the goal of perfectionism, then

perfectionists must consider carefully whether the measures and policies with which they try to realize that end do not get into conflict with individual liberty. Contemporary perfectionists do not want to violate personal autonomy. But then it remains unclear how they can press the case for a form of perfection that moves beyond the liberal search of the valuable and good.

3. Perfectionism

To understand the current prominence of perfectionism better, it is important to look closer at the prevalent definitions of perfectionism and to the alleged deficiencies of recent political philosophy that it claims to overcome.

There is a striking difference between ancient and modern appearances of perfectionism. In ancient philosophy, political perfectionism is connected with a certain epistemological doctrine. Only some people are in a position to know the right and the good, and this knowledge gives them authority over others. Since this knowledge amounts to a form of absolute truth, the rulers seem to have the legitimate basis to enforce a certain conception of the good on citizens and to mold them into virtuous citizens.

Modern perfectionism is far from such ambitions. It moves within the framework of basic liberal values such as liberty, autonomy, and equality. But its central claim is that political philosophy has to presuppose a much closer connection between intrinsic values that are part of an objective theory of the good and public policies of governments than liberalism assumes.

Thomas Hurka, for example, defines perfectionism as a form of moral theory that presupposes an ideal of human perfection based on the idea of 'the good human life' as 'the intrinsically desirable life.'[14] Hurka defines the good life as the one that develops the properties constitutive of human nature, human nature in the best possible way. Perfectionism, as he points out, can be understood as a conception of personal morality, but it can also find expression in a political doctrine. Perfectionism as a form of personal morality prescribes what sort of persons individuals should be and how they should act in their relations to others to be perfectly good. As a political doctrine, perfectionism builds on the principle that the 'best political act, institution or government is that which most promotes the perfection of all humans.'[15] Hurka starts from an Aristotelian account of the good life and human nature, and he defends a consequentialist perfectionism that makes human perfection partially dependent on human choices, but also dependent on outside factors.[16]

It is a standard objection that perfectionism is tempted to enforce policies in a way that comes into conflict with the principle of liberty. A government with perfectionist ambitions will, as critics point out, inevitably and in good faith use its power to realize its ideals and to coerce people to strive for excellence. Against this worry, Hurka claims that perfectionism can regard autonomy as an intrinsic good and can uphold a liberty principle. Yet, he argues, a perfectionist valuing of autonomy obviously cannot entail that the state is never allowed to interfere in citizens' private lives. Hence, autonomy can only be a good among others that sometimes may be outweighed by other values.[17]

Hurka's perfectionism acknowledges autonomy as a non-absolute principle. Restrictions of a person's autonomy are justified if they increase her future autonomy. Quite in the tradition of liberal theoreticians, he states that 'the state should not interfere with liberty except to protect the greater liberty of others.'[18] So Hurka's reasons for justifying restrictions of autonomy have to be different from the ones that defenders of liberalism offer, otherwise the argument would remain in the liberal paradigm and would fail to show the compatibility of autonomy and perfectionism. Hurka tries to frame the argument in the

language of perfectionism, namely: If perfectionism affirms a liberty principle by considering autonomy to be an intrinsic good, then any restriction on it 'threatens some perfectionist cost' and seems unjustified. Hence, only the promotion of a greater perfectionist good, namely 'the greater liberty of others,' allows the state to restrict the liberty of a person.[19]

Liberalism equally justifies restrictions of autonomy, but the reasons liberalism offers are different. The liberal justification is free from any appeal to a perfectionist or a greater perfectionist good; it just refers to liberty and to the scope of that basic value. Yet, in Hurka's argument the perfectionist aspect does not carry the weight of the justification. Perfection does not play the decisive role in showing why restrictions of liberty might be legitimate. The crucial question for Hurka is whether restrictions of liberty increase the future liberty of a person. But this amounts to a weighing of two goods that does not include the idea of perfection. It does not express a longing for the perfect if we choose one of two options on the ground that this option seems the better alternative. One might be content with the slightly better option as an improvement that seems possible and realistic under the circumstances. It is a basic postulate of rationality to go for the better and more promising. But to read the choice of the better of two alternatives as an expression of a striving for perfection would mean to turn most moral and political theories into perfectionist theories by definition.[20] That way we would trivialize perfectionism. So the need for legitimate restrictions of autonomy does not as such retain an argument for perfectionism.

