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TWO-FACED LIBERALISM:
JOHN GRAY'S PLURALIST POLITICS
AND THE REINSTATEMENT OF
ENLIGHTENMENT LIBERALISM

ABSTRACT: *In* Two Faces of Liberalism, *John Gray pursues the dual agenda of condemning familiar liberal theories for perpetuating the failed "Enlightenment project," and promoting his own version of anti-Enlightenment liberalism, which he calls "modus vivendi." However, Gray's critical apparatus is insufficient to capture accurately the highly influential "political" liberalism of John Rawls. Moreover, Gray's modus vivendi faces serious challenges raised by Rawls concerning stability. In order to respond to the Rawlsian objections, Gray would have to reinstate the aspirations and principles characteristic of Enlightenment theories of liberalism.*

The history of liberal political theory is marked by a trio of related aspirations. The first of these may be called its *philosophical* aspiration. Traditionally, liberal thinkers proposed philosophical principles from which the legitimacy of a liberal political order could be derived. In this sense, traditional theorists of liberalism presupposed a foundationalist view of political justification; they thought that the liberal political order was in need of philosophical support, since the legitimacy of the liberal regime depended upon philosophical premises. Hence one finds in Locke (1689a) appeals to divinely conferred rights as the foundation from which a liberal politics follows; in Kant (1785), it is the very idea of ra-

tional agency that provides the groundwork for the liberal state; and Mill's liberalism (1859) follows from the combination of hedonism with the Greatest Happiness Principle. In the philosophical tradition, the project of identifying theoretical foundations for liberal politics was taken as the distinctive office of liberal political philosophy. The aim was to discover or devise a firm foundation for liberal politics.

The remaining two aspirations concern the scope of liberalism's philosophical ground. Since one of the basic commitments of liberalism is the principle that the consent of those subject to any proposed political order is a necessary condition for the legitimacy of that order, liberal thinkers of the past aimed for a theory that could in principle command the assent of all persons subject to the liberal state. Call the desire for an account of liberalism that can command the assent of all citizens the *consensus* aspiration.

The aspiration for consensus, of course, places some constraints upon the kind of philosophical claim to which one may appeal in constructing the groundwork for the liberal state. These constraints have generated the familiar dichotomies between the right and the good on the one hand, and the public and the private on the other. It was thought that although citizens may never reach a consensus concerning the good life, they may nevertheless be brought to agree upon a set of uncontestable first principles that could establish the general public framework within which each may pursue his private ends. Insisting that political first principles could be derived independently of the theory of the good, questions of the good were relegated to the private realm, and liberal theory focused almost exclusively upon the theory of the right.

A philosophical ground for liberal politics that aspires to win the assent of citizens who may be divided at the level of the good must appeal to some purportedly fundamental fact about human beings or to some commonality which underlies the differences among individual persons. Traditionally the idea of a universal human nature is employed to this end. If, as Kant argued (1785), it is the very nature of a human being to be an autonomous agent, one can devise a theory of the right drawing only upon considerations regarding the conditions necessary for autonomous agency; alternatively, if Jefferson (1776) is correct to assert that every individual is created equal, then this fundamental equality can serve as a basis for politics. Kantian autonomy and Jeffersonian equality may be asserted without invoking or favoring any specific conception of the good; hence they may be the focus of a consensus

among citizens otherwise divided over moral and religious fundamentals.

However, if the philosophical foundation for liberalism is sought within purportedly *universal* facts about human beings, then the resulting theory of liberalism will serve not only to legitimize the liberal state, it will demonstrate the illegitimacy of illiberal regimes. In this way, the traditional liberal theorists aspired to produce a *universally valid* political philosophy according to which, of all possible regimes, only a liberal regime is legitimate. Hence the traditional theories are addressed not merely to some local population of liberal citizens, but ultimately to human beings as such. This is the *universalist* aspiration of liberal theory.

