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TITLE: *Perfectionism in Two Liberalisms:
Analysis and Comparison of J.S.Mill and J.Raz.*

Submitted for the PhD Degree

London School of Economics and Political Science

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Leonidas Makris

ACKNOWLEDGEMENTS

It is difficult to convey in words the gratitude I owe to my family for giving me the opportunity and the incentives to advance my education and complete this PhD. My parents Grigoris and Anna (or Anna and Grigoris) Makris were the best teachers I could have in moral and philosophical thinking. They have profoundly shaped the way I see the world but in the most liberal way possible. They did not instil their particular ideas in what evolved as my interest in political theory; yet their lives have been the best example I could study in order to try and understand how people should live, forging thereby my view of human relations and of society itself. I continue to learn from them and I will always be indebted to them for all they offered me so generously. My brother Dionysis Makris, to whom I am extremely grateful for giving me the opportunity to live with him a happy childhood, has also crucially shaped my upbringing which eventually led to this PhD. His incomparable love for life, his matchless kindness, mental strength and endurance to withstand strain have been an invaluable inspiration for me to overcome any difficulties that have risen before and during the course of this work. Dionysis taught me that I should be thankful to life for what I have, proud for what I am and for the little I have achieved. It is to his memory that I would like to dedicate my PhD. To my companion in life Loli Tarrafeta I owe an immense debt for her endless patience and understanding throughout the course of my work. She had to bear with my rigid and abrupt behaviour stemming from my continuous and inflexible commitment to the present project. In addition, she assisted me tirelessly to sustain my workload in a positive spirit and to try and overcome in good health its shortcomings. She deserves the most special mention because without her help and her love this thesis would probably have never come to completion. It would be redundant to praise here the intellectual excellence and the renowned academic competence of Professor John Gray. It was a huge privilege to have him as a supervisor and to be exposed to his unmatched analytical thinking. But apart from being a continuous source of inspiration for my work, I would like to underline that Professor Gray is a very kind and understanding person whose gentle and generous behaviour helped me to remain committed to the realization of this project even when I had to interrupt my studies. To Professor Paul Kelly who also supervised my thesis I am indebted for his invaluable advices helping me to structure and organize better my thoughts. His synthetic skills and his affinity for clarity were an extremely useful guidance to improve and revise my work. I will try to keep as a template for any future text several of his recommendations on how to organize better an academic essay. The idea that I should develop my beliefs at a doctoral level was initially expressed by my very close friend Dr Antonis Gardikiotis. I am delighted to be able to express my deepest gratitude to him for his friendship, his stimulating conversations and his discreet and constant encouragement that gave me self-confidence and heartened me in my academic efforts. Professor Constantine Karakousis did not only make very useful comments on an early draft of my ideas. He influenced and inspired me since he is the best proof that humans can indeed develop and flourish according to a liberal perfectionist model. His unparalleled kindness, generosity and wisdom were of enormous help during difficult moments and I feel especially grateful for the privilege of having met with him. Lastly, I would like to thank very much Professor Kimberly Hutchings and Mr Matthew Greenwood for their very useful assistance to improve my text's final literary presentation.

ABSTRACT

Showing that a proclaimed perfectionist like Raz -whose rationale is often contested as illiberal- consistently follows a reasoning resembling greatly that of a celebrated liberal like Mill, could considerably strengthen the case to use perfectionism as part of a compelling liberal strand. The analysis of their distinctive theoretical features elucidates the holistic manner with which their conception of human flourishing informs all the constituent parts of their liberalism as well as its crux, personal autonomy. Against their contemporary interpretations, it is argued that a comprehensive conception of the good dominates Mill's perception of liberalism and that Raz's robust perfectionist arguments follow a logical sequence permeating not only his overall liberal stance but also his position on value-pluralism. By situating the mutual comprehensive understanding of their key liberal concepts and highlighting its advantages compared to the prevalent 'neutralist strand', the present comparison reinforces the coherency of their perfectionist arguments and their compatibility with liberalism. Contrary to what is widely thought, not only they cogently claim that promoting conditions for self-development and liberty are not contradictory but if the latter is to genuinely encompass the ideal of autonomy, the former becomes a prerequisite. Verifying that in pursuing their liberal ideals they do not resort to strong paternalistic and moralistic measures refutes the principal criticism such stream of thought faces, namely that it is ultimately illiberal. If the gist of their argumentation is indeed common, this strengthens the liberal perfectionism's position as a strand of thought with a continuous trajectory linking one of the most celebrated liberals with a theorist not considered a member of liberalism's dominant trend. The connection would prove that the latter's theory is not as 'unorthodox' as it is claimed to be, adding persuasiveness and enhancing the viability of such current of liberalism as a whole.

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CHAPTER 1: INTRODUCTION

Context of Debate and the Present Contribution

The originality of this thesis stems from the comparison of Mill's and Raz's liberal theories which has never been done before in a systematic fashion; more concretely its originality resides in the way in which that comparison is constructed. The thesis identifies and highlights their perfectionist reasoning which it simultaneously praises as an accounting of (what I see as) their successful liberalism. In my view this particular reasoning, revealed by the separate analysis and comparison of Mill and Raz, can comprise a better 'model' for how to cogently advance and defend the ideal of freedom. Within the contemporary context of liberal theory the vast majority of its representatives perceive perfectionist conceptions of political morality as opposing liberalism. It is 'political liberalism' and its representatives that have gained more prominence in recent scholarship (Kelly,2005) with Rawls, its most distinguished advocate, arguing that liberalism should not be defended as a perfectionist doctrine. Rawls favours a 'non-comprehensive' version of liberalism that precludes a controversial metaphysics or epistemology of the person and society as part of its core doctrines (Gaus and Courtland,2008). His theory of "justice as fairness does not seek to cultivate the distinctive virtues and values of the liberalisms of autonomy and individuality"-unlike Raz and Mill as I argue in this thesis- for it would cease to be a form of political liberalism (Rawls,2001,p.157). It is this sort of anti-perfectionism, in all its different versions, that largely circumscribes the orthodoxy of current liberal theory defended as being neutral between conceptions of the good (De Marneffe,2002;Waldron,1989). The idea that liberalism should remain non-aligned among possible conceptions of the good

has prevailed to the extent that the predominant impression given by the current literature is that a commitment to neutrality is definitive of liberalism (Richardson,1990) and that there always was a 'historic opposition' of liberalism to perfectionism (Damico,1997). The political translation of the nearly hegemonic anti-perfectionist sentiment that liberalism should necessarily avoid commitment to a comprehensive conception of human flourishing is that the liberal state should not engage in pursuing moral ideals; if it does, it is perfectionist but not liberal. This depiction of liberalism is accepted not only by most of its adherents but also by its critics (Gardbaum,1991). Such an unintentional alliance has contributed to the conjectured incompatibility between liberal ideology and theories of politics which envision better ways of life by touching upon issues of moral development.

That an alternative reading of liberal theory founded on Mill's and Raz's perfectionist arguments takes place within a context where liberals make minimal claims about the good life in order to achieve public consensus on the right (Kelly,2000), can only partly explain the potential originality of this thesis. After all, perfectionist understandings of liberalism have indeed already attracted some marginal attention¹. Yet, the perfectionist camp, in its effort to dispute the reigning status of its antipode as offering a better account of liberal ideas, has never seriously and persistently attempted to claim the allegiance of one of the most famous representatives of liberal theory, John Stuart Mill. Showing that a celebrated liberal like Mill consistently follows a style of reasoning and argument that resembles that of Raz -a proclaimed perfectionist whose

¹ E.g. Haksar (1979), Sher (1997), Wall (1998).

rationale is often contested as illiberal²- could enhance the case for perfectionism being considered as a core strand of liberalism.

In order to demonstrate this main claim I will show that Mill's perception of liberalism is dominated by a comprehensive conception of the good and is therefore perfectionist, while in the case of Raz I will concentrate on the compatibility of his robust perfectionist arguments with his claim about the plurality of values and with his declared liberal stance. The comparison of Mill and Raz is meant to reinforce the argument for compatibility between perfectionist ideas and liberalism by highlighting their common comprehensive understanding of liberalism. Not only can they consistently claim that combining self-development and liberty is not contradictory but if the latter is to genuinely promote the ideal of autonomy, the former becomes a necessary prerequisite. Their 'liberal perfectionist' political morality asserts the centrality of the ideal of personal autonomy as a cardinal component of human flourishing. If I am right that the crux of their argumentation is common, this will in turn bolster the claim for liberal perfectionism as a strand of thought with a continuous trajectory linking one of the most celebrated liberals with a theorist not usually deemed a member of liberalism's dominant trend. The connection will defend my view that Raz's liberalism is not as 'unorthodox' as argued (George,1991), enhancing thus the persuasiveness and viability of such strand of thought as a whole. In contrast to most prevalent conceptions of liberalism, the comparison of Mill and Raz in this thesis conceives of a good society as consisting of more than an adequate arrangement of self-interested rational activities. Their juxtaposition is intended to encourage the effort to transcend the nearly monolithic contemporary focus either on empiricism's conception of freedom as the advancement of

² E.g. by Damico,1997, Lomasky,1990,etc.

private passions or on a romantic view of the free individual as surpassing her subjection to natural inclination³. Mill's defence and advocacy of creative individuality as part of achieving essential freedom and Raz's promulgation of certain conditions for autonomy attempt to bridge this dichotomy between empiricist and romantic ideas. In addition, their elucidation and defence of the pre-conditions for achieving a politically relevant autonomous behaviour provides a middle ground between the traditionally antagonistic theories of individual liberty and community.

The two writers that are the central concern of this thesis have very rarely, if ever, been extensively analysed and compared primarily in relation to their perfectionism. Furthermore, accentuating the role perfectionism plays in their work aims to strengthen rather than thwart their liberal ambitions. Against the prevailing tendency the current project endeavours to reconcile their particular perfectionist ideas with the mainstream aspirations of liberal theory. This distinguishes its objective from that of the extremely rare efforts to compare Mill and Raz, such as that offered by John Gray, in which, while their similarity and the perfectionist ground they share is underlined, this is used more as a basis for criticism. Gray either negatively evaluates perfectionism saying that it is incompatible with liberalism (Gray,1996) or when he sees it as superior to the neutralist alternative he nonetheless concludes that it leads liberalism to an impasse through a failure to genuinely accept value-pluralism (Gray,2000a&b; 2002a&b).

The thesis does not only compare the theories of Mill and Raz, it provides a detailed individual assessment of their perfectionism, and this also entails a significant addition to the standard interpretations of both thinkers in the current literature. Mill is

³ There are notable exceptions combining these streams of thoughts under a liberal scheme, e.g. Rosenblum (1987) and Berkowitz (1998).

portrayed in a manner that contrasts and develops both the 'traditional' and the 'revisionist' interpretations⁴ that dominate the contemporary scholarship. The idea of a liberal *summum bonum* that I identify in his thought, bridging his references on negative liberty with his emphasis on moral integration, clarifies his distinctive idea of human flourishing. This interpretation overtly opposes the traditional views of Mill which trace a striking irreconcilability between the basic components of his liberalism. Often such views extract from Mill's alleged confusion regarding the objectives of political philosophy the conclusion that the central tenet of his thought is after all 'choice'; choice not shaped by Mill's normative thinking but as deriving from contradictions in his thought or, at best, from his agnostic position towards the good (Berlin,2002). The present account of Mill is also markedly distinguished from revisionist interpretations identifying the central idea of his liberal doctrine primarily in utilitarian ethics. While contrary to the traditional strand of scholarship revisionists ascertain coherence in Millian thinking, they disproportionately focus on conduct infringing other people's rights as if this almost was Mill's exclusive ethical concern. By claiming that in the absence of such conduct greatest happiness for the greatest number of people is feasible for Mill, they largely disregard his ethical and moral remarks related to the essence of freedom. Mill attributes an important role to moral conscience which helps the genuinely free person to avoid actions of a debased character, ending up desiring to do the right. His concepts of free human conduct, of harm and of happiness are informed by a distinct understanding of humans which places greater value on their higher pleasures and the development of their faculties; and such development is feasible, according to Mill, only in an adequate educational, cultural and legal environment actively supported by the significant role of

⁴ See Gray (1996,pp.160-1).

civil institutions (Devigne,2006). Therefore, in contrast to the revisionist approaches of Mill, the present interpretation argues that it is his concrete notion of human flourishing promoting a perfectionist notion of an autonomous life that constitutes the gist of his theory; a distinguishing characteristic connecting his notions of happiness and liberty as well as informing the appropriate role of the Millian state. And against what is often seen as an inherent conflict between autonomy and utility (Christman,1990), Mill consistently follows throughout his basic writings this very same tactic that links happiness and essential liberty.

The interpretation of Raz's argument advanced in this thesis also differs from the one that most of his contemporary expositors favour. Prompted by the perfectionist tenet which sees forms of political life as rigorously and consistently defended only if they promote some view of what is good for people (Galston,2002a), the present study traces and confirms the reasoning that keeps the components of Raz's liberalism together. My hypothesis relies on a close examination that proves the coherence of his perfectionist reasoning in conveying liberal and pluralist ideas. Such an attempt to ascertain the logical sequence that presumably permeates his liberalism departs from the vast majority of Raz's current descriptions whose primary target is to prove his fundamental inconsistency. As expected, neutralist theorists, understanding liberalism as not permitting substantive conceptions of the good to take political precedence over any other, are keen to prove the incongruity between liberal values and Raz's commitment to autonomy as a constituent element of the good life (e.g.Damico,1997;Lomasky,1990). Liberal perfectionists are often motivated too by a similar urge to discover incoherencies in Razian liberalism, especially stemming in their view from his context-sensitive

defence of autonomy and its justification (partly) through what Raz sees as the reality of value-pluralism. They see the invocation of the difference between people as the wrong foundation to support Raz's perfectionist effort to design a liberal polity. His encompassing of difference and incommensurability between forms of life is viewed as corrupting the background moral intuition that informs his liberalism. In this view his multi-cultural politics can be seen as promoting an equal standing towards autonomous and non-autonomous life, something that the moral intuition of his account rejects (McCabe,2002). Linking autonomy's value with the necessity to accommodate individual needs as shaped by the community can be seen as undermining his liberal perfectionism (Moore,1991); his argument from the value of autonomy is viewed as offering a contentious link between autonomy and value-pluralism (Crowder,2002). All these approaches trace an insoluble contradiction in Raz's liberalism. The same quest for an ostensible *aporia* in Raz often characterizes his overview by 'modus-vivendi' liberals (e.g.Neal,1997) or non-liberal value-pluralists (e.g.Gray,2000b). In contrast, the present approach traces in Raz's combination of universal and partial elements of value, and in the rules of the multi-cultural politics he advances, the elements to refute accusations of incoherence in his liberalism. Despite noting some theoretical impreciseness to match his incommensurability and his perfectionism, the present view aims primarily to reveal and consolidate the perfectionist logical sequence which informs all the basic concepts of his account, i.e. his value-pluralism, his autonomy, his justification of authority and the corresponding role for the state.

The absence of a comparison between Mill's and Raz's liberalism in the current literature and the distinct perspective from which their constituent features are here

analysed comprise the primary academic reasons for attempting to fill this gap. Still, one could ask *why* is it that contemporary liberal theory should pay more attention to accounts like the present ones, aspiring to meet its ideals in a perfectionist way. Unlike other efforts intending to promote the wholeness and balance between spontaneity and moral freedom within the liberal boundaries (e.g. Skorupski, 2002), the current approach does not take the absence of such perfectionist endeavours as primarily a problem of aesthetic substance. It does not seek to enter the debate against liberal neutrality out of an elitist tinge (popular among perfectionists) by accusing neutralists of a tendency to nullify the aesthetic inspiration of the few; or by criticizing them for not caring about the preservation of 'elevated' options. Rather it holds that liberal anti-perfectionism undermines the very same aspirations of liberalism and its basic support for individual autonomy. People are not able to 'govern' themselves if they do not have the adequate means to do so. Hence, it aims to target the striking inability of neutralist liberalism to provide the epistemological tools for striving to attain the necessary conditions for people's autonomy. Throughout my interpretation and comparison of Mill and Raz, it is argued that their perfectionist claims have greater justificatory and critical potential than the dominant neutralist ones to yield the substantive political judgements that liberalism needs. While it is true that different accounts of political morality can yield similar policies, I will argue that in particular the liberal perfectionist core that they share points towards a distinct political orientation better equipped to fulfil liberal ends. As such its presentation invites more attention from liberal theorists to explore further these advantages of liberal perfectionism and to expose the weaknesses of liberal neutrality. The prevailing anti-perfectionist view often identifies simple negative freedom with

autonomy implying that liberalism does not need to strive much to achieve the latter. In contrast, Mill's and Raz's appreciation of autonomy as an ideal foments an interest in policies with which its desired level can be realized. Their reasoning amplifies the modes of treatment required to facilitate and nurture autonomous life, suggesting that the implication of the appropriate institutions can reasonably follow if we are to achieve this objective (Haworth,1986).

Turning to Mill's and Raz's conjoined perfectionist advancement of autonomy could contribute to the restoration of liberalism as an active political enterprise to improve people's lives. While anti-perfectionists reject the liberal ideal of autonomy as unable to accommodate the visions of the good of all citizens, the criteria they use to achieve the latter do not take into account that there is a world existing independently of us, affecting our potential autonomy or heteronomy. Barring conceptions of the good from political argument makes it hard for liberal states to advance a plurality of valuable options indispensable for people's essential freedom. Pursuing a good life is not solely an individual endeavour since developing our capacities and preferences is intimately related to our economic and social environment. By participating more or less actively in such an environment, states inevitably pursue some conception of the good; state neutrality entails merely favouring ways of life and dispositions privileged by the prevailing environment (Chan,2000). Therefore, it is important to define the sort of good that liberalism ought to defend. And Mill and Raz as viewed here rightfully set conditions for people's free development; they do not take for granted that autonomy is somehow magically omnipresent in the public culture of liberalism. They endorse it as a good, one that specifies a set of capacities while it does not restrict their exercise, i.e. as an open-

ended conception of the good rather than a closed one (Apperley,2000). Their common perfectionism situated in the affinity for plurality, their interpretation of harm, the role they attribute to the state and the social concept of self they promote, illustrates this sort of endorsement. Additionally, their account cogently responds to allegations gaining ground due to neutrality's dominance, namely that liberalism, by restricting itself to the regulation of the competition among self-interested atoms, is excessively individualistic and ignores the community's value (Green,1988). Anti-perfectionist liberals are vulnerable to the criticism that their vision of politics fragments society by representing it as a disheartening compromise dominated by mutual suspicion between egoistic individuals (McCabe,2000). Mill's and Raz's arguments may provide an incentive to abandon a dispirited negative notion of freedom for a more comprehensive notion of autonomy providing thus firmer premises for policies needed to reverse some problematic tendencies in contemporary liberal societies⁵.

Before proceeding to the outline of my thesis I would like to clarify the exact meaning ascribed to certain constitutive for my exposition concepts and their variations.

Typology of Basic Terminology

Mill and Raz are often interpreted in incongruous ways partly because they omitted to develop a simple taxonomic organization of their principal terms. It becomes thereby indispensable to elucidate the typology used here to analyze their thought. The meaning of 'perfectionism' in contemporary political theory is not unanimously agreed upon. As a term it is often used with distinct connotations describing different ideas⁶.

⁵E.g. excessive individualism, people's alienation, exacerbating wealth inequalities, accentuated consumerism and elevated crime rates, etc (Beiner,1992).

⁶See Wall (2008), Haksar (1979), Finnis (1987), Gray, (2000b), Hurka (1993),etc.

Rawls, who invented the term, describes it as necessarily antagonistic to liberal morality. He identified it with a view instructing the arrangement of institutions and individual duties so as to maximize the achievement of human excellence in art, science or culture (Rawls,1973). Here the use of the terms 'perfection' and 'perfectionism' is very different from that of Rawls⁷. It follows Wall's account and does not specify the exact content of activities qualifying as perfectionist nor does it dictate political authorities to maximize them. Favouring sound ideals of human flourishing does not need to entail promoting excellence and *vice versa* (Wall,1998). As understood here, perfectionism is certainly compatible with the harm-principle in advancing autonomy but in the way Mill and Raz (not Rawls) interpret the notion of 'harm' i.e. promoting negative as well as positive duties in order for people not to be harmed. The present account encompasses in a liberal framework important features of Hurka's perfectionism by pursuing as a worthwhile political aim (valuable) autonomous agency. The ideal conditions for such agency resemble the appropriate conditions for Hurka's well-rounded life. Yet their fostering still comprises an open-ended political objective that both Mill and Raz embrace, particularly in the Hurkian version using a mixture of subjective and objective criteria to measure the quality of an individual's state (Hurka,1993). Mill and Raz share an affinity for a human good where states of affairs and options are encouraged as somehow objectively worthwhile and not simply as enjoyable or desired. Apart from their notion of autonomy described as a character ideal, other significant concepts for their theories, such as happiness, value-pluralism and their understanding of harm-principle, are also imbued with such perfectionist spirit. Their politics, accordingly informed by an ideal of human

⁷Despite defining perfectionism differently, the current thesis criticizes Rawls and neutrality for directing liberalism's focus on what is right, excluding not only 'strong' but 'milder' perfectionism too as its legitimate objective.

flourishing, assigns an active role to political authorities to create and maintain the appropriate conditions for valuable life.

My terms 'broad' and 'narrow' perfectionism signify respectively accounts where autonomous life figures either in combination with other basic principles (e.g. about utility and rights) or as the cardinal one against which the claims of a morality are weighted; the first describes better Mill's liberalism and the second is closer to Raz's. Hurka too uses this criterion to distinguish 'narrow' from 'broad' perfectionism, yet he additionally links the former to a moral theory based exclusively on human nature. Differing in this respect from Hurka's, the present perfectionism and its broad and narrow variants invoke but often only implicitly a particular concept of human nature. Following Wall's categorization of perfectionist accounts they can be classified somewhere between his versions of 'objective goods and conditions' and 'human nature' perfectionisms. Unlike Hurka's narrow perfection, the varieties attached here to Mill and Raz are consistent with value-pluralism. If objective values are plural and incommensurable this need not undercut the plausibility of perfectionism (Wall,2008), at least not of the present one. In that sense my 'narrow' perfectionism is 'wider' than Hurka's which does not value sufficiently goods that virtually all humans can reach (Arneson,2000). By 'strong' I refer to the Rawlsian definition of perfectionism identifying it with a specific virtue. Perfectionism here is 'milder', not only by not specifying the exact content of activities qualifying as perfectionist, but also in using a 'mixed' not 'pure' version to describe Mill and Raz. Whereas the latter would portray their core notion of good life and its constituents as the sole intrinsic value, the former allows for the promotion of other values like negative liberty or general respect for humans, tempering the pursuit of

human flourishing. By emphasising that its means are primarily non-coercive, by not ranking comprehensively goods or lives and by favouring value-pluralism, the current view of perfectionism⁸ constitutes a 'moderate' and not an 'extreme' type (Chan,2000).

The term 'neutrality' refers here to the general idea that liberal theory should remain neutral among conceptions of the good. Strict political neutrality is impossible since acting neutrally depends on the baseline relative to which this is judged; different baselines lead to conflicting judgements, leaving no rational ground for neutral political concern (Raz,2002). It is unattainable for political theories or institutions to maintain such a stance towards competing conceptions of the good since in their absence the existing -social, political, economic- dynamics of 'goodness' prevail. This is partly accepted by several neutralist liberals acknowledging that their theories may appeal to minimal principles of the good. They distinguish between 'neutrality of aim' or 'outcome' and 'neutrality of procedure' (Larmore,1987; Rawls,1988,2001), specifying that they advance the former and not the latter⁹. It should be clear then that the present approach opposes both 'neutralities', the second as chimerical and the first as the wrong course for liberalism to follow; 'neutral' or 'minimal' theories of the good reduce the rigor with which it can promote autonomy, undermining its genuine aspirations and leaving it vulnerable to criticisms that it retains the status quo and recycles its excessive individualism.

Since 'autonomy' is interpreted in an exceedingly diverse manner (G.Dworkin,1988), it seemingly appears necessary to pin down its current formulation. Yet, my use of the term 'autonomy' equates with Raz's and corresponds to Mill's notions

⁸It could be regarded as a blend between Wall's (1998) and Hurka's (1993) species of perfectionism.

⁹Sandel and Richardson prefer 'neutrality of grounds or premises' and 'neutrality of effects' to describe the two (Richardson,1990).

of individuality and self-development, something sufficient to clarify its definition. It only remains to add that its present character is consistent with the etymology of the word which implicitly embraces the dual function that pervades its meaning here: *(e)autos* (self) refers to its exclusively private connotation and *nomos* (law or rule) to an aspect inherent in public and relational contexts. Adhering to the combination of its components, the current use of the term attempts to bridge self-directed and other-directed privacy and to substantiate the intimate connection among private and political self-government (Scoglio,1998). The sense of 'autonomy' that is politically relevant for liberalism demands more than just 'freedom'. An un-coerced choice need not be autonomous if not made from an adequate range of options, from a person having the mental abilities to understand and reflect on her choices. Furthermore, one is not acting autonomously if her preferences are shaped by indoctrination or unintended conditioning. As Sher argues, we need not describe all forms of conditioning which undermine autonomy to concede that conditioning can clearly have this effect (Sher,2002). The prospect of individual behaviour depending on 'unfortunate' contextual factors (psychological, social, economic, etc) informs the minimal value-threshold a potentially autonomous life should exceed. While the criteria defining this threshold are here linked more to the agent's discretion than to 'objectivity', the current term of 'autonomy' clearly signifies more than 'negative freedom'. It embraces a 'positive' character as the most cogent to describe the common core of Mill's and Raz's liberalisms. Thereby, the term 'autonomy' is interchanged with 'freedom' in the text chiefly when the latter is accompanied by an adjective ('essential', 'substantial', 'real', etc), reminding us that the crux of Mill's and Raz's thought comprises more than 'simple' freedom. While the terms 'freedom' and

'liberty' are used indiscriminately as alternatives in this thesis, when used without an adjective they mostly signify 'negative freedom' (non-coerced action) and not 'autonomy'.

Thesis Outline

My effort to prove that Mill and Raz share a perfectionist reasoning which coherently informs all the major aspects of their theories without opposing basic liberal commitments consists of two major parts: The individual analysis of their liberal theories (chapters 2 and 3) and their comparison (chapters 4 and 5). Chapters 2 and 3 -respectively devoted to the separate investigation of Mill and Raz- follow a common strategy to reveal the perfectionist character of the entire span of their theories. Firstly, in part i, they analyze conspicuous features seemingly independent or antithetical to perfectionist reasoning, i.e. their utilitarian and pluralistic accounts of value, and subsequently, in part ii, they proceed to investigate the direct appeal of their liberalism to perfectionist considerations.

In detail, chapter 2 begins (part i, section a) by examining Mill's conception of utility which it compares with the classical utilitarian notion of happiness. The elaborated sense Mill attributes to it distances his perspective from a desire-satisfaction model of utility. It is argued that the way Mill assesses pleasurable experiences resembles more Hurka's perfectionist understanding of happiness than mere subjective content or (any) hedonism. Assessing the mainstream interpretations of Mill's utilitarianism (section b) brings me closer to prove that his liberalism is better understood as a perfectionist species than under the scope both his 'traditional' and 'revisionist' interpreters suggest. Since the latter dominate the recent relevant literature, it is on them that I mostly concentrate.

Against the main advocates of such approaches¹⁰ it is argued that their utilitarian patterns fail to capture the spirit of Mill's liberalism primarily for not acknowledging its perfectionist core. The failure though is an informative one since it reveals the common motive lying behind the contrivance of such intricate explanatory schemes, namely to conceal Mill's perfectionism. Rule, indirect and broad utilitarianisms prove inadequate to depict accurately Mill's epistemology due to the generally anti-perfectionist stance of their proponents. Elucidating how perfectionist considerations actually prevail against neutral ones in the way Mill perceives the cardinal concepts of his liberalism -happiness and autonomy- is my aim in part ii of chapter 2. Mill brings forward conditions for human happiness through his position that people need to resemble 'competent judges' if they are to grasp what comprises genuine happiness. Certain prerequisites are set if people are to achieve such states where ideal and want regarding aspects equilibrate (part ii, section a). It gradually becomes evident that self-development is an indispensable condition for Millian happiness, with the latter conceived as part of his independent vision of the good; a vision needing a particular political, social, educational framework to flourish, for the achievement of which Mill, distancing himself from neutralist liberals, imputes to his state an active role (section b). Such a conception of happiness denies that Mill apprehends it by employing merely subjective (first-person perspective) criteria regardless of its quality. The same conclusion is induced by analysing Millian liberty whose politically relevant core is construed as perfectionist autonomy; additionally, Mill clearly employs the state to advance the conditions under which the cultivation of

¹⁰ Riley (1998), Gray (1996) and Berger (1984) are extensively analysed as good representatives of the main 'revisionary' currents.

freedom as autonomy is feasible (section c). This too distances his approach from the common neutralist interpretation of his morality.

The first part of chapter 3 is concerned with the analysis of Raz's value-pluralism. After the brief definition of it and its account of incommensurability (part i, section a), I proceed by underlining value-pluralism's distinction from scepticism and relativity as well as its contrast to a common liberal perception that it necessarily presupposes the doctrine of neutrality. This serves to show that it is not equated with ideas which preclude Raz's pluralist case for liberal perfectionism. Raz demonstrates that heterogeneity of value need not undermine its appeal as a moral objective and my effort to reveal this aspires to refute the popular belief that sees as incongruous the use of perfectionist means to convey pluralism (section b). Since Raz never sets out systematically the conditions for the consistency between his incommensurability and perfection, the second section explicitly identifies them. While such an identification exposes some weakness in Raz's theoretical accommodation of his liberal ideal and plurality, located primarily in a lack of minimal rational comparability between incommensurable values (section c), the guidelines it sets are fulfilled when his value-pluralism is tested in practice. Raz's objective for value diversity finds cogent practical expression in his multiculturalism construed according to his vision for a good liberal life (section d). After substantiating the forging of Raz's value-pluralism by a perfectionist reasoning, the second part of chapter 3 analyzes his liberal perfectionist basis *per se*. Raz's perception of normative political theory as an aspect of ethics dates back to classical thought. This is helpful to understand the 'naturalness of his perfectionism' and his comprehensive liberalism as founded on the rejection of an idea of morality as opposed to self-interest (part ii, section

a). The contrast between his autonomy and that of most contemporary liberals who defend it as an individual right comprises the centrepiece of Raz's break with mainstream liberalism. Supporting his political argumentation viewing life as autonomous only in the presence of various collective goods and when it permits choices between valuable options by people capable of appreciating them aims to resist the trend for an asocial and individualistic perception of liberalism (section b). Against this popular anti-perfectionism, Raz's commitment to autonomy logically commits him to the endorsement of perfectionist political action promoting valuable pursuits and discouraging base ones. His support for an active liberal state not only complies with the requisites demanded by his autonomy, it also emanates sensibly from his analysis of the concept of authority. While Raz generally hesitates to apply his philosophy, chapter 3 closes by attributing to him a progressive egalitarian politics. The legitimacy of his state's redistributive role originates directly from his concept of autonomous life, not from other values (e.g. equality) as is the case with neutralists; since compared to autonomy other values are deemed secondary by liberals, this indicates that Raz puts a stronger emphasis on issues of redistribution (section c).