In the sphere of the personal, aiming for perfection is up to individuals. They decide what use they want to make of their personal resources for perfecting whatever ends they regard as worth the effort B whether they want to be excellent musicians, poets, or basketball players or whether none of these goals attract them. Perfection can equally be directed to the realization of morally relevant attributes and ends. If these attributes refer to characteristics of persons, then we are in the territory of individual morality.

Most moral theories[21] acknowledge the notion of perfection in the realm of personal morality. Kant, for example, identifies the morally good action with acting from a good will, with acting in conformity with the criteria constitutive of a good will. Moral perfection means to acquire a good will. Kant's separation between morality and law, the way he associates morality with inner freedom and law with external freedom shows clearly that for Kant moral perfection is left to individuals.[22] Autonomous and, henceforth, self-legislating individuals decide whether they are willing to follow the claims of morality, whether they see themselves under the moral law. In the realm of personal morality state interference is not allowed. The state may not get hold of the inner life of the members of society to force them to be perfectly virtuous beings. State interference is only appropriate in the sphere of law, when the freedom of one person gets into conflict with the freedom of others. Kant is explicit in that any attempt of governments to force citizens to adopt a certain conception of the good life would amount to despotism.[23]

Hurka himself points out the limits of state action. Since perfection refers to something 'active and inner' and the perfectionist good consists 'in a certain inner state of character,' the borders of interference seem obvious.[24] The state cannot force citizens into being perfectly virtuous. But the argument that the state should not invade the inner life of individuals out of respect for liberty rights is usually taken as a justification of liberal neutrality. Yet, Hurka does not infer from the fact that there are limits to state intervention that perfectionism loses the case to liberal neutrality and to liberalism. He takes the obvious limits to state interference to support the thesis that perfectionism and liberalism hang together. The view that perfectionism cannot be enforced from outside 'connects perfectionism with liberalism and also gives liberalism a new rationale. The liberal commitment to liberty need not rest on

agnosticism about the good or on the view that only free choice is good. It can be grounded in a deep fact about human perfection: that each person's achievement of it must be largely her own.'[25]

This argument is puzzling, as it just reaffirms the position of liberalism. It does not establish perfectionism as an alternative to liberalism. Liberalism, as the discussion in the first part of this paper showed, is not agnostic in regard to the good. It connects liberty and autonomy with a theory about the good. Kantian liberalism does not ban the idea of perfection, but confines it to the realm of personal morality and demarcates the borders of intervention by the principle of neutrality. Hurka admits, on the one hand, the necessity of neutrality, on the other hand, he tries to win from this fact an argument for perfectionism. But if it is part of liberalism to leave personal perfection to individuals, then one cannot interpret this as a justification of perfectionism as a viable option to liberalism. The admittance of perfection in the personal realm does not establish perfectionism as a doctrine of political philosophy.

Hurka wants to make perfectionism attractive as a political philosophy. On the political level, perfectionism holds that those government policies and regulations are good that promote best the perfection of all humans.[26] But Hurka cannot avoid the issue of neutrality in the realm of politics. This follows from his definition of perfection as an 'active and inner' state of character. As he admits, there is a deep asymmetry internal to perfectionism. People may well promote their own perfection, though not the perfection of others. Governments may supply the conditions so that the members of society may pursue their perfectionist ambitions. Yet, any attempt by state institutions to directly guide citizen's perfection by force is likely to produce contrary effects. Habituating citizens into excellence 'more commonly strengthens attitudes inimical' to 'the best motivation.'[27]

At this point, the question whether there are any substantial differences between liberalism and Hurka's autonomy-inclined perfectionism comes up. A perfectionism that endorses neutrality, liberty, absence of force, and keeps a distance to any appeal to absolute truth earns our sympathy, but doubt arises as to whether, instead of perfectionism, in fact we approve liberalism in a slightly disguised form. I think the dispute between liberalism and perfectionism focuses mainly on the following points: first, the underlying theory of value, second, the attitude to paternalism, and third a different account of the responsibility of governments to subsidize education, culture, and social life. But one has to look closer to see whether the approaches of liberalism and perfectionism to these issues amount to differences that give rise to two distinctive paradigms of political philosophy.