Let us use the term "Enlightenment liberalism" to denote any liberal theory that attempts to satisfy the three aspirations delineated above. The familiar liberal theories of Locke (1689a; 1689b), Kant (1785; 1793), Mill (1859), Berlin (1969), and the early Rawls (1971) fit nicely into this category, even though, of them, only Kant falls within the confines of the eighteenth-century movement strictly associated with the Enlightenment, and despite the illiberal ideas of many thinkers who were, strictly speaking, members of the Enlightenment.[1]

Pluralism and "Liberalism's Problem"

Of course, the aspirations of Enlightenment liberalism may conflict. Much of recent political theorizing is focused on the effect of *pluralism* upon the traditional project of liberal theory. Most generally, pluralism is the thesis that there are a number of equally reasonable yet mutually incompatible philosophical, moral, and religious doctrines, each of which promotes its own distinctive vision of value, truth, obligation, human nature, and the good life.

One may distinguish various species of pluralism. On some views, pluralism is the outcome of the limitations of human reason, and hence is primarily a thesis of epistemology. According to this version of pluralism, since human reason is imperfect and questions of ultimate value are highly complex, one cannot expect all competent reasoners to come to agreement on matters of philosophical, moral, or religious fundamentals. Consequently, there is a plurality of doctrines that are each compatible with the full exercise of human reason but incompatible with each other; a plurality of incompatible doctrines may be equally well justi-

fied, and hence there would be no principled way to adjudicate conflicts between them.

Not all pluralism is of the epistemological variety. A more robust, ontological pluralism sees the philosophical, moral, and religious facts themselves as "plural" in that incompatible statements, each of which prescribes different actions and judgments, may be true at the same time. Since moral reality is plural and conflicted, the ontological pluralist is also committed to pluralism at the epistemological level; because moral facts conflict, there are a number of equally reasonable but incompatible moral beliefs and judgments. Like the epistemological pluralist, the ontological pluralist dismisses the possibility of adjudicating conflicts between basic philosophical, moral, and religious doctrines in any principled way.

It is not an objective of this paper to assess the plausibility of pluralism as a philosophical position. What is germane to the present discussion is the intuition, common among current political theorists, that the traditional aspirations of liberal theory cannot be maintained in light of pluralism.

That pluralism tends to frustrate the desiderata of traditional liberal theory is easy to demonstrate. If there are no fundamental premises that all rational humans share, or can be rationally persuaded to share, then there is no raw material from which a universally valid philosophical account of liberal politics can be constructed. Similarly, when the citizens of a given society are deeply divided at fundamental levels, there can be no single philosophical argument for a liberal polity that can command the assent of all. In short, under conditions of pluralism, the philosophical, consensus, and universalist aspirations of traditional liberal theory are at the very least in tension, if not strictly incompatible.

The fact that contemporary liberal societies are becoming increasingly pluralistic has brought the latent tension in the traditional liberal project to the foreground of recent theory. Unlike Locke's Britain, which was so uniformly Christian that he could base his doctrine of natural rights upon the divine creation of Man and so contend that "those are not at all to be tolerated who deny the being of God" (1689b, 313), contemporary liberal societies contain persons of all religious faiths, and extend the equal protection of the law even to atheists. While Locke (ibid.) claimed that "the taking away of God, though but even in thought, dissolves all," contemporary liberal theorists must seek more inclusive premises. Hence there has arisen what Douglas Den Uyl (2000, 61) fittingly calls "liberalism's problem": Are there premises avail-

able that can firmly ground liberal politics *and* recognize the deep pluralism that prevails in contemporary liberal states?

In light of this problem, many theorists have weakened or abandoned the aspirations of Enlightenment liberalism and posed what may be called "thin" theories of liberalism. Some thin liberal theories explicitly reject the idea of a philosophical foundation for political practice; others reject the need for consensus among citizens; still others abandon the hope of responding to illiberal regimes. Accordingly, much of contemporary liberal theory marks a decisive shift away from the traditional enterprise of political philosophy.

There is doubt, however, whether any thin liberalism can solve liberalism's problem. Can a thin liberalism be both consistent and sufficiently robust to be properly classified as a political *theory*? Any robust account of liberalism runs the risk of presupposing philosophical claims over which citizens are divided, thereby frustrating pluralism. An account that is thin enough to avoid this, however, runs the risk of being indistinguishable from mere propaganda or apologetics for the liberal state. Those who think that philosophy is something different from propaganda should want to avoid this.[2] What's a liberal philosopher to do?