The comparison of Mill and Raz starts by setting out their differences whose enumeration aims to prove that they do not deny the common perfectionist character of their theories (chapter 4, part i). The elucidation of their distinct historical-social contexts and their different mode of approaching liberal reality does not refute my above objective (part i, section a). It is further claimed that their different stance towards utilitarianism (section b), results solely in distinguishing the form and not the essence of their perfectionist liberalism. This diverse form is depicted in the description of Mill's

perfectionism as 'broad' and of Raz's as 'narrow' (section c). As a whole this part of their comparison vindicates that, despite their differences, the crux of their liberalism does not diverge as much as to defy their common perfectionism. The juxtaposition of their principal arguments in the second part of chapter 4, aims to situate the exact locus of their theories where a shared perfectionist understanding resides. Contrary to Mill's habitual interpretation as a monist, their similarities begin with their comprehensive understanding of the plurality of value; their ideal liberal life opposes value-monism and encompasses plurality, something to which perfectionism has wrongly been depicted as antithetical (part ii, section a). Against the opinion that Raz radically reinterprets Mill's harm-principle –a view that dominates the literature due to a usual misreading of Mill's liberalism as holding a negative concept of liberty- it is argued that it is their common understanding of 'harm' that corroborates their claim for autonomy's role as an essential ingredient for valuable lives (section b). Additionally, their comparison vindicates their agreement on seeing governmental action intentionally used to favour valuable pursuits not only as morally permissible but also as necessary. The positive conditions Mill and Raz set for the feasibility of human flourishing attach a significant moral aspect to the function of the state which they call forward to assist in their accomplishment. Various examples from economic, educational and legal policies, used to illustrate better their philosophy, affirm their dispositional antithesis to state neutrality as celebrated by the majority of contemporary liberals (section c). Another matter on which the confirmation of their common perfectionist strategy runs counter to the principal liberal trend is the concept of 'self' they espouse. Its deep social embedding depicts humans as creatures profoundly committed to the rest of the people, supporting thus the conclusion that their

flourishing is vested with that of their fellow-beings. Such a view is here considered antagonistic to neutralist liberalism which, given its theoretical disposition, esteems lightly the endeavour to nourish a culture of such social interdependence (section d).

In chapter 5 I evaluate and assess the general coherence of Mill's and Raz's perfectionist arguments and their compatibility with liberal values. My assessment of them unfolds by examining potential critical arguments against Mill and Raz exclusively as presented in the current project. The 'traditional' view of Mill and the common liberal reception of Raz's ideas, emanating from various neutralist or 'modus vivendi' perspectives, ascribe them an incoherent liberal reasoning primarily as a result of their perfectionism. Against such views the chapter's goal is to show that the perfectionist logic of their theories comprises a constituent part of an overall coherent reasoning which is combinable with plurality of value and the primacy they attribute to the essence of liberty. The terminological deficiencies in the way Mill and Raz depict the different nuances of their 'liberty' and 'autonomy' respectively (part i, section a) do not prove to be disabling for the cohesiveness of their liberal conception of the good. Indeed, it is suggested that amendments of a largely terminological nature reveal a successful synthesis of their liberal and pluralist elements under a coherent perfectionism; their contextual defence of autonomy and their incommensurability integrate thus better into their scheme; even if traces of inevitable tension reside in their perfectionist-liberal blending, its neutralist alternative is more problematic in pursuing liberal ideals (section b). Whilst their reasoning survives a critical scrutiny this does not entail that Mill and Raz always apply their liberal perfectionism in an unblemished way. Whereas his aloofness from illustrating practically how it contrasts 'neutral' reality is the problem with the

latter, the former proposed some policies that, retrospectively seen, do not comply with the spirit of his theory as understood here (section c). Yet, this does not change the fact that their perfectionism, a coherent account of liberal political morality, merits more attention than its neutral rival suggests by construing it as a lump of heterogeneous elements. Proceeding to vindicate this, the second part of the chapter yields the grounds to repel the most forceful criticism perfectionist theories are held to be susceptible to. Proving that Mill (part ii, section a) and Raz (section b) do not follow any 'hard paternalistic' or excessively 'moralistic' logic or means, the use of which contradicts liberal principles, strengthens my hypothesis that their perfectionism is consistently liberal. Indeed the evidence confirms that the gist of Mill's and Raz's theories survives such popular criticism associating it with illiberal moralistic or hard paternalistic tactics; this argument only reinforces the central original claim of this thesis, namely that the perfectionism of both Mill and Raz is quintessentially liberal.

CHAPTER 2: UTILITY AND PERFECTION IN MILL¹¹

The present chapter divides into two major parts. The first one assesses mainstream -‘traditional’ and ‘revisionist’- arguments that describe Mill’s utilitarianism. Since Mill is generally considered as an advocate of utility, any conclusions drawn about his theory have to take into account such a conspicuous feature. Its analysis though will be an idiosyncratic one in a sense that it comprises an integral part of the effort to underline Mill’s perfectionist defence of liberalism. Utilitarianism *per se* is not among the specific Millian aspects the present project aims to highlight; yet analyzing the main utilitarian approaches of Mill demonstrates its co-existence with the perfectionist constituents of his liberalism¹². It will be argued that the ‘revisionist’ utilitarian view of Mill and of his concept of happiness fails to conceal its perfectionism and that the specific part of the ‘traditional’ view that foregrounds it does so correctly. However, it should be underlined that only a part of this ‘traditional’ rationale is accurate and thereby justifiably used as an epistemological tool. Its main conclusion discarding Mill’s moral theory by allegedly revealing its inconsistency as a liberal doctrine is mistaken (see chapter 5). Thus, contrary to the central claim in the traditional stance, Mill’s arguments can retain or even strengthen much of their force as part of a liberal doctrine not despite but due to their perfectionist basis. Aspiring to unveil this, the present chapter analyzes revisionist approaches to Mill and discovers that unduly absorbed by his utilitarian aspect they fail to capture cogently such a basis. The inability to accommodate the cardinal

¹¹All references to Mill’s writings derive from J.M.Robson’s (ed) *The Collected Works of J.S.Mill*, 33 vols, 1963-1991. This voluminous work will be quoted as CW.

¹² This is while perfectionist and utilitarian moralities can be antagonistic in certain aspects, at least if we follow Hurka’s (1993) typology in defining perfectionism. Yet, Haksar’s (1979) classification offers us an option (among two different kinds) of consequentialist perfectionisms which approximate a certain ideal utilitarianism (see below).

perfectionist elements of Mill's morality is demonstrated by the inaptness of utilitarian rules to express his character ideal and by the excessive intricacy of other utilitarian models which aims precisely to conceal it. After showing the inadequacy of such utilitarian epistemology to depict Mill's spirit, I intend to prove how the latter is actually exemplified in his principal concepts.

Thus, the second part of the chapter aims to pursue an independent analysis of the two cardinal concepts of Mill's liberalism, namely happiness and freedom. Such analysis aims to show that despite the currently popular claim for the opposite, the constituent elements of Mill's theory are consciously dominated by a perfectionist mentality with a greater justificatory force than his revisionist utilitarian or neutralist descriptions. The conditions Mill poses for human happiness clearly deny that he perceives it as accumulation of pleasure defined by merely subjective criteria irrespective of its quality. In addition, they renounce the primacy of utility delineated in a revisionist manner since revisionists attempt to exclude -at least lexically- perfectionism from their utilitarian explanatory schemes of Mill. The same conclusion can be drawn from the analysis of Millian liberty whose politically more relevant core is construed as perfectionist autonomy. Additionally, Mill clearly employs the state for the accomplishment of the necessary conditions under which the cultivation of happiness and freedom as autonomy is feasible. This too distances his approach from the common -utilitarian or not- neutralist interpretation of his morality. Hence, it is claimed that more than anything else Mill is a perfectionist liberal and that the dominant characteristic of his account of political morality is the promotion of a certain concept of human flourishing along with the discouragement of bad pursuits. His concept of utility should be regarded as constituting

part of this perfectionist effort which precedes it in importance. Such defence of Mill could ideally invigorate liberalism's application as a particular political theory of a historically produced context, opposing its (currently popular) indiscriminate usage as a universal doctrine with an allegedly neutral stance about the good.

i. Mill as a Utilitarian

It seems that Mill was, according to his own word¹³, the first person who brought the word utilitarian into use. He was indeed at least self-professedly one of the founders of utilitarianism and an author of a work that purports to explain it. However, his moral and political theory constitutes a complex framework that includes several other distinctive and important concepts for political theory which attract various interpretations from many scholars. Mill is undoubtedly and primarily a distinguished liberal. His moral theory though can also be portrayed as having distinctive perfectionist features. For the scope of the present project happiness and freedom, two of the central concepts in Mill's theory, as well as their interrelation, are of principal importance. It is on happiness that we should naturally concentrate more in order to investigate the utilitarian face of Mill. However, this will always be done by keeping in mind (one of) the main objective(s) here, namely how this face relates and affects his perfectionism. There is an explanation why exploring the link between Mill's utilitarianism and his perfectionist ideas entails focusing mainly on his concept of happiness. It is because he does not define utility (the term is interchangeably used with happiness in Mill) as simply an aggregate of pleasures. The elaborated meaning he gives to the term is itself a proof

¹³ "The author of [Utilitarianism...] has reason for believing himself to be the first person who brought the word utilitarian into use. He did not invent it but adopt it from a passing expression in Mr Galt's *Annals of the Parish*" (Mill, CW, x, 1985, pp. 209-10).

that he does not perceive it in the classical utilitarian manner. As it will be shown its refined distinctiveness invites us to detect the perfectionist rationale behind its conception. In addition, as the analysis of common revisionist -rule, indirect and broad-utilitarian schemes will demonstrate, the crux of his concept of happiness and its qualitative discernments can be accommodated only by a robust perfectionist account. On the contrary, the utilitarian contrivances under scrutiny -absorbed by their epistemological intricacies and conjecturing that neutrality best describes Mill- prove inadequate to convey his perfectionist message for liberalism.

a. Variations and Distinctiveness of a Complex Happiness

In fact when we inquire about what Mill meant either by happiness or pleasure the answer is far from easily decipherable. As Berger underlines, for Mill human well-being requires particular elements associated with what he called our 'higher natures'—freedom or self-determination, a sense of security, and the development and use of sociality and intelligence, our specifically human capacities. It is for this reason mainly that Berger decides to use the term utilitarianism in a broad manner -i.e. by taking consequences as the criterion of right and wrong that designates any moral theory- in order not to rule out Mill as a utilitarian (Berger,1984). But by not attributing to Mill Bentham's 'narrower' version of utilitarianism -identifying it with the aggregation of mere immediate sensual pleasure- Berger seemingly opposes some Millian remarks on happiness which, when superficially read, resemble Bentham's utility: "[It is] not something to be contradistinguished from pleasure, but pleasure itself, together from exemption of pain" (Mill,CW,x,1985,p.209).

My intention here is by no means to adjudicate the consistency of these versions of utilitarianism throughout Mill's moral theory. However, I believe that a narrow Benthamite concept of utility would evidently contradict the overall and conclusive spirit of Mill's writings. Thus I think that Berger is right to describe Mill's happiness as deviating from Bentham's even if this exposes the intricate side of the Millian utility. "Happiness [is] much too complex or indefinite an end to be sought except through the medium of various secondary ends, concerning which there may be, and often is, agreement among persons who differ in their ultimate standard" (Mill,CW,x,1985,p.110). Mill's own comment here negates utility's use as a criterion of conduct and therefore runs counter to the simplicity and straightforwardness of Bentham's notion. As Berlin puts it, the apprehension of happiness in Mill is 'complex' and 'indefinite', including diverse ends which men actually pursue for their own sake, and which Bentham had ignored or falsely classified under pleasure. Berlin goes on to enumerate what could form part of Mill's utility in an overwhelmingly inclusive concept: "love, hatred [sic], desire for justice, for action, for freedom, for power, for beauty, for self-sacrifice" (Berlin,2002,p.226). Even though I think that Berlin exaggerates when he stretches its meaning almost to the point of a vacuity¹⁴, I think he is right in his appraisal of Mill's tenacity to appeal to such a utility. His plea to such a loosely defined first principle in order to resolve when needed conflicts of secondary principles ("Bentham",CW,x,1985) betokens the replacement of the 'true utilitarian spirit' by only its letter that remains (Berlin,2002).

Ironically the assumed heterogeneity in Mill's concept of happiness could serve my immediate purpose to advert to different semantic and ethical ideas that in his theory

¹⁴ Observed retrospectively it could be said that such a vacuity denotes a post-modern tinge.

do not seem to exclude each other. In Utilitarianism there is a continuous coexistence of references to a concept of utility that resonates, or does not exclude, perfectionist elements. He starts describing it as a classical utilitarian by holding that the creed that accepts it as the foundation of morals asserts that “actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain; by unhappiness, pain, and the privation of pleasure” (Mill,CW,x,1985,p.210). Much more though is required, as acknowledged by Mill, to describe what exactly is pleasure and pain in order to define more accurately the attempted construction of a moral standard. This indicates that if Mill purported to delineate happiness solely as pleasure it would be redundant to say that he wants to elaborate his explication more; for we recognize pleasure and pain easily and we largely have little doubt what they are (Berger,1984). In any case Mill insists that his standard is firmly grounded on a theory of life, namely, “that pleasure, and freedom from pain are the only things desirable as ends;” and all desirable things, he continues, “are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain” (Mill,CW,x,1985,p.210).

Despite insisting so firmly on pleasure to ground utility Mill goes on to give us a very distinct concept of happiness characteristic of his view of human nature. Underscoring the human elevated faculties, he asserts that, when conscious of their idiosyncratic nature discerning them from animal appetites, their gratification is a precondition for anything people would count as happiness. Any scheme translating the utilitarian principle -for Mill an inclusive one needs to combine stoic, christian and epicurean elements- would justly assign to the pleasures of the intellect, feelings,

imagination and of moral sentiments a great deal of higher value as pleasures than to those of mere sensation (Utilitarianism,CW,x,1985). Mill himself concedes the distinctiveness of his utilitarianism and its relation with this explication of happiness:

It must be admitted...that utilitarian writers in general have placed the superiority of mental over bodily pleasures chiefly in the greater permanency, safety, uncostliness, etc., of the former-that is, in their circumstantial advantages rather than in their intrinsic nature...but they might have taken the other, and, as it may be called, higher ground, with entire consistency (Mill,CW,x,1985,p.211).

Regardless and irrespective of the question if this designates a conscious deviation on Mill's part from a 'mainstream' utilitarianism the truth is that he finds it compatible with his principle of utility that there are kinds of pleasures that are more valuable and thus more desirable than others. He makes it evident that a main criterion for his estimation of pleasures is *quality* and not only quantity. "Mill's inclusion of quality in the measurement of value of pleasurable experience is the crux of his break with the orthodoxy of Benthamite quantitative hedonism" (Donner,1991,p.37). 'Qualitative hedonism' however is not the best way in my opinion to describe the hierarchical depiction of Millian happiness. I think that such a designation resonates a, conscious or not, effort to keep his theory under strict utilitarian delineation by concealing his perfectionism. To begin with, the description of 'qualitative hedonism' is etymologically, if we follow the modern use of the term 'hedonism', a contradiction in terms. Sensual pleasure obviously does not correspond to the quality that Mill ascribed to the term happiness. But even if we follow, as we most commonly do, the ancient Greek connotation of the term, its dominant Epicurean use is distinct from Mill's concept of

happiness. It corresponds to a selfish happiness¹⁵ recommending doing whatever makes *you* happier (Mitsis,1988). Mitsis cogently shows how Epicurus' conception of pleasure differs from that of many utilitarians. As we shall see the use of happiness from Mill refers more to a selfless one suggesting a concept that incorporates the happiness of *others* too. In addition, if it is openly confessed that higher and lower pleasures are discerned and there is such a qualitative distinction among them, Mill implies that something other than pleasure, in the ordinary Benthamite sense, has value. He naturally assents that people can desire several things like money, fame, power, virtue as instruments of the attainment of happiness but these can also evolve to be desired for their own sake. He insists that in such a case this would mean that they are desired as part of happiness, that they are included in it as some of the elements which partly comprise it (Mill,CW,x,1985,p.236). But beyond that there is still a stated preference on Mill's part for a qualitative distinction of pleasures decided on a property that of course cannot also be pleasure.

One can claim, like Berlin does (2002), that this other than pleasure valuable standard recognized as having intrinsic value by Mill is freedom. Irrespectively of his inconsistent -as Green (1969) claims- or not with utilitarian values defence of freedom, this *per se* does not explain his affinity to quality. Mill insists in stating his preference for superior attributes independently of the freedom-factor. This is the case because people with the same freedom to choose between two pleasures, i.e. those "who are equally acquainted with, and equally capable of appreciating and enjoying, both, do give a most marked preference to the manner of existence which employs their higher faculties"

¹⁵ Epicurus never suggests we should live a life which impedes others' pleasure. Yet, he primarily recommends pursuing our own, accepting no duty to pursue the pleasure of others. Therefore his analysis of morality is overall egocentric.

(Mill,CW,x,1985,p.211). He goes on to attribute to quality an inherently quasi-natural pertinence for humans as opposed to debased animal pleasure. “Few human creatures would consent to be changed into any of the lower animals, for a promise of the fullest allowance of a beast’s pleasures” (Mill,CW,x,1985,p.211). He subsequently contends that availing one’s (higher) capabilities cannot be superseded by the upper most satisfaction if this doesn’t reflect the person’s abilities. No intelligent human beings would consent to be fool despite being “persuaded that the fool...is better satisfied with his lot than they are with theirs. They would not resign what they possess more than he, for the most complete satisfaction of all the desires which they have in common with him” (Mill,CW,x,1985,p.211). Despite the higher liabilities that exalted capacities do entail they would never wish to retreat to a lower grade of existence. This combined with a strong natural reception for utility and a clear distinction between happiness and content, makes a classical (Benthamite) utilitarian interpretation of Mill more problematic.

When he juxtaposes happiness and content he exemplifies the superiority of the former, reiterating that this is not altered by the more sophisticated endeavour of its attainment. On the contrary, despite the intuitive cognizance of possible imperfections in his happiness which he can learn to bear, the one using his higher faculties will not be envious of the one who does not. The former will not envy the latter because he is a “being who is unconscious of the imperfections [of his happiness and...] because he feels not at all the *good* which those imperfections qualify...; better to be Socrates dissatisfied than a fool satisfied” (Mill,CW,x,1985,p.212, emphasis added).

It is interesting for the objectives of my work here to draw the parallel between Mill's happiness and an 'enriched'¹⁶ Aristotelian view of the term resonating in perfectionism as described by Hurka (1993). For Hurka sees in Aristotle and his principle (as described by Rawls) the core of his own perfectionism which he accordingly defines as Aristotelian. The intuitive idea of the principle is that human beings prefer "doing something as they become more proficient at it, and of two activities they do equally well, they prefer the one calling on a larger repertoire of more intricate and subtle discriminations" (Rawls,1973,p.426). Mill's view that some pleasures are better than others regardless of the quantity of satisfaction they offer closely resembles Aristotle's eudaimonism¹⁷; in the latter well-being consists in the extensive development of distinctively human powers (Gray,1991). Mill's happiness is essentially Aristotelian in its inseparable connection with activity; a human life becomes happy and the goods it contains enjoyable with people's energetic pursuit of them (Gray,1996). It is also Aristotelian in a more complex way when it sets forth the sufficient condition of a pleasure's being a higher pleasure. The individual nature of people whose pleasure it is needs to be reflected in it, something which is more a matter of discovery than choice. Here Mill, "like Aristotle, affirmed that men were the makers of their own character" (Gray,1996,p.73). When happiness reflects and fulfils one's capacities, when it is desirable for its own sake and meets people's significant needs, it is essentially delineated in Aristotelian terms (Berger,1984).

¹⁶ By 'enriched' I mean that Hurka's (1993) perfectionism is more receptive to the emotional part of human nature and happiness. Often Aristotle is interpreted as stressing more the importance of higher pleasures as strictly intellectual ones (see Gray,1991,p.587).

¹⁷ If it wasn't for the different uses 'eudaimonism' has had in ethics, Hurka notes that it could well replace his own term of 'perfectionism' (Hurka,1993,p.3).

Notwithstanding Mill's mentioned reference about Socrates which interpreted isolated could insinuate that higher pleasures are strictly intellectual, his concept of happiness is much more enriched, in line with Hurka's Aristotelian perfectionism for a well-rounded life; such life includes nuanced emotional responsiveness portrayed well in Darwin's unaccomplished wish that he would have read more poetry if he had been given the chance to live again (Hurka,1987b,p.741)¹⁸. The emotional richness as an ingredient of perfection exemplified in such way suggests an impressive similarity with Mill who was fortunate enough to realize this in a younger age than Darwin. It was not a coincidence that Mill refers to poetry as an example of a refined pleasure that himself turned to as a necessary mean to cultivate his feelings. His interest on the emotional side of human happiness signifies an abrupt departure from complacency coming from the one-sided exercise of 'dry' cognitive abilities. Resulting from his acute mental crisis and his reaction to it ("Autobiography",CW,i,1981), this interest transforms his conception of happiness and what contributes to it by converting it into something very distinct from that of his utilitarian mentors (James Mill and Bentham). A much more spontaneous and inclusive of emotions fullness of life as a constituent of happiness formulates an idealism alien to Bentham's 'dispassionate' writing or to the rationalism of James Mill (Berlin,2002). It shows his effort to keep a distance from an inhuman utilitarian version that his father's educational methods could have implanted in him. His mental crisis helped Mill to discover that due to his very one-sided analytical education his critical powers were formulating at the expense of his feelings. Since then the "cultivation of the feelings became one of the cardinal points in [his] ethical and philosophical creed" (Mill,CW,i,1981,p.146). Thus, as a result of this crisis and its aftermath, a profound

¹⁸ This comment appears originally in Darwin (1929) but Hurka quoted it from Irvine (1963).

impact on the construction of his utilitarian ethics and the emotional side of his happiness is easily traceable (Thomas,1985).

One needs to stress here that Mill's argument is not advancing utility with any sense of exclusiveness for he describes the explanation of the superiority of happiness based on "some of the least estimable feelings of which mankind are capable" (Mill,CW,x,1985,p.212). Without analysing extensively this issue (it will also be touched upon below), it seems that he is talking about a concept of happiness that is present or could be disclosed, if supported, in every human being. Despite the distinction of superior-inferior being, he talks about a natural tendency to happiness related to the revelation of tendencies for higher pleasures present in people. "It is better to be a human being dissatisfied than...a fool satisfied" (Mill,CW,x,1985,p.212). Referring to Mill's preference in encouraging higher human qualities, Berger confirms that it is not mere elitism. He infers that for Mill all persons possess "some measure of the special human faculties, and any conception of happiness which will serve large numbers of people must allow the development of Mill's favored elements to some extent" (Berger,1984,p.49).

b. Traditional and Revisionist Arguments: Assessment and Link to Perfection

Any explication of Mill's apprehension of the nature and uses of the principle of utility must concede that to begin with Mill offers many expressions of it. Brown discerned not less than fifteen possible formulations which Mill appears to regard as equivalent (Brown,1973). But the widely acknowledged abstractness and complexity of Mill's conception of happiness does not seem to me to be the only reason for a corresponding extended variety of different utilitarian models developed to comprise it.

As shown above quality has a prominent role for Mill in the appraisal of enjoyable or gratifying experiences and the amplified array of utilitarian variations to capture such Millian ideas depicts to a certain extent an effort to 'conceal' his perfectionism in a utilitarian scheme. The very same need to formulate intricate schemes aiming to retain the compatibility of Mill's different theoretical concepts (e.g. happiness and freedom) vindicates the present line of reasoning attributing a cardinal role to Mill's perfectionism. The difficulty in accommodating striking perfectionist elements in a utilitarian scheme compatible with his liberalism resulted in a constellation of approaches. These used highly multifaceted and diverse epistemological tools that implicitly and unintentionally verify his perfectionist rationale. It is worth recapitulating some of them.

Only a minimum consensus on Mill's distinction from Bentham's sense of utility seems to have prevailed during recent years. Despite some sporadic fluctuations and retrogressions on the issue¹⁹, Mill's deviation starts by making "something of a public renunciation of 'Benthamism'" by resigning from a debating society associated to it; after that he often denies that he is a Benthamite or Utilitarian (Thomas,1985,p.34). Berger confirms this evolution when he clearly opposes a prevalent in the past interpretation of Mill, an interpretation accepting the Benthamite doctrine that people are motivated to act solely and continuously by desires for pleasure. According to this account pleasure is the only valuable thing; happiness is consequently conceived as a sum of pleasures, obtained when pleasures predominate over pains (Berger,1984). Adding to this view the one that sees Mill's formulations on liberty and utility as inconsistent, what Gray (1996) calls the 'traditional interpretation', Berger contends that these interpretations are no longer universally accepted, with some of their parts being quite widely rejected (Berger,1984).

¹⁹See his above mentioned 'Benthamite' description of happiness (Utilitarianism,CW,x,1985,p.209).

My objection towards the traditional view consists in its misinterpretation of Mill's idea of pleasure, one that does not bring it in line with his notion of liberty, and that does not take into account what Gray calls his departure from Bethamite utilitarianism. "For all his references to pleasure and the absence of pain, Mill never endorsed the primitive view that pleasure is a sort of sensation that accompanies our actions" (Gray,1996,p.71). It is true that recent²⁰ scholarship has concentrated more on what Gray calls the 'revisionary interpretation'²¹ of Mill, namely one negating a logical gap between the defence of liberty and a principle of happiness with intrinsic value. It is the complexity of the revisionary view that I would like to link with the concealment of a latent perfectionism in Mill.

There are several complicated revisionary approaches of Mill's morality under the utilitarian label which, as I intend to show, do not succeed -as far as and if they aim to- in concealing its perfectionist basis: A certain rule-utilitarianism (as proposed by Riley for instance) against act-utilitarianism²², an indirect (for example Gray's, Hare's, etc) against the previous two more 'explicit' utilitarianisms, broad-utilitarianism (for example Berger's, Hoag's, etc) against narrow. One could also add here, as it was remarked above, utilitarian schemes like Donner's (1991) or Martin's (1972) which under the term of 'qualitative hedonism' disguise perfectionism while their actual labelling ironically makes implicit references to it. These are all attempts of a difficult, and maybe inextricable, task to accommodate Mill's happiness under a utilitarian scheme. The need

²⁰ Since the beginning of 1980's (Gray,1996).

²¹ Gray's classification of 'traditional' and 'revisionary' interpretations of Mill does not homogenize groups of writers as sharing a common view on all important points on Mill. They are classified only with reference to what is mentioned here (Gray,1996,pp.160-1).

²² Classical and preference utilitarianism are versions of act-utilitarianism in which each act is assessed by the utilitarian standard of maximizing happiness or utility. They are to be distinguished from rule-utilitarianism in which the utilitarian standard is not applied directly to particular acts but to rules or institutions (Ten,1980,p.5). Hedonistic utilitarianism, considered a form of act-utilitarianism, holds that the only thing intrinsically desirable is pleasure and that all forms of pleasure are intrinsically desirable. Right acts are those which maximize happiness, interpreted as pleasure and the absence of pain (Ten,1991,p.213).

for a creation of a model that is flexible, multifarious and different than the classical utilitarian one has a common denominator. Observing carefully the common thread that they might have, one can remark that it lies in the perfectionist aspect of Mill's utility.

Before proceeding however to the examination of these particular theories I would like to stress here the way in which I use for my analysis the ideal and want regarding aspects which they contain. Even though I sometimes use this useful division introduced by Barry (1965) to indicate that several of the ideal-regarding views describing Mill can be interpreted as perfectionist, I by no means intend to imply that all of them necessarily need to be. Using a blend between Wall's (1998) and Hurka's (1993) definition (see Introduction), I am specifically referring as potentially perfectionist only to the analyses of Mill promoting (explicitly) a particular view of human flourishing - linked with (some) development of human nature or character- as (one of) their central aim(s). And I do claim that the probed here versions of utilitarianism attributed to Mill do so overtly or covertly. Ideal utilitarianism in general, however, can but *need not* be seeking the development and promotion of a certain type of human flourishing or character as its central value. As some of its versions clearly prove, it can just promote certain ideals (love, beauty, truth, purity, humility, etc) in conjunction with some importance for pleasure as in Rashdall (2005) or with less importance as in Moore (2002). But it does not need to have as its core a conception of human development as the perfectionism that I use indicates. Therefore my use of the term ideal-regarding in this thesis is a specific one and is linked to perfectionism inasmuch as it refers to some kind of human flourishing as (one of) its central aim(s). Having said this and in respect to the want-ideal regarding division thus defined, Mill seems to me to be taking an interesting

position to fuse somehow the two. The resulting hybrid, though, is clearly towards the ideal direction if we are to take seriously his test of value as presented below²³. Interestingly, it could also be presented as a test of value sensitive to the wants of the individual. But in that case, in order to express Mill's spirit, we would need to identify them with perfectionist preferences as opposed to 'immature' or 'forced' choices when they result to something less or no *good* for the individual (Haksar,1979,p.252). The assumption of a view closer to an ideal-regarding one is more verified than rejected in what follows. My aspiration is that the analysis of the versions of Mill cited below -under different utilitarian labelling- will demonstrate this.