Perfectionism presupposes an objective theory of the good and some perfectionists stress the notion of intrinsic value. Hurka states that governments must base the justification of their policies on the idea that 'some ways of life are intrinsically preferable to others.'[28] But why should the idea that there are intrinsic values as such already support perfectionism? This has to do with a deficiency in some versions of liberalism. Some forms of liberalism defend a subjective conception of value. That means, they presuppose that values and what is valuable 'depends on people's actual preferences, choices or affective states.'[29] According to a preference-based understanding of values, something is a value if it is chosen, if someone has a preference for it. A value is, therefore, the expression of a mere subjective desire or choice.

Value subjectivism is not a convincing position.[30] We can have good reasons to rationally reflect on our desires and ask ourselves whether our choices can be justified by principles that others cannot reasonably reject. But from the fact that it seems plausible to move to an objective, respectively intersubjective, theory of values, a theory that does not

reduce values to the immediate expression of desires and preferences, we cannot deduce that perfectionism is more persuasive than liberalism. There are forms of liberalism that presuppose objective theories of the good and of values. So, on the level of their understanding of values the differences between perfectionism and liberalism are not decisive.[31]

Sometimes perfectionists already take the commitment of a political theory to values as an argument for reading that theory as a form of perfectionism. The reason for this strange interpretation goes back to Rawls's understanding of perfectionism. Rawls associates the principle of perfection with the idea of intrinsic value, and he keeps the notion of value as an expression of the good separated from the principles of justice that belong to the right: 'Intrinsic worth is a notion falling under the concept of value, and whether equal liberty or some other principle is appropriate depends upon the conception of right.'[32] This way, Rawls distinguishes sharply between values and principles, and he does not consider that the principles of justice express an underlying conception of value. Yet, we can ask ourselves whether freedom and equality are both valuable for their own sake, whether one of them has only instrumental value, and how they relate to the overriding value that the members of society should be treated as ends. Political liberalism is based on a conception of basic political values and, moreover, it can make room for an elaborated theory of moral values. Hence, the mere appeal to values does not suffice to understand a political theory as a form of perfectionism.

A next point of difference between perfectionism and liberalism concerns their accounts of paternalism. Perfectionism allows a moderate paternalism that approves 'seatbelt legislation, compulsory medical insurance, and perhaps laws discouraging smoking.'[33] Perfectionism characteristically justifies paternalism by appeal to a conception of the good as a form of human excellence. Aiming for perfection, henceforth, seems indispensable to justify certain restrictions of individual freedom that are in the interest of all.

I do not think that a reference to ideas of a morally valuable or otherwise perfectly good life is necessary to find a justification for paternalistic interventions. It is, moreover, highly problematic. Do we have to justify prohibitions against smoking in public places by an appeal to a conception of the perfect life? Do we have to base them on the claim that a smoker's way of life is less valuable than a non-smoker's way of life? The perfectionist appeal to the promotion of the more perfect way of life is a dangerous way of arguing. If we justify restrictions of freedom in a certain case by reference to an ideal of the good life that seems more perfect and more worthwhile than others, then we have to acknowledge this way of reasoning as a general principle. But then we might be confronted with the situation that the freedom to lead a nonreligious life is at stake since a nonreligious life does not seem to many citizens sufficiently perfect. And we might also be confronted with the demand that homosexual marriages and partnerships should be forbidden since they do not conform to the ideals of perfection and intrinsic values many citizens entertain. The obvious reply by perfectionists is that this will not happen in a freedom-based perfectionism. But the tension between autonomy and the perfect is obviously there, and the question is whether the idea of the good and perfect does not have priority in a veritable perfectionism.

Liberalism justifies paternalistic restrictions on the basis of three principles, the principle of equal freedom, the principle of negative consequences, and the harm principle. The first considers restrictions as legitimate if they are necessary to protect the liberty rights of others. The second principle regards restrictions as justified if noninterference were to lead to greater negative consequences for another person than interference. The harm principle sees restrictions of freedom as legitimate if they help to avoid harm in general.

