

# Republicanism and Perfectionism

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## Abstract

Our interest is in how the republican non-domination principle relates to another group of principles which might be described as perfectionist. Perfectionists share a commitment to one or another objective account of the human good and its pursuit over other lesser options. Roughly speaking, a perfectionist principle states that public policies and institutions ought to be designed with the aim of encouraging or discouraging certain conceptions of the good and the plans of life associated with them. Many republicans, on the other hand, will share the political liberal stance that the state should remain substantively neutral over competing conceptions of the good. For Republicans, then, an important question is whether and to what extent the non-domination principle commits them to or is compatible with various perfectionist principles. We seek to answer this question by offering a typology of perfectionist principles, going on to show that republicans are committed to a weak perfectionist principle that does no harm to their wider commitments. In giving our typology of stronger and weaker principles of both perfectionism and neutrality, we show that the weak forms of each are compatible with non-domination in ways that should appeal to both political liberals and moderate perfectionists.

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# 1 Introduction: Republicanism

Let us say that a public philosophy or political doctrine is a reasonably coherent set of normative principles for assessing public policies and institutions as better or worse. Among these, presumably, would be principles of social justice, of political legitimacy, of economic efficiency, of humanitarian charity, and so forth. To be reasonably coherent, of course, political doctrines must somehow provide relative weights or ranks to these various principles, otherwise they will provide no guidance in cases where the principles conflict.

## 1.1 The Non-domination Principle

Recently, there has been much interest in civic republicanism as an attractive political doctrine.<sup>1</sup> Let us say that civic republicanism is any political doctrine in which the principle of promoting freedom from domination is given a central place: call this the *non-domination principle*:

**NDP** Public policies and institutions ought to be designed with the aim of minimizing domination, so far as this is feasible.

Roughly speaking, we can here regard domination as a sort of dependence on arbitrary power: persons or groups experience domination to the extent that they are dependent on a social relationship in which some other person or group wields arbitrary power over them. Domination in this sense is paradigmatically experienced by slaves at the hands of their masters, wives at the hands of their husbands under traditional family law, unprotected workers at the hands of their employers in markets with structural unemployment, and citizen at the hands of tyrannical or despotic governments.<sup>2</sup> Different versions of civic republicanism will characterize that centrality differently, of course. On some accounts, the non-domination principle might be absolute – whether as a side-constraint or through a stringent priority rule – admitting other principles only to the extent that they do not conflict with it. On other accounts, the non-domination principle might simply be one among many independent principles, though having a certain priority in

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<sup>1</sup> See especially Pettit 1997; Viroli 2002; Maynor 2003; Lovett 2010; or for an overview, Lovett and Pettit 2009.

<sup>2</sup> On this arbitrary power conception of domination see Pettit 1997, ch. 2; Lovett 2010, chs. 2–4.

cases of conflict.<sup>3</sup> These differences will not be important for our discussion, however: the issues we will consider arise for any political doctrine in which the NDP is given some sort of priority.

## 1.2 **Perfectionist Principles**

Our interest will be in how the republican NDP relates to another group of principles which might be described as perfectionist. Perfectionists share a commitment to one or another objective account of the human good and its pursuit over other lesser options. Roughly speaking, a perfectionist principle states that public policies and institutions ought to be designed with the aim of encouraging or discouraging certain conceptions of the good and the plans of life associated with them.

Here we may roughly think of a plan of life as something like, ‘become a doctor with a family practice.’ Plans of life generally flow from a conception of the good (e.g., ‘the best life is one in which you exercise your talents while trying to help others’), together with any relevant circumstances (e.g., having a talent for medicine in a community with a shortage of primary care physicians). More abstractly, a plan of life is any more or less coherent working out of how one should go about pursuing the values embodied in his or her conception of the good. Though the physician example is surely one such plan of life, it should not be thought that there exists any sort of one-to-one mapping from specific conceptions of the good to unique life plans. Many different conceptions of the good will be thought by their holders to proscribe similar life plans, and any particular conception of the good will be thought by their holders to proscribe diverse life plans – at best, knowledge of either gives us an underdetermined indication of what the other is likely to be.

