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A Realist Perspective

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Understanding Religion, Governing Religion: A Realist Perspective

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If I were a prince or a legislator, I should not waste my time in saying what ought to be done; I should do it, or hold my peace. (Rousseau)

0. Introductory

It seems natural to think that the liberal commitment to freedom of religion needs to proceed from or at least incorporate an account of what religion *is*, even if one thinks that ultimately any normative theory is bound to prescribe what the phenomena it decides to accommodate *ought* to be, or to become. The ‘ought’ part is the familiar locus of controversy among liberals of various stripes (secularist vs establishment-friendly, perfectionist vs neutralist, etc.). But the ‘is’ is not unambiguous or uncontroversial either: assuming, to range over a wide set of philosophies of social science, that any descriptive account of a social phenomenon will contain interpretive elements, we are left with the normatively laden question as to what values should guide the interpretation. In this paper I refrain from directly entering the ‘ought’ fray. Rather, I try to shed some light on the ‘is’, in the hope that it will help us make progress on the wider picture. So my background question is this: what exactly should be the relationship between the best available descriptive understanding(s) of religion and the account of religion featured in normative (liberal) theory?¹

Recent work in the political theory of religious freedom seeks to draw normative implications from the observation that much liberal theorising about religion operates with descriptively inaccurate accounts of the nature of religion. Perhaps the most prominent of those claims is that empirical evidence points towards the inadequacy of the standard liberal understanding of religion as a set of beliefs. Crudely, apart from early-modern and contemporary forms of (Protestant) Christianity and a few other exceptions, most religions are best understood primarily as social practices, not as belief systems. In light of this

¹ My argument should generalise to any normative theory featuring a state. However I maintain my focus mostly on liberal theory because this makes engagement with relevant literature easier, and because freedom of religion is considered a central tenet of liberalism, but not of other first-order political doctrines.

interpretation of the phenomenon of religion, a number of theorists are now trying to integrate the practice-based view and other descriptively more accurate understandings of religion within the liberal framework, mainly in order to make the treatment of religions other than Christianity more equitable. Other, more radical theorists argue that the liberal ideal of religious freedom is hopelessly ethnocentric, and so a potentially fatal design flaw in the liberal edifice, at least under present, multicultural conditions.

But the contrast between the traditional and the descriptively-informed versions of the theory of religious freedom does not cover the whole of logical space. Cécile Laborde (2015, forthcoming) is one of the few contemporary political theorists who have taken the description-driven arguments at heart while also casting doubt on their conclusions. Laborde points out that mere descriptions of social phenomena don't tell us much about how to manage them normatively. A (liberal) state's primary task is not to *understand* social phenomena in the most accurate way possible, but to make them as *legible* as possible (to recast Laborde's approach in James C. Scott's terminology), relative to the state's purposes. Laborde then puts forward a specific way in which the state ought to change the way in which it makes the phenomenon of religion legible: in a nutshell, she proposes to disaggregate religion and spread its protection across a number of separate legal categories. In other words, the freedom we think of as 'freedom of religion' should be understood as a bundle of separate and relatively independent freedoms.

In this essay I criticise that approach by pointing out that it is insufficiently sensitive to facts about the sorts of entities that liberal states are. In short, I argue that states have (internally) good reasons to mould phenomena such as religion into more easily governable monoliths—a realist version of the descriptive challenge to liberal religious freedom outlined above. If this is a problem from the normative point of view (e.g. from the point of view of fairness towards certain religions or towards non-religious citizens), it is not a problem to do with inadequate accounts of religion, but a problem with the sort of institutions states are. It is a problem that has to do with normative political theory's tendency to overstate the pliability of institutions such as states.

So this essay's conclusion is perhaps best presented as a three-way disjunction. The first option is to simply maintain that if we are committed to the existence of liberal states then we must reckon with their historically determined limitations when it comes to managing changing social phenomena. Alternatively, if one thinks that the simplified monolithic account of religion is too exclusive to be true to liberal values, then one should perhaps direct one's frustration at the marriage of liberalism and the state. The final and more radical option is to think that the very existence of states is normatively problematic. All three options are compatible with the realist methodological stance deployed here.