Restrictions on smoking can be justified by the harm principle and the principle of negative consequences. Seatbelt legislation can be justified with the harm principle. The identification of something harmful as bad and of pain as something to be avoided is not bound to the idea of perfection. We do not need the idea of the perfect to be able to introduce the concept of pain or harm. The harm principle and the principle of negative consequences belong to the liberal tradition.[34] So we can conclude that, with regard to the justification of paternalistic interventions, liberalism does at least as well as, maybe even better than perfectionism.

In the question of government responsibilities for the funding of education and culture, the case for perfectionism seems more promising. Do we not have to appeal to the idea of intrinsically more valuable forms of life to justify compulsory education as well as the funding of school systems and of cultural institutions such as theaters, opera houses, and concert halls? The obvious answer why a society should fund these institutions seems to be that these institutions are valuable, that they make social and cultural life richer, that they promote artistic expression and reflection, that they are important so that a society forms its social and cultural identity.

Some liberals, for example John Rawls, have not developed a plausible account of why cultural institutions should be supported. Due to his strict anti-perfectionism, Rawls denies that public funding for universities, research institutions, operas and theaters can be justified by an appeal to their being 'intrinsically valuable.' Rawls thinks that such funding is only legitimate if it is 'promoting directly or indirectly the social conditions that secure the equal liberties and as advancing in an appropriate way the long-term interests of the least advantaged.'[35] He obviously bases the justification on his two principles of justice. But it is strange to base the justification of public funding exclusively on the principle of equal freedom and the demand to improve the conditions of the least privileged.

Rawls evaluates cultural institutions too exclusively in the light of their contribution to democratic political conditions, conditions that are conducive to freedom and equality. We seem to reflect on the wrong level if we justify the funding of cultural institutions such as opera houses and theaters as a contribution to liberty, to equality, and to democratic political conditions. We should, in this context, remember Michael Walzer's advice that societies should be careful to develop criteria for the different spheres of social life, criteria that are adequate to the paramount value attitudes and considerations in that sphere. That opera houses and other cultural institutions are valuable and deserve to be funded has something to do with the fact that we consider art and artistic expression to be something valuable and less with our respect for basic democratic values. What Rawls seems to miss is that we can find an overlapping consensus also in regard to important cultural values.

Yet, even the case of funding cultural institutions does not show that perfectionism is a more convincing political theory than liberalism. Liberalism is not confined to the view that only the values inherent in the principles of justice are decisive, and that beyond the basic values of freedom and equality indifference towards the different conceptions of the good dominates. No liberal society could do with that. Liberalism simply demands that the basic rights that derive from the ideas of liberty and equality are paramount and that ideas of the good, even if they seem intrinsically valuable, ideal, and perfect, may not violate the basic freedom. But this leaves space for all sorts of value disputes, including those directed at the proper funding of cultural institutions and events.

Art funding need not be an expression of a comprehensive conception that invades all areas of life. We may consider the values expressed in art and culture as freestanding, as values that do not commit one to a comprehensive conception. These values open up more

dimensions than only freedom and equality, but they do not dispense with the basic foundations of a liberal society. And they do not turn the idea of perfection into a doctrine that must necessarily underlie public decisions. Perfection means aiming for the best. But a government that supports art does not act on the premises and principles of perfectionism, even if its funding policy is based on the view that art is worthwhile. In this context, perfection is the task of artists. Governments support cultural institutions because a large part of the members of society express attitudes of respect to them and because there are good reasons to regard these institutions as valuable. But this no more commits governments to perfectionism than a smoker giving up smoking turns him into a perfectionist. Far from having noble ambitions, he might have realized that he had good reason to do so, namely to protect his health and avoid the worst.

So we see that a reflection on the problems on which the dispute between perfectionism and liberalism focuses B namely values, paternalism, and state funding of culture B does not establish that perfectionism should be preferred to liberalism. It just shows that some modifications of certain liberal assumptions are necessary. The principle that the idea of equal freedom has priority in regard to perfectionist values and ambitions is not undermined if we let cultural values influence our social life so that even some political decisions are based on a consensus in respect to their importance. One task of political morality is to provide space for the development of personal values and personal perfectionistic ambitions. Another is to articulate those basic values that are the overriding parameters for political reflection, parameters that need not be the basis of each and every political decision, but that might not be ignored in the overall design.