Political doctrines that include perfectionist principles must presumably assume that it is possible to make at least at least some objective judgments about various conceptions of the good as being better or worse: otherwise it is unclear what the basis might be for encouraging or discouraging certain conceptions in particular. Of course, public policies and institutions might have the side-effect of encouraging some conceptions and discouraging others, without this having been a part of their intended aim. For example, suppose that some community adopts food production regulations requiring the humane slaughter of animals. While the aim of this policy

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<sup>3</sup> As an example of the former, see Pettit 1997; of the latter, Lovett 2010.

might simply be to protect animal welfare, it may as an unintended side effect make kosher foods more expensive, and therefore discourage Jewish plans of life at the margin (Barry 2001, 41). More starkly, a society must take some stance on ownership, whether it be in private holdings or a more communal sense of ownership, this is very plausibly a question that real societies cannot remain agnostic over for long. Whatever a particular society chooses, from side-constraint libertarianism to Leninism, some conceptions of the good will be more easily pursued than others, which themselves could have been in the privileged position, had society chosen an alternative principle of ownership. Nagel and Murphy, for instance, claim that any modern tax system and its associated regime of property rights will have significant distorting effects on people's decisions about "work, leisure, consumption, ownership, and form of life" (Nagel and Murphy 2002, 170). We could select a different property regime, but it would only have a different set of distortions – they cannot be eliminated entirely. [these examples are sufficient, I think!]

Nor can any plausible political doctrine set out to perfectly equalize these various effects, since there are many situations in which some conceptions of the good will in effect be encouraged, and others discouraged, no matter what policy or institution we adopt. For instance Kymlicka identifies the necessarily nonneutral effects that civil liberties will have over which conceptions of the good thrive and which whither:

[R]espect for civil liberties will necessarily have nonneutral consequences. Freedom of speech and association allow different groups to pursue and advertise their way of life. But not all ways of life are equally valuable, and some will have difficulty attracting or maintaining adherents. Since individuals are free to choose between competing visions of the good life, civil liberties have nonneutral consequences (Kymlicka 1989a, 884)

For better or worse, it is inevitable that public policies and institutions will have these sorts of effects, and thus no plausible political doctrine can set out to avoid having any.

Perfectionists seek to identify one or more conceptions of the good (or elements thereof) and promote them in the case of genuinely valuable conceptions, and discourage them in the case of disvaluable ones. So let us say that any public philosophy is meaningfully perfectionist if it contains a significant perfectionist principle. What is distinctive about perfectionist principles, therefore, is that they recommend encouraging or discouraging certain conceptions of the good and the plans of life associated with them as an explicit aim in designing public policies and institutions. Political doctrines might include perfectionist principles that are strong, moderate,

or weak:

- SPP** There is one correct conception of the good: X. Public policies and institutions ought to be designed with the aim of encouraging life plans based on X and discouraging all others.
- MPP** The best conception of the good is X. Among the others, some Y are less good but still acceptable, while others Z are bad. Public policies and institutions ought to be designed with the aim of encouraging life plans based on X and discouraging those based on Z.
- WPP** Some conceptions of the good Z are bad, while others X and Y are acceptable. Public policies and institutions ought to be designed with the aim of discouraging life plans based on Z.

Historically speaking, political and moral doctrines including perfectionist principles have been more or less the norm. Though ancient Greek society permitted a great pluralism of belief about a variety of matters, most Greek thinkers (and this was reflected in wider Greek society) sought to formulate ideas of the highest good for human life, and to give citizens reason to live according to that good (Rawls 1993, xxi-xxii). Aristotle and his followers (see especially Hurka 1993, but also Foot 2003 for contemporary examples) have been still more direct in their perfectionism, seeking to identify unique human goods in line with discernable features of human nature. The medieval period is politically and morally characterized by perfectionist Christian theology, whereby thinkers such as Augustine and Aquinas sought to justify political institutions via appeal to their coherence with scripture. It wasn't until comparatively recently, and especially since Locke's 'A Letter Concerning Toleration,' that challenges to the dominance of perfectionist thinking received much attention. Mill's writing on free speech and the harm principle can be seen as a significant extension of Locke's reaction to intolerance, and was another widely influential statement of a sort of proto political neutrality.