My argument proceeds as follows. In the first section I present and discuss what one may call the descriptive challenge to standard belief or obligation-centred liberal accounts of religion and religious freedom. In the second section I present Laborde's reaction to this challenge, and the ensuing disaggregation approach to freedom of religion. In the third section, drawing on empirical studies, I put forward a critique of both the descriptive challenge and the disaggregation approach. In the fourth and final section I cement my

argument by drawing some wider methodological conclusions about the relationship between normative and descriptive theories of the (liberal) state, and set out the disjunction that is the upshot of my argument.

1. The descriptive challenge to liberal religious freedom

There is a by now familiar critique of liberal policies of religious accommodation that can be read as taking its cue from Rousseau's famous programmatic declaration to inquire into the legitimacy of political order "men being taken as they are and laws as they might be." According to this critique, the liberal treatment of religion is normatively deficient because it is *descriptively* flawed (Fish 2000, Mahmood 2005, Spinner-Halev 2005, and others). While the critique takes various forms as well — not all compatible with each other —² the most common descriptive critique is that liberal religious freedom is unfair to some non-Western religions because it is modelled on post-Reformation Christianity, particularly Protestantism. The idea is that Protestant religion is belief-based, whereas many non-Western religions are practice-based (Spinner-Halev 2005). Laborde (2015) recently proposed a reformulation of this criticism: while traditional liberal law on religious accommodation is ultimately capable of correctly capturing what is valuable in beliefs as well as expressive practices, it is too narrowly focused on matters of obligation and conscience. For the purposes of my argument not much hangs on the practice vs obligation issue, nor on the distinctions between variants of the descriptive critique — the empirical focus of my argument will be more on the state than on religion anyhow, and I will return to the historical origins of liberal religious freedom below. For now it's worth pointing out exactly in what sense the descriptive challenge is about descriptions. Crudely, the idea is that liberal states claim to be inclusive towards all forms of religions, but improved descriptions of religious belief and practice show us that that is not the case and even, arguably, that it couldn't be the case. So the descriptive challenge makes a claim against the veracity of liberalism's self-attributed inclusiveness towards all manner of religions.

Our focus should remain on the methodological, or meta-theoretical issue of the role of empirical descriptions of religion (and of the state) in normative theorising. Indeed, the general thought that the liberal attitude to religion is a product of the Protestant Reformation is hardly novel in historical research (De Ruggiero 1927 [1925], Macpherson 1962, Cavanaugh 2009, Gregory 2012), or even in contemporary liberal theory (Rawls 1996). What is relatively novel (in political theory), however, is the thought that this particular genealogy of liberal religious freedom generates normative difficulties, perhaps

² Laborde helpfully distinguishes between semantic, Protestant, and realist critiques (forthcoming, chapter 1). The semantic critique says that there is no usable empirical reference for the term 'religion'. The Protestant critique focuses on the privileging of individual belief and conscience in liberal accounts of religion. The realist critique, on Laborde's reading, says that the liberal liberal law of religious freedom is either unprincipled exercise of power or the imposition of the secular religion of liberalism. The realist critique I will offer here is related to this broad line of thought, though it need not lead to the same conclusions. t

more so once the range of religions present in liberal polities expands beyond the various branches of the Judaeo-Christian tradition. To capture that thought a general account of the bare structure of the descriptive challenge to traditional liberal religious freedom will suffice. The challenge can be schematically presented as follows:

- P1: Liberal accommodation of religion is modelled on Christianity/Protestantism (belief- and/or obligation-based, private religion).
- P2: Many non-Western religions are not belief- and/or obligation-based and/or they are not private.
- P3: In order to be fair, religious accommodation policy needs to be modelled on the salient characteristics of all affected religions.
- C: Liberal accommodation of religion is unfair to many non-Western religions.

So the thought is that a descriptively inaccurate account of religion precludes fair treatment of religion. In order to know what to do about religion we need to use our best available understanding of what religion is. That seems plausible. Indeed there is a sense in which it is almost trivially true. But there is a more important sense in which it is false. In the next section we will see why there is reason to consider the above argument unsound.