Rule-Utilitarianism

The rationale behind the traditional objection against Mill will be partly used here despite disagreeing with its conclusion portraying Mill as failing to construct a forceful liberalism, something induced by an alleged incompatibility of its basic constituents. Namely I will underline the inefficacy -as one of the traditional arguments does- of the effort to disguise behind complicated revisionist utilitarian schemes the clear perfectionist element of Mill's utility and moral theory in general. Starting from a particular rule-utilitarianism, Riley's defence of it (against act-utilitarianism as well as traditional and pluralistic objections) serves my objective. Apt to pursue public good indirectly by complying with an optimal code of rules, rule-utilitarianism is contrasted by Riley with act-utilitarianism which aims to the particular act that maximizes general utility. Such code commits utilitarians to "assign worth to certain virtues and dispositions required to devise and comply with the rules. Rule-utilitarianism implicitly demands...that its

²³ See below the preferences of 'experienced and knowledgeable judges'.

adherents recognize the great value of a suitable type of personal character” (Riley,1998,pp.153-4).

Riley’s code of rules is evidently perfectionist in its suggestion of an ideal for society and morality (irrelevant if he calls it utilitarian). He counts it as good to the extent and with the condition that it develops human nature in a certain (ideal for that matter) way. Up to this point he elaborates the necessary and suitable implementation plan in a way ostensibly consistent with Hurka’s ‘narrow’ perfectionism. He subsequently adds, nonetheless, that no absolute perfection of personal character should be a condition before the idealist code can be implemented at all but “most must recognize the character’s worth, and thus develop it at least to some imperfect degree, before an approximation to the ideal code can become predominant in society” (Riley,1998,p.154). This could be a very good example of how a liberal perfectionist moral plan could be gradually applied to a receptive liberal democratic context. Riley, however, goes on to assimilate without any justification an ideal rule-utilitarianism -where everyone does in fact develop the requisite for perfection character- to, what he calls, a *suitably restricted* act-utilitarianism. He does so unjustifiably because he clearly founds the first one on a perfectionist basis -a suitable personal character from where general (moral) good stems- while he does not sufficiently explain the second. It remains unspecified if the *suitable restrictions* can provide an equivalent moral basis...

It is obviously true, though, that Riley contrasts his rule-utilitarianism that he attributes to Mill with pure act-utilitarianism. He clearly sees their antithesis in that the latter cannot generate the collectively valuable incentive and assurance effects needed for what he rightly sees as a current society predominantly inhabited by self-interested

people (Riley,1998). To be fair to Riley we have to acknowledge that in general his ideal Millian rule-utilitarianism forms part of a ‘broad’ kind of perfectionism²⁴, incorporating an inviolable right of liberty which serves the good better than any other policy. He adheres to that when he asserts that the right to liberty must remain optimal from Mill’s perspective. Riley’s scheme combines the development of a certain character ideal (as a result of a utilitarian code that presupposes it) with his concept of utility and a right of liberty accordingly defined and therefore not as independent of the good:

Those who develop the characters required to act invariably in accord with the [ideal Millian utilitarian] code will develop a due balance between the moral disposition to follow reasonable and impartial rules of other-regarding behaviour, and the Pagan drive to choose as one pleases among purely self-regarding acts that pose no (risk of) harm to others...True happiness thereby becomes associated with the promulgation of an ideal code, full compliance with which implies complete liberty of self-regarding affairs. The code is self-limiting, in the sense that its rules govern only conduct that poses a risk of harm to others (Riley,1998,pp.156-7).

All this is compatible with Berger’s (1984) view of the Millian utilitarian code as inextricably vested with the development of competent people; in both cases such development precedes as an intrinsic good or test of value any rules of behaviour. This type of rule-utilitarianism is developed “by building in Mill’s perfectionism”. As Gaus and Courtland underline, “in his attempt to defend an explicitly *Liberal Utilitarianism*, Jonathan Riley advocates a social welfare function that restricts the domain of preferences to the ‘morally admissible’ or ‘ideal’...reflect[ing] the sort of character ideal presented by Mill” (Gaus and Courtland,2003). I think nothing more needs to be added at this point to verify the perfectionism of such rule-utilitarianism.

What needs to be further investigated though is the view of Mill as rule-utilitarian supported through an argument linked with his theory of the Art of Life. In the latter,

²⁴For the different versions of perfectionism see my typology in chapter 1.

attempting -with doubtful consistency as Gray notes- to distinguish between scientific laws and practical injunctions, Mill discusses the Logic of Practice or Art and its subject matter, that is, the ends of action or teleology. He strived to classify these ends into departments and settle the clashes and frictions between them (Gray,1996). The result of his effort is expressed in his claim that the principles and premises of the practical arts compose a doctrine, namely “the Art of Life, in its three departments, Morality, Prudence or Policy and Aesthetics; the Right, the Expedient, and the Beautiful or Noble, in human conduct and works. To this art...all other arts are subordinate” (Mill,CW,viii,1974,p.949). As Ryan sums it up, the issue here involves creating an art of life directing our conduct in the above three branches and their respective subject matter, that is, the right, the expedient, and the beautiful or noble (Ryan,1991). Thus, the general principles of Teleology (i.e. the Doctrine of Ends), also termed the Principles of Practical Reasoning, are meant to define -along with the laws of nature disclosed by science- every art of Mill’s theory of life (System of Logic,CW,viii,1974). Apart from the principle of utility, Mill also implicates as a criterion of what ought to be done in life the principle of expediency. While never fully distinguished from his principle of utility and nowhere named as such by Mill, he takes it for granted and invokes it in his more detailed discussions (Gray,1996).

Being a principle about action and involved (in conjunction with the principle of utility) in yielding the criterion of morally right conduct, expediency may seem to support the argument for rule-utilitarianism in Mill. For it gives the impression of importing a maximizing element to the pursuit of utility, making Mill’s theory look like a version of rule-utilitarianism where an act’s rightness is assessed with reference to a utility-

promoting rule. The maximal expediency of an act is involved in indicating its moral rightness when added to a maximal expediency which makes the failure to do an act punishable. Exponents of rule-utilitarianism in Mill (e.g. Urmson,1954) would suggest that the above mentioned punishment derives from rules and sanctions imposed for their violation. Linking Mill's criterion of right conduct with his reference to the tendencies of acts is also an argument attempting to vindicate his rule-utilitarian interpretation (Gray,1996). Such an interpretation deserves a reply based on an evaluation of its link with the art of life and, in concrete terms, the principle of expediency and its role. Apart from Gray's reply favouring indirect utilitarianism (it will be examined below) one could challenge in various ways the foundations of such rule-utilitarian explication.

Mill's own words, quoted in Brown (1973,pp.1-12), reject the alleged link between his language of tendencies of acts with rule-utilitarianism by denying that such a classification of acts was meant to be any direct means to judgements about right action. But more importantly the link between rule-utilitarianism and expediency is challenged because an act's rightness is not indicated by its maximal expediency solely or by it along with the maximal expediency of instituting moral or legal rules instructing its realization. An act is perceived to be right only by its maximal expediency together with the one "of making non-compliance punishable by *the whole corpus of moral convention and sentiment*" (Gray,1996,p.30, emphasis added). However, the beyond the formation of rules omnipresence of moral convention and sentiment in judging the rightness or not of an action -expressed in the approval or "internal disapprobation of conscience" towards an act or conduct- reminds me of perfectionist considerations. Highlighting the importance of the moral form of conscience resembles perfectionism's tendency to lean

the weight of such judgements of rightness on the character and the value or competence it should have to resolve them. And I think it is towards the intrinsic end of promoting such value and competence that the “larger part of any moral code” works, not only by enforcing rules but also by “the inculcation of sentiments and attitudes and the instilling of dispositions and inclinations” (Gray,1996,p.30).

The fact is that the argument promoting such rule-utilitarianism connected with expedience in Mill presupposes that its rules derive from Prudence, the area of practice where the principle of expediency belongs; this is assumingly distinct from Morality, another area of practice or Art. It is also true that Mill’s theory of the Art of Life, as Ryan’s interpretation suggests, is meant to demarcate Morality from Excellence. Such a division is not founded on differentiating law from morality but between conduct subject to law-or-morality and conduct subject to prudential or aesthetic appraisal. According to Ryan, if we are to follow the classification of the practical arts offered in the Art of Life morality is distinguished from both prudence and aesthetics. Its logical form is that of law, not of prudence or aesthetics. Its subject matter differs from that of prudence; it can be that of aesthetics, yet the two forms of appraisal are still very distinct (Ryan,1991).

Nonetheless, there seem to be major problems with such a strict demarcation in Mill. As we have seen a moral code cannot be identified with a set of social or legal rules, extending morality’s implication beyond law -which Riley (1998) views as its entrenched logical form. Conscience, the entire ‘corpus of moral convention’ with all its concomitant stances and sentiments are areas where morality as well as maximal expediency is clearly involved. To the extent that there is a serious intention in the Art of Life to discern strictly the areas of prudence and nobility from that of morality the result is far from

convincing. The conjunctive participation of the principle of utility and expediency in what ought to be done in all areas of life is an indication of that (Gray,1996). Their idiosyncratic role of referring to evaluation and action respectively cannot maintain the stringent separation of the principles as they work both in common areas of practice or Art. Turning down rule-utilitarianism, derived from an assumingly secluded expediency, Gray himself acknowledges that utility along with expediency evaluate whole systems of precepts of art, among which moral codes have principal interest. In addition, despite the alleged separation of morality from excellence in the Art of Life, Mill's theory is not conclusive at all about issues that he relates to both areas. Gray wonders whether Mill interprets the category of morality as to include morally praiseworthy acts or he consigns them to the department of excellence. Asking himself if Mill wishes to identify the morally obligatory with the morally right action, Gray offers no unequivocal answers to such queries (Gray,1996). Ryan too acknowledges that there are many problems about the different sort of act appraisal offered by Mill in his area of aesthetics, aiming to be distinct from the one offered in morality. He also traces serious difficulties in the classification in the Art of Life of an act as moral (or not moral) depending on its impact (or not) to others. Does morality enter into play, challenging the classification, when *my* (addressed to myself) actions involve others? When harm to others is involved -a privileged area of morality according to Mill's branches of conduct- to what extent is this harm morally relevant when the others give their free and undeceived consent for the 'harmful' act? Is someone harmed when he is deprived of (the conditions of) real (or high level) happiness? (Ryan,1991).

As we will see Mill tries to address these complex issues with a conception of harm whose perfectionist features transcend -by aiming at promoting a good life- the entrenched branches of conduct sketched in the art of life. The volatility of these borders in this classification of human behaviour is also vindicated directly by Mill himself when in another essay he promulgates different aspects of conduct, namely the moral, the aesthetic and the sympathetic one. "The first addresses itself to our reason and conscience; the second to our imagination; the third to our human fellow-feeling" (Mill,CW,x,1985,p.112). This simply verifies Mill's indeterminacy on how the departments of his Art of Life are precisely discerned from one another. It also demonstrates the inconsistency with which he defended their separation and even, implicitly, the lack of weight he attributed to their strict division. Lastly, one has to mention that the role the concept of happiness plays in Mill's art of life is still important, as it is for his overall account. After all, in each of the Art of Life branches, the objective was to achieve happiness and avoid pain (Gray and Smith,1991). The hierarchical formulation of it, aiming at higher pleasure, makes it the most significant reason why a utilitarian explanatory framework of Mill -including its rule version- seems more inadequate than a perfectionist one. Pronouncing the difficulty to insulate utility's evaluation from moral deliberation, Gray affirms that

despite the elaborate apparatus of the theory of the Art of Life developed in A System of Logic...and of Utility as an axiological principle which that theory incorporates, Mill's...utilitarianism tends to disintegrate when confronted with the fact that an appeal to the Principle of Utility is unavoidable where the maxims of the various departments of the Art of Life come into competition with one another (Gray,1996,p.138).

My unfolding argument that evaluative judgements of human conduct and flourishing are embedded in Mill's account of happiness, higher pleasures and harm, entails that a strict

distinction between Morality on the one hand, and Expediency and Excellence on the other, cannot be truly maintained. It additionally means that, by resting much of its reasoning on such a distinction, the utilitarianism expounded in its above rule version is seriously undermined.

Indirect Utilitarianism

Turning now to indirect utilitarianism as expressed by Gray (1996), behind its complicated structure we could trace there too an attempt to conceal Mill's perfectionist rationale. He argues that Mill's position cannot be captured in any modern distinction between 'act' and 'rule' variants of utilitarianism regardless of how sophisticated they might be. Mill is optimally interpreted, argues Gray in the beginning of his book, "as holding to a version of indirect utilitarianism wherein the Principle of Utility cannot have direct application either to individual acts or to social rules because such application is...self-defeating" (Gray,1996,p.12). Invoking a complex hierarchical account that uses the difference of the principle of utility and that of expediency to distinguish between different sorts of judgement about what ought to be done intends to avoid the self-defeating effect of direct appeals to utility as Mill describes it in his "Autobiography" (CW). This is done by attempting to separate the practical and the critical layers of reasoning about conduct, allowing utility to come into play directly only at the critical level due to conflicts of judgement at the practical level.

Appealing to an alternative concept of utility forms part of Gray's effort (reflecting his view at that particular time) to reconcile it -against much of the traditional criticism- with the principle of liberty in Mill. The effort maintained its distance from the consequences of acts or the institution of rules as factors of deciding the moral aptness of

conduct, that is, from act and rule-utilitarianism. Gray achieves in showing that Mill's utility and liberty are reconcilable by speaking of a moral code more related to the ingraining of experiences of sentiments and attitudes as well as the instilling of certain dispositions and inclinations processed by the individual. Despite the intrinsic value he attributes to a certain ('indirectly utilitarian') conscience resulting in neither morality nor prudence or nobility being experienced as 'external' to the agent since he internalizes their precepts, Gray seems at this stage hesitant to attribute to Mill's utilitarian morality altogether its due perfectionist basis (Gray,1996).

He seems to consider this when he refers only to the third level of his hierarchical account of Mill's utilitarianism. There the special weight the Millian utility principle imputes to higher pleasures, makes Gray ponder on its possible ideal-regarding aspect and if it expresses a procedural perfectionism in which choice-making rather than the style of the chosen life has intrinsic value. But does *any* choice qualify as a *good* one for Mill? While negating the attribution of a perfectionist aspect to all the Millian doctrine, Gray concedes that "it appears to have such an aspect only in its application to men who have attained a certain stage of cultural development" (Gray,1996,p.46). But, as Berger (1984) verifies, Mill relies on a generalized for all people development of competency as his ultimate test of value. Gray's initial hesitation to trace perfectionism behind Mill's utility is perhaps due to the specific²⁵ Rawlsian version of perfectionism that he is considering here as the only feasible one. If he was to count a moral theory as good only to the extent and with the condition that it develops human nature or advances human

²⁵As explained in chapter1, Rawls' definition of perfectionism refers usually to a more particular manifestation of eminence compared to the blend of Hurkian and Wall's perfectionism which I use. This is in terms of aiming at a specific maximization of excellence i.e. "the achievement of human excellence in art, science, and culture" (Rawls,1973,p.325) as opposed to some vision of development or flourishing for humans (Hurka,1993,p.4;Wall,1998).

flourishing in a certain (ideal for that matter) way, he would approximate the Hurkian and Wall's definition of perfectionism used here²⁶. The difference is crucial for the attribution or not of a perfectionist aspect to Mill's underlying moral theory and this is implicitly but promptly acknowledged by Gray. While he is firmly opposed to Haksar in seeing Mill as perfectionist, by perfectionist he means "(following Rawls) that [he] is concerned primarily with the promotion of a certain type of human excellence, and only secondarily with want-satisfaction. The perfectionist theory is a species of maximising consequentialism, but not a want-regarding sort" (Gray,1996,p.87). When the possibility of a more or less open-ended perfectionist moral code comes into play there is more willingness from Gray's part to consider at least the possibility to ascertain a procedural perfectionism in Mill.

No doubt Mill himself favoured persons of an adventurous, generous, open-minded disposition over timid, mean-spirited and narrow-minded types, but his argument as to the value of liberty is intended to have force for both. Mill's conception of the good life may be perfectionist in the sense that it ranks lives which are in large measure self-chosen over those that are customary, but this is a procedural perfectionism rather than a full theory of the good life (Gray,1996,p.88).

Perfectionism is neither a want-regarding theory nor has to be identified with the form of a maximising consequentialism (Hurka,1993). Gray seems to be less adamant on Mill being a perfectionist or not when he adopts a more inclusive standard²⁷ to measure perfectionism. Observing the dependence of Millian happiness upon a certain sort of stability of character, makes Gray wonder "whether Mill holds to an ideal of personality independent of its contribution to general want-satisfaction". Though Gray is hesitant at this point to answer this question affirmatively, the pending question affects the thereof

²⁶Gray admittedly does that later in his book (postscript) when he accepts that he uses perfectionism in the way Hurka does (Gray,1996,p.170,note11). Yet this does not change his mostly Rawlsian use of the term.

²⁷A standard related solely to some vision of human flourishing, character or nature.

less enthusiastic than expected reception of Mill's doctrine as "a not unreasonable wager" (Gray,1996,p.89).

Notwithstanding the above, it is Gray himself who later accepts -as a result partly of the force of traditional criticism²⁸- the perfectionist element in Mill's morality. My interest here is exhausted with this acknowledgement as such and does not extend to Gray's use of traditional arguments relating this remark with an ultimate inconsistency and failure ascribed not only to Mill but to liberalism altogether. Gray endorses the view that the principle of liberty would be unreasonably defended in utilitarian terms because of the central difficulty that there is no conception of harm that is neutral between different moral outlooks. Admittedly there is no conception of harm -specifically one enabling a utilitarian calculus of harms operating- based on no particular²⁹ conceptions of human well-being. A liberty-limiting reasoning cannot remain neutral between competing conceptions of the good. This constitutes a defeat "for any liberalism which claims for its principles that they occupy a space of neutrality between rival ideals of human life" (Gray,1996,p.140). I agree but this does not necessarily mean that Mill's liberalism is one of them. It might mean that it is intractable to defend Mill on clearly utilitarian grounds³⁰, not that he cannot be defended at all on other grounds. That the applying determinacy of Mill's moral theory is deriving from a particular view of human well-being does not necessarily undermine its coherency. This simply substantiates his morality as a 'free-

²⁸The problems that the derivation of the priority of liberty from utility can cause in many accounts are at the centre of this force (Gray,1996,postscript).

²⁹Instead of 'particular' Gray uses the word 'controversial', with the negative connotation of the term serving his ultimate purpose here (Gray,1996,postscript) to prove that Mill's morality fails altogether.

³⁰While I defend Mill as a 'mainstream' (liberal) perfectionist, his perfectionist defence can also take place within a consequentialist framework. Following a scheme promoting some maximization of human capabilities along with some function of happiness (Sen,1985;Nussbaum,2000), utilitarian versions of Mill presented in this chapter (e.g. Riley, Gray, Berger) could be viewed as a kind of perfectionist consequentialism (Sinnott-Armstrong,2006).

standing' ideal of human life, verifying Gray's posterior conclusion that "Millian liberalism is...a political conception whose undergirding moral theory...is perfectionist rather than utilitarian". Thus, it may also vindicate Gray's reformulated stance doubting if it can be defended in even the modified utilitarian terms he invoked to support it (Gray,1996,p.140).

The opinion that Mill is not utilitarian is shared by Ten primarily due to the way he interprets Mill's principled defence of liberty and its effects on others' happiness. He challenges the view that someone could be a consistent utilitarian while ignoring the consequences of an entrenched Millian self-regarding area (Ten,1980). This could be answered by saying that liberal utilitarianism does not ignore others' dislike or moral disapproval coming from the defence of self-regarding acts; it just rightly doesn't justify suppressing for these reasons individual conduct, defending the great good of self-development depending on its expression (Riley,1998). What is more relevant here and maybe more difficult to retort to is Ten's argument that freedom and happiness are components forming "*Mill's view of desirable form of life*" (Ten,1980,p.18, emphasis added). Thus it was Mill's particular decision to defend *such* a liberty -based on his particular view of life, humans, and morality- which necessarily treats as irrelevant the majority's abhorrence towards some self-regarding actions. By defending this situated liberty Ten asserts that Mill opposes classical utilitarian views seeing as relevant all pleasures and pains in determining the rightness and wrongness of acts. By ascribing no weight to the frustration of people's desire to suppress self-regarding conduct Mill's view contravenes also preference utilitarianism which regards the satisfaction of any desire as in itself good (Ten,1980). While, in short, for Ten Mill's liberalism is not compatible

with any reasonable version of utility (Ten,1980&1991), as we can see, he implies an ideal-regarding basis behind it.

As Gray asserts in his postscript there is no strong evidence to support his previous claim that there is nothing ideal-regarding in Mill's conception of happiness. Instead there is evidence to claim that Mill did support an ideal of human flourishing and personality separately from its contribution to want-satisfaction, qualifying thus his account as a species of perfectionist ethics. As mentioned, the intricacy of a utilitarian account often tries to conceal a concept of utility that is deeply perfectionist and correspondingly rests on an ideal of personality. Mill's emphasis on higher pleasures, the lexical priority he imputes to them contrasting them with lower pleasures, is a testament of that. Invoking allegedly *a posteriori* evidence, Gray doubts that under liberal conditions experienced individuals will converge on similar kinds of intellectual or moral pleasures rather than bodily pleasures. Yet this does not undermine Mill's perfectionism as perceived here; nor does it prove its inconsistency with his professed diversity of individual natures and needs. This is so for two reasons.

Firstly, Mill's perfectionism is not as stringent as implied here by Gray. Mill's higher pleasures are not narrowly defined; they may partly include bodily forms of pleasure; they may well support a balanced personal well-being and a rich emotional world as Hurka's perfectionism does. And all this contrary to a unidimensional perfectionist image -following the Rawlsian use of the term- that for the most part Gray attributes to Mill (Gray,1996). Within the Millian world of a proposed happiness there is a vast diversity of combination of options that do not oppose it to the importance that he attributes to diversity. On the contrary, Mill proposes a perfectionist but very realistic

concept of happiness accessible to the “mass of mankind” (Mill,CW,x,1985,p.144). Within the perfectionist context he ensured that “the ingredients of happiness are very various” (Mill,CW,x,1985,p.170). Berger underscores this peculiarity of Mill’s happiness as partially determinate by its perfectionist framework, yet considerably open in allowing an indeterminate number of things as potential elements in a person’s happiness (Berger,1984,pp.39-40).

Secondly, we have to keep in mind the ideal sense of the perfectionist character Mill suggests. He is not always, and he does not need to be, describing reality. He is recommending the ideal conditions of his envisaged reality, based on experience with his stipulated ‘experienced judges’; he is suggesting certain requirements in order for this model of liberal perfectionism to flourish. His conditions are not arbitrary since under them what he proposes is highly probable to take place. By disguising sometimes the ideal aspect of his proposals he underlines the strong foundation they have in reality highlighting their feasibility (Utilitarianism,CW). But this is not to be confused with neutrality over different conceptions of good. After all, it is Gray himself who concludes that Millian liberalism cannot be accurately depicted by mainstream utilitarian moralities. Acknowledging that even his own elaborated indirect utilitarianism fails its task, Gray settles for an account describing Mill’s morality as defending “a specific ideal or way of life—the way of life of a liberal culture, in which autonomy and individuality, making choices for oneself and trying out ‘experiments of living’ are valued as intrinsically important goods”. This ideal in Mill makes his theory “perfectionist or eudaemonist—a theory of human flourishing, in which...human nature is most completely expressed in a

society in which the freedoms of autonomy and individuality are respected and prized” (Gray,1996,p.142).

The criticism drawn from the traditional stream of thought that Mill’s happiness with its underlying perfectionist theory does not fit well with his autonomy-privileging liberalism will be examined further below. It suffices here to say that if Mill’s perfectionism is acknowledged this is not without repercussions on the validity of his doctrine as having universal authority. This is to say, I accept some of Gray’s ideas mentioned in his postscript (Gray,1996) -like the negation of an unlimited, universal and homogenous validity of liberalism- but not the overall inference which they support dooming Mill’s moral theory and liberalism as a whole.

Broad Utilitarianism

Let’s turn now to the assessment of another species of a utilitarian interpretation of Mill, namely a ‘broad utilitarian’ exegesis of his theory. Mill’s moral theory includes rather distinct perfectionist elements which cannot fit with the ordinary notion of happiness. In order to embody them in an ‘all inclusive’ utilitarian scheme the latter needs to be quite broad. Berger follows such approach indicating that he is struggling to embrace ideals which Mill acknowledges that people conceive beyond the typical use of happiness. Ascribing to Mill a very intricate conception of happiness transcending its ordinary formulation, Berger explicates that in Mill’s view people do “pursue things that are not conceived as leading to, or promoting, their happiness. People envisage ideals of life beyond their happiness” (Berger,1984,p.281). Berger is obliged to construct a scheme that encompasses a particular Millian utility; one that embraces the ideals of developing one’s intellectual and emotional world, the pursuit of security, of control over one’s own

life and of the required exercise of freedom -what Mill calls the human capacities composing personal dignity- as well as the occasional requirement of virtue and even of self-abnegation (Berger,1984). By accepting the requisites of the ideal state of persons and therefore the presence of ideal-regarding elements, Berger's scheme constitutes an essentially perfectionist proposal. Describing his utilitarian account of Mill, Ten stresses the complexity of the concept of happiness that Berger is forced to adopt, namely one with pluralistic, non-hedonistic, hierarchical features, and he underlines its perfectionist character. He designates it as a form of utilitarianism distinguished from its hedonistic and preference versions. He stresses its not purely aggregative distributive dimension and he notably emphasizes "that is not neutral between people's desires or preferences, and that is not monistic in recognizing only one thing as intrinsically valuable—pleasure or the satisfaction of people's desires" (Ten,1991,p.235).

Berger does not deny that he is using a broad account of utilitarianism. On the contrary, he is well aware of it and of the fact that according to utilitarianism defined in a narrow way -as in the work of Harsanyi (1977) and Sen (1979&1982)- his own description of Mill "would be taken as 'beyond utilitarianism' and Mill would turn out not to be a utilitarian" (Berger,1984,p.297). Leaving aside the issue of which approach is more authentically representing utilitarianism, Berger avows that his broad use of the term can contain descriptive forms not specifically circumscribed by utility. Thinking that the issue at stake here is one largely of terminology, not of substance, he considers an alternative vocabulary to formulate the same in essence account that he ascribes to Mill. He subsequently propounds the use of 'consequentialism' where utilitarianism as a term proves to be destitute. Evidently Berger refers to an indirect form of consequentialism

(Berger,1984). A form one version of which designates the moral good based on whether it originates from a state of competent character maximizing good consequences. Such a version could have obvious resemblance with what Sinnott-Armstrong describes as a hybrid between perfectionism and consequentialism (Sinnott-Armstrong,2006).

The issue is not simply terminological as Berger intimates since certain linguistic forms can carry different conceptual and semantic weight, affecting seriously the accurate or not explication of an account. This is despite the rough similarities between consequentialist perfectionism and ideal utilitarianism (Haksar,1979). Thus, if Berger had opted to use more the term consequentialist than utilitarian to narrate his account of Mill it would have been more possible to openly concede its perfectionist elements and attribute to it its due force. This is so because as Hurka promulgates certain consequentialist theories are distinguished by how they relate the concepts 'good' and 'right', and it is possible that Berger is essentially treating Millian 'good', that is, the ideal of happiness, as explanatorily prior and always identify the right act by how much good it produces. Referring more to an indirect version of consequentialism as described above, Hurka states that consequentialist perfectionism takes human perfection as good and agents ought to maximize it because it is good (Hurka,1993). There is undoubtedly a Humboldtian sense in Berger's description of Millian happiness portrayed as a human ideal, as a goal involving the highest and most harmonious development of individual powers to a complete and consistent whole (Humboldt,1993). Therefore, it makes a difference if Berger opts to use, as he does, a broad account of utilitarianism concentrating on the right (or wrong) of consequences (Berger,1984) or an account of an indirect form of consequentialism which can assume clearly its perfectionist role that the

specific Millian happiness is 'good'. "Whatever its explanatory role, the concept 'good' allows more evaluations than are possible using just the concept 'right act'" (Hurka,1993,p.57). Taking into account Berger's view of Mill's happiness as largely an ideal, in order to be more consistent with its essence he should have opted to use more a version of a consequentialist perfectionist explanatory framework. Consequentialist perfectionism, Hurka asserts, ranks first the desirability of the state of highest human development and subsequently its rational promotion (Hurka,1993). Berger recognizes this rationale in Mill's happiness but by not 'labeling' it with its due form deprives it from some of its force.

One could be tempted to innovate and call his account utilitarian-perfectionist. This would underline the perfectionist similarities between Berger's broad utility and Riley's rule-utilitarianism. It would approximate the latter's definition that by favouring "an ideal liberal kind of personal character" associated by all society members with maximizing general happiness, Millian liberalism -contrary to most modern liberalisms- "is not neutral between competing conceptions of personal good" (Riley,1998,p.162). However, this particular kind of utilitarianism needs to be carefully discerned from the typical use of the term because the latter one is in tension with perfectionism. Identifying utilitarianism with its most common form, i.e. hedonism, Bradley accents this difference by negating that hedonism's possible modifications can set its standard in higher and lower function and not in more or less pleasure (Bradley,1935).

The differences between a typical utilitarian morality and a perfectionist one are probed thoroughly by Hurka. He notices that the first one usually values an introspective state of pleasure with passive nature, a state external to the acts that produce it. By

contrast the good in perfectionism, as he defines it, is largely active and to accomplish it the agent needs to do things and strive for plans that interact with the world. He observes also certain differences the two approaches exemplify in respect to equality. If people's utility functions differ greatly and if wealth does not add diminishingly to their satisfaction, a utilitarian scheme then justifies wealth inequality by focusing only on the overall sum of happiness irrespective of its quality. On the contrary, when it justifies inequalities Hurka's Aristotelian perfectionism advances certain refined qualities and abilities, potential excellence, a true good. It allows more targeted inequalities of opportunities and is less prone to create discrepancies of power and wealth. Such inequalities are less offensive, with serious benefits to be weighted against their costs, making them morally less objectionable (Hurka,1993). Stressing its co-operative aspect, Hurka also promulgates that his Aristotelian perfectionism is not very competitive in relation to utilitarianism. Perfections in different people are usually compossible, marking a contrast with utilitarianism where people more often want things that cannot be shared. A scientific discovery of a person or exercising one's body and simultaneously pursuing challenging projects do not need prevent others from sharing them. Extending the argument we can infer that material scarcity may be less of a problem in perfectionism than in utilitarianism where competition and the aggregation of it might be more pronounced. On Hurka's Aristotelian account, perfection does not necessitate great riches and even moderate affluence could deduct the primary origin of perfectionist competition (Hurka,1993). According to Green a genuine concept of the good implies that there can be no competition for the acquirement of an 'object' between people because this 'object' is common to all men in its proper sense. It is some form of 'interest for it' that is the

perfection of man or the realization of the powers of the human soul (Green,1969). But Hurka also sees discrepancies between the way perfectionism and utilitarianism measure their respective moral objectives with the former using more averaging than summing and also more the maximax principle than the latter. He subsequently describes accordingly their differing stance in relation to egalitarianism (Hurka,1993,pp.71-2,76,79,169).