In the last two decades, philosophers expressed great uneasiness with liberalism. Communitarians, for example, perceive liberalism as a right-based political theory that neglects social values such as empathy, care, and solidarity. This picture of liberalism is inadequate. Liberalism can admit rich value conceptions. It just specifies some paramount values that cannot be dispensed with by our inclinations to more particular values. But there has been a certain neglect of questions of value in some forms of liberalism.

One reason for the liberal focus on basic values and rights to the exclusion of other values is certainly the worry that the deep and fundamental convictions some groups of society have about the good, the valuable, and the ideal are potentially dangerous for the autonomy of those that do not match these ideals and do not share those convictions. The most effective barrier against territorial overstepping in the name of the good is the guarantee of basic rights to all. Yet, there is no reason to regard the principles associated with basic rights as the sole values important for public life.

The narrow conception of values that is characteristic for parts of liberalism creates another problem that may explain the strong interest in perfectionism in recent political philosophy. It is the problem of what brings people to keep to the rules of liberal society and, connected with that, the problem of civic virtue.

4. Civic virtue and the project of perfectionism

The concept of civic virtue plays a central role in the discussions about the merits and shortcomings of liberalism, perfectionism, and republicanism.[36] It is an interesting aspect of the current debates that defenders of perfectionism meanwhile read communitarianism as a form of perfectionism.[37] The main reason for this interpretation seems to be that communitarians defend an objective theory of the good that makes strong claims in regard to the value attitudes of the members of society: they should adhere to community values and to

the values of the social groups they grew up in. There are other shifts to observe. Michael Sandel, one of the foremost communitarian critics of liberalism, now describes his position as a form of republicanism.[38] One of the reasons he offers for this move is his approval of the republican understanding of virtue and civic virtue. Sandel is sensitive to the criticisms, not least from the side of feminist philosophers, that communitarianism is uncritical to the problematic side of conventional social bonds. In the republican tradition, he finds the sources for a more convincing account of civic virtue. But why should the appeal to the notion of civic virtue commit us to perfectionism or republicanism?

Why do democratic societies need virtuous citizens? Why do societies need more than that a large part of its members keeps to the laws? A state under the rule of law is not an institution of moral earnings and moral sentiments; it is foremost an institution that seeks to establish rules for a coexistence free of violence. But, so the well-known objection goes, a state by the rule of law cannot produce the socio-moral foundations that it has to rely on to design the rules for living together cooperatively.[39] This need for a socio-moral basis of a rule-governed society also creates the demand for civic virtues.

The tradition of political theory sympathizing with republicanism and perfectionism associates 'civic virtue' with the willingness to give up claims to one's subjective advantage in order to promote the common good. Political community is considered to be a value in itself. Citizens display civic virtue if they are willing to step back from their egoistic interests and promote the common good.

In republicanism, the concept of civic virtue is connected with the idea of political self-legislation, of seeing oneself under the law of a general will, as in Rousseau's political philosophy. This demands certain civic attitudes. A citizen that sees herself bound by the law of a general will also sees herself bound by the idea of the common good. The more specific political virtues associated with the idea of citizenship, namely the participation in the political activities and public activities of the community, are one specific aspect of the idea of self-legislation in the public sphere.

Often, philosophers draw a sharp distinction between liberalism and republicanism that does not do justice to some forms of liberalism. Liberalism becomes associated with the rational maximization of egoistic, foremost economic interests. Liberalism is described as the philosophy of negative liberty, the doctrine that just supports market interests. From these premises, critics argue, we can hardly win a plausible conception of civic virtue.

In republicanism, to continue this description of the opposition between liberalism and republicanism, we find instead a positive conception of freedom. A positive conception of freedom is associated with the idea that a society should enable its citizens to realize the ends of their choices by providing them with the necessary means for doing so. One aspect of this positive conception of freedom is the idea of self-legislation. Self-legislation finds an expression in the sphere of personal morality, in the idea that a subject gives herself the moral law. But self-legislation is also present in the realm of political morality B bound to the well-being of the community. Civic virtue is conceived as the voluntary contribution to the common good. Philosophers often argue that republicanism gives an account of the social-moral presuppositions of democratic societies, whereas the liberal model only reflects the socio-economic presuppositions of society.[40]

This description of liberalism is adequate to libertarianism, but it does not do justice to egalitarian liberalism. The egalitarian versions of liberalism are not restricted to negative liberty and the egoistic pursuit of one's interests. In the conceptions of Rawls and Dworkin we find the idea that autonomy demands certain means, i.e., primary goods or resources that make individuals positively free.