2. From description to disaggregation

As anticipated, Cécile Laborde (2015) developed an influential critique of the descriptive challenge — one that takes on the critique's empirical input while resisting its normative implications. Though we cannot explore themes beyond religion here, it is worth pointing out that Laborde's move has wider implications about the political management of any social phenomenon that is a potential source of conflict. Let us begin by relating Laborde's argument to the characterisation of the descriptive challenge I offered in the previous section. Laborde correctly observes that P3 is false:

The political theorists' approach is normative ... It seeks to identify the core values that should be protected by the law. As a result, it eschews purely descriptive or semantic approaches to legal terms. When it considers freedom of religion, it is not concerned with defining what religion is — an elusive project at best, as critical scholars of religion have amply shown. Rather, it rejects any essentialist or semantic approach; and is concerned with identifying the core values that the law can properly express. ... we would not want the law to capture the whole of the value of religion. At best, the law will put forward an interpretive notion of marriage, or of religion. That a particular law or theory does not capture what religion really is, therefore, is not, in itself, a sufficient objection to it. What matters is that the law, or the theory, *expresses and protects the correct underlying values*. It is at this more fundamental level that interpretive approaches must be assessed and evaluated. (2015: 2, emphasis added)

The point here is that, even if describing religion were an easy task, it is not clear that it would yield the account of religion that needs to be enshrined in liberal law. States are not academic institutions. They are not in the business of describing reality for the sake of knowledge. Their nature is to channel social phenomena in ways that fit within their pre-

constituted aims, chiefly the aim of securing order and stability. As we will see below, this resonates with James C. Scott's (2005) analysis of states' tendency to reinterpret and even transform social phenomena in order to make them legible, and so amenable to rule.

In the next section I shall try to argue that taking seriously this insight as well as recent historical scholarship on religious conflict requires us to question some aspects of Laborde's "disaggregation" account of religion within the liberal state. The key move in the disaggregation approach to liberal religious freedom is to give up on the project of specifying the contours of religious freedom as a single right. As James Nickel (2005) put it, we don't need religious freedom. The things we may want to do because of our religious commitments can be captured by an array of different liberal rights (of expression, association, thought, movement, privacy, etc.), in a way that will dispel many well-known and seemingly intractable dilemmas—think of the plethora of examples in the multiculturalism literature, from headscarves to Sikhs and motorcycle helmets.³ Nickel defended this view primarily on legal-philosophical grounds. Laborde brings the abstract normative argument in conversation with the empirically-informed arguments put forward by the 'critical religion' scholars who advance the descriptive critique. So, to see what motivates the disaggregation account on the empirical side of the argument, we need to get clearer on Laborde's interpretive response to the descriptive challenge:

... it is not enough simply to say 'religion is X and Y'. What is required is to identify the specific normative values which makes X or Y legally relevant. Just saying that a practice or institution is multi-faceted and internally complex, and irreducible to anything else (as is surely the case with religion) does not mean that it must be recognized as such in the law. ... So we need to know what kind of good is being protected in every case, and the good cannot be assumed to follow from the mere description of the empirical dimension of religion. (Ibid.: 595)

If that is the case, then P3 needs to be reformulated along these lines:

...the claim should not be that the existing law does not protect all that is religious, according to some ordinary-meaning, semantic understanding of the term. Rather, the claim is that the law fails to protect practices which exhibit those normative values – still to be specified – which are valuable in religion. (Ibid.: 584)

The relevant values will have to be specified "against the implicit or explicit background of a theory of fairness as inclusiveness." (Ibid.: 583) If we reformulate P3 in light of this critique we will see that a further premise is needed to yield an interesting conclusion. And so the argument starts pointing towards Laborde's disaggregation account of religious accommodation:

P1: Liberal accommodation of religion is modelled on Christianity/Protestantism (belief- and/or obligation-based, private religion).

P2: Many non-Western religions are not belief- and/or obligation-based and/or they are not private.

P3*: In order to be fair, religious accommodation policy needs to pick out the features of religion that allow the liberal state to be inclusive towards both Western and non-Western religions.

³ Veit Bader (2007) makes a related but somewhat germane move.

P4: One way⁴ to pick out the relevant features of religion is to disaggregate it, i.e. to disperse its protection across several separate liberties.

C: It is permissible for the liberal state to disaggregate religious liberty.

‘Inclusive’ here means (i) not as narrow as to discriminate against non-Western religions, (ii) non-sectarian in the sense that the particular freedom that is protected has to be universally recognised, and (iii) not unfair towards non-religious citizens. The advantage of the disaggregation approach is precisely that, by spreading religious freedom over a range of liberties, it can meet all three desiderata of inclusivity at the same time.

Note that P1 and P2 have now become idle wheels in the argument’s machinery. Recasting the argument in this way allows Laborde to de-claw the descriptive challenge of the ‘critical religion’ scholars. The truth of their empirical claims does not imperil the normative conclusion of the disaggregation strategy.⁵ However in the next section I will argue that there is a further sense in which the empirical dimension—the causal relationship between the state and the social phenomenon we call religion—generates difficulties for the disaggregation approach.

