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POLITICAL LIBERALISM VS. LIBERAL PERFECTIONISM

LIBERALISM, CONTAINMENT, AND EDUCATION

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Jonathan Quong’s *Liberalism Without Perfection* is a remarkably clear and sophisticated contribution to contemporary political philosophy. Quong presents a genuine political understanding of liberalism, distinguishing his view from comprehensive and perfectionist variants of liberalism. His approach is deeply Rawlsian in spirit, but it introduces novel and important differences. I agree with Quong’s compelling perspective on almost every point he makes in the book, and to critically engage with his work is not an easy enterprise. Here I do not work out my (minor) disagreements, but rather try to push Quong into saying something more on what I take to be one of the thorniest questions for liberal thinkers, namely the question of education in liberal democratic institutions. In particular, I shall focus my attention on what Quong calls the ‘containment of unreasonable doctrines’ (Ch. 10). The case of education is particularly interesting from Quong’s non-perfectionist liberal perspective: Quong needs to provide the grounds on which political institutions can interfere with and censure illiberal or unreasonable beliefs and practices, without violating the very tenets that underpin his approach.

I proceed as follows. In § I, I briefly illustrate the problem of liberal education in pluralist societies as I see it, and then I introduce Quong’s view of liberal containment of unreasonable doctrines. In § II, I point out some difficulties for Quong’s view when containment is applied to education.

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In contemporary societies characterized by a plurality of religious views and cultural diversity, there is a growing discussion about whether and how liberal democratic institutions should accommodate ways of life other than liberal. This problem becomes particularly manifest when we have to elaborate norms regulating the provision of education. Most liberals agree that the state should provide and sustain an educational system, but it is not clear what ideal should govern such a system. Some liberals support a Millian ideal of teaching programs that reflects the complexity and diversity of contemporary societies, and provides people with the tools for choosing between different ways of life. Others argue against this idea, claiming that such an open system could disrespect people’s religious belief and cultural traditions.

The objection runs as follows: making young people believe that there exist different possible religious views or, more generally, a great variety of ways of living might cast aspersions on the truth of one’s family values. For instance, the teaching of things like sex education or civics touches upon fundamental parts of one’s identity and cannot be taught from a neutral point of view, as liberals claim. Catholic students, for example, could be induced to believe that there is nothing wrong with pre-marital sexual intercourse, or that constitutional essentials do not necessarily need to respond to God’s will. Religious believers do not deny the fact that some members of a society are liberal and could prefer a liberal education (or might have been raised in another persuasion, thus preferring another kind of education); they rather say that, first, the way the educational system is set up—characterized by certain embedded values—has a deep impact on people’s lives; since behind the alleged neutrality of liberalism there are substantive values like freedom and equality, which are not content-free ideals and are at least sometimes incompatible with some religious teachings, a liberal educational process cannot be imposed on non-liberal religious believers. The problem is that, sometimes, non-liberal educational systems embed values which deny liberal fundamental tenets. How should liberals address this problem?

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In his book, Quong takes on the question of liberal education in the last chapter (§10.3), while dealing with the problem of unreasonable citizens. According to Quong, unreasonable people either do not see a society as a fair cooperative enterprise among free and equal citizens holding different reasonable comprehensive views of what constitutes a good life, or accept these ideals but do not assign them priority when deliberating about important political matters. In both cases, they reject the idea that a public justification of political power is due to people insofar as free and equal, thus “directly contradict[ing] the fundamental political values of a liberal democratic regime” (p. 291). Quong is clear that being unreasonable (namely, denying either of the above stated ideals) does not deprive somebody of the liberal rights and entitlements given to all others, but only excludes her from “the constituency that determines what those rights and benefits will be” (ibid.). And what if unreasonable people claim special social arrangements that match their cultural roots or religious beliefs but deny (at least some) liberal values? Can the state infringe the rights of unreasonable persons and contain their illiberal ideals?

Following Rawls, Quong thinks that the “primary intention [of containment] is to undermine or restrict the spread of ideas that reject the fundamental political values, that is, (a) that political society should be a fair system of social cooperation for mutual benefit, (b) that citizens are free and equal, and (c) the fact of reasonable pluralism” (p. 299, emphasis in the original). And containment is justified by stability considerations (p. 300). Quong argues that it is “essential that doctrines which deny the freedom and equality of persons, or the idea of society as a fair system of cooperation, not become so prevalent that they threaten to undermine the fundamental ideals of a well-ordered liberal regime” (ibid.), since without stability “a just

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4 Quong presents these ideas throughout the book, and sums them up at the beginning of Chapter 10.
5 Quong restricts constituency for the justification of political institutions to reasonable people and defends this idea in Chapter 5. See also his précis published in this issue.
6 Rawls says that the fact “[t]hat there are doctrines that reject one or more democratic freedoms is itself a permanent fact of life, or seems so. This gives us the practical task of containing them—like war and disease—so that they do not overturn political justice.” J. Rawls, Political Liberalism (New York: Columbia University Press, 1996, 64 n. 19). Quong quotes this passage at 290 n. 1 and 299 n. 28 in his book.
constitutional regime [cannot] generate its own support” and so “avoid decay and decline” (ibid.).