Perfectionism's contemporary formulations, while plausibly seen as contiguous with the earlier tradition, are more aptly described as a response to the fairly large group of contemporary theorists advocating for neutrality. This response, championed by Vinit Haskar (1979), Joseph Raz (1986), Will Kymlicka (1989b), Thomas Hurka (1993), and Steven Wall (2009), among others, seeks to

show that neutrality is incoherent, impossible, or for some other reason not worth pursuing, and so we are left without a universalizable and neutral conception of justice and public order. These critics conclude, with Raz, that "... it is the goal of all political action to enable individuals to pursue *valid* conceptions of the good and to discourage evil or empty ones" (1986, 133, emphasis added).<sup>4</sup> A notable feature of this debate, and a reason why the perfectionists mentioned aren't necessarily best thought of as continuing the older perfectionist traditions of Plato, Aristotle, and Nietzsche, is that all the thinkers mentioned above have substantive and significant liberal commitments. Indeed, in some cases their perfectionism begins and ends with the value of autonomy. So rather than a debate between liberals and perfectionists, this is a debate among liberals over the possibility of neutrality and the role of conceptions of the good life.<sup>4</sup> The broad liberal consensus among contemporary theorists leaves even those who believe in the pursuit of a defined set of objective excellences to count autonomy among them in one way or another (see, for example, Hurka 1993, ch11).

## 2 Republicanism and Neutrality

Should our public philosophy or political doctrine include a perfectionist principle or principles? Broadly speaking, there are two different sorts of objection that might be levied against perfectionist principles.

On the one hand, one might object to the specific content of a given perfectionist principle. For example, one might dispute the civic humanist's claim that the most excellent form of human life must include extensive political participation, or the liberal perfectionist's claim that autonomy is the most important good for human beings. This leaves open the possibility that some alternative perfectionist principle, based on a better conception of the good, might be acceptable. Thus, on the other hand, one might instead object to perfectionist principles as such, regardless of their specific content. In other words, one might argue that we should not be in the business of encouraging or discouraging specific conceptions of the good and the life plans associated with them at all, no matter how attractive or objectionable they might seem to be. We leave them aside (for the most part) because they do not present neutrality with the same sort of challenge that liberal variants do. Liberal neutrality, and for that matter, any other liberal public philosophy, is on better footing

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<sup>4</sup> There are, of course, illiberal perfectionists, both in historical tradition and in contemporary variants.

against illiberal challengers, simply in view of their illiberalism. If the challenger theory holds that people don't need to be free on any understanding of what it means to be free, then it likely won't have sufficient contemporary purchase to mount a credible challenge. In any case, such a theory would not present a unique challenge that liberal neutrality would have to respond to: either the illiberal challenge is right and all liberal theories (including liberal neutrality) are wrong, or it's not and the conversation remains within a broadly liberal community.

Objections of the first sort simply amount to arguments about which conception of the good is best. Since such arguments are controversial – indeed it is often disputed whether such judgments can be made – we will leave them aside and focus on objections of the second sort. Those who argue against perfectionism in general suggest that we should instead try to remain neutral among the various competing conceptions of the good and their associated life plans. Strict anti-perfectionists would argue that our political doctrine should include a strong neutrality principle:

**SNP** Public policies and institutions should never be designed with the aim of encouraging or discouraging particular life plans.

Obviously, the SNP is incompatible with SPPs, MPPs, or WPPs. Other, less strict anti-perfectionists would only go so far as to endorse a moderate neutrality principle:

**MNP** Public policies and institutions should never be designed with the aim of encouraging life plans based on one particular conception of the good without leaving individuals some reasonable range of choice.