3. The realist critique

I want to point out a sense in which P1—the claim that standard liberal account of religions freedom are modelled on early-modern Christianity—still matters for the argument leading to the disaggregation approach. Strictly speaking, as formulated above, P1 is in fact irrelevant; but its subject matter isn’t. So Laborde is right that P1 in the form presented by most proponents of the descriptive challenge is irrelevant to the disaggregation approach. But here I contend that P1 is empirically false, and that when corrected it does become relevant. Properly understood, the causal relationship(s) between the state and the social phenomena it governs—in this case religion—can illuminate a potential problem with the disaggregation approach.

A number of recent empirical studies suggest the falsity of P1. Liberal religious accommodation is not *modelled* on Christianity or Protestantism. By its very nature the state gets to pick out the features of reality that suit its purposes. What is more, in so doing the state actually transforms the object of its rule. Crudely, the (proto-liberal) state *made* protestantism into what it is so it could govern it. I wish to substantiate that claim by combining two sets of observations by empirical scholars from disparate fields. First I will draw on a general account of the operation of state simplification and reshaping of reality. Second, I will leverage recent research on the historical origins of the liberal notion of religion and of its place in politics.

The first point has been made most eloquently by James C. Scott:

⁴ Laborde notes that it is possible for a mixture of different strategies to also achieve inclusiveness, so the conclusion here will have to be stated (relatively modestly) as about what is permissible, rather than required.

⁵ This matters to Laborde’s approach because she leverages some of the critics’ arguments against versions of liberal neutrality and public reason liberalism (forthcoming, Part I).

No administrative system is capable of representing *any* existing social community except through a heroic and greatly schematised process of abstraction and simplification. It is not simply a question of capacity ... It is also a question of purpose. State agents have no interest—nor should they—in describing an entire social reality, any more than the scientific forester has an interest in describing the ecology of a forest in detail. Their abstractions and simplifications are disciplined by a small number of objectives, and until the nineteenth century the most prominent of these were typically taxation, political control, and conscriptions. They needed only the techniques and understandings that were adequate to these tasks. (2005: 22-23)

Scott draws on a variety of case studies—from state-sanctioned scientific forestry to land tenure schemes, from urban planning to the creation of surnames—to illustrate and substantiate this general claim. More precisely, as anticipated, there are two claims here:

These state simplifications, the basic givens of modern statecraft ... did not successfully represent the actual activity of the society they depicted, nor were they intended to; they represented only that slice of it that interested the official observer. They were, moreover, not just maps. Rather, they were maps that, when allied with state power, would enable much of the reality they depicted to be remade. (Ibid: 3)

So, state simplifications both describe selectively, and reshape by describing. Recent historical research on the place of religion in Western political discourse and practice bears this out. Again crudely, historians have shown how the very category of religion is a product of the (liberal or proto-liberal) state. William Cavanaugh summarises his and other historians' findings in this way:

What counts as religion and what does not in any given context is contestable and depends on who has the power and authority to define religion at any given time and place. ... the concept of religion ... is a development of the modern liberal state; the religious-secular distinction accompanies the invention of private-public, religion-politics, and church-state dichotomies. The religious-secular distinction also accompanies the state's monopoly over internal violence and its colonial expansion.

... what counts as religious or secular depends on what practices are being authorized. The fact that Christianity is construed as a religion, whereas nationalism is not, helps to ensure that the Christian's public and lethal loyalty belongs to the nation-state. (2009: 59-60)⁶

Why does any of this matter for assessing the disaggregation approach? Taken in isolation, the point about state simplifications and the point about the particular history of the Western liberal conception of religion may seem to leave the argument untouched. But their conjunction illuminates an important point, of realist flavour: the reason why Western states have historically tended to treat religion as an obligation-centric monolith, or rather to sculpt it into one, is that this shape (as it were) is most amenable to the exercise of state power. In fact empirical work shows how non-Western states lacked the technology and power to exert this kind of influence (Daechsel 2011). One might further posit that it is for that reason that religions from those societies do not take forms that are easily governed by Western states. Indeed, some may even argue that it is the only

⁶ For similar accounts see Gregory (2012) and Van Creveld (2009).