The above enumeration of the distinctions between perfectionism and utilitarianism shows what an account like Berger's needs to supersede to portray its idiosyncratic utilitarian sense as a utilitarian-perfectionist hybrid. Haksar points out a version of ideal utilitarianism -as distinguished from Benthamite utilitarianism- that can approximate consequentialist perfectionism. "Ideal utilitarianism³¹ and consequentialist perfectionism" regard as relevant other (than the production of pleasure) consequences such as the promotion of knowledge, culture, beauty, and self-development (Haksar,1979,p.79). Interestingly, however, Haksar rejects that Mill's moral theory can be defended on utilitarian foundations anyway. He attributes to his liberalism a non-consequentialist perfectionist basis, a right based-approach founded on perfectionist considerations (Haksar,1979).

Notwithstanding the above, it is true that Berger uses a very broad definition of utilitarianism within which he incorporates Millian perfectionism. Despite the different descriptive terminology, carrying in itself some conceptual-semantic weight, in what follows I agree with much of what Berger attributes to Mill. In spite of its broad utilitarian veil, the essence of Berger's holistic interpretation of what he sees as a forceful

³¹As mentioned and as the examples of Rashdall (2005) and Moore (2002) demonstrate, ideal utilitarianism need not be perfectionist i.e. promoting a certain human development.

and consistently liberal Millian moral plan comprises a cogent standpoint. His view approximates Hoag's who also remarks that utilitarians need not ascribe intrinsic value to pleasure but can consistently ascribe value to whatever they consider as valuable (Hoag,1986). Of course this 'loose' definition can closely resemble a perfectionist doctrine where the ideal of happiness is good not because it involves satisfaction but because it develops (in a certain way) human nature (Hurka,1993). When described in the above sense, Ten notices, utilitarianism ceases to be a distinctive doctrine since utilitarians can possibly attach weighted intrinsic value to any act's features which others regard as morally important (Ten,1991). Ten agrees overall with Berger's and Hoag's view of Mill, finding attractive the particular hierarchical, pluralistic, and basically non-hedonistic doctrine they ascribe to him. As mentioned, however, he does not recognize it as a version of utilitarianism; not seeing Millian liberalism as completely reconcilable with any consistent version of utilitarianism for him does not thereby suggest that Mill is an inconsistent liberal (Ten,1980). On the contrary, Ten thinks he is to be remembered as a prominent one, sharing Rawls' view of Mill as a consistent liberal but not as a utilitarian (Rawls,1982).

Regardless if Mill can or cannot be portrayed as a representative of a considerably amplified utilitarian scheme, his conception of happiness and his moral theory, while remaining committed to liberalism, do feature constituent perfectionist elements. I will now try to show the concepts and the parts of his doctrine where these elements are more strikingly pronounced.

ii. Mill as a Perfectionist

Mill's liberalism is often marked as a 'comprehensive or 'ethical' one (Callan,1996). I prefer Gardbaum's example labelling it perfectionist to distinguish it better from its 'neutral' or 'political' rivals (Gardbaum,1996). Galston (1991) often uses the term 'comprehensive' to describe Mill's liberalism clarifying that he refers to a distinctive conception of the human good and perfectionism. Comprehensive Millian liberalism is essentially perfectionist since it entails requirements designed to nurture autonomy and individuality as ideals governing life (Rawls,1993). While mentioning how the ideal aspect of Millian reasoning blends smoothly with his defence of freedom comprising an indispensable component of his liberalism, I will not comment here³² on the inevitable tensions that might stem from the combination of liberty and perfectionism.

It is a perfectionism that can be described as having two distinct levels. The first level corresponds to the perspicuous basic concepts (happiness, liberty) which Mill elaborates as ideals and the second one to the way they function forming part of the overall impression that his moral theory resonates. If we are to follow the Hurkian sense of the term it is on the first level that we encounter more elements of 'pure' (Hurka,1993) -or even 'strong' (Chan,2000)- perfectionism that would ostensibly appear to correspond to a narrow perfectionist morality. At the second level however the potential tension between his perfectionist concepts of happiness and liberty -the latter occasionally (e.g.Hurka,1993,p.148) viewed as claiming in instances the authority of an absolute right- could be interpreted in a dual way: either as composing a broad perfectionist moral theory³³ or as translating as cardinal for his theory the *ad hoc* absolute importance of his

³²This will be done more in chapter5.

³³For the typology of perfectionism used here see the introductory chapter.

right of liberty, a reaction to his antecedent and contemporary illiberal context. Such absoluteness would be contradicting or cancelling his overall perfectionism stemming from his affinity to propagate human flourishing and quality in human development. While accentuating -in particular occasions emphatically- people's right to freedom, it should be clear that Mill's liberalism incorporates it in his overall perfectionist moral theory. In this light his overall defence of liberty is not one of a separate right.

In opposing the conclusion of this latter interpretation, we shouldn't forget that his most important text supporting liberty (On Liberty,CW) was indeed published in a time when the individuals' predicament versus the state, nation, industrial organisation or the socio-political groups, was an acute personal and public problem (Berlin,2002). Having said this, one could claim that otherwise his principle of liberty would have been less rigid in relation to the -essentially nominal- absoluteness he is often interpreted as claiming for his freedom. Thus, the argument goes, in a contemporary liberal environment he would have been much more willing to compromise part of this absoluteness if needed for the sake of his other perfectionist aspirations. Mill indeed acknowledged promptly in time that liberal ideas if not supported adequately by an ever-recurring framework of originality and elaborated intellect, they could run the danger of going astray. "There is only too great a tendency in the best beliefs and practices to degenerate into the mechanical" (Mill,CW,xviii,1977,p.267). It sounds reasonable that Mill would today have been more willing to compromise some of his freedom's 'rigidity', fitting it thus more suitably with the rest of his perfectionist ethic. The needs of current liberal societies along with certain of their features, distinct from Mill's envisioned liberal flourishing, would have probably directed him even more towards

securing the conditions of real autonomy than defending an uncompromised absence of burdens. But the overall assessment of his morality cannot be decided merely on hypotheses.

Notwithstanding the perennial impact and the possible diachronic adaptations of Mill's theory, relying too much on such speculation is risky. Keeping as a useful reminder Mill's context and the influence it had on his writings, it is opportune here to stick to what he actually wrote referring more to his contemporary society. Based on that, I *disagree* with the absoluteness attributed often to Mill's liberty; when present it should be regarded as a primarily lexical and justified reaction to his context, not as a political statement. The option of seeing his overall theory as a species of broad perfectionism (see chapter 1), seems to be more in line with the evidence. As Haksar shows rights -like liberty in Mill's case- set moral constraints within which other moral considerations can operate. In addition it is possible that right-based or partly right-based theories can be based on perfectionist considerations themselves (Haksar,1979). After all, when some strain between Millian happiness and liberty appears, it can be described as part of a fruitful and inevitable for a liberal perfectionist theory tension. Evocative of its liberal component, it can contribute to the theory's distinction from moralism (see chapter 5).

The present conclusions on Mill's perfectionist moral theory are mainly derived from the analysis of the individual basic concepts -happiness and liberty- and of the requisites that make them qualify as ideals. Their presence, application and interrelation construct his theory's overall conceptual nexus. Mill does not just use isolated perfectionist concepts. He has a complete moral theory -more elaborated than Raz's which concentrates chiefly on the concepts of autonomy and value pluralism- with a

general perfectionist adeptness. The latter is spread all throughout his most important writings and it marks the way his doctrine should apply. The prominence of Mill's liberalism is based largely on a sound perfectionist basis, on the goodness of developing the individual, on invigorating her abilities. As he puts it "individuality is the same thing with development and...it is only the cultivation of individuality which produces, or can produce, well-developed human beings". And he goes on to elaborate his conclusion with a rhetorical question. "[W]hat more or better can be said of any condition of human affairs, than that it brings human beings themselves nearer to the best thing they can be? or what worse can be said of any obstruction to good, than that it prevents this?" (Mill,CW,xviii,1977,p.267). This and similar comments made by Mill classify him according to Arneson as a prominent liberal perfectionist. Along with T.H.Green they see "a liberal political order as the best vehicle for delivering perfectionist values" (Arneson,2000,p.43). His moral ideal of human perfection can be classified as similar to that of liberal thinkers of the latter part of the nineteenth and the beginning of the twentieth century. By adjoining Green, Hobhouse, Bosanquet, Dewey, Mill shows that variations of a perfectionist ethic can provide the possible foundations of important liberal thinking (Gaus,1983)³⁴. Attributing a considerable influence of Humboldt (1993) on Mill's idea to situate the case for the primacy of liberty on the goodness of developing the individual and his capacities, Gaus and Courtland trace a consistent perfectionism throughout Mill's liberal theory. "This is not just a theory about politics: it is a

³⁴It suffices to say here that the moral ideal of human perfection and development is not only present in liberal theorists of the past. A perfectionist liberalism that has its roots amidst others in Mill's work is also fundamental for proponents of liberal freedom as autonomy such as J.Raz. One of the most prominent perfectionist liberals, along with 'liberal virtue' theorists such as Galston (Crowder,2002), Raz shares Millian perfectionist features that, apart from Galston (1980), they can also be traced in the work of Benn (1988) and G.Dworkin (1988).

substantive, perfectionist, moral theory about the good. And, on this view, the right thing to do is to promote development, and only a regime securing each individual extensive liberty can accomplish this". A good life that is necessarily a freely chosen one in which a person develops her unique capacities as part of a plan (Gaus and Courtland,2003) is Mill's holistic perfectionist framework. His proposals include certain conditions for its realization and the underpinning of its basic concepts, namely happiness and freedom, comprises where needed the active support of a liberal state.

a. Important Requisites and Conditions for Happiness

It can already be inferred from the previous part (i) that Mill's concept of happiness has a perfectionist character aiming at a particular view of good life, occasionally identified with full-blown excellence of a 'pure' perfectionist sense when seen in isolation. But Mill's standing on how to achieve the particular conditions for attaining such happiness is of intriguing importance since it retains its liberal aspect while forming an integral part of his perfectionist ethic. What is that constitutes the perfectionist conditions for the achievement of Mill's happiness? Despite a considerable haziness linked with Millian happiness a consistent perfectionist process is attached to it. The decision-making of a 'competent judge' itself, meant to lead as a 'value-test' to individual happiness, has certain requirements. It is not an a-historic procedure, sterilized from moral evaluation or independent from the particular Millian view of the individual as an active agent (Donner,1991). His competent agents who have experienced valuable and less or non valuable conditions prefer active lives over passivity, the life of love over hate. Mill does not do 'justice' to the features of apathy and passivity indicating that competent agents would eschew such features and seek to transform them. He embeds

value in happiness that suits humans able to develop and exercise their faculties. His views on value are founded on his conception of and facts about human nature (Donner,1991). The Millian perfectionist conception of estimating highly the achievements of the knowledgeable judges of happiness parallels the appreciation of 'success that is deserved' in Hurka's perfectionism. Scoring higher than "simple" and "deserving attempt" in the scale of Hurka's perfection, the "deserved success" - anticipated also by Mill's judges of happiness- supports "pragmatism and the need for effective means, both of which are [in Hurka's view] endorsed by our most serious judgements of value" (Hurka,1993,p.112)³⁵. As Berger puts it, the final evidence - according to Mill- of what constitutes real happiness should be at the disposal of people that are willing and deserve to succeed in their mission. Persons of intelligence and experience, based on them and a knowledge of history, are better equipped to politically adjudicate on what happiness satisfies creatures with the capacity of humans (Berger,1984). It is the active and successful³⁶ agent after all that performs axiologically better in terms of perfection (Hurka,1987b&1993). Nonetheless one has to underline that Hurka's perfectionist proposal remains profoundly sensitive to the conditions in which each agent operates (Hurka,1993).

Mill's distinction of will and desire is a basic step implicating the requirements that (should) define the will: "[W]ill is a different thing from desire;...a person of confirmed virtue, or any other person whose purposes are fixed, carries out his purposes without any thought for the pleasure he has in contemplating them, or expects to derive from their fulfilment" (Mill,CW,x,1985,p.238). A particular psychological formation

³⁵ For Hurka's measurements of value and perfection see Hurka,1993,chapter 8.

³⁶Hurka's (1993,p.108) 'success' here needs to contain some 'objectively' defined goods (e.g. a scientific discovery or simply making a good friend).

underlining a certain causation of happiness by the will as an 'active phenomenon' is preconceived in Mill and does not concern so much the objects that can make someone happy (Donner,1991). Mill's etiology of desiring involves a process through which people perceive the objects of desire as associated with pleasure but routinely pursue them as part of a confirmed character (Berger,1984). It is the raw model of the virtuous character, on Mill's description, that he implicitly uses as a basis -not always as a necessary condition- for competent judges deciding on happiness. This is because the virtuous character does the right thing without considering much her own happiness; she is motivated by aversion for un-virtuous acting. The idea to relate happiness with a particular Millian view of the (good and active part of the) individual is according to Berger entirely in keeping with Mill's general stance and it also helps to understand his concept of happiness in Utilitarianism (Berger,1984).

Dryer argues that when Mill's individual desires virtue it is not because she hopes it will yield her happiness (Dryer,CW,x,1985). Berger notes that in such cases there is in fact no ulterior end in view. Denying happiness defined as some kind of pleasure and concentrating on the requisites for the capacity to appreciate value, Berger captures Mill's logic by insisting that his happiness is indeed valuable. Yet, it is tantamount to pleasure only insofar the latter "is a constituent of a person's happiness which has value" (Berger,1984,p.38). Mill's test to detect real value in happiness consists in consulting experienced people with competing pleasures, those capable of appreciating them. True, Mill occasionally uses his test to detect higher pleasures, making it sound like a 'strong' perfectionist process determining superiority of value. Yet, while people are not happy without the fulfilment of those developed capacities, it is the *ability* to enjoy higher

pleasures not the exact content they may acquire that is more clarified as the focal point of value by Mill (Berger,1984). In this sense the involvement of people *capable* to enjoy and appreciate value is identified in fact with the *essence of happiness*. Thus, the above prototype of the virtuous man or of someone pursuing particular higher pleasures becomes an accretion surpassing the threshold that qualifies happiness as perfectionist. Virtue or higher pleasures *per se* are used here more as examples describing well one side of Mill's perfectionist view. This particular side is not necessarily included as a precondition for happiness in Mill's general scheme which concentrates on the competency to appreciate value. Yet such scheme carries perfectionist weight and deserves our attention. Commenting on representative of the latter Millian views found in Utilitarianism (CW), Berger believes that they retain their significance because they explicate the leading to happiness choosing process decided by the 'competent judge'. The basis for deciding to select some pleasures over others is the sense of the 'judge' to opt for the ones required for the happiness of capable people. And the best judge to resolve this is someone with those capacities who has experienced those pleasures (Berger,1984).

What is of interest here and can be inferred either directly from Mill or from Berger's comments is that the former prefers a concept of happiness with requisites that correspond to certain features composing a particular view of the Millian individual. It is true that these features can be found in all of us but they need a particular political, sociological and psychological framework to flourish. For the first reason they are not elitistic but for the latter they are part of a perfectionist ethic: Love of autonomy and personal independence, pride, love of excitement and a sense of dignity "which all human

beings possess in one form or another...and which is so essential a part of the happiness of those in whom it is strong” (Mill,CW,x,1985,p.212). Adequate physical nutriment, security and its sense “with an [active] machinery for providing it” (Mill,CW,x,1985,pp.251-2) and the fulfilment of people’s social needs complete the list of requisites as essential elements of human happiness. Due to its perfectionism it is not a wide open concept in the sense of consisting of pleasures completely unspecified (Berger,1984). What makes it compatible though with liberalism -despite its occasionally strong perfectionist touch connoted by its implied or overt link with virtue- is that it is not an end imposed from above; the final choice for the appropriateness and qualification of happiness is left to the individual. Concurrently, it preserves its idealist part aspiring to define choice not by referring to any individual but to a competent one; a competency that all of us potentially have but we need support to reveal it and develop it. As Thomson (1976) indicates referring more to the Millian individual as a political ‘animal’ her competency can develop providing there is an occasion or an encouragement for education.

One of the most intriguing parts of Mill’s theory is that while his concept of happiness is clearly of a (sometimes strong) perfectionist nature the responsibility for its promotion is transferred to the individual. Trying to fit his perfectionism in individual choice comprises an effort to combine ideal and want regarding aspects in Mill. The balance between them however tilts in favour of the former. The ultimate evaluating criterion for actions to qualify as happiness and of all desires to perform actions is “what is requisite for the happiness of man *as a creature of elevated faculties*” (Berger,1984,p.43). Mill explains why this should be the case:

The character itself should be, to the individual, a paramount end, simply because the existence of this ideal nobleness of character, or of a near approach to it, in any abundance, would go further than all things else towards making human life happy; both in the comparatively humble sense, of pleasure and freedom from pain, and in the higher meaning of rendering life, not what it now is almost universally, puerile and insignificant-but such as human beings with highly developed faculties can care to have (Mill,CW,viii,1974,p.952).

The link in Mill of such a perfectionist conception of the individual with the notion of happiness is relying heavily on the person's experience and opportunities to appreciate a *good* version of happiness. If one of two pleasures is, "by those...competently acquainted with both, placed so far above the other that they prefer it, even though knowing it to be attended with a greater amount of discontent...we are justified in ascribing to the preferred enjoyment a superiority in quality, so far outweighing quantity as to render it...of small amount" (Mill,CW,x,1985,p.211). Thus, for Mill the value of a situation qualifying as happiness does not depend simply on how strongly one prefers it but on if she would prefer it were she competently acquainted with valuable alternatives. Broader experience in valuable acts and situations and balanced judgement stemming from it are prerequisites for the process to qualify certain experiences as components of a happy life (Sher,1983). For a pleasure to qualify as an inherent part of the proposed Millian happiness it has to be chosen after experience of an appropriate range of worthwhile alternatives (Gray,1996).

As Rawls' Aristotelian Principle acknowledges, humans enjoy exercising their realized capacities, with the enjoyment rising the more the capacity is actualized or the greater its complexity. Rawls ascertains an approximation of his principle in Millian thinking (Rawls,1973), something which evokes the essence of Hurka's deeply Aristotelian perfectionism based on a particular view of human nature (Hurka,1993).

Rawls intuitive idea which he traces in Mill is the Aristotelian link between happiness and activity with the exercise of greater abilities involving complex discriminations. But then this implies that people have to be supported or directed to pursue opportunities equally challenging in order to be competent to live a happy or more enjoyable life. This is analogous to Gray's view on full human happiness presupposing a social order where people's vital interests are reliably protected, where cultural and moral development has been generally achieved (Gray,1996). The predilection of proficient in complex functioning people to exercise a larger repertoire of more intricate and subtle discriminations when choosing their activities needs to be emphasized if happiness is to have a prominent place among the objectives of moral reasoning. The Aristotelian notion of happiness embraced by Mill invites a certain profile of an individual capable to engage in complex activities; only the latter can satisfy the desires for variety, ingenuity and novelty of experience, evoking also pleasures of anticipation and surprise. The form and structure of complex activities can often be fascinating and beautiful (Rawls,1973). People that want to exercise these faculties not only prefer such activities but require them to be happy (Berger,1984). The greater complexity of such an activity and its propensity to constitute an indispensable part of happiness is featured in combining skills and discriminations of non-complex activities and the additional ones it includes. This version of 'principle of inclusiveness' along with the 'principle of motivation' and the 'companion effect' (Rawls,1973) contained in the Aristotelian principle shared by Mill account for the appeal of elaborated activities. While the 'principle of motivation', according to Rawls, accounts more for the 'natural' impetus of the individual for such activities, it still avows the need to cultivate and exercise our abilities accordingly. By

doing this, we gradually come to prefer the more complex activities which call upon our realized abilities. Through the intensification and deepening of learning and experiencing we are to expect greater satisfaction if we acquire a greater repertoire of skills. The 'companion effect' associated with the Aristotelian principle refers to our interaction with others and our desire to be like those who exercise their well-trained abilities (Rawls,1973).

It is not a coincidence that the described here multifaceted Aristotelian thinking present in Millian thought has its exact equivalents in Hurka's perfectionist proposal. There the quality and value of theoretical and practical perfection are measured with formal properties that approximate greatly this Aristotelian logic. The extent of a belief's or end's content in space, time, objects involved, and the degree to which different beliefs and ends are organized in a hierarchical structure (Hurka,1993,Ch.9) as evaluative means of their perfection, parallels Mill's test of value and happiness. This is because the Hurkian beliefs and ends increase their perfection the more they implicate complex and difficult activities matching with organized knowledge and as long as they are situated in a composite unified life. By that Hurka refers to a life that includes a unity of substantial elements comprising a subordinate hierarchy; the greater the hierarchy's variety, the more value it has. His Aristotelian ideal does not only presuppose unity but 'unity-in-diversity', bringing many contrasting elements into one life structure. And for a life's highest worth this ideal requires richness. As is the case with the activity of a competent agent, Hurka gives a high mark of perfection to the development of her more exalted capacities and her according implication in complex objectives and actions; this resonates throughout most of his perfectionist proposal (Hurka,1993). For Hurka it is better to be skilled in

astrophysics, European history and know one's friends' characters than to master a single area; better carrying out various sorts of complex plans than having a single type of practical achievement. He argues that we are meant to seek variety among different excellences and among different aspects of excellence, defining thus the fully rounded life as active, informed and advanced in several domains (Hurka,1987b).

It is worthwhile noting that Rawls underlines the causality between the development of human nature and refined actions. He even uses partly theories of psychological conditioning incorporated in this logic to justify this causality (Rawls,1973). By presenting the Aristotelian part of his account 'as a natural fact' he denies its portrayal as a particular aspect of the good life, something which he negates as a basis for an acceptable liberal morality. To epitomize my objection, the supportive role of psychological theories -or for that matter of any well established scientific theory- for moral and political statements is valid; but as auxiliary epistemological tools not as an ontological proof which could replace the core -perfectionist in this case- premises of the hermeneutical stance of the arguments themselves. As far as Mill himself is concerned it is true that he relates human development and competence for happiness with acquired as well as with natural traits (Berger,1984). But we cannot claim that he simply replicates natural evolution when he propagates his particular view of happiness as vested with human development. "Mill, unlike Rawls, did not want to give equal status to different forms of life". Expressed covertly here by his appeal for 'natural evolution', "Rawls's anti-perfectionism seems to commit him to not giving inferior status to a form of life on the grounds that it was degrading or unsuited to human beings",³⁷ while Mill's liberalism

³⁷See Rawls' (otherwise) intelligent person whose sole pleasure is to count blades of grass. Rawls accepts this man's 'nature' without making a politically relevant evaluative statement (Rawls,1973,pp.432-3).

was in favour of a particular view of morality (Haksar,1979,p.233). The 'natural' has an important role in Mill but it is so in part to implicitly undergird the credibility of his ideal-regarding arguments. Nature provides the liberally conceived legitimate premise from which often duties with binding force can be generated; but the process to 'channel' it towards a certain course has his private mark. Mill's particular version of human nature is in some important aspects quite malleable; able to adapt, expand or follow various directions (Donner,1991). Even his 'natural' desires can be altered and directed according to his ultimate test of value. Security, freedom, dignity, intellectual activity are principal requisites, not so much for being natural but because sufficiently experienced and wise people require them for happiness (Berger,1984). The grounding elements that shape the form of happiness of such persons are linked with a process of self-development emphasizing intellectual and affective faculties and our fellow-feeling. The potentiality of humans to experience and appreciate varied and complex forms of happiness and enjoyment is highlighted by Mill who promotes its nurturing and development (Donner,1991). He assumed the responsibility to articulate a particular moral stance and defend it. Mill indeed embeds an idealistic proposal in a perfectionist ethic because "he *did* outline a decision-procedure for adjudicating conflicting claims in value theory and *did* give an argument in support of his value theory". He specified that for deciding which pleasures are of greater value we should only appeal to the judgement and preference of people capable to appreciate all of them. Mill takes such people to decidedly favour throughout human history a particular course of living: "the active, self-determining mode of life in which the faculties of choice and deliberation are developed, and the

intellectual capacities encouraged. Thus, insofar as *this* conception of happiness is superior, *it* is fit to be the end or test of morality” (Berger,1984,p.49).

Berger’s thorough analysis of Mill’s moral psychology and happiness reveals the substantive view the latter had of the concept, namely a nonhedonistic, hierarchical one (see also Hoag,1986 and Gray,1996). His explication of the Millian test of value linked with happiness contributes to the establishment of internal coherence and sophistication in Mill’s moral and political philosophy by highlighting the perfectionist premises which support it. Arguing for the importance in Mill of developed capacities and putting an emphasis on his affinity for higher preferences, Berger’s analysis spontaneously invites the question -even among people with no particular interest in perfectionism- if and to what extent Mill’s moral theory embraces a departure from neutrality among different conceptions of the good. This is illustrated by Krouse who, reviewing Berger’s work on Millian happiness, asks this with a rhetorical query implying an affirmative answer. He insinuates that Mill’s moral and political philosophy as presented by Berger does not preserve the required for many liberals neutrality between competing conceptions of the good life and that it probably embodies “some species of perfectionism”, not necessarily a strong one (Krouse,1985,p.614). Berger himself essentially concedes Mill’s perfectionist side; on occasion even outspokenly, underlining that for Mill rational morality had to refer to ‘an end of some sort’ and not merely to ‘vague feeling or inexplicable internal conviction’. Berger’s Mill thinks that “only if a moral theory is so constructed that it derives its conceptions of right and wrong from its conception of the good, conceived as something to be aimed at, will it be possible for there to be rational discussion and argument for right and wrong” (Berger,1984,p.53). However, Berger’s

general hesitation to label accordingly what he is describing as essentially perfectionist could be attributed to the aversion most liberals have towards perfectionism. They primarily identify it with its strong version or even worse with a full-blown 'moral totalitarianism', as the one Cowling attributes to Mill (Ellsworth,1964), and subsequently see it as incompatible or, at best, as being in a strong tension with liberalism. Berger's lack of eagerness to clearly name as perfectionist Mill's moral theory could also be attributed to his devotion to portray it as utilitarian, albeit as a broad one. As mentioned in the previous section the two terms are rarely combined. Even if he does not label it in accordance with the essence of his analysis, Berger's work on Mill's happiness elucidates largely the perfectionism not only of the concept itself but of the overall Millian morality.

b. An Independent Vision of the Good; the State's Role in Promoting it

The harmonious ordering and combination of the elements of a developed, knowledgeable and experienced personality (Humboldt,1993) is as we said a requisite for happiness; but, as its test of value, it constitutes a perfectionist conception of the individual independently of happiness. The analysis of the Millian happiness reveals the requisites of knowledge and experience, "of the intellect, of the feelings and imagination, and of the moral sentiments" (Mill,CW,x,1985,p.212). Such mental pleasures are essential to happiness since they are conceptually necessary ingredients of the good life (Hoag,1986). This in effect reveals a particular ideal type of moral character, where various facets of the individual's true nature may reach their greatest flourishing in mutually compatible ways (Riley,1998). Mill invites people to actively improve the human faculties of perception, judgement, discriminative feeling, mental activity and moral preference. "The mental and moral, like the muscular powers, are improved only

by being used” (Mill,CW,xviii,1977,p.262). It is the ideal type of moral character as he defines it that is “the true end of man”. From that *it follows* that it is also the best conception of personal happiness. Mill’s character ideal involves a certain view of the good life blending in harmony human powers and capacities as well as his concept of society and its rules “within the limits imposed by the rights and interests of others” (Mill,CW,xviii,1977,p.266). Commenting on Mill’s view that it is better to have a developed personality satisfied than a fool satisfied, Haksar holds that by using his expert criterion of value Mill aims to foster an exalted view of life. He contends that the Millian “high-minded conception of the good involves perfectionist judgements”, that is, personalized judgements about what form of life is adequately suited to human beings (Haksar,1979,p.233). On the contrary, Rawls attributes to Mill a concept of value related more to the interests and activities people pursue under conditions encouraging freedom of choice, that is, ‘a choice criterion of value’ (Rawls,1973). Opposing Rawls’ view that Mill primarily adhered to such ‘choice criterion of value’ my stance here approximates Haksar’s ‘evidential view’ arguing that Mill used the voluntary choices of ‘experienced judges’ as proof of value or of what is good for people. For Mill, Haksar asserts, a person’s good is something objectively traceable; the Millian expert test to solve disagreements on the form of desirable life by appeal to the majority of experts uses their verdict to depict evidence of the good rather than as a criterion of the good. The view of the good does not vary depending on such adjudication because the experts’ majority judgement “is good evidence of the good, the good being there independently of the majority verdict” (Haksar,1979,p.251).

The objectivity of the good refers clearly to the epistemology that Mill uses for his morality depicted in its perfectionism and is not to be confused with a rigid conception of the good immune to external influences and cultivation. It is true what Haksar affirms that this good does not qualify as such (only) because it is desired or chosen. The real preference of the competent judge is an indispensable part of the kind of life which Mill propagates and sets as an end. As Picard predicates the significance of Mill's theory cannot lie on a principle of Utility -in the place of the good- being desirable because it is desired. While excessively accentuating the role Mill ascribes to actual human wants as evidence of desirability -at the expense of his well-established perfectionist arguments- Picard successfully indicates the fallacy of any attempt to defend Mill's theory independently of what he thought is good in morality. Such erroneous defence could be bypassed since Mill's theory could be well described by other teleological theories like perfectionism based on judgements regarding the development of capacities as an end-in-itself (Picard,1939). Even though Picard appears to generally understate the significance of any labelling of moral theories, his concluding remark emphasizes that the importance of Mill's theory lies in the picture of the kind of life which he respectively commends; and what this exact comment actually comes to is the basic form of Hurkian perfectionism. This is the case because according to Hurka's typology Mill's theory is perfectionist as it is based on the acknowledgement that he actually proposes a particular kind of life for morality which he promulgates as good and which is based on a certain concept of human nature.