In what follows, I shall critically examine a recent proposal for dealing with liberalism's problem developed by John Gray in, *Two Faces of Liberalism* (New York: New Press, 2000). My criticism will proceed mostly by way of bringing Gray's position into dialogue with another major liberal attempt to accommodate pluralism, namely, John Rawls's political liberalism. Drawing upon Rawls's work, I argue that not only does Gray's view face serious difficulties, but also that Gray must reinstate key elements of Enlightenment liberalism if he is to respond to them. Hence Gray's liberalism is "two-faced" insofar as it presents itself as an anti-Enlightenment view but actually maintains much of the liberal Enlightenment tradition.

Gray's "Two Faces" Thesis

In *Two Faces of Liberalism*, Gray promotes what seems a distinctive resolution of liberalism's problem. Gray's proposal begins with a fascinating view of the nature of pluralism and culminates in a politics aimed at preserving the conditions of "peaceful coexistence" among divided citizens. Gray's argument progresses concurrently along two intertwined trajectories. There is on the one hand a critique of Enlightenment lib-

eralism; on the other hand there is a positive case for what Gray contends is a more adequate liberal politics.

On the critical side, Gray reads the liberal tradition as being hopelessly committed to the incoherent idea of a "universal regime" founded upon "universal principles" (2). In the terms of the analysis set out above, Gray opposes the consensus and universalist aspirations of the liberal tradition; these aspirations together constitute one of the "two faces" of liberalism alluded to in Gray's title. Gray's critique follows from his commitment to the thesis he calls "value pluralism" (6). He argues that if value-pluralism is true, then there can be no universal account of liberal politics, and thus no hope of a local consensus upon any given liberal theory; hence, "if liberalism has a future, it is in giving up the search for a rational consensus on the best way of life" (1).

The positive dimension to Gray's argument is proposing an anti-universal and anti-consensus view of liberalism, what he calls "modus vivendi" (6). Modus vivendi, the second and, according to Gray, better of liberalism's two faces, aims not for universal consensus upon a single philosophical doctrine, but rather for "terms of coexistence between different moralities" (138). Whereas Enlightenment liberals addressed the question, Upon what philosophical ground can one demonstrate the legitimacy of a liberal political order?, Gray raises a different concern:

> The issue that should shape the agenda of political thought is . . . how the diversity of individuals and communities in late modern societies can coexist in common institutions which they accept as legitimate. (122)

Gray offers his modus-vivendi liberalism as the resolution of the issue of peaceful coexistence among persons who, due to the fact of value pluralism, hold conflicting values.

It is important to note that although Gray rejects the consensus and universalist aspirations of traditional liberal theory, he retains the philosophical aspiration. As has already been suggested, the key philosophical premise in Gray's political thinking is value pluralism. As Gray formulates it, value pluralism is an example of the ontological pluralism discussed above; value pluralism is the thesis that "there are many conflicting kinds of human flourishing, some of which cannot be compared in value" (6).[3] Gray argues that it is the inability of traditional liberal theories to acknowledge the truth of value pluralism that renders them in-

adequate; "if a pluralist account of the human good is true, the claims of fundamentalist [viz., Enlightenment] liberalism are spurious" (21).

Value pluralism is not only a critical tool for Gray; it plays a foundational role in his positive alternative. Despite Gray's claim that "the task of political philosophy is not to give practice a foundation" (139), it is the truth of value pluralism that provides the "underpinning" of his own modus-vivendi liberalism (6). Indeed, Gray maintains that modus vivendi is the "application of value pluralism to political practice" (25).[4]

As Gray's argument progresses along tandem critical and constructive paths, there are two clear lines of examination to pursue. One line questions the adequacy of his critique of the liberal tradition; the other challenges the cogency of his modus-vivendi liberalism. Gray's argument fails on both counts.

A Third Face: Rawls's Political Liberalism

The most striking feature of Gray's critique of traditional liberal theory is his insistence upon the strict dichotomy between Enlightenment liberalism and his own modus-vivendi view. Gray's reduction of all liberal views other than his own to but a single error is a bit overstated, and I think there is much to question in his analyses of John Stuart Mill, Isaiah Berlin, Michael Oakeshott, and others; however, I shall not dwell on this point. The principal failing of Gray's disjunction is that it prevents him from engaging recent and influential forms of liberalism that attempt to cut a middle path between Enlightenment liberalism and the kind of modus vivendi Gray proposes. Since Gray must construe any such attempt as just another version of Enlightenment liberalism to keep his "two faces" thesis in place, he is forced to promote uncharitable readings of some prominent recent theorists. Accordingly, Gray is unable to anticipate the kinds of objections to his own view that these theorists are likely to launch. This latter defect in Gray's presentation leaves his modus vivendi open to some obvious criticisms raised later in this essay.