amenable shape: the history of progressive enlargement of religious freedom, after all, coincided with an increasing standardisation of the forms the tolerated religions were supposed to take. In fact the notion of religion at stake here crystallised just as the early-modern, sovereign state won its evolutionary struggle against other forms of political organisation, from the Italian city-states to the Hanseatic League, to name just the main defeated contenders. The upshot here is precisely that success in regimenting religion, in making it legible and so governable, was one important factor in the state's success.⁷

Now consider the disaggregation approach in light of that historical sketch. Laborde's disaggregation strategy envisages freedom of religion as dispersed across a range of legally recognised categories, such as a conception of a good life, a conscientious moral obligation, a key feature of identity, a mode of human association, a vulnerability class, and so on (Ibid.: 11). What would happen in the law when different aspects of the disaggregated account of freedom of religion conflict? Since we are talking about the legal recognition and protection of religious freedom, presumably all those protected aspects are meant to be tied to specific rights. And only compossible rights are rights (Steiner 1994). In any case, even eschewing the language of rights, we can imagine that instances of religious freedom are more likely to conflict under the disaggregation approach as opposed to more unified approaches to religious freedom. For instance, religion as totalising institution is likely to conflict with religion as mode of association, if the latter is protected under the general rubric of freedom of association (think of a traditional religious community's typical desire to effectively discourage its members from joining associations that contravene the religion's principles, say). And so on. It looks as though the disaggregation approach trades the desideratum of inclusivity against the desideratum of reducing potential conflict within the law. This trade-off, however, runs against the grain of states' typical mode of governing — on a realist view the imperative of creating and maintaining order typically trumps the imperative of complying with a moral standard such as inclusiveness (Williams 2005, Rossi 2013).

The state's royal road (as it were) is to mould religion into a manageable shape, and the most manageable shape is the monolith in this case, given the desideratum of legal consistency and the technologies of legibility and social control made available by the rise of the modern European state (Asad 2005). In a nutshell, those states made religion relatively toothless by reducing it to a single, private practice rather than a public, political contender. This sort of simplification is what the state does to make the social world legible, itself a precondition for the effective use of its power. The disaggregation approach underestimates how much we need this simplifying power if we want effective states. This is not to deny that unified approaches suffer from many difficulties, especially when assessed against the backdrop of a theory of fairness as inclusiveness — indeed they suffer precisely from the serious difficulties the disaggregation approach explicitly tries to remedy.

⁷ For an insightful reconstruction of the rise of the sovereign state see Spruyt (1994).

4. Two objections, and the moral of the story (or lack thereof)

To clarify the critique I put forward in the previous section, I shall now consider two objections that turn on the largely methodological issue of the relationship between descriptive and normative accounts of the state.

A defender of the disaggregation approach—or more pertinently of the interpretive normative methodology that underpins it—would probably reply to the realist critique with something along these lines: it doesn't matter that most known states, liberal or otherwise, tend to reduce complex social phenomena to easily governed monoliths. We are doing normative theory here. We are giving an account of what the state ought to be—"laws as they might be", to go back to Rousseau's memorable phrase.⁸

The realist reply can also go back to Rousseau. Rousseau says that we need to use our best descriptions ("men as they are") to build our prescriptions ("laws as they might be") on a firm foundation. But notice what Rousseau says in the paragraph immediately following the one on men and laws: "If I were a prince or a legislator, I should not waste my time in saying what ought to be done; I should do it, or hold my peace." (1994 [1762]: 45). Perhaps uncharacteristically, Rousseau seems dismissive of the role of normative argument in actual politics. Why is it that princes and legislators have this prerogative? Because, I suggest, princes and legislators are both empowered and constrained by their position of power. They can make the laws (and institutions), but they cannot just make them in any way they please. Imaginative talk of "laws as they might be" may well lead the ruler astray, for "men" and "laws" are separated by the murky, messy domain of practices and institutions—a domain to be bridged with political action, not political theory. On my reading of Rousseau's remark, that domain is easily overlooked when we engage in "*saying* what ought to be done" (emphasis added). So here I am suggesting that the institution of the state is particularly troublesome for the prospects of a legal solution such as that envisaged by the disaggregation approach. One cannot apply normative desiderata to states without due consideration to the entities that states actually are.⁹ As the historical record suggests—and here the Humean-Burkean colours of the realist position emerge—once a system of states is in place, there are limits to the degree of control we can exert over the forms it will take. As noted by any number of theorists—from critics of bureaucracy to enthusiasts for hierarchical authority—states are not very pliable, they are the sorts of institutions that take on a life of their own.