In contrast to the SNP, the MNP is compatible with WPPs, though not with either MPPs or SPPs. Moderate anti-perfectionists might thus be willing to accept some forms of weak perfectionism. As an example of the latter, consider that many people would favor discouraging plans of life based on racist or fascist conceptions of the good. If however they would still want public policies and institutions to remain neutral among the many conceptions of the good that are not racist or fascist, it is reasonable to call them anti-perfectionists, even though they are not strict about neutrality. However, under modern conditions of reasonable pluralism, it seems to many

that no acceptable political doctrine should include SPPs or MPPs. In other words, on this view, we should adopt only political doctrines that include at least the MNP among their various principles. The question for this paper is whether civic republicanism is such a doctrine. Do civic republicans have reasons to accept the MNP, and thus reject all SPPs and MPPs? Or are the latter (at least potentially) compatible with a civic republican political doctrine?

Note that civic republicans do have a reason to endorse at least one WPP. Specifically, if we accept the republican NDP, then we will have reasons to regard any conception of the good involving the intention to subject others to domination as anathema. It follows that public policies and institutions should discourage life plans based on such conceptions. Since WPPs are compatible with the MNP, however, this can potentially leave republicans in good anti-perfectionist standing.

The difficulty is when we come to SPPs or MPPs. Initially, it seems, either might be compatible with the republican NDP. Consider, for example, the following political doctrine which we might call *participatory republicanism*:

**PR1** Public policies and institutions ought to be designed with the joint aims of

- (1) minimizing domination, so far as this is feasible, and
- (2) encouraging lives of active political participation and civic virtue, while discouraging all other plans of life.

Here of course we must assume that PR1 includes some weighting or ranking principle according to which the first aim takes some degree of priority over the second (otherwise the political doctrine would not qualify as republican), though the nature of that priority will not be important for our argument.<sup>5</sup> What is significant is that PR1 includes both a NDP and a SPP and, on its face at any rate, seems to be a plausibly coherent doctrine. We might also consider:

**PR2** Public policies and institutions ought to be designed with the joint aims of

- (1) minimizing domination, so far as this is feasible, and
- (2) encouraging lives of active political participation and civic virtue and discouraging

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<sup>5</sup> Note that if the NDP were not given priority in a political doctrine, it would be easy to block perfectionism by simply including a neutrality principle at some rank above the NDP.

plans of life that involve subjecting others to domination.

Again we may suppose that the first aim is given some sort of priority over the second, without specifying the nature of that priority. PR2 includes a NDP and a MPP, and again on its face seems to be a plausibly coherent doctrine.

The worry is thus that, unless we can show the NDP somehow inconsistent with perfectionist principles, civic republicanism will have insufficient resources to block many objectionable forms of perfectionism.

### 3 **Perfectionist Assumptions**

How might civic republicans object to perfectionism?

Political doctrines that include a perfectionist principle must make three assumptions.

First, it must be the case, not merely that some conceptions of the good be objectively better or worse than others, but more importantly, that we can at least to some extent make sound judgments as to which are the better ones and which the worse. Call this the *epistemic condition*.

Second, the policy set associated with the perfectionist principle must be a feasible one. That is, the relevant political authority must be able to accomplish perfectionist aims. Call this the *feasibility condition*.

Finally, the relevant authority must be unencumbered by any political or moral side constraints which might prohibit the pursuit of the perfectionist aims in question. Call this final assumption the *side constraint condition*.

In order to adopt a perfectionist principle, we must assume or argue that each of these conditions hold in the relevant way. As a result, they function to lay out (at least) three ways in which we might object to perfectionism.<sup>6</sup> If any one of these assumptions turns out to be flawed, then the case for perfectionism fails, whatever its substantive content.