There is little doubt that the most sophisticated attempt at an anti-Enlightenment liberalism that aspires to more than a modus vivendi is found in the recent work of John Rawls. Like Gray, Rawls (1996, xxvi) begins from the fact of pluralism and acknowledges that the "absolute depth" of the "irreconcilable latent conflict" among citizens at fundamental religious, moral, and philosophical levels frustrates the traditional

aspirations of liberal theory.[5] Accordingly, Rawls and Gray both reject the project of Enlightenment liberalism; Gray would certainly applaud Rawls's claim that "the question that the dominant tradition has tried to answer has no answer" (ibid., 135). Furthermore, Rawls offers a re-construction of the aim of liberal philosophy that is similar to Gray's statement cited above. Like Gray, according to whom the focus of polit-ical thinking should be how coexistence might be possible among di-vided citizens, Rawls (ibid., 4) maintains that the principal question for liberal political philosophy is,

> How is it possible for there to exist over time a just and stable society of free and equal citizens, who remain profoundly divided by reason-able religious, philosophical, and moral doctrines?

Rawls offers his "political liberalism" as the proper response to this question. Unlike Enlightenment liberalism, Rawls's political liberalism does not attempt to construct a proof of the legitimacy of a liberal po-litical order from philosophical premises. Rather, Rawls (1996, 10) pro-motes a conception of liberalism that "applies the principle of tolera-tion to philosophy itself"; that is, political liberalism "deliberately stays on the surface, philosophically speaking" and looks "for ways to avoid philosophy's longstanding problems" (1985, 395).

Eschewing philosophical foundations, Rawls (1985, 410) grounds his liberalism in the "basic intuitive ideas found in the public culture of a constitutional democracy." Using these as a "shared fund of implicitly recognized basic ideas and principles" (1996, 8), Rawls attempts to de-vise an account of liberalism that is "political" in beginning from within a particular political tradition, and addressing itself to the citizens who are the inheritors of that tradition. The test of the adequacy of such an account therefore does not lie in the cogency of its philosophical un-derpinnings, but rather in its ability to organize the considered intu-itions of liberal citizens.

> We collect such settled convictions as the belief in religious toleration and the rejection of slavery and try to organize the basic ideas and prin-ciples implicit in these convictions into a coherent political conception of justice. (Rawls 1996, 8)

Rawls rejects the philosophical and universalist aspirations of En-lightenment liberalism; however, it must be emphasized that he retains the consensus aspiration. Rawls (1996, 38) claims that if a liberal politi-

cal order is to be stable, it "must be willingly and freely supported by at least a substantial majority of its citizens"; however, in light of pluralism, there seems to be no common ground upon which to build such a consensus. Hence Rawls confronts the same problem that Gray takes to be pressing.

Insisting that "a constitutional regime does not require agreement on a comprehensive doctrine" because "the basis of its social unity lies elsewhere" (1996, 63), Rawls proposes the idea of an "overlapping consensus" (ibid., 144) focused on the basic principles of a liberal regime. That is, Rawls argues that the basic principles of liberal politics can be formulated at such a level of generality as to function as a "module" (ibid., 12) that may fit neatly with the various philosophical, moral, and religious doctrines that citizens may adopt. Hence, in a regime of political liberalism, the basic political framework and social institutions are directed by a set of principles which are such that each citizen sees them as a reasonable expression in the political domain of his or her own moral, religious, or philosophical doctrine. In this way, political liberalism is both independent of any particular philosophical, moral, or religious doctrine and is able to command the assent of citizens under conditions of pluralism.