This results in a potentially inevitable tension in Mill's theory between the ideal state of persons expressed in the preferences of the competent judges and the actual state

of persons revealed by their own choices (Krouse,1985). As explained more extensively in chapter 5, this tension need not be problematic. It can form part of a fruitful endeavour which any ambitious³⁸ liberal theory should handle and embrace along with the appropriate anti-moralistic safeguards. However, it is true that Mill does not fully recognize the potentiality of underlying antagonism between the actual and the ideal; he subsequently does not provide principles adjudicating such possible complications (Berger,1984). It is one thing to claim this and another to attribute to Mill a blandly indecisive stance between ‘want-regarding’ and ‘ideal-regarding’ types of considerations with his theory equally accommodating both (Berger,1984,p.288). This is ironic because Berger himself cannot avoid acknowledging that Mill’s test of value is clearly leaning towards an ideal-regarding direction with respect to the character and state of human beings it is promoting as desirable. “Mill’s ‘decision-procedure’ in his theory of value commits him to accepting the actual preferences of competent judges” and “their preferences reveal...the ideal state of persons as such” (Berger,1984,p.288). Is the ‘confrontation’ between ideal and want elements as problematic as Berger seems to be suggesting? We could infer the answer from Barry since the distinction of want and ideal regarding elements (Barry,1965) which Berger indiscriminately attributes to Mill is his. “The want-regarding/ideal-regarding distinction is not based on what it is that people want; it is based on how what they want is treated for the purpose of social evaluation”. Only by assimilating “all wants of whatever kind and evaluat[ing] states of affairs in terms of the overall amount or distribution of want-satisfaction one adheres to a want-regarding position”. Anything else implying any kind of discrimination among wants of

³⁸‘Ambitious’ in aspiring to resolve problems of contemporary liberal societies such as excessive consumerism, individual alienation and uniformity, extortionate wealth inequalities, etc (Beiner,1992).

different kinds for purposes of evaluation, adheres to the 'ideal-regarding' view (Barry,1973a,p.136). We can hence infer that Barry, unlike Berger, would not have found the co-existence of these elements problematic in Mill because he would classify his test of value and his morality as ideal-regarding overall with a specific interest for the development of a particular character ideal. This would be the case if he were to take into minimum consideration Mill's 'social evaluation' in which he incorporates his preference for Socrates and his repulsion for degrading (of a "fool" or a "pig") wants (Mill,CW,x,1985,p.212).

When Mill says that for the experienced and knowledgeable people a life developing refined skills is more desirable than one which attains contentment through simplistic pleasures (Gaus,1981) he epitomizes his perfectionism. The mere fact that something is desired, through habit or nature, provides no ground for its intrinsic value (Berger,1984). Mill's belief that some forms of life are superior to others (Haksar,1979) grounds his willingness to defend, instigate and support them. As habit and nature are not enough to substantiate the intrinsic value of something, Mill's view accentuates that the generated by the distinctively human capacities needs should be provided for if people are to be happy (Berger,1984). And for the provision of specific needs and the promotion of a particular human development Mill did not hesitate to implicate the state. He therefore opposed R.Dworkin's (1978;1985) and Rawls' (1988) argument³⁹ that a liberal state should remain neutral regarding different conceptions of the good. In strong contrast to them and as one can extrapolate from the following, Mill does not stand for a neutralist state:

³⁹ Liberal advocates for a neutral state are also Ackerman (1980), Nagel (1987), Larmore (1987,etc).

The first element of good government, therefore, being the virtue and intelligence of the human beings composing the community, the most important point of excellence which any form of government can possess is to promote the virtue and intelligence of the people themselves. The first question in respect to any political institutions is how far they tend to foster in the members of the community the various desirable qualities...moral, intellectual, and active. The government which does this the best, has every likelihood of being the best in all other respects, since it is on these qualities, so far as they exist in the people, that all possibility of goodness in the practical operations of the government depends (Mill,CW,xix,1977,p.390).

Aiming at the above mentioned diversity and quality of beliefs and actions justifies the Millian state's affirmative duty fostering rationally superior ways of life. It is an indispensable help for people to lead the most valuable life among which they can attain (Gardbaum,1991). "A good government will give all its aid...to encourage and nurture any rudiments...of a spirit of individual exertion...Government aid...should be so given as to be...a course of education for the people in the art of accomplishing great objects by individual energy and voluntary co-operation" (Mill,CW,iii,1965,p.970). Mill's conviction to employ the state for the development of people's intellectual and moral abilities does not primarily indicate scarcity of ability and talent but lack of adequate education and 'self-culture' to produce the 'developed' individual (Thomas,1985). Mill was predisposed to see society offering to young people higher or rational morality hoping that in educating them this could replace customary morality (Haksar,1979). As Valls puts it the Millian state is an extension of society and a vehicle of it. It is not conceived in opposition to society but rather as its means to facilitate the accomplishment of particular objectives (Valls,1999).

Gardbaum too portrays Mill as a liberal perfectionist who explicitly posits the necessary educational and moral role of political institutions (Gardbaum,1991). This is vindicated by Mill's statement that the "organic institutions and [the] general forms of

polity...must be viewed as the great instruments of forming the national character; of carrying forward the members of the community towards perfection, or preserving them from degeneracy” (Mill,CW,x,1985,p.9). Mill’s conception of the state as a vehicle of mutual assistance stems from his non-negatively defined (in Berlin’s terms) morality. An active state involved in securing both negative and positive goods derives its function from his concept of society where individuals owe more to each other than not actively harming others. Likewise, the state owes to its citizens more than mere security (Valls,1999). Mill seriously considers as “criterion of the goodness of a government, the degree in which it tends to increase the sum of good qualities in the governed, collectively and individually” (Mill,CW,xix,1977,p.390). While Mill shared some of Humboldt’s worries that there was a tendency for state action to potentially produce uniformity and passivity by not respecting the priority of ‘higher’ over ‘lower’ pleasures (Humboldt,1993), he believed that these concerns could be met through carefully planned policies. As Valls observes for Mill the absence of positive state action was worse than the risks it poses, something demonstrated in Mill’s evaluation of policies redistributing income; despite being aware of some dangers they involve, he considers them absolutely necessary to foster self-development. Mill was particularly concerned about people living at or near subsistence level because they could hardly develop their higher faculties. State policies, he believed, can encourage the disadvantaged structuring their incentives as to elicit activity and hence development (Valls,1999). A carefully designed positive intervention of the state is strongly supported by Mill. “A government cannot have too much of the kind of activity which does not impede, but aids and stimulates, individual exertion and development” (Mill,CW,xviii,1977,p.310). And despite the acknowledged

danger of creating dependence to its beneficiaries, he is in favour of a state aid encompassing people with little or no spirit of exertion. “It is even more fatal to exertion to have no hope of succeeding by it, than to be assured of succeeding without it. When the condition of any one is so disastrous that his energies are paralysed by discouragement, assistance is a tonic, not a sedative” (Mill,CW,iii,1965,p.961). Meeting basic needs is a precondition for any hopeful individual initiative. Mill’s human development sets specific material and institutional prerequisites because meaningful development is not feasible under any circumstances. Hence, the Millian state’s task is ensuring that favourable conditions do exist (Valls,1999).

In addition Mill stresses the educative role of political participation for human development keeping for the state an important mission to play for the political formation of its citizens. This is realized through their participation in its local administrative units, in the state itself and of course through the state policies (“Repr.Govern.”,CW). Mill asserts that the “discussion and management of collective interests is the great school of that public spirit, and the great source of that intelligence of public affairs, which are always regarded as the distinctive character of the public of free countries” (Mill,CW,iii,1965,p.944). For Mill political participation, linked with state activity, is vital for self-development. Often it constitutes the sole chance many people have to develop their rational capacities and evolve an interest on matters that implicate others. Political participation as stated in Mill’s Principles of Political Economy is analogous to a refuge for many manual workers occupied in tedious labour. Such participation foments people to expand their horizons and use their higher abilities in sharp contrast to their workplace.

The case of education illustrates some interesting nuances of Mill's view of the state's role. Mill shows a particular interest for education in his work since he attributes to it a determinant role for self-development and for an enlightened society (Valls,1999). Haksar takes Mill's view that higher forms of life are like tender plants needing educational shelter from corrupting and hostile influences as connoting "preference to some forms of life over others in our dealings with children" (Haksar,1979,p.234). By permitting the state to "take upon itself to direct that education" (Mill,CW,xviii,1977,p.302) it is verified that Mill and his "state can hardly fail to encourage some forms of life over others" (Haksar,1979,p.234). It is true that Mill seeks to encourage higher forms of life in young people because he believes that otherwise they could lose their potential for them. He assimilates the view that "at the political level we shall have to make judgements about what forms of life are good for the coming generation" (Haksar,1979,p.233). At the same time he persistently argued against an utterly controlled state education which could result in excessive uniformity and establish 'mental despotism'. "That the whole or any large part of the education of the people should be in State hands, I go as far as any one in deprecating...[T]he importance of individuality of character, and diversity in opinions and modes of conduct, involves [necessarily]...diversity of education" (Mill,CW,xviii,1977,p.302). The danger of a 'self-development' instructed by a moralistic state authority imposing its own 'right values' can indeed loom if the promotion of human interests is not done carefully (Donner,1991).

Nonetheless Mill allows for diversity that he concedes with the active role of the state since education could not be left to the market which does not guarantee its decent level, especially for the poor (Valls,1999). The state should require and compel the

education, up to a certain standard, for all its citizens and ought to see it fulfilled, at the charge, as far as possible of the parent (OnLiberty,CW). In addition Mill implies that when the parents of the children cannot afford it, the state should pay for their education (Princ.of Polit.Econ.,CW). Stemming directly from Mill's test of value -and thus of the utmost importance- a stronger justification for the active role of the state arises for the provision of education. "The uncultivated cannot be competent judges of cultivation...Education, therefore, is one of the things which it is admissible in principle that a government should provide for the people" (Mill,CW,iii,1965,pp.947-8). While Mill allows the co-existence of public with private schools, 'his state' requires the private teachers to pass government exams (Mill,CW,iii,bk.v,ch.xi) and "public examinations extending to all children" to begin at an early age (Mill,CW,xviii,1977,p.303). Summarizing the role of his state in this respect Valls says that by stressing education's usefulness for self-development, Mill endorses state-required education, state-supported education and some state-provided education. While preoccupied with an exclusively state-run education, the existence of some private educational alternatives suffices to dispel his worries (Valls,1999). Of primary importance for my purpose here is that Mill's test and criterion of value -expressed in the preference of competent judges- consistently applies to a state-supported education as "the culture which each generation purposely gives to those who are to be its successors...[Its] object is not to make skilful lawyers or physicians or engineers, but capable and cultivated human beings" (Mill,CW,xxi,1984,p.218). It should be noted that for Mill making capable and sensible persons through education retains its value because it implicates a liberal spirit which

allows students to develop in ways their teachers could not have anticipated (Flathman,1996).

Mill's vision of the good life, articulated largely through his position for a self-development with a range of goods as prerequisites, is grounded on solid philosophical premises proposal to accomplish a society of well-developed individuals with a state assisting to provide the necessary for such development conditions. According to Mill, the merit of political institutions depends considerably on how much "they promote the general mental advancement of the community...in intellect, in virtue, and in practical activity and efficiency...A government is to be judged by its action upon men...[and] by what it makes of the citizens...; its tendency to improve or deteriorate the people themselves" (Mill,CW,xix,1977,p.392). As Donner asserts, such passages clearly dispute any effort for a neutralist interpretation of Mill (Donner,1991).

It is his account of liberty, the most proclaimed aspect of the Millian good which we will now examine. A considerable part of the latter, it combines the objectivity of goodness with its individually chosen content in a politically meaningful scheme. While Mill promulgated a concrete concept of self-development based on his particular view of human nature, he also stressed the differences among individuals, celebrating and defending the extensive variety that could be found in humanity. The importance Mill attributes to human diversity is reflected on his representation of goodness with different life-plans suiting diverse individuals aiming at the good. And his individuals have to strive for the good since he does not see our natures as transparent to ourselves. Learning about our nature and good presumes for Mill a discovery process involving experiments in living, self-observation and self-culture, a process for which we need wide individual

freedom (Arneson,2000). Let's turn now to the way Mill defined and defended this indispensable freedom, namely to his celebrated concept of liberty which, as it will be argued, he defended as autonomy.

c. Liberty as Autonomy

Using Different Freedoms

Mill is often portrayed just as an unambiguous defender of the freedom to engage in any human behaviour not perceived harmful to others. It will be claimed that such a view of his moral and political philosophy is an unfair and incomplete one. His concept of liberty is overall consistent with his ideal of human flourishing and of a liberal society; a society prospering only when it promotes civic patterns and values transcending the picture of an individual concentrated exclusively in self-interested activity. This conclusion is not though as straightforward as it might sound. Mill's conception of freedom carries strong influences from different and, to a certain extent, antagonistic traditions. They range from empiricism's view of freedom as a natural right of every individual securing her self-interest to ancient Greek and romantic groundings of liberty in the capacity of humans to act in accordance to rational moral law. Contrary to many interpretations of Millian liberty as prioritizing empiricism's emphasis on the freedom to pursue one's private passions⁴⁰ I believe that the latter pole of thought had a more profound impact on his understanding of freedom. The German Romantics as well as a direct recovery of Greek ideas of self-development are active influences shaping Mill's ethical thought. "[His] liberal idea was [more] a romantic-hellenic idea of free self-development in every aspect of one's human power" (Skorupski,1999,pp.224-5).

⁴⁰ See Berlin (1969), Rees (1985), Ryan (1991), Fiss (2003), Elshtain (2003),etc.

Notwithstanding the above, Mill challenged the view that ancient classical and modern as well as German romantic and its alleged counterpart, British empiricist views of liberty are at irreconcilable odds. While Mill values empiricism's protection of individual rights, he also shares with the romantics the need for a more substantive view of freedom, one of a competent individual using freedom well. By embracing in his concept of liberty self-legislation and self-determination, he refutes justice as a mere adherence to rules assigning to it an ethical outlook. By encouraging the cultivation of human perfection and general moral development Mill attempts to transcend the apparent antinomy between self-interest and universal obligations in decision making (Devigne,2006). Challenged forcefully also by Krause (2002) this dichotomy is easily traceable in current political theory and philosophy. It consists, on the one hand, of empiricism's self-interests as expressed by some of its advocates⁴¹ and, on the other hand, of moral idealism's autonomy as expressed for the most part by Kant and Rousseau. Freedom identified with self-interested activities, without a higher or lower content or a direct relation to the public good, contrasts autonomy as a higher form of freedom focusing on acting for the universal good and not for ourselves. Mill challenges this dichotomy by maintaining that forms of self-interested conduct can also be higher forms of freedom and contributors to the general good. In elaborating such conclusion, leaning towards positive freedom as a self-directed moral existence yet not opposed to the classic liberal tradition as originally conceived, Mill uses indeed the term liberty in

⁴¹Devigne (2006) classifies as important empiricists promoting self-interested activities, among others, Hobbes, Locke and Hume. Indeed Locke follows Hobbes in linking the idea of the good with human desires, pleasure and pain with good and evil (Locke,1975). However, Locke and Hobbes differ considerably since Locke believed in stringent divine limits in the self-interested action (Patten,2006). Thus, Devigne mistakenly classifies him as chiefly instigating self-interest. For Locke God created man and we are God's property (Uzgalis,2007). It follows for example that for him man 'has no liberty to destroy himself' or commit suicide (Locke,1966) restricting accordingly his self-directed activities.

various ways (Devigne,2006). As he acknowledges when young he was more sympathetic to the empiricist thesis accepting the link between ‘unprocessed’ necessity and freedom. Somehow apologizing for such earlier ideas, in his Autobiography (CW) Mill criticizes the lack of a self-conscious state of mind in empiricism’s rationale where there is no difference between being “conscious of a feeling” (or desire) and “merely having the feeling” (Mill,CW,xxxi,1989,p.138).

It is not only during his younger age that Mill uses liberty in a different way. Gray offers a very thoughtful typology of the various uses that we can encounter throughout his work. “Negative freedom”, “rational self-direction”, “autarchy” and “autonomy” (Gray,1996,p.74). This last notion though transmits better the kernel of Mill’s liberalism and as such deserves more attention here. Donner unfairly criticizes Gray for associating Mill with libertarianism and a negative conception of autonomy that misrepresents his notion of self-development. According to her Gray uses a primarily negative right of autonomy, which, when coming into play, describes solely Millian individuals with powers already partly developed. Hence, Donner continues, he is faithful neither to Mill nor to current accounts of autonomy. He attempts to distance Millian political philosophy from a more collectivist, social democratic version of liberalism, leading it towards its libertarian pole (Donner,1991). Despite getting right Mill’s overall evaluation, his ‘socially embedded’ concept of liberty and his cardinal commitment to help all people to lead meaningful lives, there can be a two-folded answer for Donner’s criticism of Gray’s typology. Firstly, it is a fact that throughout his work Mill uses the term liberty in different ways. In Logic and Hamilton’s Philosophy for instance Mill argues that in essence only some individuals do in fact self-amend. He claims this “consistently with

Gray's account" and more specifically with his descriptive not the idealist part of Mill which it also depicts. But overall Mill also confirms Donner's egalitarian description postulating that all individuals should have options to self-amend their character (Devigne,2006,p.70). Additionally, Gray is much more concerned with the philosophical premises of Millian liberty than with its political implications emphasized by Donner in her criticism. In any case, Gray never argued that Mill was a restrictive negative libertarian. He actually sees in Mill's work a "positive state action to benefit" people and "a large range of desirable state activities having nothing to do with harm prevention", adding that the Millian principle of liberty is not at all violated by such interventions providing they are not authoritative (Gray,1996,pp.61-3). Secondly, it is true that despite being blamed for identifying always autonomy with negative freedom, Gray clearly distinguishes between the two of them (Gray,1996,pp.74,77). He also finds in On Liberty "unmistakable traces of a Kantian conception of autonomy, absorbed by Mill...from Humboldt" (Gray,1996,p.78), a romantic view that clearly criticized the empiricist negative conception of liberty (Devigne,2006).

To thinkers like Rousseau and Kant liberty as self-determination is not just the unfettered pursuit of someone's empirical desires. If people are to be *really* free they must be autonomous managing and regulating their lives in a mode presuming the distinction between the environment and self (Rousseau,1987, Kant,1996). This is exactly the autonomy Gray attributes to Mill when he says that, on top of exercising rational capacities in objective choice-conditions, an autonomous agent should be to some extent disentangled from the conventions of his social environment and from other people's influence. According to Gray such an ideal of personal autonomy is among Mill's

cardinal commitments. Donner's critique against Gray for identifying Millian autonomy with a passive, negative, libertarian and individualistic tradition is answered by the latter's observations. Gray believes Mill argues for liberty not because its protection reassures a society of free men; Mill seeks to *promote* a society of autonomous people whose actions express principles, fruits of a process of critical reflection. More openly than it is with 'autarchy', Millian 'autonomous agency' is something to be achieved and should not be regarded as a natural endowment or inheritance (Gray,1996).

Gray's typology with the different nuances of freedom is therefore apt to describe not only the strictly negative 'self-regarding area' but also the positive notion of 'self-development' supported strongly by a robust concept of liberty as autonomy, both encountered in Mill's work. They are respectively described by Mill himself: "[Negative freedom as] a sphere of action in which society...has if any, only an indirect interest; comprehending all that portion of a person's life and conduct which affects [mainly] himself". Simultaneously, Mill relates the positive perception of freedom with people's interconnectedness. Since the conduct of any society member affects others, the positive encouragement of her development can potentially prevent harm to others. "No person is an entirely isolated being; it is impossible for a person to do anything seriously or permanently hurtful to himself, without mischief reaching at least to his near connections, and often far beyond them" (Mill,CW,xviii,1977,pp.225,280). Mill indeed uses the term liberty for two complementary, but distinct, conceptions of freedom. The first concentrates on limiting the individual's external coercion by the state and society and the second on cultivating developed human beings capable of forming their own decisions and desires (Devigne,2006). The co-existence of different concepts of freedom

does not constitute an inability from Mill's part to define and distinguish adequately self-regarding from other-regarding spheres or the concept of 'effects' from 'interests' as Rees (1991) claims. Niggling about such differences like the latter does seem to be more related to the inappropriateness of his account to accommodate Millian autonomy expressed as a perfectionist individuality, supported positively as self-mastery and linked with a particular type of human flourishing (OnLiberty,CW,chapter3). This is because Rees (1985) generally subscribes to the view of Mill as a leading exponent of the negative idea of liberty as plainly the absence of restraint. Due to the absence in his work of a methodologically cogent typology of liberty, in reaching conclusions of the utmost importance for the essence of freedom, Mill indeed sometimes uses indiscriminately the term liberty to convey its normative (positive) as well as its more neutral (negative) meaning. This surely explains the agreement between Gray (1996) and Rees (1991) that his 'one very simple principle' of liberty is anything but simple.

Prevailing Autonomy

Despite the ramifications of a process needed to elicit the terminology⁴² and the evaluation of the different Millian freedoms, an overall conclusion about the moral and political core of Mill's celebrated principle can be quite effectively deduced. Notwithstanding the ambiguity that a distinction between negative and positive understanding of liberty posits (Donner,1991) to interpret Mill's spirit as establishing a negative thesis concerning freedom is mistaken (Berger,1984). Berlin commits this mistake when he interprets Mill as primarily focusing on an a limited area of personal freedom which should by no means be violated (Berlin,1969). As Devigne observes,

⁴² Mill never uses for example the term autonomy to describe his freedom.

nearly all contemporary commentators portraying Mill as the archetypical theorist of negative liberty do it by disregarding his concern for wisdom⁴³ (Devigne,2006). Construing chiefly Mill's theory as ruling out strictly interference with the freedom of others and forbidding social control, just because Mill said that society may interfere with individual conduct only "to prevent harm to others" (Mill,CW,xviii,1977,p.223), oversimplifies his notion of 'harm' as well as his account of freedom overall. Thus seen, the essence of Mill's work is directed at establishing a negative thesis of freedom. Berger is right to find this misleading since it greatly underestimates the most distinctive features of his work. His liberalism, as Berger puts it, is clearly a powerful, innovative and positive doctrine. "This is the doctrine of the importance to human well-being of individual self-development, or, as I prefer to call it, autonomy" (Berger,1984,p.229).

Berger's view affirms that such a notion of autonomy -interconnected well with his concept of happiness of the competent judges- is in accord with Mill's perfectionist notion of self-development, as Donner (1991) propounds it. It is such a concept of autonomy that can express better the essential spirit of his freedom and his liberalism by combining -as mentioned above- two seemingly different traditions. On the one hand, Mill stresses intellectual development as the core of rational and critical reflective skills indispensable to achieve autonomy, he emphasizes the importance of liberty of choice and of self-determination and he combines individuality and authenticity. On the other hand, he articulates clearly his view of the ideal person -one who has achieved balance and harmony between moral, intellectual and affective development- of freedom and individuality with sociality, attachment and caring for others. He enunciates a view of human flourishing postulating no inconsistency in the need to combine in a happy human

⁴³ Devigne (2006) regards as notable exceptions Thompson (1976) and Berkowitz (1998).

life these sides of self-development. Such an enriched ideal concept of autonomy combining self-mastery and exertion of social solidarity approximates the essence of Mill's account of liberty and resonates in Donner's explication of it. This is because the latter is aware of the overlapping between such treatments of autonomy and parts of Mill's self-development i.e. what Donner sees as his quintessence of liberty (Donner,1991).

Such a concept of autonomy as self-development expresses better Mill's gist of liberty and his view of social feelings; in addition it is also in accordance with his notion of happiness as described above. Mill sees liberty as a prerequisite of happiness for specific reasons. For him human development -a prerequisite of elevated happiness- is feasible only when people are free. An objectively sound ideal is necessary to achieve genuine happiness with altruistic life being such an ideal. While it cannot be imposed as a moral obligation -a condition for the ideal of altruism is its spontaneity- when people embrace it voluntarily it becomes a great source of self-realising happiness. For Mill self-development is linked with ideals of living and forms part of an overall argument connecting happiness and freedom; thereby it has a prominent place in his theory (Skorupski,2006). Mill's liberty does not rest on "the idea of abstract right, as a thing independent of utility"; a utility based on human flourishing depicted in the ideal decisions of competent judges and conceived in order to promote human development, that is, "in the largest sense, grounded on the permanent interests of man as a progressive being" (Mill,CW,xviii,1977,p.224). Such 'permanent interests' in Mill stem from people's potential for free self-development incorporated deeply in the core of his ethical and political outlook; an essence of human good as something dynamic, developmental

and individual (Skorupski,2006). In order to achieve specific human potentialities that Mill clearly favoured, what idealists of the nineteenth century called 'self-realisation', or what he calls 'moral freedom' (see Logic and Hamilton's Philosophy,CW), he supported good social institutions enabling the flourishing of free self-development. The perfect compatibility between Mill's liberal ideal of self-culture and his greatest happiness principle is underlined by Skorupski. Only free self-culture combined with rules protecting society can lead to full self-development, and solely by completing the self-development of people's potential we can obtain high forms of happiness (Skorupski,2006). Once again we can see that Mill is in favour of self-realisation or autonomy expressed in Aristotelian fashion (Berger,1984,;Gray,1996) but possibly via a romanticism's stream of thought (Skorupski,2006). The teachings of Coleridge, Kant and others had an impact on Mill's initiative to emphasize the capacity for individual self-mastery and the exertion of wilfulness (Devigne,2006). "A person feels morally free who feels that his habits or his temptations are not his masters, but he theirs: who even in yielding to them knows that he could resist" (Mill,CW,viii,1974,p.841). Mill refers to an advanced quality of rational will as 'moral freedom' and like Kant, identifies it with reliable virtue (Skorupski,2006). This is evident in the following: "[W]e must feel that our wish, if not strong enough to alter our character, is strong enough to conquer our character when the two are brought into conflict in any particular case of conduct. And hence it is said with truth, that none but a person of confirmed virtue is completely free" (Mill,CW,viii,1974,p.841).

Mill evidently distinguishes between better and worse ways of life and he associates this differentiation closely with freedom. He ranks freedom through self-

mastery higher than servility to custom or to pressing physical needs. His freedom resonates the stated Aristotelian view for the priorities of human soul, with reason guiding the mortal clay's passions toward virtue (Aristotle,1985). Unlike Aristotle, though, Mill does not identify in detail the particular life a self-directed individual should lead or the exact choice-worthy goods and virtues he should favour, widening thus the range of life-styles within which any person may hope to attain his excellence. It is what Gray calls Mill's affinity for pluralism (Gray,1996,p.81) which merges smoothly with the culmination of his freedom, that is, the ability to desire "for its own sake, the conformity of [one's] own character to [a] standard of excellence, without hope of good or fear of evil from other source than [one's] own inward consciousness" (Mill,CW,1985,x,p.95). It is clear Mill promotes an ideal of a certain type of individual as the capable one to attain 'complete freedom' (Logic,CW). This stems also from his discussion in Utilitarianism (CW,x,1985,ch.2) where he favours a developed mind forming a type of character that evolves into a good in itself. And this preference can be attributed, among other things, to "love of liberty and personal independence" (Mill,CW,x,1985,p.212). Moral freedom implicates the reassurance of the opportunity for the development of character based on the cultivation of mental faculties and a level of self-consciousness that permits someone to reflect upon his own state of mind. It is a kind of character re-evaluation and self-amendment. "[The] feeling of our being able to modify our own character if we wish, is itself the feeling of moral freedom which we are conscious of" (Mill,CW,viii,1974,p.841). Again, we can observe Mill's emphasis on romantic aspects of individual and liberty. This is because he opposes "the supposed [empirical] alternative of admitting human actions to be necessary" and inevitable, i.e. a result of an

excessively deterministic process, “inconsistent with...instinctive consciousness, as well as humiliating to the pride and even degrading to the moral nature of man” (Mill,CW,viii,1974,p.836).

Individuality as Autonomy

It is not only the concept of moral freedom or liberty that occasionally conveys the message of what I called autonomy but also Mill’s notion of individuality: “It is desirable...that in things that do not primarily concern others, individuality should assert itself. Where...customs of other[s]...are the rule of conduct, there is wanting one of the principal ingredients of human happiness and quite the chief ingredient of individual and social progress” (Mill,CW,xviii,1977,p.261). Crisp too draws a parallel between Mill’s individuality and a notion of autonomy defined in a perfectionist way. Apart from seeing Millian individuality as a minimum requirement to run our own life and not merely rely on social custom, his elucidation approximates the present one. “We might call this autonomy, though that term is not found in Mill”. Based on a simple analysis of the word’s etymology, Crisp attributes to Mill a notion not merely envisaged as a capacity adding to one’s welfare but as exertion of that capacity in self-government. Combining the indispensable role of rationality, the value of intellectual development for good self-government and components of individuality -all of foremost importance for Mill’s ‘true liberty’- Crisp fuses these elements in his notion of autonomy. While involving spontaneity, Crisp’s autonomy is not just that. As a constituent of individuality and so of welfare, autonomy necessarily implicates the development of people’s own potentialities. Pointing to the ideal-regarding aspect of Millian freedom he draws the parallel between

reflective arrival at true belief and the exercise of autonomy as consisting in the cultivation and use of intellectual capacities (Crisp,1997,p.196).