Equally, egalitarian liberals do not ignore the concept of civic virtue. Rawls is well aware that his conception of a well-ordered society needs citizens who act in accordance with the principles of justice. The stability of society depends on the acceptance of the principles of justice. Rawls assumes that the members of society have, due to a reasonable socialization, a sense of justice that motivates them to respect the basic principles.[41] The problem of stability shows quite clearly that liberal societies are dependent on the moral dispositions and virtues of their members. Hence, republicans and perfectionists can only make their positions stronger by demonstrating that the liberal account of civic virtue is deficient.

If civic virtue is defined as the disposition to keep to the rules of justice, then respect for the rights of others becomes the central virtue. Republicans and perfectionists interpret the concept of civic virtue differently. To be a full citizen means to participate in the life of the community and to develop bonds with the society in which one lives. This, they claim, needs more than a sense of justice and fairness, namely a sense of community and solidarity. The members of a society should feel responsible for those with whom they make up a community.

This understanding of civic virtue emphasizes aspects that are certainly not prominent in some versions of radical liberalism, but it is actually not too far from the account of civic virtue egalitarian liberalism offers. The virtue of respect for the rights of others is central in that conception. Solidarity enters the stage in the form of respect for the social rights of others. Liberalism does not leave solidarity on the level of contingent feelings and sentiments. If one does not want to turn solidarity into a form of compassion and charity, then it seems reasonable to define it as respect for the claims of others to social protection. The obvious objection here is that this brings us right back to the shortcomings of liberalism.

To assess this criticism, one has to consider carefully to which form of virtue exactly the critique appeals. The problem is that sometimes republicans, perfectionists, and communitarians do not draw a sharp distinction between public morality and personal morality, between the virtues associated with the acceptance of the basic principles of society and those virtues that belong to the realm of individual morality. Of course, a society is a better place to live in if its members live up to the high standards of individual morality and display virtues such as empathy and compassion for their fellow human beings. Care, empathy, friendliness, and compassion create a climate of trust and social quality. But it is important to notice that these phenomena are part of individual morality and are created by the individual's willingness to subscribe to the moral principles underlying these attitudes. Personal morality, this is something perfectionists admit, cannot be enforced by the state.

The term 'virtue' in the context of 'virtuous members of society' can be meant to refer to the virtues of individual morality, i.e., the attitudes of a morally decent person, moreover to those specific virtues that citizens on the level of public morality should display. In democratic societies, public morality is centered around the basic values of liberty, autonomy, and equality. Civic virtue in regard to public morality means, as pointed out above, respect for the rights of others, namely their rights to noninterference, to political participation and their social rights. So we see that the socio-moral foundations of a state by the rule of law are constituted by both spheres, the sphere of personal as well as that of public morality.

If we keep the separation of public and personal morality in mind, we see that the critique of the liberal conception of civic virtue is not justified. As public morality is constituted by the values of liberty and equality, it is perfectly fine if one defines 'civic virtue,' when it refers to the level of public morality, as the disposition to keep to the rules that correspond to these values. The familiar critique that this amounts to an impoverished notion of virtue is henceforth not convincing, since this objection draws exactly on the

categories and full possibilities of individual morality. Of course, the maxims, attitudes, and virtues displayed by people holding to the standards of personal morality add up to a rich social life and make societies better. Who would deny that triviality? But it is not the job of a political doctrine to develop and enforce a theory of individual morality. It is enough if it gives space to it.

The recent renaissance of perfectionism has to do a lot with the endeavor to make political philosophy morally more substantial. Perfectionism moves on both levels, the level of individual morality and the level of public morality. I have argued in this article that the idea of moral perfection finds its adequate place in the realm of individual morality. Hence, liberalism and perfectionism are compatible as long as the idea of perfection refers to excellence in the realm of personal morality. That a society needs citizens who strive for moral improvement and maybe even perfection is no reason to adopt perfectionism as a political doctrine.