Of course, questions regarding the cogency of political liberalism remain, and Rawls has been strongly criticized from a variety of philosophical perspectives.[6] However, the plausibility of Rawls's political liberalism is not our concern. The point is rather that political liberalism does not fit Gray's "two faces" thesis. Rawls's political liberalism is an anti-philosophical and anti-universalist liberalism that rejects Gray's modus vivendi. Any useful map of the terrain of liberal theory must at the very least be able to capture the view that is arguably the most influential political philosophy currently on offer.[7] Hence Gray's "two faces" thesis poses a false dichotomy; there are at the very least three faces of liberalism.

Liberalism and Consensus

Gray may defend his "two faces" view by suggesting that political liberalism is indeed a species of Enlightenment liberalism in that it seeks a consensus among citizens on a single conception of political justice. Gray apparently maintains that any liberal theory that strives for con-

sensus upon a conception of justice is *ipso facto* a brand of Enlighten-
ment liberalism and therefore nonviable. He writes,

> Rawlsian liberalism seeks to transcend pluralism by developing an
> agreed conception of justice. In so doing it reposes extravagant hopes
> in the overlapping consensus which it imagines it has found in some
> late modern societies. As a consequence, its real aim is the restoration
> of a non-existent or vanishing ethical monoculture. (139)

Gray argues that consensus regarding the right can be secured only if
pluralism at the level of the good is denied. Hence, as political liberal-
ism seeks consensus regarding principles of justice, it must reject value
pluralism. Therefore, Gray concludes, political liberalism is only appar-
ently committed to pluralism; it is actually Enlightenment liberalism in
disguise.

However, Rawls's concept of an overlapping consensus is to be dis-
tinguished from what may be called a "philosophical consensus," and
Gray's argument follows only if these are conflated. Where there is a
philosophical consensus upon a principle, there is agreement regarding
the principle *and* the grounds upon which it is to be accepted. A philo-
sophical consensus on liberal politics, then, requires not only agreement
regarding the basic principles of justice but also agreement regarding
the reasons for accepting those principles. Agreement at the deeper
level of *reasons for accepting a principle* will inevitably require agreement
on philosophical fundamentals; therefore a philosophical consensus can
be won only at the expense of pluralism. Accordingly, a liberal theory
that requires a philosophical consensus may safely be classed as a species
of Enlightenment liberalism: the aspiration for philosophical consensus
ordinarily implies the other two traditional aspirations.

Yet we have seen that Rawls's political liberalism seeks not a philo-
sophical consensus, but an overlapping consensus. Where there is an
overlapping consensus concerning some principle there is agreement
regarding the principle, but not necessarily regarding the reasons why it
should be accepted. Thus, there may be an overlapping consensus re-
garding the basic principles of a liberal regime, even though there are
deep disagreements among citizens concerning the grounds upon
which those principles should be accepted. Rawls thus seeks to articu-
late basic principles of justice that can be accepted by, for example, util-
itarians, Kantians, and natural-law theorists, because each can see the
principles as an appropriate political expression of his or her own view

of the good. In this way, we may imagine an overlapping consensus on the principle that slavery is unjust. Of course, utilitarians, Kantians, and natural-law theorists will offer different *accounts* of the injustice of slavery. It is precisely this pluralism at the level of philosophical fundamentals that political liberalism leaves in place. Thus the political liberal seeks the kind of consensus that surely does not amount to the "restoration" of an "ethical monoculture" (139). Gray's critique is misplaced.

Modus Vivendi and Stability

I have thus far demonstrated that Gray's general schema for criticizing other liberal theories is insufficient in that it does not capture Rawls's political liberalism, and thereby fails to address the most prominent liberal counterproposal to his own view. I have also argued that Gray's attempt to cast Rawls in terms of the "two faces" thesis misconstrues the idea of an overlapping consensus. When properly understood, Rawls's political liberalism cannot be regarded as just another version of Enlightenment liberalism. Thus, Gray has not shown that political liberalism is a nonviable liberal theory; if political liberalism is indeed insufficient, it is for reasons other than the ones has Gray raised.

However, even if Gray's critical enterprise has failed, it still may be the case that modus vivendi is superior to any other liberal theory, including Rawls's political liberalism. I now turn to some criticisms of modus vivendi. Rawls himself has raised some serious concerns about modus vivendi; I shall draw upon these in my discussion of Gray.