As an illustration of the containment of unreasonable doctrines, Quong imagines a private school where “a core component of the private schooling the children receive is the belief that their religious group is superior to all others” (p. 302). Notwithstanding the excellent level achieved by students in all other subjects and their high performance in general examinations, this sort of education is clearly unreasonable. In Quong’s words,

the goal of containing unreasonable doctrines might justify an apparent infringement of unreasonable citizens’ rights, in this case the parents’ right to educational choice. The ethos of the community’s schools needs to be altered, or if this proves impossible to achieve, the schools would have to be closed on the grounds that they are failing to teach children the fundamental political values of a liberal democracy. It is a clear instance of containment in that preventing the spread of unreasonable ideas is the primary objective of state interference in this case. There are no ‘external’ individual rights that require protection from the private schooling of the community: the only reason to interfere is the long-term goal of containment (p. 302).

Quong is right in saying that such education is unreasonable, but I have some reservations about whether it ought to be contained. More specifically, I have two sets of doubts about whether a containment strategy can be consistently deployed from a liberal perspective, without incurring objections similar to the charge of paternalism Quong presses against perfectionists’ views. In the next section I try to elaborate on these points.

II

A first set of difficulties concerns the criteria of application of containment. Without certain and definitive criteria regulating state intervention for containing unreasonable doctrines, the application of containment might entail a violation of the very liberal tenets containment is meant to protect. Containment ought to be applied if (i) certain unreasonable doctrines—endorsed by some of the members of a given society—deny liberal values, and (ii) the spreading of these ideals constitutes a real threat to the stability of such a society. If this reconstruction of Quong’s view is correct, I am afraid that if disjunctively applied, (i) might be

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7 Quong invokes Rawls's argument from “stability for the right reasons” presented in Political Liberalism, Lecture IV.
too broad and (ii.) too vague; if conjunctively applied, the criteria might be too permissive.

Taken alone, (i.) might include unreasonable beliefs that do not properly form an unreasonable doctrine. I try to clarify this point with the following example. Imagine a school where female teachers cover their heads, motivating this practice on the ground that women ought to respect a code of modesty that does not apply to men. No manipulation takes place here: every year teachers affirm their free choice to adhere to a cultural tradition that assigns different roles on the basis of gender. From a liberal perspective the idea underlying such practice—that there is a fundamental difference between genders that makes them unequal in some respects—might violate the fundamental liberal value of equality. But is this enough to close a school?

(ii.), on the other hand, seems to be too vague since it is actually difficult to say when a threat is real. Quong admits to lacking a principled defense for this criterion, and he suggests that an unreasonable doctrine represents an effective threat to stability only when a relevant number of active members of a given society engage in illiberal practices prescribed by such a doctrine (pp. 303-5). Moreover, Quong takes this line of criticism as “pragmatic” and not “principled” (p. 303): it is clear what the state ought to do (contain unreasonable doctrines), but when and to what extent containment applies is determined by facts of the matter about a given society. Nevertheless, an excessive degree of vagueness remains; and this might undermine the plausibility of containment when we try to offer a principled solution to the question of how many unreasonable schools a liberal state should tolerate.

A possible way out for Quong could be to admit that both criteria should be met at the same time. But in this case containment could be less effective, leaving out too much. Suppose that the unreasonable school teaches, among other things, that people ought to be discriminated against on the basis of their skin color, that homosexuality is an abomination and that slavery is just an efficient economic system of production, but the number of students is 0.001% of the total student body of the country and it never grows. In a case like this, (i.) but not (ii.) is met. Should we exempt this school from containment?

8 This example does not concern the Islamic veil only, as most people tend to think: it could be the case of a Catholic nun, or of a Jewish woman wearing a ṭichel.
Even if containment survives these objections, a final preoccupation concerns a possible (pragmatic) outcome of its application. Containment might indeed result in closing a number of unreasonable religious schools in many countries, with the consequence of denying education to children. Conservative religious parents might decide that no education or home-schooling is better than any liberal education whatever. In this case, the decision to withdraw children from school would be an unreasonable judgment (since it is grounded on an unreasonable conception of good life) and cannot constitute the basis for the state to restrain from intervention. But in such cases containment or state intervention it is no contribution to the development of people’s moral powers, an important pillar of Quong’s liberalism (pp. 304-5).