Crisp's assertion finds abundant support in Mill's work. Following Humboldt (1993), Mill ascertains that "individuality of power and development", the "end of man", has two prerequisites, "freedom and variety of situations". Individuality of development and freedom are fused in autonomy because "the human faculties of perception, judgement, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice". And the constituents of individuality - 'freedom and variety' - through their union give rise to "individual vigour and manifold diversity, which combine themselves in 'originality'". It is of a pre-eminent significance for Mill to stress that "the faculties are called into no exercise by doing a thing merely because others do it, no more than by believing a thing because others believe it". "He who does anything because it is the custom, makes no choice" while the one who follows his "own reason", "his own feelings and character" is the one "who employs all his faculties" and therefore "chooses his plan for himself" (Mill,CW,xviii,1977,pp.261-2). Subsequently, individuality expressed with originality portrayed in one's own strong feelings, impulses and will -filtered with their appropriate cultivation- is outspokenly linked with a particular ideal of character and grounded in Mill's view of human nature. "To say that one person's desires and feelings are stronger and more various than those of another, is merely to say that he has more of the raw material of human nature, and is therefore capable...of more good". Construed like this, as plentiful of "the sternest self-control", individuality is delineated as the source of "love of virtue" and "energetic character" (Mill,CW,xviii,1977,pp.263-4).

A person whose desires and impulses are his own—are the expression of his own nature, as it has been developed and modified by his own culture—is said to have a character. One whose desires and impulses are not his own, has no character, no more than a steam-engine has a character. If, in addition to being his own, his impulses are strong, and are under the government of a strong will, he has an energetic character (Mill,CW,xviii,1977,p.264).

Summing up the arguments unfolded here we could claim that vital for the understanding of Mill's liberalism is to recognize that loss of freedom is not identified with coercion by others. Lack of self-development of character also entails loss of liberty (Devigne,2006).

As we can see human perfection for Mill consists not solely of the application of rationality and of an active attitude towards life. He makes it conspicuous that it also demands the elevation of the will. He notices the positive role impulse can play to render the individual capable of gaining self-command. Consistent with his analysis of the ancient Greek spirit, Mill links powerful desires with strong wills and postulates that a stronger will facilitates the path to an autonomous and ingenious existence. "There is no natural connexion between strong impulses and a weak conscience...Desires and impulses are as much a part of a perfect human being as beliefs and restraints", providing the former ones are "properly balanced" (Mill,CW,xviii,1977,p.263). Hence, Mill contends that when guided internally by will, justice, and reason, desire "contributes to human perfection"; if a society neglects the role of strong desires it impedes progress and it undermines the general good (Devigne,2006,p.167). The authenticity therefore of a developed individuality, which among other things presupposes a will forged around strong desires, evokes the picture of human perfection which, in order to be complete, includes promoting the public good.

The gradual unravelling of the Millian autonomy seems to be disclosing a very rich and detailed vision about human flourishing. Genuine individualism is decisively

supported by reason, will, strong desires, dignity and duty to oneself; only when such individuality is approximated real social and political progress becomes attainable. The thorough and unfeigned conception of freedom, linked with the ability to overcome barriers like a dominant public opinion and personal impediments like unbridled desires, is in Mill closely tied to self-development (Devigne,2006). If one wants to pursue an active self-development and determination -in turn linked with Mill's view of human nature and excellence- he "must use observation to see, reasoning and judgement to foresee, activity to gather materials for decision, discrimination to decide, and when he has decided firmness and self-control to hold to his deliberate decision". He definitely requires all these qualities and their exercise to be employed precisely by "his own judgment and feelings" (Mill,CW,xviii,1977,p.263). Without them, the whole merit of human existence is challenged: "What will be his comparative worth as a human being? It really is of importance, not only what men do, but also what manner of men they are who do it". And in a direct link between self-development and the underlying basis of forming an admirable human essence, he adds that the task of self-development is to exemplify this kind of man. "Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance is surely man himself". Yet seeing development as multifaceted, Mill stresses that human nature is not a machine to be programmed according to a detailed prescription. It should be treated like "a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing" (Mill,CW,xviii,1977,p.263).

Mill derives his concept of individuality from an explanation of human well-being which takes account of our developmental and 'progressive' nature. Human nature, well-

being and individuality are interwoven in a two-fold argument. With complete development of potential we can reach highest forms of well-being. Also, his liberal ideal of full personal development aims at people's wholeness by stressing both education of feeling and education of reason and will (Skorupski,2006). While Mill's individuality aspires to touch philosophic truth as such, it does so via an innovatively synthesized perspective combining different elements. His individuality weaves together romantic ideas of authenticity, revealing the unrepeatable and ingenious parts of a person, and the classical "perfectionist emphasis on development" aiming at advancing the higher powers of human nature (Muirhead,2004,p.116). Mill does indeed combine several elements of different perspectives in his enriched concept of individuality discerned as autonomy. In addition to the Humboldtian and Kantian perception of autonomy -"the ground of the dignity of human nature and of every rational nature" (Kant,1993,p.41)- Mill uses for the development of his individual ingredients from various analyses. As Devigne demonstrates, his affinity to cultivate reason and promote strong will and desires comes from Plato and ancient Athens; his picturing of human perfection combining creativity and concern for the public good used religious and aesthetic culture as instruments of inspiration; his idea of human excellence builds on modernity's fidelity to universal authority while praising Humboldt's view that variety of situations is a requisite to individuality (Devigne,2006). The extended array of different strands of thought that have exerted an influence on Mill's multifaceted concept of liberty could provoke, justifiably at a first glance, an objection about the coherence of such a notion. In addition, if it is to be interpreted as such, a growing scepticism could arise about its compatibility with liberalism as it is commonly perceived. Reconciling Mill's views on reason and the

will and identify how they contribute to the individual's freedom is not an easy task. While the frictions and challenges that Mill's morality can potentially invite as a synthetic idealistic approach within the liberal boundaries will be examined later (chapter5), it suffices here only to touch upon this issue.

It is true that Mill faces a challenge when he attempts to reconcile forms of individuality implicating higher thoughtfulness and the habitual pursuit of desires. By attempting to integrate in his thought the reformed platonic dialectic, Coleridge's synthetic dialectic and the morality of German Romantics, he formulates a conception of liberty that combines empiricism's causality and the romantic conception of free will aiming at overcoming the common oscillations in political theory and philosophy. Oscillations between allegedly antagonistic conceptions of liberty, empiricism's versus romanticism's, ancient versus modern (Devigne,2006). Galston's interpretation of Mill suggests that liberal tradition has space for a conception of an intrinsic individual excellence intertwining freedom with these diversified components: Influenced by romanticism, Mill devises a liberal conception of individual excellence as the full flowering of individuality; it innovatively combines the classical Greek impetus to develop human powers through activity with the modern realization of the idiosyncrasy of each individual blending such powers (Galston,1988). Given though Mill's stance to introduce an idea of human excellence, the question if it can be effectively merged with freedom and variety of situations as requisites for human individuality remains. Does Mill's morality of freedom fail to meet the challenge to combine exalted individuality and habitual desires? Can the habitual and the conscious comprise at the same time key features of the free individual? How can the personified expression and strenuous identity

and will of his liberal self be conciled with his ideal of self-development? To reply to such queries we should recall that while Mill's liberalism values self-mastery and advances its preconditions, the latter do not presuppose only objective rational and emotional skills conceived independently of our personal inclinations to want certain things. Using our faculties efficiently involves partly the resolute pursuing of the desires we desire. Conscious volition is juxtaposed beside cultivated reason and fortitude which through continuing practices make the free individual approximate "the case of the person of confirmed virtue" (Mill,CW,x,1985,p.238).

The rapprochement of seemingly antithetical components in Mill's autonomy is attained by his commitment to human liberation implying an ideal of the person which suggests a conception of the good. There is an intimate and cyclical connection between good life as autonomous and life performed necessarily by a particular ideal type of human being, the autonomous agent. On the one hand, this ideal excludes persons of heteronomous existence ruled by unbridled emotions or customs uncritically accepted (Crowder,2002). On the other, as Mill postulates the free approach to customs is worthy as it fosters a certain kind of human being (Devigne,2006). "A different type of human excellence...a conception of humanity as having its nature bestowed on it for other purposes than merely to be abnegated"; more of a "Pericles" than "John Knox" or "Alcibiades" (Mill,CW,xviii,1977,pp.265-6). Pericles was indeed Mill's greatest hero of antiquity (Bain,1882). Mill compares these historical figures to illustrate his preferred notion of human perfection; a fusion of certain qualities leading to 'the highest possible good'. Aiming at that he consistently puts forward Pericles as an exemplar of human excellence (Devigne,2006). Only a personality of such calibre, and no other with possible

concessions in his individual skills, seems to have made it to comply with the demanding requirements of Mill inspiring his ideal of a strong autonomy; an ideal dominating his liberal apprehension of the good. Mill's formulation of a distinctively liberal conception of the good associates the best polity with that which secures that good, the flourishing of the individual conceived as "strongly autonomous". "On this reading, the liberalism of...Mill is thus 'perfectionist' [even] in Rawls's sense;...it effectively asserts and enforces a particular conception of the good life" (Crowder,2002,p.36).

It is evident that the Millian ideal of autonomy thus conceived could be included in a species of narrow perfectionism as Hurka (1993) defines it, that is, with strong and exclusive foundations in human flourishing (see chapter 1). Despite being one of the focal points of Mill's political message and the one that characterizes the distinctive nature of his liberalism, as mentioned above, it cohabits with different, of minor importance for this matter, exegeses of liberty. Whilst his ideals of autonomy and happiness convey the perfectionist weight of Mill's morality, their coexistence with freedom defined -following Gray's typology- as a negative concept⁴⁴ confuse Hurka to the extent that he attributes to the latter an absolute weight. Thus, while I agree with Hurka that Millian autonomy as an intrinsic good can cohabit with another intrinsic good like utility -and in that sense being of broad nature- they are both in turn linked with a particular perception that Mill has about human flourishing. To achieve that Mill does not attribute absolute weight to *any* free choice negatively defined, as Hurka implies, but to autonomous choices expressing his perfectionist aim for individual development. Yet,

⁴⁴Negative freedom is of secondary importance behind Mill's autonomy as exemplified in his ideas of individuality and self-development. Baum-like I do here-calls the latter Mill's 'freedom as autonomy' (Terchek,2002).

Mill retains a certain commitment to a negatively defined liberty, meaning that he fosters restrictions on what others can do to the individual by the exercise of their wills.

Thus far, negative liberty is an essential condition for the individual's freedom but freedom as autonomy is not realised merely because one of its conditions has been met. Mill's central aim remains forming individuals capable of exercising choices skilfully, boldly and autonomously (Devigne,2006). That is exactly the autonomy which Hurka incorporates in his Aristotelian perfectionism and calls "deliberated autonomy" (Hurka,1993,p.151). The formerly mentioned Millian test of value as expressed by 'competent judges' presumes some negotiation of liberty. But this 'transfer' of liberty is permissible only to a lower 'negative level', through consulting non-coercive means "because there is much non-coercive promotion of the good that perfectionism approves" which is consistent with the liberal ideal (Hurka,1993,p.159). And this negotiation of liberty can only take place to the extent that it contributes to the formation of an autonomous character. Mill clearly supports such a developed character-individual which can result only by 'directing' liberty to such an ideal result. His liberal ideal could "never gain widespread acceptance until most develop the type of personal character requisite to its implementation" (Riley,1998,p.157). Hence, his notion of negative liberty independently from his autonomy -proving here the aptness of Gray's (1996) terminology- is clearly not absolute but only of an instrumental role in a wider plan that leads to a perfectionist understanding of liberalism. For Mill a free and potentially happy individual is expected to express her good and competent nature and developed character. Therefore, he establishes a link between liberty as autonomy and perfection.

The Role of the State

While Hurka is decisive in defending autonomy from a perfectionist standpoint and imputing to Mill a similar defence of it, he is ambiguous about Mill's freedom negatively perceived. This specific flaw in Hurka's superficial analysis of Mill's freedom, overly interpreting it as an absolute principle, is demonstrated in the ambiguity of his view on the Millian state. Firstly, he suggests that Mill never wanted the state to interfere with citizens' lives. Then, confirming Mill's perfectionism, he verifies that "neutrality is not a traditional liberal ideal, for it is rejected by Mill: He thinks a person's choosing badly, although no reason to coerce her, does justify 'remonstrating' and 'reasoning' with her". And Hurka uses this Millian argument precisely to stress why the state should be using these means actively to support the liberal ideal and why therefore his perfectionism is against state neutrality (Hurka,1993,pp.148,158-9). Indeed for Mill, self-development and genuine liberty have certain specific requisites -mental material, institutional- so meaningful development cannot take place under just any conditions. Favourable conditions do exist for Mill (Valls,1999) and under them the human potentiality for autonomous agency must be developed (Baum,1998).

As it was the case with happiness, he is in favour of the state and society being actively involved in promoting his ideal of individuality and autonomy. He actually does not see the need why a good state should be a power independent from a society where individual interest and autonomy can flourish. "What was now wanted was that the rulers should be identified with the people, that the interest and will was the interest and will of the nation. There was no fear of its tyrannizing over itself" (Mill,CW,xviii,1977,p.218). A good government should be representing every citizen and hence no one should be afraid of its influence and policies. Mill's view is affected by Coleridge's stance that

there is a need for the institutions to help create a national culture which can morally help to develop the citizenry (Coleridge,1983). Mill appears sceptical towards the incentives of many in England who insist in supporting state neutrality claiming that in an opposite case its action would be inimical to the public and private interest. “In England...there is a considerable jealousy of direct interference by the legislative or executive power with private conduct, not so much from any just regard for the independence of the individual as from the still subsisting habit of looking on the government as representing an opposite interest to the public” (Mill,CW,xviii,1977,pp.222-3). Mill is critical of the obsessive focus to restrain the government’s ability to confine liberty of action because it disregards whether the agent’s desires and motives are his own or not (Devigne,2006). Although he often argues forcefully against the state’s direct and intrusive interference in private affairs, Mill also maintains that there is enough space for society -within which a functional state operates in accordance to its directives- to mould the “goodness and wisdom” of its individuals. “If society lets any considerable number of its members grow up mere children, incapable of being acted on by rational consideration of distant motives, society has itself to blame for the consequences”. As it can be inferred, the state should assume an active role in trying to prevent such an event not only by participating in the shaping of “all the powers of education” but in influencing positively with its policies “the ascendancy which the authority of a received opinion always exercises over the minds who are least fitted to judge for themselves” (Mill,CW,xviii,1977,p.282).

The qualities required for full self-development and autonomy are “self-regarding virtues” as well as “social” ones. “It is equally the business of education to cultivate both” (Mill,CW,xviii,1977,p.277). Mill endorses an activist state which contributes to the

material and institutional prerequisites for self-development (Valls,1999). There is a moral obligation in Mill's society to help each other cultivate self-regarding virtues. Failing to comply with such duty legitimizes society to censure people or raise taxes guaranteeing state education in self-regarding duties. All this is compatible with Mill's liberty principle and whether society actually employs such methods is a question of efficient policy, not a matter touching on liberty. "So Mill is not an ethical neutralist about the state" (Skorupski,2006,pp.49-50). The enforcement of universal education, the aid to help educate the poor, the duty of the state to supervise the educational system (OnLiberty,CW,ch.5), are not the only means the state should use to promote the best conditions for an autonomous existence. This is because education should not be perceived as strictly related only to traditional teaching; rather "knowledge and culture, which have no obvious tendency to better the fortunes of the possessor, but solely to enlarge and exalt his moral and intellectual nature, shall be...obtruded upon the public" (Mill,CW,vi,1982,p.259). Opposing the libertarian wing of liberalism Mill also promotes a legally enforceable taxation for purely redistributive purposes (Skorupski,2006). In addition, he closely relates taxation with an underlying concept about what is *good* for people and how they can acquire more knowledge about it. "It is hence the duty of the state to consider, in the imposition of taxes, what commodities the consumers can best spare" and select "those of which it deems the use...to be positively injurious". Thus, the state should "indirectly discourage conduct which it deems contrary to the best interests of the agent" (Mill,CW,xviii,1977,pp.297-8).

In a rare (see chapter 5) direct intervention of a moralistic sense Mill is even willing to relinquish to the state the power to "forbid marriage unless the parties can

show that they have the means of supporting a family” (Mill,CW,xviii,1977,p.304). Mill usually *suggests* solutions for similar issues and does not resort to morally objectionable imposing measures like this one. The latter though is yet another indication of the significance he attributes to the ideal conditions for mental advancement and consequently for self-development. Mental cultivation is such a laudable goal for Mill that can even entail restricting some individual liberties to ensure a good level of education linked with the well-being of the families. Generating conditions for high forms of individuality is for Mill as significant as establishing equal rights for all (Devigne,2006). Against the ‘free-marketeers’ of the time Mill is also in favour of legislative interventions ameliorating the context within which individual choices are made. The legislation to restrict the working week is an example (Skorupski,2006). The imposed limits to free trade and the rules enforced on employers by increasing the amount of public control to prevent fraud or to ensure sanitary conditions and protect the workforce are other examples. “Such questions involve considerations of liberty, only in so far leaving people to themselves is always better, *caeteris paribus*, than controlling them: but that they may be legitimately controlled for these ends, is in principle undeniable” (Mill,CW,xviii,1977,p.293). Promoting self-realisation, self-mastery and self-development, ingredients of Millian autonomy, is a task with which the state should comply. Actively seeking to improve people, the most important feature of good government is “the virtue and intelligence of the human beings composing the community” (Mill,CW,xix,1977,p.390), something which is certainly not an infringement of legitimate liberty. As Skorupski puts it, “a liberal state can legitimately promote conceptions of the good” and “it is not a principle of Millian liberalism that the state

should be ethically or aesthetically neutral” or that it “should not have a conception of the good among its core allegiance-inspiring values”. A society with a duty to educate its members about better ways of living should employ the state too for its objective: It breaks no Millian principle to do that through all public institutions and activity funded by a democratic vote of the citizens (Skorupski,2006,pp.103-4).

This standpoint clearly separates Mill from many contemporary liberals⁴⁵ who think that the state should not promote any conception of the good. Mill consistently focuses on the problem of reconciling wisdom and liberty under his concepts of individual exertion and development as autonomy; to accomplish this he employs the state as an additional help for people’s moral education. He criticizes a state sterile and neutral towards its citizens’ mental expansion, questioning the value of an administration of justice perfecting its operating machinery while ignoring the task of moral education (Devigne,2006). The government should actively seek to aid and stimulate people’s exertion and development. “The worth of the State”, Mill asserts, “is the worth of the individuals composing it; and a State which postpones the interests of their mental expansion and elevation..., a State which dwarfs its men...will find that with small men no great thing can really be accomplished” (Mill,CW,xviii,1977,p.310). A good polity with a functional government should aim at promoting the health of the individual’s character, leading it to flourish in both the public and private domains. Mill contends that whether people become or not autonomous is contingent upon factors -educational, political, economic and psychological- which can advance their capacities for autonomy. And the Millian state plays an active role in ameliorating all the autonomy-generating conditions. Hence, Mill’s conception of freedom as autonomy, presupposing the

⁴⁵E.g. Rawls, Ackerman, Larmore, Nagel, R.Dworkin,etc.

implication of means and the availability of opportunities for self-development and self-government, refutes the ostensibly oppositional relationship between freedom and power; this is because the state's active intervention in favour of this freedom-autonomy often personifies power. The misfortune is that the same negative liberal tradition that assumes this permanent antithesis mistakenly perceives an active Millian state as inimical to freedom (Baum,1998).

Recapitulating the role of Mill's state in contributing to the active promotion of *liberty as autonomy* we could claim that it stems from the same perfectionist basis inspiring the conception of the notion itself. Hurka's propounded model for the liberal perfectionist state verifies this. Mill's state complies with all the criteria which the Hurkian perfectionist state puts forward. Respecting citizens' autonomy by promoting non-coercively the good, it favours education not only in its strict sense but also as universal mental cultivation, provided through taxation and subsidization. While human propensity to follow the good materializes under favourable conditions, people also have other desires which presuppose help to resist or to accomplish. As Mill proves and as Hurka concludes, it is therefore fitting that politically we can favour liberty but reject the ideal of state neutrality (Hurka,1993).

CHAPTER 3: VALUE-PLURALISM AND PERFECTION IN RAZ

The arguments and objectives of the current chapter will be unfolded in two distinct parts. As with Mill and his utilitarianism, the first part of my analysis of Raz aims to expound how a major feature of his liberal theory, value-pluralism in this case, manifests itself in a perfectionist manner. In advancing my approach I will attempt to show that the popular liberal belief, seeing as incongruous the use of perfectionist means to convey pluralism, is mistaken in necessarily associating plurality with a neutral stance of political morality and institutions towards what is considered good in human life. While perfectionism rules out value nihilism and relativity, while it rejects the advocacy for a neutral stance of political morality, value-pluralism does not need to entail any of the above; it may aim to provide good incommensurable options; hence perfectionism need not be hostile to value plurality (Wall,1998). The definition of Raz's value-pluralism and its interpretation, with which the chapter begins, serves to distinguish it from value scepticism as well as to refute that it presupposes the doctrine of neutrality, thus paving the way to comprehend its perfectionist conception. The heterogeneity of value, Raz cogently argues, does not need to undermine its appeal as a moral objective. Valuable incommensurable options—a political objective for Raz—can be alternatives, not necessarily antagonistic. Since Raz does not systematically assemble all these ideas under a systematic liberal blueprint, in the second section of the chapter I will propound a guide for the consistency between Raz's incommensurability (a constituent element of value-pluralism) and his perfectionist account of political morality. Using this guide as a yardstick for his value-pluralism, the subsequent two sections will reveal the discrepancy between theoretical questions his account does not methodically tackle and a cogent

practical application of his affinity for both plurality and perfection as exemplified in the kind of multiculturalism he advances. While Raz omits conveying his perfectionist pluralism via a theoretical device informed by a feasible (as other value-pluralists show) and necessary species of rational comparability between values which feed moral conflicts, its practical application is informed by all the necessary conditions accounting for his liberal perfectionism. Thus, his aim for value diversity finds its expression in a multiculturalism accommodating potentially thriving and tolerant communities, implemented according to his vision for a good liberal life.

After corroborating that Raz's value-pluralism is largely forged by a perfectionist reasoning, the second part of the chapter aims to analyze Raz's liberal perfectionist basis as such and of what it comprises. It starts from the political use of Razian perfectionism rejecting the division between ethics and normative politics while embodying the idea that politics should advance human well-being, a cogitation we can trace in classical thought. While his account retains the strong liberal allegiance to the ideal of personal autonomy, Raz elaborates the core concept of his liberalism in such a way that it embodies his commitment to promote human flourishing via his political morality. The basic perfectionist features of such perception of autonomy distinguish him from the majority of contemporary liberals who identify it with the protection of individualistic personal interests of absolute weight. Raz defends it not as an individual right but as a mode of being, possible only in the presence of various collective goods and as requiring choice between valuable options by people capable to appreciate them; in other words, in strong contrast to an asocially individualistic liberal scheme (Mulhall and Swift, 1996). All these features characteristic of his autonomy are presented in the second section of

part ii. Against the dominant anti-perfectionist strand of liberalism I will subsequently argue that Raz's strong commitment to autonomy as an ideal is not only fully compatible but it also requires the endorsement of perfectionist political action designed to promote valuable pursuits and discourage base ones. Thus, in the last section of the chapter the extended function Raz expects the liberal state to play is justified as being in accord not only with the necessary requisites his autonomy demands but also with his general analysis of authority. Advancing a structured 'responsiveness-to-reason' relation between people and their authority aims among other things to dispel the 'state-intervention suspicion' that many liberal neutralists accentuate by focusing mainly on the need for the government's abstention to promote the good. The chapter concludes by arguing that Raz's theorizing embraces progressive egalitarian liberal politics characterized by the state's redistributive role as stemming directly from the requisites of autonomous life and not from other secondary for a liberal scheme values as in neutralists. Notwithstanding the noted imperfections of his incommensurability and of his taxonomy on autonomy, the chapter's interpretation of Raz's liberal thought as following a logical sequence to convey its perfectionism implicitly answers to neutralists (e.g.Lomasky,1990) construing it as simply lumping heterogeneous elements from diverse traditions. This could ideally contribute to the strengthening of the currently marginal and underrated expression of liberalism in perfectionist terms.

While a common thread of reasoning imbues Raz's legal and political interests (seeRaz,1985) and the way he defends concepts like authority, law and state (Moore,1989;2000), for the objective of the current exploration what is of primary interest is Raz's work on political theory and philosophy. Sparing reference to some of

his legal writings attempts solely to elucidate better his political and philosophical insights.

i. Raz as a Value-pluralist

It should be clear that it is not my intention here to analyze Raz's value-pluralism in its entirety as a *sui generis* stream of thought. What Raz argues in his capacity as a value-pluralist will exclusively be examined by keeping in mind the manner in which it relates to the distinctive perfectionist way he perceives his liberal discourse. In a brief but comprehensive description of value-pluralism⁴⁶ Crowder defines it as the view that fundamental human values are irreducibly plural and 'incommensurable', possibly conflicting between each other (Crowder,2002). Observing this conflict, leading often to incompatibility of values, has led many to embrace such a plural account of the moral universe along Berlin's lines. In Berlin's world principal values are plural, conflicting, incommensurable; it is thus unreasonable to define philosophically a single, univocal *summum bonum*, let alone impose it politically (Galston,2002b). Yet, while Raz subscribes to this view he also retains his interest to promote manifold '*bona*' as a legitimate objective for liberalism. And it is this particular aspect of his thought that the current approach aims to investigate here.

a. Value-Pluralism and Incommensurability

Raz underlines the common incompatibility of values and options in his view of moral pluralism where various forms and styles of life exemplify different virtues and are

⁴⁶ Investigating the plurality of values dates back to Aristotle and to polymorphic perceptions of religious worship and of the world (Nussbaum,1990). In modern times it is Berlin's systematic exposition of value-pluralism which paves the way for several contemporary thinkers to position themselves as value-pluralists. For a list of its adherents see Crowder,2002,p.17,n.2 and Kekes,1993,p.12.

incompatible. Using some easily recognized contrasts, Raz rightly claims that normally a person cannot lead a life both of action and contemplation nor she can possess all the virtues of a nun and a mother. Thus, “forms or styles of lives are incompatible if, given reasonable assumptions about human nature, they cannot normally be exemplified in the same life” (Raz,1986,p.395). Of course, there are diverse ways in which the effort for a rewarding life can be pursued. Various occupations or life-styles evoke different qualities and evolve varied features of people’s personalities. It is possible that people due to distinctive abilities or disabilities may find fulfilment in a single activity. Most people, however, tend “to develop in different directions, to become different persons” (Raz,1995,pp.118-9). In his effort to delineate further value-pluralism Raz stresses that many available in our lives routes are both incompatible and valuable.

They are valuable in that each style of life, each pursuit is good and contributes to the well-being of the persons engaged in it. They are incompatible in that no person can combine all of them in one single life, as they call on different qualities and require the relative neglect or even suppression of other qualities which are good in themselves. It is this value multiplicity, this incomparability of much that is valuable, that I mean by value pluralism (Raz,1995,p.119).

These considerations help to clarify moral pluralism and to illuminate the principal value-pluralist claim, namely that many conflicting kinds of human flourishing exist and some cannot be compared in value. There may be good human lives neither better nor worse than one another, nor the same in worth, but incommensurably (differently) valuable (Gray,2000a). It is incommensurability therefore that is the most distinctive component of value-pluralism. It refers to goods that may be radically different from one another, to values each of which makes its own distinctive claim and when compared with another cannot be subordinated to it in a hierarchy of values. No common denominator could measure them along the same dimension. In value-pluralism

no basic value is inherently more important than any other and none embraces all other values (Crowder,2002).

For Raz incommensurability broadly defined is “the absence of a common measure”, used as “something of a philosophical term of art” in various topics and problems. When he considers in particular incommensurability of value, that is, the possibility that the goodness of two options is incommensurate (Raz,1997,p.110), he opts for a simple definition. They are “incommensurate if it is neither true that one is better than the other nor true that they are of equal value” (Raz,1986,p.322). Yet, there is some haziness in Raz about the relation between incommensurability and incomparability⁴⁷ if we are to compare the accounts offered in his respective works here. Thus, in the elaboration of his older account, he notes that incommensurability entails incomparability (Raz,1986,p.322). There and in other parts of the text (Raz,1986,ch.13) the two concepts are used as apparently synonymous. However, in his later explication he underlines that incommensurability should not to be confused with incomparability since the former does not imply the latter. Even if the values of items have no common measure they may be comparable in a variety of ways as it is with one more colourful or older painting of two whose value is incommensurate. He adds that the linguistic use of ‘incomparable’ often indicates great superiority of one of the parts entailing their commensurability (Raz,1997). Interestingly, while founding his comments on both texts, Sunstein criticises Raz for identifying the two terms. This is because even when he favours comparability between incommensurables, as in the latter text, Raz tends not to resort to reason(s) to justify it, something that for Sunstein does not qualify it as real comparability (Sunstein,1997). It has to be acknowledged that, following the more recent account, the

⁴⁷See also pp.148-51.

confusion between the two terms is not primarily a linguistic⁴⁸ one. Raz via his 'basic preferences' (a form of weak reason) promotes some deliberation -not using the same value-scale but implying some kind of comparison⁴⁹- dedicated to choices among incommensurable values, choices that can matter greatly for people's lives (Raz,1999). Still, Raz undoubtedly rejects the particular kind of comparability which tries to assimilate different kinds of values fitting them in a common procrustean measuring logic.

Raz's value-pluralism has to be distinguished from pluralism as widely used i.e. as a stance which tolerates different conceptions of the good regardless of their moral value. In comparison to simple plurality, Raz's value-pluralism "marks a different and competing idea" representing the view that there are several varied and incompatible valuable ways of life (Raz,1995,p.118). He attributes to it traits found in Crowder's account where value-pluralism is distinguished from a mere plurality of belief. The latter is the unelaborated meaning usually ascribed to 'pluralism' in contemporary political theory, namely the idea that different (groups of) people believe different things (Crowder,2002). Razian value-pluralism is neither an empirical claim about the nature of current belief nor an interpretation of pluralism supposedly found in late modern societies (Gray,2000a) but part of a suggested exposition of the structure of the normative universe (Galston,2002b). It is an indispensable component of an exegesis of the nature of morality. Yet, it is difficult to be conclusive on the exact normative status of value-

⁴⁸Raz sometimes uses different terms interchangeably to signify the same meaning, like he does with the words 'incommensurable' and 'incommensurate'. To 'alleviate monotony' he uses 'incomparable' as a 'stylistic variant' of 'incommensurable' (Raz,1997). As I will show, by not distinguishing them Raz makes an unfortunate choice implicating two important for his theory notions (incommensurability-incomparability) with a distinct normative significance.