Can perfectionism as a political theory be an alternative to liberalism? There is a striking difference between classical and modern versions of perfectionism. Classical perfectionism defends a compulsory model for the moral education of citizens. The current defenders of perfectionism hold that governments should enact policies to improve the moral quality of the lives of their citizens, but they are careful to point out their respect for individual autonomy and the fact of pluralism. But then the aim to improve the moral quality of citizens′ lives reduces to quite a moderate goal that is, moreover, shared by liberalism, namely: the state should provide the legal and social framework for the moral improvement and moral perfection of its citizens. As morality is not part of the sphere of external freedom, but is a matter of internal freedom, only individuals can perfect themselves. The state can just offer incentives by offering education and cultural life. And this brings us back to liberalism. Perfectionism cannot reach beyond that cautious form of motivating moral improvement as it would violate the central principle of democratic political theory, the idea of autonomy. Autonomy states that people choose the way of life they want to lead. In the realm of personal morality, autonomy is connected with the idea of realizing the valuable. Yet, even if we think that we should understand autonomy as a ‘perfectionist principle′ directed at the valuable,[42] it still holds that moral improvement is up to the autonomous will of people. It cannot be enforced from outside. Perfectionism as a political doctrine that does not want to violate basic standards of freedom and autonomy reduces to the project of offering incentives for moral improvement. And this project by itself does not establish perfectionism as a political theory that can claim to be an alternative to liberalism.

Societies are better if their citizens are good persons. But how good they want to be, what ideals of perfection they have and hold to, is up to them. In a way, it is hard to leave such a large part of the moral quality of a society to the will of individuals to act well. It may seem a too contingent basis. Nevertheless, political philosophy should resist the temptation to get a stronger hold on the idea of civic virtue. The concept of civic virtue and what it positively implies gets strongest in the hands of citizens. This is the prize of autonomy-based political philosophy: to leave citizens on their own in their moral endeavors and to trust them in their efforts to make the best of it. There will be inevitable disappointments, but altogether such a society is much better than the alternatives available B not perfect, but no disaster either.

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Notes

1 See, e.g., Raz (1986), Hurka (1993), Sher (1997), Chan (2000).

2 Dworkin (1995), p. 191.

3 Rawls (1971), p. 448.

4 Rawls (1993), p. 190.

5 Dworkin (1985), p. 191ff., Dworkin (1995), p. 223ff.

6 Dworkin (1995), p. 304.

7 Dworkin writes: >Just as no one deserves compensation because his ethical beliefs are (as we judge) mistaken, so no one should be denied liberty on the same ground. In both cases, paternalism is misguided because it wrongly treats convictions as limitations or handicaps.= Dworkin (1995), p. 303.

8 A comprehensive doctrine normatively reaches deep into the life of individuals as it includes quite specific assumptions about virtues and values. A noncomprehensive liberal conception is limited to the basic political values that are inherent to the >political culture of a democratic society.= Rawls (1993), p. 175.

9 Rawls (1993), pp. 179-181.

10 Ibid., p. 194.

11 Ibid., p. 203.

12 Raz (1986), p. 415.

13 An example is the feminist critique of pornography. Cf. MacKinnon (1993).

14 Hurka (1993), p. 3.

15 Ibid., p. 147.

16 Ibid., p. 59. Hurka regards consequentialism as adequate since human development and improvement do not seem to him completely a matter of an individual=s will.

17 Hurka (1993), p. 149.

18 Ibid. Critics also see antiegalitarian tendencies in perfectionism as it seems to value those citizens more who live up to perfectionist ideals. Moreover, perfectionism tends to favor unequal distributions because it supports valuable ways of life more than others. Hurka considers perfectionism to be compatible with the basic tenets of egalitarianism. Perfectionism, he argues, need not be competitive; it can amount to a cooperative form of political theory that recognizes the existence of others. But a theory for which the existence of other persons counts is willing to grant others the resources they require

and is, therefore, in favor of equality.

19 Hurka (1993), p. 149.

20 That is not to say that any political theory must be based on an instrumental conception of rationality. But also political theories that start from a Kantian conception of reason have to integrate the idea of instrumental reason in an adequate way.