#### 3.1 **Feasibility**

Addressing the feasibility condition is the most straightforward of the three for perfectionists. This isn't because it's simple or easy to overcome this challenge, but rather because the conditions for showing that it can be met are widely agreed upon, unlike the other two. Recall the feasibility condition is a premise in a perfectionist argument which insists that the good plans of life X or the bad plans of life Y can in fact be promoted or discouraged,

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<sup>6</sup> This is separate from showing that a particular perfectionist view is incorrect, either because it is in some way incoherent or because it offers a somehow deficient ordering of the relevant goods. Either of these critiques would still be perfectionist critiques, since they (internally) challenge only the sub-stance of the account in question, and not its (external) standing as a moral account in the first instance

respectively – that government can have a positive effect in orienting people toward the good or away from the bad. As such, whether or not a particular perfectionist argument passes this condition will be an empirical matter, weakly dependent on the substantive ordering of the good characterizing the argument.

Passing this condition requires first some general empirical assumptions about (dis)incentives, namely that they can indeed function to effectively (dis)incentivize good or bad ways of life.

Second, it requires some more specific empirical assumptions about the goods and bads to be encouraged and discouraged, along with the respective orderings (if applicable) of goods and bads. It must not only be possible that government can incentivize the good, but also feasible that the particular good in question is liable to be incentivized. Of course the first empirical assumption is uncontroversial – incentives can indeed produce serious changes in action, and we have no reason to think that this doesn't reach all the way to plans of life (Grant 2011). The second assumption is perhaps more controversial, but only comparatively so. Incentives and disincentives change behavior in wide variety of ways. Of course, that incentives could bring about particular perfectionist orderings would have to be argued for on a case-by-case basis, but it's unlikely these would be impossible or even difficult arguments to make. So this isn't a very attractive response to perfectionism, because it's quite likely to be unpersuasive.

### **3.2 Republican Side-constraints**

For now we leave the epistemic assumption aside, to be returned to below. It's the final assumption, the side constraint condition, which is of particular interest to us here. This is the objection most often levied against perfectionism: it is argued that respecting freedom of conscience against the burdens of judgment (Rawls 1993), or moral equality (Christiano 2008), or self-ownership (Nozick 1974) provides a inviolable or overriding constraint on the design of public policies and institutions such that perfectionist aims are disallowed. Jonathan Quong, for instance, argues that perfectionism is wrong because it is necessarily paternalistic. Paternalism is always wrong because it implies a negative assessment of the rational capacities of citizens. To paternalize is to say that citizens, without intervention, will fail to act in their own interests, and thus to infantilize them inappropriately (Quong 2011). Criticizing paternalism along these lines

requires an argument for neutrality, since with no legitimate basis available for instituting a conception of the good, we must either have a non-good basis for policy, or fall into nihilism or anarchy. This explains the main fault line in the critical debate over perfectionism and autonomy, which sees each side questioning the tenability, coherence and/or morality of the alternative position (eg, Sher 1997; Arneson 2003; Rawls 1993; Patten 2011; Quong 2011).

The relevant question for us is whether the republican NDP can generate a sufficient side-constraint to rule out strong and moderate perfectionist principles. The most obvious side constraint generated by the NDP is that the aim of minimizing domination must rule out any perfectionist principles based on conceptions of the good producing ways of life that would militate against that very aim. For example, some traditional Christian conceptions of the good hold any sort of political activity anathema and support rather complete passivity and acceptance in the face of domination. While republicans need not actively discourage such conceptions of the good, the priority of the NDP would certainly rule out any attempt to encourage them. This first side constraint, however, blocks only certain forms of perfectionism based on the content of their particular conception of the good. As we noted earlier, this leaves the door open to alternative perfectionist theories whose associated conceptions of the good are not counterproductive to the very aim of reducing domination. This is what is interesting about PR1 and PR2: many have argued, plausibly, that an active and virtuous citizenry would in fact help in reducing domination.

