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Liberalism Without Perfection

J. QUONG, 2011

Oxford University Press.

352 pp, £61 (hb)

Jonathan Quong's book *Liberalism without Perfection* aims to defend a version of political liberalism inspired by, but not uncritical of, Rawls. The book is wonderfully written, full of insights and rich argumentation, covers a wide range of issues regarding liberal legitimacy, and does this with clarity and subtlety. It is the most sophisticated defence of Rawlsian liberalism available.

The book's main conclusion is that "the government must refrain from acting on the basis of any particular conception of what makes for a valuable, flourishing, or worthwhile life [...]. Instead, the government should remain neutral on the issue of the good life, and restrict itself to establishing the fair terms within which citizens can pursue their own beliefs about what gives value to their lives" (p. 2). This conclusion is supported by two premises. The first holds that political principles must be publicly justifiable to reasonable citizens, taken as free and equal in a fair system of social cooperation. The second premise is the observation that under conditions of freedom there will be reasonable disagreement about the good life. In this brief review, I summarise the main argument of the book, and raise two worries about Quong's project.

Quong's first chapter offers a succinct definition of the main differences between liberal perfectionism, and comprehensive and political liberalisms. The chapter nicely introduces key terms and the different possible relations between perfectionism, anti-perfectionism, political and comprehensive liberalisms. In chapters 2-4 Quong rejects perfectionism on the basis that 1) it cannot be defended by an appeal to personal autonomy; 2) it is paternalistic, and therefore *pro tanto* objectionable; and 3) it fails to secure legitimacy. Although he rightly claims that paternalism needs justification, I was not fully convinced that it is always *pro tanto* wrong. Quong's analysis of paternalism is judgment-based (p.80): an essential element is that the paternaliser acts motivated by a negative judgement about the paternalised's ability to make the right decision. This, Quong claims, is incompatible with treating others as free and equal. However, if the action is motivated by the judgement that (in some restricted domains) everyone is equally unable to make the right decision and that no one is responsible for her inability, we might think that some limited forms of paternalism are in no way objectionable. 'Nudge paternalism' could to be one example.

Chapters 5-8 defend the political version of liberalism against its comprehensive version. Chapter 5 defends the core of his theory. According to Quong, there are two conceptions of liberalism: the external and the internal conceptions. They essentially differ in the way they accommodate the fact of reasonable pluralism. According to the external conception, pluralism 'is a fact about the world to which liberalism must accommodate itself' (p. 138). For this reason, liberalism must be justified to a sub-set of 'persons that currently inhabit under liberal societies' (p. 138). This conception recognises that public justification is owed only to reasonable citizens, but assumes that they are drawn from the public political culture of existing liberal democracies. Quong criticises this conception on two grounds. First, it is political in the wrong way: why should we think that actual citizens have any normative authority about what legitimacy requires? (p. 145). Second, for a liberal society to be stable over time it needs to enjoy the support of the majority of citizens. But it is doubtful that in our societies a sufficient number of people endorse liberal principles for the right reasons. If this is so, the external conception fails because it becomes dependent on too many empirical contingencies (p. 150).

Liberals address these problems by insisting that the constituency of public justification is restricted to reasonable citizens. If being acceptable to reasonable citizens does all the justificatory work, Quong convincingly argues, we should endorse the 'internal conception'. In this view, public justification is owed to a set of ideal citizens who already accept liberalism's main commitments: those of society as a fair system of social cooperation between free and equal citizens, and reasonable disagreement as a fact of liberalism, rather than external to it. In this sense, the internal conception is more modest than the external one: it does not aim to justify liberalism to non-liberals, but only to work out a model of political justification for those who already endorse liberalism (pp. 139-140). By appealing only to idealised citizens Quong's favoured conception successfully escapes relying too heavily on the empirical and contingent facts of our societies that beset the external conception.

One might worry that by refusing to give reasons in defence of liberal principles to those who do not endorse them already, the internal conception reduces its ability to engage in many political issues that contemporary liberal societies face. Think, for instance, what liberals should say to those who want to teach intelligent design in public schools. Quong's response (pp. 241-2) is that when dealing with non-liberals, each of us should speak as a member of a comprehensive doctrine rather than as a citizen. Given that in our societies not everyone affirms liberal values (or at least not for the right reasons), public deliberation might need to be open to more non-public reasons than we might have expected. This is so because political liberals have nothing to say to non-liberals. The price of theoretical soundness might be having less use in actual political deliberation. Whether we should regret this consequence is a different matter.

The next few chapters defend political liberalism against well-known challenges: chapter 6 defends the need for an overlapping consensus, although Quong departs from Rawls in several important ways. Chapter 7 addresses the asymmetry objection (why is it legitimate for the state to impose a conception of justice, but not a conception of the good?) Chapter 8 resists the view

that either political liberalism depends on scepticism about the truth, or that it smuggles in a non-neutral epistemology by the backdoor. There is a pattern in these chapters: Quong persuasively argues that all of these critiques are plausible when directed to the external conception, but unsuccessful when directed to the internal conception.

A final worry about Quong's view relates to the role of autonomy. Autonomy appears in the second moral power of citizens: the ability to form, revise and pursue a conception of the good (p. 39). Given that there is reasonable disagreement about the conditions and value of autonomy, political liberals appeal to a thin notion of political (rather than personal) autonomy, which is a view that Quong seems to accept. However, I believe such a conception is implausibly thin. As feminists have argued, it fails to address the social conditions under which people form and revise their commitments. Even in ideal circumstances this notion might be insufficient. To cite an example, when thinking about freedom of speech we might need a richer view of autonomy in order to understand why restrictions on commercial speech (such as advertisement) are sometimes legitimate. Does endorsing a thicker notion of autonomy commit us to a form of comprehensive liberalism? Not necessarily: it might be also possible to work out an autonomy-based liberalism which does not (implausibly) claim that autonomy overrides all other values, and yet offers principled reasons to exclude considerations of those other values. Notwithstanding these concerns, Quong's excellent book shifts the burden of proof to those who want to attack Rawlsian liberalism.

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