⁴⁹See also section C where the comparison Raz allows between incommensurable options is explained in more detail.

pluralism in Raz since it is combined with a perfectionist type of liberalism. Thus, I am not certain if Raz would classify value-pluralism as “an account of ethical life” (Gray,2000a,pp.10-11) or “a meta-ethical theory of the real features of moral (and other) value” (Crowder,2002,p.3). He would most likely share the view that it somehow advances a truth-claim about the structure of the normative universe (Galston,2002b), comprising a realistic assertion about the metaphysical structure of value (Newey,1998). This is because he does not aim plainly to secure the presence of a varied assortment of values. “To establish moral or value-pluralism...the existence of a plurality of incompatible but morally acceptable forms of life is not enough”; such forms of life should also “display distinct virtues, each capable of being pursued for its own sake” (Raz,1986,pp.395-6). The nature of value-pluralism as a ‘truth-claim about the normative universe’ is confirmed by the requirement to apprehend its functional role, a precondition for the attainment of valuable qualities. Only people holding “the view that friendship is neither better nor worse than money, but is simply not comparable to money or other commodities are *capable* of having friends. Similarly only those who would not even consider exchanges of money for friendship are capable of having friends” (Raz,1986,p.352). Solely by discerning the incommensurability of money and friendship in practice one is able to experience and enjoy the latter.

Raz argues for the promotion of ideals of life (active and reflective living, containing admirable qualities like friendship) and goods despite believing that they can indeed be realized with different life-styles. Nevertheless, honouring the multiformity of value has seemingly immediate repercussions on his pursue of human flourishing. For if active and contemplative lives display distinctive virtues but are also incompatible,

complete moral perfection becomes unattainable. There are always virtues eluding people because they are available only to those who pursue alternative and incompatible forms of life (Raz,1986). But despite acknowledging the fact that there is no specified as such best or maximal form of human life, Raz still targets the best human flourishing coming in many varieties some of which cannot be combined (Gray,2000a). Promoting good life, even attempting to maximize it, remains central in Raz as he celebrates the variation of its form that value-pluralism provides.

A form of life is maximal if...a person whose life is of that kind cannot improve it by acquiring additional virtues, nor by enhancing the degree to which he possesses any virtue without sacrificing another virtue he possesses or the degree to which it is present in his life. Belief in value-pluralism is the belief that there are several maximal forms of life (Raz,1986,p.396).

The assertion that good can harbour conflicts of value does not mean that it is futile to aim at it. It simply connotes the diversity of lives in which humans may thrive. The heterogeneity of good does not undermine its appeal as a moral objective. Available options can be very different between them, making it impossible to compare their worth. But they need not be antagonistic, they can be alternatives. The choice among thriving or *good* lives we sometimes face need not be a 'tragic' one. It does not necessarily entail a traumatic uncertainty or inconclusiveness; it may simply bespeak the abundant number of flourishing lives open to us (Gray,2000a).

b. Value-Pluralism: Neither Relativism nor Neutrality⁵⁰

An assortment of arguments link incommensurability of forms of life and value-pluralism -and for that matter Raz's position- with a partial or complete inability to make

⁵⁰The present arguments refer *only* to the strand of thought supporting neutrality as part of the inference that we are unable to make politically reliable judgments about the good in life. As we shall see, there are other strands of neutrality which derive their conclusions from different premises.

value judgements; they thus assimilate them to a flattening equality of views about the good. The line of reasoning conflating incommensurability with relativism stems from very diverse backgrounds. A principal source for such views could be postmodernism insisting on multiplicity of ethical perspectives as much as to ignore coherence. So far as someone could be a consistent representative of such current of thought it is Lyotard's work that sums up well this scepticism about objective truth. He sees as only partial and relative the various narratives of value, among which no one is privileged and all are of fundamentally equivalent weight (Lyotard,1984). Arguments relating incommensurable values with relativity can come from a conservative source too as some of Kekes' contentions suggest (Kekes,1993;1998). They regard highly cultural traditions making them the main guide for the resolution of choices among plural and incommensurable values. But local tradition -despite its prominence- cannot be exhaustive in resolving such choices or acting as an exclusive and ultimate judge in ethics. Pluralism of value has to be discerned from such relativism. For example, cultural membership as such is a necessary but not sufficient condition for autonomy, since not all cultures value autonomy (Crowder,2002). If one can intelligibly claim to be speaking from a consistent and solid (not context dependent) liberal standpoint, as Raz does, there must be something more than culture dependence to legitimate his affirmation. To affirm that being a comprehensive supporter of liberty is something good, it is necessary to have some faith in value universality as a concomitant of value intelligibility, that is, of the possibility to explain and understand what is good about any good-making property. "To that extent the universality of values is an essential feature of all values, part of what it is to be a good-making property" (Raz,2001,p.42).

While explaining the differences between value-pluralism and postmodernism⁵¹ in particular (Crowder and Griffiths,1999) is not of crucial relevance here, it is more inviting for my purpose to investigate how some liberals, opposing Razian plurality, are lured by what Crowder calls the ‘argument from indeterminacy’. Such argument postulates that if values are plural and incommensurable the same applies to ways of life. Thus it is implausible to rationally determinate conceptions of the good life, with many of them becoming equally legitimate. Government action to promote a particular conception of the good appears unreasonable and consequently individuals should remain ‘unrestrained’ in deciding how to live. Therefore, due to moral indeterminacy, value-pluralism entails a liberal doctrine of limited government or state neutrality (Crowder,2002). There is a distinctive neutralist defence of liberal ideas claiming that *since no particular way or ways of life can be proved to be better than any other*, liberalism should be justified precisely with the condition of not aiming to promote any specific one of them. Galston takes this stance to be one of the main rationales contrived to justify the neutrality thesis. He interprets this version of neutrality as negating rational choosing among ways of life and as viewing assertions about the good as personal and incorrigible. State neutrality comes as a desirable and reasonable response in such exposition (Galston,2002b). Since there is nothing for the state to promote, consequently it should remain neutral between competing conceptions of the good that are necessarily as good as any other. This is by no means suggesting that there is a unanimous mode to defend neutrality among its liberal advocates⁵². R.Dworkin (1985;1988) for example is

⁵¹One of the most striking differences between the two continues to be the overall rejection on the part of postmodernism of any universality of values.

⁵²Neutral liberalism is not as homogeneous in its expression as often assumed and it should not necessarily be identified with relativism or scepticism about the good (see also pp.168,170-2,210-1).

no relativist; he thinks some ways of life can be shown to be better than others but implementing them violates equal respect for persons⁵³. While his liberal theory of equality rejects an appeal to one valuable theory of what is good in life, Dworkin's liberal neutrality is not founded on scepticism. It entails that the government should treat people as equals because that is what is right, not because there is no right and wrong in political morality (Dworkin,1985).

But when Ackerman claims that "while everybody has an opinion about the good life, none can be known to be superior to any other", it can be argued that in his attempt to link incommensurability with liberal neutrality he ascribes to some form of a generic relativity (Ackerman,1980,p.11). On the contrary, Raz distinguishes incommensurability from indeterminacy and incompleteness in options or from their rough equality (Gray,2002a). Thus, Raz's value-pluralism approximates ethical theories which affirm the possibility of moral knowledge distancing itself from ethical scepticism, subjectivism or relativism. It allows rejecting judgements about the good as being in error (Gray,2000a). Discerned from sweeping relativism it follows ordinary experience in suggesting a non-arbitrary distinction between good and bad (Galston,2002b). It is committed to the view that incompatible but decent and worthwhile life-routes are available across different civilizations and generations (Raz,2003a). Gray asserts that value-pluralism accepts the truth of certain moral beliefs about the world. While often confused with such doctrines, incommensurability of values is not a version of relativism, subjectivism or moral scepticism. It is a species of what Gray calls 'objective pluralism'

⁵³Gardbaum (1996) notices a difference between earlier (e.g.1978) and later (e.g.1988) writings in R.Dworkin, in terms of his initially firm defence of neutrality being gradually enfeebled. This does not change the fact that, even in his earlier texts, Dworkin's argumentation favouring neutrality is distinct from the more relativist ones (e.g. Ackerman,1980).

(Gray,2002a). Evaluating Raz's pluralist argument Green too distinguishes it from moral scepticism which cannot comprise a liberal doctrine. A liberal political morality takes morality seriously and makes moral recommendations. No doubt many liberals, including neutralists (e.g. R.Dworkin), do take morality seriously. But this should not be conflated necessarily with the renunciation of value-pluralism. Rejecting scepticism does not require monism, one uniquely right way to lead life. Raz correctly underlines the plurality of worthwhile ways of life and the need to make available and promote choices among them in the name of autonomy (Green,1988).

For any serious position, including Raz's, the difference between saving and killing innocent people is part of the objective structure of the valuational universe (Galston,2002b). As Raz concedes pluralism may run the risk of affirming contradictory values by corroborating the value of different cultures; one can yield the conclusion that something is good and another see the very same thing as bad (Raz,2003a). But there are cross-cultural limits that Raz supports, set by common human needs shaping the conditions under which humans can flourish. Several times in history ways of life have crossed these limits (Hampshire,1983). The indisputable need of a reasonable value-pluralist to mark these limits and criticize their violation has to be combined in a meaningful way with his respect for value diversity. Raz wonders if plurality can be respected by keeping our critical ability to condemn -popular or not- evaluative beliefs, regardless of their rootedness in some culture or other (Raz,2003a). His answer to the question if one can combine the two, that is if one can affirm value diversity without contradiction and without resorting to relativity, is trenchant and significant for my objectives here. According to Raz relativism by confining the validity of values to

particular times and places ventures acceptance of any value supported by the practices of a society. It does not have the resources to criticize the evaluative beliefs of other societies. Raz's social dependence thesis avoids this pitfall.

Unlike social relativism it does not hold that social practices limit the application or validity of values. The test of whether something is valuable or not is in argument, using the full range of concepts, information and rules of inference at our disposal. So far as the soundness of claims of value are [sic] concerned, the social dependence of value is neither here nor there. It makes no difference (Raz,2003a,p.44).

While Raz is seriously involved in revealing the importance of the social dependence of value (Raz,2003a), at the same time he is also very keen to reconcile it with its universality. "Belief in the universality of value is vital for a hopeful perspective for the future. Yet, it is a perspective which allows for diversity within that universality" (Raz,2001,p.3). By underlining his view that the two can be combined Raz intends to dispel the worries that his value-pluralism falls apart in decay as a species of cultural relativism. He refrains from restricting the application of value concepts only within strictly delineated cultural or social contexts. He refuses a contraction of the range of our value judgements for the sake of their partial contextual dependence. He means to bypass relativistic limitations in the scope of evaluative assessment, potentially stemming from such dependence, by contriving values avoiding such social reliance and existing independently of his 'special dependence thesis' (Raz,2003a). Wallace compiles these Razian values which include sensual and perceptual pleasures, the aesthetic values of natural phenomena, as well as 'enabling moral values' like Raz's freedom and the value of people. These values are to some degree independent of particular historic and social conditions; "we can straightforwardly apply them to make value judgements in a way that is unconstrained by historical and social contingency" (Wallace,2003,p.3).

Whilst the basic value of persons is instantiated wherever people exist, regardless of the historical or social conditions under which they live, the universality of freedom presented here seems to contrast with the contingency (cultural shape) that Raz claims for his autonomy (Raz,1986). Since there is below a separate section dedicated to his autonomy it only suffices here to say that the claim of universality refers more to liberty in its abstract form. For Raz the duty of respecting people and their freedom is indeed of universal validity, “arising out of the fact that people are of value in themselves” but it “derives its concrete manifestations from social practices”. In short, for him “the foundational moral values are universally valid in abstract form but they manifest themselves in ways which are socially dependent, and become accessible to us in ways which are socially dependent” (Raz,2001,p.8). By accentuating the partiality to the expense of the universal aspect of values, some pluralist theorists go against the Razian attempt to combine these two aspects. Waltzer’s pluralism resembles more an uneasy compounding of cultural relativism and value-pluralism (Crowder,2002). Concerned not to restrict liberty, Ackerman (1980) and Lukes (1991) take the additional step to link, via this relativistic indeterminacy about value, incommensurability with moral and state neutrality.

Berlin is criticized⁵⁴ too for attributing an ‘equally ultimate’ status to human values like liberty. Protecting the freedom of individuals to choose unhindered among their options, he advocates for an ‘unalloyed’ liberty if people are to develop their ‘equally absolute’ claims (Berlin,1969). Strauss (1989) and Sandel (1984) ascribe to his

⁵⁴Criticizing Berlin’s pluralism as being indistinguishable from relativism is not uncommon. Despite Berlin’s (1992) denial, there are theorists—both hostile and friendly to Berlin—who insist on criticizing his pluralism as relativist: e.g. Strauss (1989), Sandel (1984), Momigliano (1976), Kateb (1999), Sandall (2001).

thought a relativistic perspective distinguishing it from the Razian attempt to amalgamate objectivity and partiality of values (Raz,1999,ch.6). Sandel argues that Berlin's 'equally ultimate status' for values entails that no particular one of them can be in a morally privileged state and that applies as much to Berlin's -cherished but vulnerable in that sense- freedom of choice as to anything else. As Berlin endorses Schumpeter's predication of the 'relative validity of convictions' (Berlin,1969), Sandel wonders whether Berlin's freedom is the victim of the ultimate incommensurability of values and if freedom is indeed one value among many what does this entail for liberalism (Sandel,1984).

In defence of Berlin, it is worth noting that to answer to this criticism he devotes certain passages⁵⁵ where he attempts to distinguish pluralism from relativism. There he holds that various cultures connote different interpretations of the fundamental human ends. The implicit discernment between the impartial component of essential ends and the contingent formulation of values comes along with the explicit assertion that cultural variety does not entail relativism of values, solely a plurality of values not structured hierarchically (Berlin,1992). Here Berlin's thesis approximates considerably Raz's concept of value as analysed recently (Raz,1999;2001;2003). Still, points of indeterminacy remain, as in Berlin's (1969) celebrated work on liberty where he does not attempt to synthesize some of his conflicting arguments referring to the status of freedom: the need of choosing between absolute claims, defined by Berlin as an inescapable characteristic, contrasts his view of freedom as a secondary criterion of social action; while the 'liberty to choose' is supposed to be weighted against many other values, pluralism entailing negative liberty appears as the 'truer and more humane ideal';

⁵⁵E.g.Berlin,1992,pp.10-12.

finally, actual choice is fastened to a fundamental morality as part of human nature and identity (what makes people human), resembling Raz's (2003) basic value of persons. This is while for Berlin the ideal of freedom and its attached pluralism of values can just be "the late fruit of our declining capitalist civilization". Here Berlin is not very convincing when he claims that no scepticism follows from all this, especially since he parallels the quest for some objectivity of value to the futile gratification of a psychological defence-mechanism stemming from people's childish insecurity (Berlin,1969,pp.168-172). Surely Berlin *did* defend liberty as a universal value (Berlin,2002), despite some moral values being universal; yet an important element in his thought remains that there are also many objective values that conflict and are not commensurable with one another (Berlin,1992). He labels his theory pluralist and not 'relativist' but if his incommensurability implies that these conflicts cannot be rationally resolved, then this might suggest a concession to relativism. Implying that this is indeed the case, Gowans (2004) classifies Berlin's approach as a mixed position between objectivism and relativism.

Interestingly, Crowder traces in Berlin's selection of choice to link pluralism and liberalism "a perfectionist or virtues-based argument", where pluralism's hard choices imply the need for virtues of practical reasoning including liberal autonomy (Crowder,2002,p.100). The fact is that Berlin -unlike Raz- never endeavoured to pursue this perfectionist direction in his liberal project while, along with Raz, they both envisaged liberal ideals founded largely on conflicts of value (Gray,2000a). Accepting Gray's comment that both theorists defend well liberal ideals partly because they acknowledge the importance of value-clashes does not entail that I share his assumption

that they both fail equally in guiding us on how to deal with pluralistic value. And Raz initiative to do so might not be unrelated to his commitment to perfectionism. We can acknowledge that Raz -like Berlin (1992)- dedicated a not always systematic effort to reconcile the partial and universal aspects of values (Raz,2001,2003) like liberty⁵⁶; but as Waldron notes Raz, in comparison to Berlin, tried to offer a more systematic guidance to political philosophy in dealing with pluralistic value. While Berlin adheres mainly to the incompatibility of goods and ends, regarding the denial of pluralism as the basis of moral totalitarianism, Raz goes beyond that. For him pluralism entails more things. According to Raz, the incompatibility of the ends of life should not prevent political philosophy from providing a coherent account of how the state should respond to the truth, including the pluralistic truth, about value (Waldron,1989).

Up to this point, assembling Raz's various thoughts on value-pluralism could permit us to deduce that, for the most part, they are reconcilable with 'his adherence to liberal perfectionism' (Crowder,2002). His incommensurability can be distinguished from two other perspectives for which it could have been mistaken: Relativism, which restricts the 'jurisdiction' of any particular ranking of values to a given moral territory, and subjectivism, which ranks all notions of the good equally (Gardbaum,1991). Raz marks this difference mentioning that if someone claims that two options are "of equal value [she] is passing a judgement about their relative value, whereas saying that they are incommensurate is not" (Raz,1986,p.324). Perfectionism presupposes that knowledge of the good is possible but as Raz argues there is no reason why objectivism about the good cannot be conjoined with some version of value-pluralism. Opponents of perfectionism

⁵⁶For such limitations in Raz's work see sections C and D below. Nonetheless, these limitations arise only insofar one wants to bring in line Raz's work on the aspects of value and his liberal perfectionism.

like C.Bird often simplify its arguments claiming that perfectionist political theories necessarily demand state promotion of *a particular* conception of the good; this is contrasted to a neutral state which solely enforces principles of the right (Bird,1996). But such unsophisticated dichotomies omit positions like Raz's value-pluralism. It is possible that a state rejects neutrality about the good life without being exclusively committed to its single conception. Aware of its various forms, a perfectionist state can recognize and support numerous such conceptions as distinctively rewarding. As McCabe maintains, perfectionism is not necessarily hostile to diversity; its pluralist representatives argue that it enriches liberal democracies. If a good life can take plural and incommensurable forms and if liberty facilitates citizens to select their best ways of life, the perfectionist states have good reasons accommodating much of the cherished by liberals diversity. Additionally, the fact that perfectionism and its state promote a society less hospitable to valueless and debasing ways of life hardly counts as a drawback to the objectivist (McCabe,2000).

Summing up Raz's arguments which combine his perfectionist orientation with the multiple expression of value, we can recall the universal basis of his '*enabling*' *freedom*, the importance of *choice between incommensurables*, the condition of including solely *worthwhile* options in his pluralism and what Wallace (2004) detects in Raz's *negation of self-interest* i.e. the primary normative domain of liberalism. These positions support his attempted fusion between partiality (social dependence), diversity and objectivity of values by resisting relativism and affirming the possibility of knowledge of the good within a liberal framework. While I acknowledge the complexity of the debate on the universality and objectivity of values (Raz,1999,pp.118-160), the presence of

universal and somehow objective patterns of value is necessary. As Raz confirms, it is “a condition of the possibility or perhaps of the conceivability of knowledge, and a condition for the applicability of the notions of mistaken or correct (true) thoughts” (Raz,1999,p.120). Raz fulfils these conditions to the extent he coherently holds that the truth of value propositions does not depend on social facts. This is because such dependence would make value judgements contingent, with their acceptance relying on the axiologically arbitrary fact of membership in a particular culture. And “worst of all”, if thus contingent, the evaluative propositions “cannot be normative” (Raz,1999,p.146). Raz’s preoccupation here is justified since the absence of agreement on normative claims would have repercussions on the political level making neutrality more attractive. Gardbaum emphasizes that the truth of a rationally superior to others way of life does not suffice to endow it with self-executing political legitimacy if there is no agreement on its superiority; pluralism alone, without confirming its truth, requires neutrality; the absence of agreement on truth, and not of truth itself, is the crucial factor from the perspective of politics. Any stipulation challenging the intelligibility of normative claims can exclude from the political realm calls for the superiority of particular conceptions of the good. As Gardbaum argues, to be consistent to his underlying ethical theory as a liberal proponent of political perfectionism, Raz would have to demonstrate that at least some conflicts related to his value-pluralism and concerning conceptions of the good are rationally resolvable. In that event, he could potentially show that his particular species of pluralism is superior to its rivals, like he would need to have done without the incommensurability argument (Gardbaum,1991).

A Guide for the Consistency between Incommensurability and Perfection

I will use Gardbaum's logic here as a yardstick to measure the consistency between Raz's incommensurability⁵⁷ and his perfectionism. To include the substantive debate on the superiority of specific conceptions as part of the political discourse entails providing evidence that not all conflicts among moral ideals are incommensurable. The argumentation here intends to demonstrate that the concept of incommensurability *per se* implicates that not all comprehensive moral conflicts are impossible ones. This would entail that neutrality does not necessarily follow from incommensurability since the claim for the former -as purported by some of its advocates⁵⁸- denies this line of argumentation. Unlike relativism and subjectivism incommensurability ensures the reality of moral conflict. The fact that reasonable people can *disagree* on their claims suggests a genuine plurality of moral ideals which means that values are not necessarily consistent with each other (Gardbaum,1991). Expressing values or ideals which cannot be all realised simultaneously or during a person's life-time reveals a kind of incommensurability that "does not undermine the objectivity of evaluative thought. It merely leads to value-pluralism" (Raz,1999,p.159).

On the other hand, by claiming exclusive locality for truths, relativism dissolves genuine moral conflict. Raz could be interpreted as purporting something similar when he claims that "many culture-specific concepts, concepts which evolved in one culture...have no parallels in others". But he reassures us that "they are embedded in a conceptual framework which includes many concepts bridging the cultural gap, or which

⁵⁷While I embrace Gardbaum's conclusion on the possible co-existence between incommensurability and perfectionism I disagree with his intimation that this would undermine the coherence of the former (Gardbaum,1991,p.1360). Incommensurability does not necessarily imply complete incomparability as he assumes (Mason,2006).

⁵⁸See for example pp.130-1 above.

have at least near relatives in other cultures”, something that permits their evaluative judgement. “There are no human cultural islands which cannot be understood by anyone other than their members” (Raz,1999,p.158). As opposed to this, in relativism seemingly opposing principles do not actually conflict since no individual truth can apply across its own moral boundary. Moral conflicts occur only if more than one jurisdiction and set of rules hold for an issue, and relativism disallows such overlapping jurisdictions (Gardbaum,1991). For Raz, morality’s pluralism is not consisted of separate temporal segments. Resisting moral fragmentation, Raz develops his thesis for ‘the impossibility of radical moral change’, based on some moral -but plural- continuum, permitting the possibility of perfectionism and stressing the unsoundness of social relativism (Raz,1999). His thesis rejects “the compartmentalization of morality into a changing and an unchanging part”.

[M]orality cannot be partly universal and partly socially relative, unless the socially relative part is a mere application of the universal part. So it is not merely that every morality must contain a universal part...Its universal part must explain why the contingent part is cogent...[and] how social practices and other circumstances can make a moral difference. This means that social relativism is untenable even in the modest form which says that part of morality is socially relative (Raz,1999,p.181).

Incommensurability therefore should not be equated to relativism but to the claim that no common currency ranks the existing values. It suggests that rational people affirm a plurality of values, avowing that there is no *one* rationally compelling way of life. The possibility of genuine moral conflict is confirmed by rationalist means implying that *some* ways of life are superior to others. They are *reasonable* people the ones who could disagree on incommensurable values suggesting that some of the conceptions can be relatively *unreasonable*. This is certainly not analogous to the claim that any such

conception is as good as any other or that rational people cannot agree that some conceptions are better than others. If reason is the standard identifying incommensurable values some values *must* be irrational (Gardbaum,1991)⁵⁹. Incommensurability grounds the reality of moral conflict (which subjectivism and relativism dispute) by appealing to reasons that support not one rational outcome but particular moral conceptions of the good life. Therefore it is possible to say that one way of life is rationally superior to another, otherwise the incommensurability thesis does not overcome relativism's challenge. "But this is all the proponent of perfectionism needs", in this case Joseph Raz, "not to be ruled out in principle, to be able to reach the merits of [his] case". It is exactly the "state of affairs...all neutralist arguments aim to prevent". From this it follows that "the incommensurability thesis cannot provide a coherent grounding for neutrality" (Gardbaum,1991,p.1360).

In principle, Raz seems to agree with this rationale when in spite of designating the social dependence of the form of values he heightens also the independence of their goodness. "[T]he explanation of the goodness of any...valuable thing or option has to be relatively independent of the social practices which create that good". In an effort to combine the partial and objective part of values he highlights the importance of examining their normative properties. "We learn that not all goods are socially created...by examining the nature of the various goods". "[E]ven if all goods are socially created (and they are not), it does not follow that the explanation of...what makes them good consists in an appeal to the fact that the relevant social practices exist". The explanation "must consist in pointing to good-making properties..." (Raz,1999,p.154).

⁵⁹The expressions in italics are all emphasized by Gardbaum.

Gardbaum's thoughts on the possibility of combining incommensurability and perfectionism set the threshold Raz needs to surpass if his notion of value-pluralism is to have any compatibility with his concept of liberal perfectionism. If this is to be the case, he needs to provide a notion of incommensurability roughly fulfilling at least three basic conditions: A. while allowing moral conflicts, the values from which they stem we are unable to classify hierarchically, it should sometimes permit some kind of comparability between them in order to retain the aim of goodness as something intelligible and not relativistic. B. when this comparability is allowed, Raz has to concede that it follows some rational basis that allows reasonable choices: Reason seems to be a necessary axiological element for any liberal theory that does not want to be ultimately relativistic. C. while it reveals the social, historical, cultural, circumstantial and temporal dependency of goods and values which shape their conflict, at the same time it should permit that some values⁶⁰ have to be 'more objective or universal' in nature and more suitable than others in a particular application.

In practice, Raz's incommensurability -in terms of allowing rational choice between plural values- needs to be situated somewhere between Berlin's (one that tends not to allow such choice) and that of several value-pluralists⁶¹ that allows choice but without explicitly permitting rationality to govern it (one that does not employ rational reasons justifying it). It also needs to fit in a value-pluralism that permits his liberal perfectionism to take the precedence as a normative ethical and political ideal, that is, in value-pluralism like Williams describes it, i.e. as a thesis about values, not itself a political or ethical ideal (Williams,2003). Up to this point I presented some elements in

⁶⁰ For a liberal like Raz some version of freedom should figure among these values.

⁶¹ For theorists using roughly such strategy (e.g. 'practical wisdom') and for its complications see Mason (2006).

Raz's thought that are compatible with the incommensurability that I just sketched. It is time to examine other components in his work whose compatibility with it is either dubious or that are clearly uncongenial with such concept.

c. Questions about the Consistency between Value-Pluralism and Liberal Perfectionism in Raz

As Farneti notes, Raz tries to designate people's universal capacity to attach to valuable things as the basis for setting up a theory of the normativity of reason which may accommodate diverse judgements about value (Farneti,2006). Admittedly, it is not an easy exercise the one Raz intends to solve in, among other texts, Value, Respect and Attachment (Raz,2001), namely to reconcile the historicity and the universality of value. His attempted solution to harmonize them though cannot guarantee results of objectivity while it approximates a mere tautology. Thus, as offered below, Raz's solution is no more reliable⁶² than the one Kripke (1982) traces in 'Wittgenstein's paradox' by underlining the communally apprehensible aspect of the language games as the focal point of their truth and intelligibility: "Values have to be universal to be intelligible, for the explanation of why something is a value or has a value is...in terms of its general properties". For differences of space and time cannot help to explain "why a value can be instantiated here and not there, now and not later" and define its distinctiveness. "Such explanations would leave the difference between...two instances [of value] entirely unintelligible. So, the intelligibility of value entails its universality". Raz *does* struggle to

⁶²For Raz the development of common or translated linguistic codes is one of the means of shared apprehension and communication, of the cross-cultural practices through which the inherent intelligibility of values and morality spreads. Habituation, history, travel, writing, human imagination, etc can also form 'bridges' of universality for otherwise 'localized' values (Raz,1999,pp.157,181).

demonstrate that his thesis on universality of value is compatible with the historicity of value. As himself puts it, “I do not claim that all values emerge in time, but many seem to me to be historic creations, and I tried to show how that is compatible with their universality” (Raz,2006a,pp.80-1). Leaving aside the universality of the basis of freedom as an enabling value that Raz explicitly defends, it is doubtful if Raz complies successfully here with my third condition⁶³ of compatibility for his incommensurability. A universality that is exhausted in the intelligibility of values might be insufficient to support his perfectionist liberal claims.

Raz’s value-pluralism and the additional effort he puts to escape from accusations of relativism appear similar to Berlin’s. Berlin too goes to significant lengths to distinguish his version of value-pluralism from moral relativism (Robinette,2007), partly by arguing that some values or moral principles are universal in scope—among them negative liberty (Berlin,2002). However, he is less clear whether the priority of negative liberty—which he takes to be the core of liberal morality, is a principle that has universal application (Crowder,2003). Similarly Raz recognises that some moral requirements - including requirements about freedom- are universal in scope (e.g.2001); yet he also suggests that the value of autonomy -which he regards as the core expression of liberal morality today- is not universal in this way. Nevertheless, we can claim that Berlin remains a liberal because he maintains that preserving a certain minimum of individual liberty is a primary political priority. While his liberty is not the sole social good, not always outdoing other values, ethical pluralism furnishes it with special importance since to pursue genuine values people should be free (Cherniss and Hardy,2008). At the same

⁶³For the conditions assessing the compatibility of incommensurability and perfection in Raz, always refer to p.139.

time, however, Berlin seems to deduce the value of liberty from the conflicts of other values. He advances his concept of negative liberty as one enabling people to choose among conflicting goods and evils of impossible value (Gray,2000a). Gray seems to be right that, under value-pluralism, the same applies to Raz's proposed autonomy which cannot be privileged in comparison to other values. It appears difficult to accord it priority if value-pluralism is true. Autonomy is not a static conception among turning rival values. The way to advance it is controversial due to our divergent, according to value-pluralism, views of the good (Gray,2000a). After all, as seen below, although a detailed and well structured proposal for the form of freedom in contemporary liberal societies, as Raz concedes, his autonomy is not "a universal ethical ideal. It is an ethical ideal for it is necessary for a successful life in contemporary post-industrial societies" (Raz,2006a,p.79). In other words, as Gray implies, while both Berlin and Raz acknowledge that morality makes universal demands, neither asserts clearly that distinctively liberal values are among these demands⁶⁴.