Consider next two further side-constraints plausibly generated by the NDP. First, if our aim is to reduce domination in all its forms, then we must be careful not to introduce new forms in our efforts to combat old forms. It is not enough, for example, that some public policies or institutions will reduce domination in private or economic spheres, if in doing so they so expand the arbitrary powers of the state so far as to introduce more domination than they remove. It follows that the NDP will rule out any variety of perfectionism that generates extensive political domination. The second side-constraint plausibly generated by the NDP is more subtle. Here the difficulty is that if we encourage some forms of life too enthusiastically at the expense of others, individuals who are not inclined to accept the favored conception of the good might find themselves socially anathema. This may in turn render them vulnerable to private or economic domination. So again it follows that the NDP will rule out any variety of perfectionism that creates such vulnerabilities.

Now it is plausible to suppose that these latter two side-constraints will rule out PR1, the

attempt to combine the NDP with a SPP. On the one hand, it is difficult to imagine how we might succeed in discouraging all forms of life to the exclusion of the favored one of active political participation and civic virtue without greatly expanding the scope and intrusiveness of state authority. On the other hand, it is likely that in such a state, individuals not fully suited to the life of active political participation and civic virtue will find themselves social outcasts, and thus vulnerable to domination. Supposing this is correct, however, does not rule out PR2. It does not seem that the side-constraints generated by the NDP will rule out moderate forms of perfectionism, at least not provided they are based on suitable conceptions of the good. Are there other conceptual resources, then, that the republican might draw on to object to perfectionism?

### 3.3 **Republicanism and the Burdens of Judgment**

The epistemic condition for perfectionism holds that it must be the case, not only that some conceptions of the good are objectively better or worse than others, but more importantly, that we can make (at least some) significant and sound judgments as to which are the better ones and which the worse. The significance of the judgments we arrive at will largely determine the strength of the perfectionist principle we settle on. For instance, suppose we can only make sound judgments on the abhorrence of some few conceptions of the good. Then murder and torture would be unacceptable elements of a publicly affirmed or permitted conception of the good, but it would remain neutral over the remaining conceptions. This would give us a set of justifiable weak perfectionist principles, but no moderate or strong principles. In order to justify those more thoroughgoing perfectionist principles, we would require more exacting and significant epistemic judgments about the good. We would need to be able to soundly identify more than just a few bad conceptions of the good. In particular, to epistemically justify MPPs and SPPs, we would need to be able to identify a complete ranking of relatively rough groupings of conceptions, and a single best conception, respectively.

Recall that this condition applies to both the good itself and to us who seek judgments about the good. It must both be the case that conceptions of the good are better or worse than one another in a sufficiently fine-grained way that we can get the rankings required by MPPs and SPPs, and that we are genuinely capable of discerning those rankings. Liberal pluralism, exemplified by political liberals like Rawls, deny this very premise. Rawls does so by

enumerating what he calls burdens of judgment. These are facts about morality, human reason, and the world in which we find ourselves that leave us doubting the superior soundness of our own judgments about the good over those of others. For Rawls, things like the complexity of available evidence, persistent disagreements over the weights to be assigned to competing considerations, vague and differing interpretations of relevant concepts, and the complexity of normative considerations (among other factors), all lead to a situation where reasonable people can forever be expected to disagree fundamentally over issues of the good. This state of reasonable pluralism, as Rawls calls it, is the source of the epistemic doubt which, for political liberals at least, undermines the justification of MPPs and SPPs by denying the epistemic assumption.

Can republicans incorporate a burdens of judgment argument against perfectionism along similar lines? They cannot. This is because the NDP itself relies on a thin conception of the good for human beings. The reason we should care about minimizing domination, republicans generally argue, is because enjoying freedom from non-domination is a necessary condition for human flourishing.<sup>7</sup> Making out any such argument along these lines requires at least some weak assumptions about the nature of the good for human beings – for instance, the assumption that human beings cannot succeed in leading flourishing lives if they are subject to domination.

## **4 Conclusion**

Civic republicans face a clear choice. Either they must rest content with the possibility that at least some moderate forms of perfectionism will be consistent with republicanism, or else they must give up their substantive argument for the NDP.

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<sup>7</sup> See for example, Pettit 1997, 85–89; Laborde 2009, 152–156; Lovett 2010, 130–134.

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