Rawls's rejection of modus vivendi stems from his concern with what he calls the "question of stability" (Rawls 1996, 140). According to Rawls, where there is a modus vivendi, each citizen endorses the basic political arrangement as a matter of concession; such citizens accept the liberal political order as a second-best or less-than-ideal arrangement. That is, when a citizen accepts a liberal order as a modus vivendi, she accepts the liberal regime as a passable compromise between what she sees as the best political arrangement (viz., one based solely upon her own idea of the good) and the worst (viz., one based solely upon an idea of the good that opposes her own). Rawls argues that this state of affairs makes for an inherently unstable political order.

To elucidate his argument, Rawls (1996, 48) cites an example regarding the conflict between Catholics and Protestants in the sixteenth century:

> Both faiths held that it was the duty of the ruler to uphold the true re-
> ligion and to repress the spread of heresy and false doctrine. In such a
> case the acceptance of the principle of toleration would indeed be a
> mere modus vivendi, because if either faith becomes dominant, the
> principle of toleration would no longer be followed.

Rawls (ibid., 147) maintains that a modus-vivendi political order is
unstable because it relies upon "circumstances remaining as such as not
to upset the fortunate convergence of interests" among the competing
ways of life within society. Since the political circumstances that estab-
lish the conditions for balancing the power and interests of competing
ways of life are themselves unstable and prone to fluctuation, so is the
political order. Where liberal political principles are accepted as a
modus vivendi between incompatible ways of life, they will be aban-
doned once the balance of power among citizens changes in favor of
one of the competing doctrines. Hence, Rawls concludes, a modus-
vivendi liberal society will not remain liberal for long; some deeper
kind of agreement (viz., an overlapping consensus on liberal principles)
must be sought.

Gray will respond to this argument by posing certain "limits on what
can count as modus vivendi" (138). In particular, he asserts that there is
"a coherent view of human rights" according to which individuals
must be protected from "evils that forestall anything recognizable as a
worthwhile human life" (138). We may conclude, then, that even
though Gray asserts that the sole objective of politics should be peaceful
coexistence, a peaceful political order based upon the oppression and
humiliation of some minority cannot qualify as a modus vivendi (107).
In other words, a modus vivendi must uphold certain basic principles;
"human rights are constraints on the pursuit of coexistence" (138).

Thus, Rawls's worries over stability are apparently defused: the con-
ditions of coexistence are constrained because "there are minimal stan-
dards of decency and legitimacy that apply to all contemporary
regimes" (109). As Gray explains further,

> In contemporary circumstances, all reasonably legitimate regimes re-
> quire a rule of law and the capacity to maintain peace, effective repre-
> sentative institutions, and a government that is removable by its citi-
> zens without recourse to violence. In addition, they require the
> capacity to assure the satisfaction of basic needs to all and to protect
> minorities from disadvantage. Last, though by no means least, they

need to reflect the ways of life and common identities of their citizens. (107)

Regimes that fail to meet these minimal criteria are illegitimate. Gray continues,

> Regimes in which genocide is practised, or torture institutionalized, that depend for their continuing existence on the suppression of minorities, or of the majority, which humiliate their citizens or those who coexist with them in society, which destroy the common environment, which sanction religious persecution, which fail to meet basic human needs in circumstances where that is practically feasible or which render impossible the search for peace among different ways of life—such regimes are obstacles to the well-being of those whom they govern. Because their power depends on the infliction of the worst universal evils, they are illegitimate, however long-lived they may be. (Ibid.)

It turns out, then, that achieving a modus vivendi is not simply a matter of balancing contending forces or reluctantly agreeing with one's opponents to maintain peace. A modus vivendi of the sort Gray endorses involves not merely the *coexistence* of opposed ways of life, but coexistence based upon *reciprocity* among otherwise conflicting groups. That is, Gray's modus vivendi depends upon citizens *acknowledging* that the ways of life opposed to their own may realize distinct human goods, and that the proponents of these other doctrines are not necessarily in error. In an almost Kantian remark, Gray claims that "without institutions in which different ways of life are accorded respect there cannot be peaceful coexistence between them" (20); his modus vivendi requires that the contending ways of life *respect* each other. Thus we may say that the stability of Gray's modus vivendi lies in the citizens' ability to *recognize* other and conflicting ways of life as possibly valid if not positively good. Citizens must see each other in roughly Millian terms: each is a fellow experimenter in living, and no one has the right to interfere with another's experiments except in special cases, such as to prevent harm to others. The reason no one may interfere with another except in the noted cases is that such interference blocks the realization of one of the many distinctive human goods. Recognizing this, citizens "search for terms of coexistence between different moralities" (138) and thus willingly endorse a modus vivendi among themselves in a way that does not succumb to Rawls's stability concerns.