21 This also holds for utilitarianism in Mill=s version.

22 One reason for the recurrent attempts to extend political theory into the area of virtues and values is that a large part of contemporary political philosophy does not pay enough attention to Kant=s distinction between morality (by which Kant means personal morality) and the right. Kant=s concept of >Recht= is ambiguous; it includes law and the right in the sense of the principles of public morality. Kant saw clearly that state force is only adequate in regard to legal rules. The perfection of citizens in regard to public and to individual morality is not in the power of the state to enforce.

23 See the following passage in his essay >Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis=: >Eine Regierung, die auf dem Prinzip des Wohlwollens gegen das Volk als eines Vaters gegen seine Kinder errichtet wäre, d.i. eine väterliche Regierung (imperium paternale), wo also die Untertanen als unmündige Kinder, die nicht unterscheiden können, was ihnen wahrhaftig nützlich oder schädlich ist, sich bloß passiv zu verhalten genötigt sind, um, wie sie glücklich sein sollen, bloß von dem Urteile des Staatsoberhauptes, und, dass dieser es auch wolle, bloß von seiner Gütigkeit zu erwarten: ist der größte denkbare Despotismus (Verfassung, die alle Freiheit der Untertanen, die alsdenn gar keine Rechte haben, aufhebt).= Kant (1793), pp. 145, 146 (A235, 236/A 237, 238).

24 Hurka (1993), pp. 152, 153.

25 Ibid., p. 153.

26 Ibid., p. 147.

27 Ibid., p. 155.

28 Ibid., p. 159.

29 Sher (1997), p. 8.

30 Even philosophers who associate values with actual preferences admit that we have to reflect critically on our immediate desires, and that we should base our choices on our considered preferences. Cf. Arneson (1989). This means that values cannot be the expression of our immediate subjective preferences.

31 For a constructive intersubjective account of values that fits into liberalism, see Anderson (1993).

32 Rawls (1971), p. 329.

33 Hurka (1993), p. 158.

34 Perfectionists like Raz claim that the harm principle is part of a perfectionist moral theory. But I do not think that Raz offers a decisive argument why the harm principle can only gain meaning in the context of perfectionism. He writes: >Since Acausing harm@ entails by its very meaning that the action is prima facie wrong, it is a normative concept acquiring its specific meaning from the moral theory within which it is embedded. Without such a connection to a moral theory the harm principle is a formal principle lacking specific concrete content and leading to no policy conclusions.= Raz (1986), p. 414. This statement does not make any reference to perfectionism, it just appeals to the role of moral theory in determining the content of certain moral principles. One can only deduce from this fact the conclusion that perfectionism is involved if one assumes that any moral theory that works with the concepts >good= and >bad,= >better= and >worse= is already perfectionist. But that is an inflationary reading of the notion of >perfection= that turns nearly all moral theories into forms of perfectionism. Most perfectionists try to define perfectionism more clearly. Hurka associates it with a theory that isolates certain properties essential to human nature and furthermore postulates that these properties should be developed with the aim of perfection. But it seems obvious that one cannot plausibly claim that the concept of >harm= can only gain meaning as part of such a theory.

35 Rawls (1971), p. 332.

36 In this section, I just want to pursue the question whether liberalism can make room for the notion of civic virtue. I do not want to analyze in detail which types of virtues a liberal society presupposes. Candidates in this context are tolerance, courage, law-abidingness, loyalty, fidelity, independence, virtues of a decent work ethics, etc. Cf. Galston (1991), ch. 10. I will not go into a discussion of such catalogues of liberal virtues here. One problem of these specifications of liberal virtues is that they sometimes reach far into the sphere of personal morality.

37 Sher (1997), p. 156.

38 See Sandel (2000), p. 252.

39 See Böckenförde (1976), p. 84f.

40 See Münkler (1998), p. 435.

41 See Rawls (1971), ′ 76. In his later work, Rawls modifies that solution of the stability problem as he gives more attention to the fact of pluralism. The answer to the problem of stability Rawls now finds in an overlapping consensus that is reached if the members of a society can generate arguments for the acceptance of the principles of justice from the background of differing religious or philosophical conceptions. The political values expressed in the principles of justice define a free-standing political conception that is

not dependent on a certain comprehensive conception. The sense of justice still guarantees that citizens respect just institutions. But the reasons for the acceptance of the basic political values derive from different worldviews.

42 Raz interprets autonomy as a perfectionist principle in his sense. Cf. Raz (1986), p. 417.