One may worry, at this point, whether I haven't fallen prey to the sort of descriptive fallacy Laborde correctly diagnoses in parts of 'critical religion' scholarship. To address

⁸ Note the parallel between this sort of reply and the liberal internationalist's frustration with the international relations realist's insistence that the international arena is by its very nature anarchical. On the connection between international relations realism and the methodological realism I employ here see McQueen (forthcoming). The general methodological position is outlined in Rossi & Sleat (2014). The form of genealogical critique I employ here is worked out and defended in Prinz & Rossi (forthcoming).

⁹ This point applies to liberal and non-liberal states alike. At any rate liberalism is (again, historically) tied to statism, the view that the state is the principal social technology for the resolution of political problems (Asad 2003).

that objection we need to appreciate why my argument isn't quite a point about the perils of ideal theory and the importance of feasibility constraints. The objection may run along these lines: "You realists say that states just are the sorts of institutions that treat social practices such as religion as monoliths, but that says nothing about whether they have (moral, prudential, etc.) reason to treat them as such. Unless you can provide those reasons, what you need to do is show that states as a matter of fact cannot adopt the disaggregation strategy anyhow, i.e. that the strategy is unfeasible and/or unachievable.¹⁰ And you haven't done that either." There are two moves there, and realists can and should respond to both. They can do so in one move. The realist critique does explain why the state has reason to treat religion as a monolith: the issue is that state needs to solve what Bernard Williams (2005) has called the "first political question", namely the provision of legitimate order. As we have seen with the help of a range of empirical literature, states just are the sorts of institutions that solve the first political question by turning complex social phenomena into legible, simplified entities. If the disaggregation approach wants to move to a post-state form of politics, then it should do so explicitly, and confront the many questions that position raises. That move would suffice to defend the realist critique.

But we can also advance a second, more controversial line of reply. This line stresses how the issue at hand is not one of us not being able to put into practice the legal governance strategy of disaggregation. It may well be possible to set up legal entities continuous with today's states that provide a set of rights according to the disaggregation strategy's preferred pattern. The issue, however, is whether that sort of change, achievable and feasible as it may be, underestimates the importance of the typically realist commitments to the priority of legitimacy (Rossi 2012) and stability in modes of governance (Sleat 2014). That is not to say that realism condemns us to venerating the status quo. The point is rather that if change is called for then it shouldn't be driven by a project of amelioration of the instantiation of pre-political moral ideals such as liberal freedoms or ideals of fairness and inclusiveness. In a realist perspective the drivers of change should be presented as part of the ongoing project of providing legitimate order (rather than raw domination) that is the hallmark of politics itself.¹¹ So, in conclusion, if the realist critique of the disaggregation account of religious freedom succeeds, we are left with a three-way exclusive disjunction. The first option is to simply maintain that if we are committed to the existence of liberal states then we must reckon with their historically determined limitations when it comes to accommodating social phenomena. Perhaps states are not very good at keeping pace with social phenomena different from the ones that states emerged around. As we have seen, the state moulded those phenomena to make them legible, and in so doing it moulded its own posture, as it were. My suggestion here is that the posture is more rigid than the disaggregation approach requires. The second option becomes available if one thinks that the simplified monolithic account of religion is

¹⁰ For the distinction between feasibility and achievability see Wright (2010).

¹¹ For instance, Robert Jubb (2015) provides an insightful example of how egalitarian ideals can be recast as demands for justification within what nonetheless remains a necessarily coercive political order.

too exclusive to be true to liberal values—in which case one should perhaps direct one’s frustration at the marriage of liberalism and the state. The third and even more radical option is to think that the very existence of states is normatively problematic: perhaps there are commitments and social practices (such as religion, whatever that may be) which we have reason to value more than we value the goods provided by states. All three options are compatible with the realist methodological stance deployed here, which goes to show how this kind of realism can overcome its associations with conservative tendencies (Rossi 2015). Adjudicating between the options would take us far beyond the scope of this essay.¹²

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¹² Versions of this essay were presented at the University of Münster and University College London. I’m grateful for the speaking invitations, and for the feedback of both audiences. I’m also grateful for the comments I received from Elvira Basevich, Aurélia Bardon, Annelien De Dijn, Cécile Laborde, Marcel Maussen, and Glen Newey.

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