Enlightenment Liberalism Returns

Gray's characterization of the minimal criteria for political legitimacy glosses over the reasons for human conflict much too briskly. Why, for example, should Catholics seek reciprocal terms of coexistence with persons they see as heretics? Why should the objective of establishing the kind of respect-based modus vivendi Gray prescribes take priority over other substantive goals to which Catholics are committed, such as preventing the spread of irreligiosity, promoting the truth, and saving souls? Why shouldn't Catholics seek a politics that suppresses theological error? To put the question most generally, why should the proponents of contending ways of life respect each other in the way Gray claims is necessary for a legitimate modus vivendi?

One way to answer this question is to claim that respect and reciprocity are values that override conflicts among contending ways of life. Yet this response is not open to the value pluralist since one of the principal implications of value pluralism is precisely that there *are* no overriding values by which conflicts between different ways of life can be resolved. Gray acknowledges this difficulty, writing that,

> the case for modus vivendi is not that it is some kind of transcendent value which all ways of life are bound to honor. It is that all or nearly all ways of life have interests that make peaceful coexistence worth pursuing. (135)

But here Gray has moved into dangerous territory. Are we to think that the Catholic believes that *his own* interests *qua* Catholic are advanced if he seeks terms of peaceful coexistence with Protestant heretics? It is by no means obviously in the interest of the Catholic to establish peaceful relationships with promoters of theological error. If the Catholic seeks the kind of peace Gray imagines, it must be because the Catholic believes that the Protestant way of life is valuable insofar as it advances the interests of Protestants. This would be to recognize that the Protestant way of life realizes a distinctive set of human values. But only a Catholic who is also a value pluralist can believe this; and it could be argued that a value-pluralist Catholic is not a Catholic at all.

Insofar as Gray envisions a modus vivendi based not simply upon the precarious balance of contending powers, but on mutuality and reciprocity among proponents of competing ways of life, Gray has tacitly inserted a robust and contestable philosophical principle into his for-

mula. Specifically, Gray's image of a modus vivendi in which citizens willingly endorse liberal terms of peaceful coexistence presupposes that each citizen accepts the truth of value pluralism. However, value pluralism is a doctrine that is inconsistent with many of the ways of life that Gray seeks to harmonize. Catholics, Protestants, utilitarians, and Marxists do not see one another as proponents of "different moralities" (138); they see each other as promoters of *defective* moralities or plain *immorality*.

In truth, then, like familiar varieties of Enlightenment liberalism, Gray's modus vivendi is grounded in a substantive philosophical view, value pluralism. Insofar as he would require people to recognize that opposing ways of life may realize distinctive human values, he requires them to revise their own moral doctrines to accommodate value pluralism. The Catholic must jettison the part of her doctrine claiming that Protestants are heretics and replace it with a pluralist view, according to which Protestantism manifests its own distinctive type of human good; Protestants must make similar revisions, as must utilitarians, Kantians, Marxists, and proponents of all other nonpluralist doctrines. The fact is that the type of political order Gray envisions requires consensus on the kind of universal morality typical of Enlightenment liberalism; Gray leaves intact its philosophical and consensus aspirations.

But what of the universalist aspiration? Gray certainly claims to have repudiated the notion that the liberal political order is the only one that is legitimate; he rejects liberalism as a "prescription for a universal regime" (2) and contends that "a regime can be highly legitimate without honoring values that are distinctively liberal" (110). Nonetheless, Gray's "minimal standards of political legitimacy," which are to be "applied to all regimes" (106), identify conditions that are characteristically liberal, such as the "rule of law and the capacity to maintain peace, effective representative institutions, and a government that is removable by its citizens without recourse to violence" (107). Gray's image of an illegitimate regime likewise strikes familiar chords. According to Gray, any regime that practices genocide, torture, or religious persecution, or that systematically suppresses minorities, or that destroys the environment, or that fails to meet basic human needs, is illegitimate (107). But this is to say that any thoroughly illiberal regime is illegitimate, and that as a regime becomes more like a liberal regime in its policies, it becomes more legitimate. Insofar as Gray's minimal standards of legitimacy coincide with the principles basic to a liberal order, Gray retains much of the spirit of the traditional universalist aspiration.