Another difficulty concerns the grounds on which containment is invoked and justified in the case of education. Quong takes an action to be paternalistic if

1. Agent A attempts to improve the welfare, good, happiness, needs, interests, or values of agent B with regard to a particular decision or situation that B faces.

2. A’s act is motivated by a negative judgment about B’s ability (assuming B has the relevant information) to make the right decision or manage the particular situation in a way that will effectively advance B’s welfare, good, happiness, needs, interests, or values. (p. 80, emphasis in the original).\(^9\)

Now, is the state’s containment of schools teaching that a “religious group is superior to all others” paternalistic? Quong’s answer is almost certainly ‘no’: containment here is neither justified by considerations concerning the possible improvement in “the welfare, good, happiness, needs, interests, or values” of children attending unreasonable schools, nor by a negative judgment about the ability of parents and teachers “to make the right decision.” Therefore, it cannot be defined as paternalistic. Two things justify containment: (i.) these schools are “failing to teach children the fundamental political values of a liberal democracy” (p. 302), and, more generally, (ii.) it is fundamental that doctrines denying fundamental liberal values do not “become so prevalent that they threaten to undermine the

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\(^9\) This is the bald definition of paternalism. I cannot enter here into the subtleties of Quong’s view for reasons of space. The simplification here required should suffice.
fundamental ideals of a well-ordered liberal regime” (p. 300). My worry here is that (i.) is not strong enough and (ii.) is paternalistic.

(i.) might be too weak: those who deny liberal values might not accept it. This is true not only in the case of the adherents of unreasonable doctrines in Quong’s example, but also for the (possibly) reasonable religious believers I mention in § 1: they might contest liberal schools that embed fairness, freedom and equality, which are liberalism’s fundamental values, and leave out all those values that diverge in a significant way from them. Since an educational system impinges on people’s early life and development, the values embedded in liberal schools could induce children to believe in values which deny religious truths (assuming that at least some of these religious beliefs are unreasonable). And when unreasonable doctrines spread out to the point of threatening stability they must be contained, Quong argues. But, without offering reasons that unreasonable people could accept, wouldn’t this be an illiberal move?

Quong’s view cannot be criticized because it does not give reasons to unreasonable people. Throughout the book (and, in particular, in Ch. 5) he makes quite clear that the constituency of justification is restricted to reasonable people, already accepting certain liberal values. The task to convince unreasonable people is set for an “external” form of liberalism, which is different from Quong’s “internal” view of liberalism. Moreover, the disagreement between unreasonable doctrines denying liberal values and political liberalism is “foundational” and not “justificatory” (§ 5.3): there are no shared premises from which different valid conclusions can be drawn, but rather a deeper disagreement about the very grounding ideals that should model institutions such as educational systems. I do not want to challenge Quong’s view on this point (I think he is right), but I wonder whether the containment of unreasonable education could be paternalistic in a different sense.

There is a sense in which the state is acting on a negative judgment not about the religious believers’ ability to make the right decision, but about the liberal citizens’ capacity to reject illiberal, unreasonable or fanatic doctrines. Indeed, containment is deployed to “undermine or restrict the spread of ideas that reject the fundamental political values” (p. 299): it is supposed to protect liberals from non-liberals. This might conceal paternalistic judgments of the second kind envisioned by Quong. 10 It is true that Quong takes paternalism

10 I owe this point to a discussion with Gianfranco Pellegrino.
to be only “presumptively wrong” and he does not “deny that it may be possible to justify paternalistic policy all things considered” (p. 102). I guess it could be useful to know something more about whether containment is justifiably paternalistic and when, more generally, paternalism could be possibly justified.

III

The containment of unreasonable doctrines is a very complex issue, and it is worth considering since its application clarifies the extent to which Quong’s political liberalism can be consistently realized without violating its own foundations. But if its application is ungrounded or needs further assumptions, then Quong’s view might be less plausible than appears at first glance.\(^\text{11}\)

\(^{11}\) I am grateful to Joseph Chan, Ben Colburn, and Jerry Gaus for having accepted my invitation to participate in this discussion on Quong’s book. I should like to thank the Editors of *Philosophy and Public Issues* for the opportunity to guest-edit this symposium. Finally it remains for me to thank Jonathan Quong for his generous contribution to this volume.