Liberalism without Enlightenment?

In spite of recurring pretensions to the contrary, Gray's modus vivendi offers little in the way of a viable alternative to Enlightenment liberalism. In order to respond to Rawlsian stability concerns, Gray must place constraints on what can count as a modus vivendi; in formulating these constraints he must appeal to philosophical principles, and he must suppose a consensus among citizens with regard to these principles. Gray's liberalism is itself two-faced: whereas modus vivendi poses as an anti-Enlightenment liberal theory, it reinstates all of the traditional aspirations of liberal theory.

Although I have appealed to Rawls in posing my criticisms of Gray, I share Gray's estimation of political liberalism as a "species of anti-political legalism" (16). That is, I agree with many others that Rawls's strategy of recasting substantive liberal principles as strictly "political" and hence beyond philosophical debate is a mistake; Rawls's ideal of a theory that is "political, not metaphysical" (1985) and philosophically "freestanding" (1996, 12) is chimerical. If these doubts about political liberalism and my arguments against Gray are both correct, then we may conclude that two of the most sophisticated attempts to construct an anti-Enlightenment, pluralist liberalism have failed. This may evoke unsettling suspicions: Is the project of liberal politics so essentially bound up with certain Enlightenment ideas that if the latter go by the board, so too must the former? Is the very idea of an anti-Enlightenment liberal theory incoherent? Might "liberalism's problem" be insoluble?

NOTES

1. It is common practice among political philosophers to equate "the Enlightenment" with the tradition of rights-based liberalism associated principally with Kant. This is of course a gross oversimplification: the Enlightenment was not uniformly liberal. I use the term "Enlightenment liberalism" to remind us of the fact that a wide variety of political views were promoted in the name of "enlightenment," some of them quite illiberal.
2. There are those who deny that philosophy is different from propaganda. Richard Rorty, for example, believes in "putting democratic politics first and tailoring a philosophy to suit" (1988, 78); in his view, political philosophy should aim to inspire hope rather than attain truth (1998).
3. In an earlier statement, the ontological character of Gray's pluralism is even more clear; there Gray (1995, 68–69) writes that value pluralism is "the theory that there is an irreducible diversity of ultimate values (goods, excellences, op-

tions, reasons for action and so forth) and that when these values come into conflict or competition with one another there is no overarching standard or principle, no common currency or measure, whereby such conflicts can be arbitrated or resolved."

4. But compare Gray's puzzling claim that "value–pluralism does not strictly entail modus vivendi. As a matter of logic, value–pluralism cannot entail any political project" (135). It is not clear what logic Gray is appealing to here. It seems that value pluralism may logically entail any number of political projects, particularly those consistent with value pluralism. Perhaps Gray's point is that value pluralism does not entail any one political project *exclusively*?

5. Rawls now thinks the account of justice developed in *A Theory of Justice* (Rawls 1971) as inadequately attentive to pluralism and thus "unrealistic" (Rawls 1996, xvii). Rawls (ibid., xlvii) claims that "it is the fact of reasonable pluralism that leads . . . to the idea of a political conception of justice and so to the idea of political liberalism." On Rawls's shift, see Talisse 2001 and Davion and Wolf 2000a.

6. Dworkin 1995; Hampton 1989; Raz 1994; Scheffler 1994; Estlund 1998; Sandel 1998; Friedman 2000; Talisse 2000; Mouffe 2000.

7. The failure of Gray's dichotomy to charitably capture the kind of view Rawls is promoting is even more problematic once it is realized that many of the major voices in contemporary political philosophy—e.g., Richard Rorty (1988), Amy Gutmann (1992), Thomas Nagel (1987), Bruce Ackerman (1989), Joshua Cohen (1993), and Norman Daniels (2000)—have adopted a roughly Rawlsian approach to liberal theory.

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