Once more the problem here lies in the type of incommensurability Berlin and Raz use. Berlin often interprets it radically, as synonymous with incomparability. This raises the question on how we can rationally make choices between values when there is no unified system of measurement that can make such deliberations (Cherniss and Hardy,2008). While Raz appears keener to favour an incommensurability admitting the promotion of the choice of goods in his pluralism as well as taking seriously the choice between them, along with Berlin he does not explain adequately the non-quantitative or

⁶⁴We should not extrapolate from this that they are less committed liberals. "Contra John Gray [particularly 1995], [this does not] mean that [their] pluralism is incompatible with, or necessary undermines, [their] liberalism" (Cherniss and Hardy,2008). As shown below, *mutatis mutandis*, Raz's plurality and his perfectionist liberalism can converge significantly and quite consistently.

rule-based account of practical, situational reasoning that presumably⁶⁵ lies behind it. Like Berlin, he does not offer a methodical explanation of the nature of non-systematic reason needed to accompany his incommensurability to make it a meaningful part of his theory. When applied to Raz's liberalism this fact can imply confusion -related to my first and third conditions of consistency- about the sort of liberty he stands for. Raz doesn't do much to clarify the connection between his universal 'enabling' liberty and his more comprehensive 'local' autonomy. As a perfectionist liberal⁶⁶ he should have defended more extensively the comparative advantages of his type of liberty that make it 'valuable' in his eyes (condition A). This also poses a problem for the kind of perfectionism he defends, in the sense that it lacks weight in its legitimizing objectivity as a species of a liberal ideal (condition C). Still, there is an advantage in the underlying premises of Raz's liberalism in comparison to Berlin's, rendering the former less vulnerable to relativism.

We have to remember that for Raz "value-pluralism is the view that many different activities and forms of life which are incompatible are *valuable*" (Raz,1995,p.179, emphasis added). While Raz handling of it permits different readings of the link between his incommensurability and his perfectionist liberalism, it suffices to distinguish him from Berlin who does not orientate towards value⁶⁷ the agent facing alternatives (Robinette,2007). Raz purports showing that well-being is an objective issue,

⁶⁵This is if Raz's incommensurability is to be consistent with the perfectionist version of his liberalism.

⁶⁶Crowder (2002,2004) and Galston (2002b,2004) are other perfectionist liberals who more systematically sought to reconcile pluralism and liberalism. This implicated modifications to both liberalism and pluralism but, as Cherniss and Hardy (2008) assert, such alterations are "justifiable" and "inherently desirable". The current effort to reconcile Raz's value-pluralism with his perfectionist view of liberalism involves a similar process.

⁶⁷Berlin is less than Raz committed to the objectivity of goodness. Thus, he offers "no clear guidance about how to choose among options" apart from "the avoidance of human suffering". And "Berlin is aware that this is not particularly exciting" for a political theory (Robinette,2007,p.345).

not merely a function of individual or cultural belief. We can know the ways of life conducing better to well-being; namely those we have good reasons to accept as beneficial (Crowder,2002). It is Raz's commitment *against a neutral stance towards goodness* that here can be read as implicitly accentuating a certain universal in scope aspect of value, that is, in its abstract -not in its applicable- form (Raz,2001). "Once a value comes into being, it bears on everything without restriction" (Raz,2003a,p.22). And this comes from his intention not to avoid cross-cultural/social estimations of value while, at the same time, being cautious to avoid the imposition of his choice by respecting basic human features. Thus, his social dependency of (only) the *precise formation* of value prevails when he finds inappropriate the generalized application (or the enforcement) of liberal values since they were formed in certain societies and apply better in the advanced capitalist ones. Nonetheless, this does not lead him to abstain from moral value-judgements criticizing practices in illiberal societies, such as "the repression of gays..., racial discrimination or female circumcision" which he sees as "morally abhorrent". It is more the 'moral' (the more abstract) than the 'political' (the more practical) aspect that carries the seeds of -an otherwise underdeveloped- universality in his value-judgements about what he does not see as good. "We tend to regard values or principles whose application is not restricted to favourable social, cultural, or economic conditions as moral than political". In its practical implications the dependency of value unveils political principles and institutions contingently appropriate to concrete conditions of societies (Raz,2003a,pp.152-3).

But Raz also holds that this contingency of value "is in principle consistent with thinking that liberal principles and institutions...are superior to all rival political

principles and institutions” (Raz,2003a,p.153). Doesn’t it follow that if liberal schemes are beneficial only under certain liberal conditions, we should bring about such conditions? Sharing his answer with Williams (2003), Raz thinks we shouldn’t because the human need to live under culture, does not necessarily ‘translate’ into a need to live under the specific cultural form of liberal modernity (Raz,2003a). By fostering more his value-pluralism here, Raz highlights the dependency of the particular formation of value on contexts; he discloses its multiplicity and resists its enforced unanimous fabrication or imposition according to a single dominant cultural model. Adding this pluralist feature to his above remark on liberal principles and institutions, the core of which -irrespective of the contingency of their application- he perceives as transcending locality and partiality, one could put together a differentiating feature of Raz’s pluralist liberalism. Yes, his autonomy is a particular ‘political’ expression of liberty suitable and proposed for a certain type of society where it can maximize the good. But its underlining basis, the ‘enabling and facilitating’ value of freedom is one of his values non-dependent on social practices (Dancy,2005). And this, along with the normative guidance his perfectionism offers, is probably enough for his liberal thesis to avoid a self-defeating relativism. Razian freedom is an ‘enabling value’ because it allows people to have a life i.e. “to act pursuing various *valuable* objectives of their choice” (Raz,2003a,p.34, emphasis added). According to this reading his liberalism is implicitly presented as somehow having an advantageous relationship with the realisation of value.

If we follow this interpretation of Raz, it seems that his freedom, or autonomy as its particular formation for contemporary societies, is indeed in a privileged position to promote value. Under this interpretation, while autonomy is an essential part of good life,

it does not seem to be so much a substantive form of life in competition with the rest, but rather a manner to approach various ways of living (Crowder,2002). For Raz (1986) valuing freedom (as autonomy) implies an adequate range of valuable options to choose from, that is, it presupposes a conception of moral and value pluralism. Raz links value-pluralism and autonomy accentuating that the importance of this relation consists in both pluralism and autonomy involving the creation of value (Crowder,2002). But the argument here too seems to be incomplete due to the underdeveloped supporting evidence. When Raz implies that his version of pluralism is 'weak', implicating solely various conflicting considerations which permit choices involving trade-offs (Raz,1986) - not the strong Berlinian value-pluralism (Crowder,2003)- in theory there is no tension between his liberalism and his pluralism. Nonetheless, he never embedded clearly in his theory the necessary notion of incommensurability for their coherent connection; and this is apart from the fact that Raz suggests that by "assuming the value of autonomy one can prove strong pluralism" too (Raz,1986,p.398). Despite the largely unspecified 'weakness' of it, Raz after all aspires to adhere to a genuine notion of value-pluralism involving some kind of incommensurability. And while the creation of value is embedded in Raz's autonomy, it remains blurred what kind of incommensurability this creation of value implies in order to accommodate his plurality (Crowder,2002).

As Crowder suggests Raz never addresses this question adequately. There is no clear link between the way he construes his conception of incommensurability (Raz,1997) and his perfectionism. On the one hand the conditions (A and C)⁶⁸ I posed for a compatible with his perfection incommensurability are once more not consistently met. On the other, unorthodoxly, when the issue at stake is the nature of value, Raz's

⁶⁸ See p.139.

epistemology as viewed here does not remain neutral between ideas of the good, with liberty as autonomy -not justice or equality for instance- bearing a privileged relation with them. Despite his commitment to incommensurability Raz's epistemology seems to be promoting lives which, according to him, favour -all things considered- the quality of value. And one of his favourite ways to live is certainly the liberal one. Raz indeed seems to promote as feasible the choice -unclear if it is the necessary reasoned choice⁶⁹- between incommensurable options. That distinguishes his pluralism from Berlin's who accepts the potential inability to make reasoned choices between plural values and whose goods of liberty and equality can conflict fundamentally (Mason,2006). Crowder criticizes Berlin for overstating as perpetual the conflict between human ends (Crowder,2002). I suspect, contrary to Crowder's comment here, that despite literally mentioning it (Berlin,1969,p.171), Berlin's pluralism doesn't essentially claim that human *goals* always conflict; I think that the rivalry to which Berlin refers is more between human *ideals* or *values* (Berlin,1969,1992,2002; Cherniss and Hardy,2008). Yet, to the extent that he avoids rational and favours arbitrary choice between incommensurable values, Crowder may be justified to charge him with a form of subjectivism⁷⁰ (Crowder,2002).

On the contrary, attributing to Raz such strong incommensurability would be challenged by his view on the choice between incommensurate values. To the extent that the choice is justified as the outcome of subtle, indirect and incidental differences of

⁶⁹Mason (2006) argues that Raz favours weak reasoned choices among incommensurable options. A coherently reasoned choice could connect Raz's incommensurability and his perfectionism. See my second condition for a potentially consistent Razian incommensurability (p.139).

⁷⁰As Crowder (2002) notes, Berlin purports this 'subjectivism' only sometimes. Berlin and Williams (1994) repudiate it by insisting that we do make rational choices among plural values. For Berlin's defence from subjectivism see also footnote 54, Robinette (2007), Cherniss and Hardy (2008), Gray (1995),etc.

value or goodness linked with the circumstances of the chooser's life, we can infer that his perfectionism takes preference over his commitment to incommensurability. Even though two goods are incommensurable⁷¹ Raz may recommend pondering at length the option between them. It matters greatly which to opt for and it is reasonable to deliberate about the choice (Raz,1986,pp.332-5). It is anticipated that a decision making such a qualitative difference for a life needs serious contemplation before taken (Regan,1997). But this, according to Regan, discards Raz's incommensurability since it presumes value-comparisons. Here the criticism against Raz's choice between incommensurables as unintelligible⁷² comes from Regan who believes in the complete comparability of values (Regan,1997).

But Raz's way of choosing could also face considerable disapproval from a pluralist's point of view. Aiming at the intelligibility of choice between incommensurables, as Raz does, can contribute to a weaker form of incommensurability which would be more consistent with his perfectionist liberalism, for it permits more flexibility in pursuing a good life supported by choice. Nevertheless, the way he defends this position is unconventional -to say the least- from a value-pluralist point of view. He does not underpin his decision to clarify the choice between incommensurables with an account distinguishing incommensurability from incomparability to make the former compatible with a form of rational comparability. Raz has often used 'incommensurability' as synonymous with 'incomparability', something that should not necessarily be the case. As Chang's examples of economic and measurement theory

⁷¹ Raz's examples here are a successful life as a clarinetist and as a lawyer.

⁷²Raz's choice between incommensurables is considered unintelligible because it necessarily implies reasons supporting it, making thus the values commensurate in the first place. Yet, several value-pluralists who combine incommensurability with rational choice refute Regan's remarks (Mason, 2006).

indicate, the lack of a single scale of units of value -i.e. incommensurability- does not entail incomparability. To compare things we do not need to measure them precisely; “one alternative can be morally better than another without being better by 2.34 units”. Insisting that “comparable items can be ordinally ranked -ranked on a list- and need not be cardinally ranked -precisely ranked by some unit of value”, Chang concludes that incommensurability and incomparability are distinct (Chang,1997,pp.1-2). Thus, incommensurability does not rule out rational comparison of options. This is verified, among others⁷³, by Pildes and Anderson (1990) who argue that choices among incommensurable values can still be rationally appraised. Raz could have used such an inclusive notion of incommensurability permitting him to match it easier with his perfectionist account by revealing the *ad hoc* comparable advantages of his liberalism in contributing to the worth of lives. This strategy is not at all uncommon by value-pluralists who often assert heterogeneity without repudiating some ranking (Galston,2002b). Ranking incommensurable options by measuring their relevance to goodness permits pluralists to make comparisons between these options according to a super-scale that, as they argue, bypasses the super value⁷⁴ of a sophisticated monism. Such super-scale could be the ‘worth to one’s life’ (Griffin,1986;1997) or ‘goodness’ as the ‘higher-level synthesizing category’, with lower goods being constitutive means to the good (Stocker,1990,p.72). It could also be a ‘covering value’ that has plural values as its parts but transcends the value and the circumstances of the choice itself by considering the relevant external conditions which might determine what matters in choosing (Chang,1997;2004).

⁷³E.g. Heuer (2004,pp.141-4) who explains why Raz’s incommensurability needed a more extensive rational comparison of options.

⁷⁴A ‘monistic’ super value is according to these value pluralists a feature that the options have in common.

Leaving aside the possible criticism that such approaches could be subject to⁷⁵, Raz's perfectionism would have been reconciled better with their incommensurability implicating rational choice (my condition B). If and when he allows comparison between incommensurables, he is precisely criticized for not resorting to reason at all (in his earlier writings) or relying only to a 'weaker reason' (latter texts). Thus, in the former he often identifies incommensurability with incomparability (Raz,1986,ch.13), he claims that "in the choice between incommensurate options reason is unable to provide any guidance" and that often incommensurability "mark[s] the inability of reason to guide our choice" (Raz,1986,p.334,n.1). Later on, he is less stringent on the involvement of rationality in such choices arguing that they implicate not so much reason as whims (Raz,1997,p.127). In even more recent writings (Raz,1999), when Raz faces incommensurate options he appeals to 'basic preferences' that according to Mason (2006) implicate reason only in a weak sense⁷⁶. Criticizing Raz for exactly not using -or using too little- reason when facing choices among incommensurable options, Sunstein is another value-pluralist emphasizing the common presence of rational judgements in assessing choices of this kind. They are present in the 'extrinsic grounds' or the 'expressive considerations'⁷⁷ linked to the actual choice of the incommensurables or even, in the face of incommensurability, when judgements on worth are feasible⁷⁸ (Sunstein,1997). Sunstein's rationale, not requiring commensurability for choice,

⁷⁵ For criticisms to approaches of incommensurability allowing rational comparisons between options see Mason (2006,section 4).

⁷⁶ "On the weaker usage, an action is rational if it has not been ruled out by reason" (Mason,2006).

⁷⁷ Sunstein's 'extrinsic grounds' "count as reasons but do not depend on any judgment of overall intrinsic worth" (e.g. deciding to swim rather than eat, not because the first is intrinsically better but to lose weight). Sunstein's 'expressive considerations' are "not of overall intrinsic worth but of appropriate ways of valuing social goods and bads" (e.g. choosing between taking care of your sick kid or working) (Sunstein,1997,p.240).

⁷⁸ In the absence of exact metric ranking, incommensurable options can be chosen due to rational overall assessment of their aesthetic value (e.g. choosing a good concert and not a bad book) (Sunstein,1997).

diverges from Raz's stance on the issue. "It is odd and unnecessary to say" -as Raz (1986,p.327) says- "that a unitary metric necessarily 'lies behind'...all (rational or irrational) choices" (Sunstein,1997,p.241). Again, if Raz were to follow Sunstein's rational choice between diversified options, his incommensurability -complying with my second condition- would fare in a 'weaker' sense than it actually does.

This would match better with the classical conception of human agency that Raz follows (Raz,1999) to reaffirm his perfectionism. For Raz only what is good provides reasons (Stocker,2004). Given this, even if incommensurable options are rendered equally eligible by reason as Raz (1999) avows, the act of choosing one of them - particularly when a moral choice is at stake- should not be reduced to an 'un-intelligible' (non-rational) process decided on some blurred 'basic preference'. Yet, according to Raz such preference cannot even be a desire, since desires are based on reason, nor the result of us 'wanting' it. It is a 'mysterious' concept of will since in Raz it is blurred what determines its direction (Galston,2005). If I understand him correctly, Raz's claims approximate this (Raz,1999,pp.47-8) and he is justifiably criticized for reducing -with similar assertions- the importance of moral choices by employing a selection process of doubtful plausibility (Mason,2006).

In any case, the way Raz relates his classical conception of human agency to reasons for action and choices is not always easily decipherable (Stocker,2004). The problem described in this section (summarized in my three potentially bridging conditions) is if Raz links adequately his value-pluralism with the perfectionism that he also stands for. He promulgates a perfectionist conception of agency supported by normative reasons anchored in the value of ends, while consistently holding that they also

reflect the plurality of the realm of value. But in doing so he sticks to an overwhelmingly strong concept of incommensurability, neutralizing the role of reasons for choice, denying a context-independent way to classify normative considerations as moral or non-moral. This gives an impression of morality as a fragmented domain and undermines the normative force of 'moral' considerations, a central issue in Raz's perfectionism (Wallace,2004).

Notwithstanding the issues of consistency described above, one has to concede that Raz demonstrates in practice his commitment to value-pluralism by encompassing and propagating the diversity of multiculturalism. It is important to observe how his support for plurality evolves in this more tangible debate and how this relates to perfectionism.

d. Multiculturalism

According to Raz one of liberalism's responses to the phenomenon of diversity is to affirm multiculturalism. The latter is suitable in societies where stable cultural communities both wish and can perpetuate themselves (Raz,1994). It is intriguing to investigate their 'test of viability', necessary according to Raz to determine policy towards such groups (Raz,1986). It combines quantified requirements with qualitative features which, if present, support a multicultural policy which is in turn shaped by them. The idiosyncrasy of Razian multiculturalism, distinguishing it from exclusively non-discriminatory liberal policies focusing on rights, epitomizes his serious effort to combine in practice a perfectionist account of the human good with value-pluralism.

When different cultural traditions do not infringe on their members' autonomy and respect the limitation of coercion imposed by the harm principle, they pass easily

Raz's qualifying viability test. The troubling situation arises with the treatment of communities whose culture does not endorse autonomy. In that case, a serious precondition for their viability is "that their own culture is morally worthy", meaning that they should not harm others nor destroy the options of the non-members of these communities. When their culture flourishes in a society it should enable members of that society to have a satisfying and adequate life. Providing they do these, despite their scant regard for autonomy, their continued existence should be tolerated; if not, the case for toleration is weakened or even disappears (Raz,1986,p.423). Indeed Raz sets qualitative requirements which communities need to meet in order to be embraced as part of a multicultural society. He is entitled to do so consistently to his liberal perfectionism. "Different ethnic cultures need not be ethically equally good or bad, and we should not, at the fundamental level, make our selves blind to moral differences [i.e. be] neutral between them" (Raz,2003b,p.267). While he reiterates his commitment to value-pluralism, for Raz this seems to implicate his vision about a multicultural liberal society which presupposes an assessment of its would-be member groups. Clearly this transcends the protection of their individuals' rights and appreciates 'flourishing cultural' communities with valid and diverse ideals. Razian "multiculturalism differs from that which relies exclusively on nondiscrimination rights in rejecting the individualistic bias of the latter". It endorses nondiscrimination rights but is also accentuates two evaluative judgements. It respects freedom and prosperity as stemming from "full and unimpeded membership in a respected and flourishing cultural group" and it believes in value-pluralism, particularly "in the validity of the diverse values embodied in the practices of different societies" (Raz,1994,p.69).

Raz's reasoning to defend multicultural policies is inevitably founded on his personal perception of freedom as autonomy, a rigorously normative notion. Razian liberty as "action in accordance with reason" presupposes available options to choose from, while the process of selecting between them "presupposes a culture"; the common interlocking practices of the latter make options available to its members. Therefore, "membership in cultural groups is of vital importance to individuals" (Raz,1994,pp.70-1). For Raz freedom as autonomy and the chances to succeed in life crucially depend on particular cultural and social conditions (Peters,2003). Thus, he subscribes to multiculturalism as a result of the kind of freedom he stands for and *his* multiculturalism is shaped accordingly. Paralleling his substantive freedom, Raz's selection process of eligible cultures prioritizes the ones who can offer conditions for prosperity and unimpeded participation -as well as exit options- for their members. This matches the account of other liberal defenders of multiculturalism who, as part of their 'logical' insights, use too a normative concept of freedom; this complements and corrects the subjective historicising of moral judgements that an uncritical acceptance of diversity would otherwise convey. For Bellamy and Zvesper respect for multiculturalism derives from the objective value of freedom to human flourishing and from the variety of cultural practices providing worthwhile options to exercise that freedom (Bellamy and Zvesper,2002). The bond between freedom and the provision of optimal conditions for a valuable and flourishing life convince Raz too that *a* multiculturalism facilitating such conditions is indispensable for any realistic liberal political proposal (Raz,1994).

Despite what Raz describes as an overwhelming acceptance of multiculturalism on the part of liberals, several of them do not hesitate to challenge his distinctive

approach on the issue. The most disputed points are the ones that his critics see as an unfair treatment of illiberal cultures. Despite the tolerance that Raz instructs for cultures that fall short of his ideal of freedom, he does not deny that “some cultures or aspects of cultures are unacceptable and should not benefit from the positive attitude that multiculturalism stands for” (Raz,1994,p.75). Slave, discriminatory and homophobic cultures are cited as examples. While I do not think that many liberals would struggle to preserve such repressive attitudes, illiberal cultures are not always so extreme. And allegedly Raz discriminates against them as a whole. Kymlicka charges him with the view that illiberal groups do not deserve any support, only autonomy-respecting ones do (Kymlicka,2003a). Pippin surmises that Raz holds that illiberal societies are ‘inferior’ to liberal ones (Pippin,2003). McCabe too points out that at least in his earlier approach Raz (1986) regards the nonliberal communities residing within liberal regimes as inferior, justifying their assimilation (McCabe,2002). Nevertheless, McCabe also connotes that Raz’s stance on treating nonliberal communities within liberal society is not that simplistic. This is certainly the case if one juxtaposes the above statements to Raz’s assertion that value-pluralists “reject the hubris of the moderns who believe that our ways are superior to those of all other human civilizations” (Raz,2003a,p.43). It is also true that Raz has affirmed that judgements about the inferiority of different cultures compared to ours are very frequently “based on bigotry and ignorance” and that in fact many cultures are not comparable in those terms. “Each of them is valuable. Each of them can be improved in a way consistent with its own spirit and out of its own resources. But none of them can be judged superior to the others” (Raz,1994,p.75).

Examining Raz's value-pluralism from the perfectionist perspective of his theory may falsely give an impression vindicating the critical evaluations of his multiculturalism as 'narrow' and autonomy-enforcing. Hence Pippin argues that Raz's perfectionist account of the human good, identified as autonomy in a context where plural morally acceptable ends are available, is used as an objective criterion to rank societies as superior and inferior (Pippin,2003). But only if one, in a selective manner, draws his conclusions exclusively from some earlier comments Raz made, he could justifiably attribute to him such flattening axiological bias in evaluating societies. Thus, momentarily he seemed to hold that his perfectionist principles approve taking action to assimilate minority groups. However, in the same text he quickly adds that this would be an inapplicable supposition. Even in the case of "autonomy-rejecting" groups, to wrench their members out of their communities may exclude them from having any kind of "normal rewarding life" simply for not building up their capacity for autonomy. And the "rewarding life" is at the centre of Raz's perfection which hence at the end underpins his multiculturalism. "Toleration is therefore the conclusion one must often reach. Gradual transformation of these minority communities is one thing, their precipitate disintegration is another" (Raz,1986,p.424). Later on Raz is more disposed to acknowledge endearing properties even in illiberal communities. "Given that even oppressive cultures can give people quite a lot", we "should be particularly wary of organized campaigns of assimilation and discrimination against 'inferior' and oppressive cultures. They provide many of their members with all that they can have" (Raz,1994,p.76). This is an explicit disposition of Raz's acceptance of diverse ethnic and religious groups, exemplified also in the practical political measures he proposes. He suggests that the young of all cultural

groups (if their parents wish so), apart from being educated in their own culture, become familiar with the other cultures in their society. Respecting only the basic harm stipulation, groups' customs should be accommodated in law and in all institutions which serve the public. Economic conditions should be ameliorated for ethnic groups, their autonomous cultural institutions should get state-support and public spaces should be available to all cultural groups (Peters,2003).

Encouraging a 'harmonious coexistence' of heterogeneous communities does not indicate that Raz is retreating from his view "that oppression should not be tolerated". He still prioritizes the "opportunity to exit from a group" as vital for its oppressed members, and political measures discouraging oppression in cultural communities (Raz,1994,pp.76-7). He also withdraws his support to illiberal groups when serious coercion cannot be avoided through exit from the group, and where alternative policies which can ameliorate the conditions of the oppressed exist. Summing up his reaction towards repressive attitudes he is urging for restraint and moderation in the means tackling them. He generally favours a slow process of 'rehabilitation' through which they are mitigated by mixing with liberal attitudes (Raz,2003b). This presumes that the 'common culture' of the country is fortified by multicultural education with mutual respect among different groups and by the active interaction and membership of all communities in the same economic and political environment (Raz,1994). The prospect of illiberal groups participating in such a common culture and thus gradually changing in a less oppressive direction "is more promising than any heavy-handed state attempt to reform them, let alone to suppress them" (Raz,2003b,pp.266-7).

Does the limit he poses on tolerating repression and the subsequent gradual 'rehabilitation process' that Raz subdues its bearers constitute an 'improper' (for an advocate of multiculturalism) bias in favour of an autonomy-centred culture? And on what philosophical foundations does he justify such limits of repression and a subsequent 'rehabilitation process'? Regarding the first question and based on Raz's remarks which discourage comparative assessments of cultures (Raz,1994;2003a), there is nothing seriously deviant in his proposed multiculturalism. Such estimation is furthermore reinforced by Raz's denial that he opposes supporting illiberal groups (Raz,2003b,p.266), providing that they offer sufficient conditions for their members well-being. Despite its receptiveness to accommodate distinct cultures and its readiness to tolerate even the ones that do not abide by liberal ideals, multiculturalism is 'locally' produced⁷⁹; its value-plurality is somehow 'our way', being a distinct product of the liberal, democratic, humanistic tradition, foreign to other societies (Pippin,2003). As such, and in its Razian liberal version, on the one hand it invigorates the diversity of a plural society but on the other by default -and consistently to its principles- it also has to set some kind of limits to that diversity. Thus, as propagated by Raz, liberal multiculturalism *has to* insist on protecting freedom curtailing aspects of cultures that systematically oppress members or outsiders (Bellamy and Zvesper,2002); there is nothing deviant in that. Promoting a diversity of cultures does not entail tolerating or encouraging their maximum number without caring about their content and interrelationships; there are cultures hostile to others and to cultural multiplicity. Thereby Raz's support for a multiplicity of cultures within the same political society is tempered by a necessary limiting framework. Yet he

⁷⁹ It is inevitably the product of a concrete social and historical context.

also maintains that this limit should be as faint and discrete as possible and that is why he, among others⁸⁰, holds that the optimum framework is a liberal one (Crowder,2002).

Regarding the second question, i.e. the philosophical foundations that could justify Raz's preference in containing excessively repressive features of illiberal cultures, we could consider certain options as expedient to express his perfectionist version of multiculturalism. One is to regard the repressive aspects of a non-liberal community not as intrinsically reprehensible but insofar only they take place within a liberal society whose social forms reflect the prominence of autonomy. It would appear thus that Raz's focal point is that by not preparing its members for liberal life such community damages greatly their well-being prospects (McCabe,2002). *It appears* that this is the case when Raz's general allegation regards autonomy and liberalism as transient, ethically legitimate and valuable for certain societies but not for others (Raz,2003b). I believe such comments intend to stress more Raz's aversion towards 'liberal colonialism' and reaffirm his commitment not to betray a genuine cultural diversity. Yet they do not comprise the main and sole reasoning underpinning the liberal character of his multiculturalism. The latter consists more of the common elements he features between his 'locally' historicized and developed liberal culture and its moulding 'universal' morality which he uses, as we saw above, to contend against ethical relativism. That "multiculturalism imports the existence of a moral chasm between...different traditions and communities in society...is incompatible with an understanding of the nature of morality". True, multiculturalism might give "rise to problems of communication and of comprehension" but Raz also maintains that "*there is something to communicate and something to*

⁸⁰E.g. Crowder (2002), Kymlicka (1989,1995) who believe too that the plurality of multiculturalism is best accommodated within liberal limits.

comprehend. There is a morality which applies to all the traditions and all the cultures, a morality which bridges the divide between them” (Raz,1999,p.181, emphasis added). Reaffirming that he resists ethical relativism, he asserts that “there are ethical values, and principles, which apply to all, and to all human societies at all times” (Raz,2003b,p.266).

It is worth noticing here that his ‘liberalized’ -in its guiding lines for communities- multiculturalism amounts to a ‘fusion’ of local and universal underlying foundations. After all, he is the one who reiterates that “the fact of multiculturalism cannot have much bearing on moral epistemology unless it bears on moral truths” (Raz,1999,p.161). While never explicitly acknowledged as such by Raz, this amalgamation stems from his view on how he perceives ‘global’ ethical unity. His perception of it approximates his ‘localized’ perfectionist concept of autonomy. Thus, the principles governing this unity “include duties of respect to people, which include duties not to deny them conditions needed to enable them to lead worthwhile, fulfilling lives”. If you add to the “duty of states” to provide the necessary conditions for human flourishing the ‘universal’ worth of freedom as an “enabling value”, it becomes apparent that the ethical unity for which Raz stands for converges towards his perfectionist liberalism (Raz,1999,p.161). As Crowder corroborates, the perfectionist strand of the pluralist case for liberalism has at its centre the commitment to autonomy, following from the demanding nature of pluralist choice-making. And Raz demonstrated that autonomy and culture are not wholly opposed; autonomy requires a cultural basis since any coherent life depends on the availability of a cultural map as a guide for the pluralist choices facing her (Crowder,2002). For Raz autonomy presupposes an adequate range of options from which to choose and “one’s culture sets the horizon of one’s opportunities”

(Raz,1994,p.71). He also shares Kymlicka's view of people as being seriously bound to their cultural community entailing that we cannot just 'transplant' them from one culture to another (Kymlicka,1989).

The conclusion from all this is that, while not unambiguously depicted in a 'holistic'⁸¹ philosophical explanatory scheme, Raz's characteristic multiculturalism is circumscribed by his perfectionist notion of autonomy. Multicultural societies, due to necessity, provide a greater range of cultural options (Crowder,2002) and hence potentially of autonomy. Raz affirms that, to retain the adequate range of choices, cultures should not be excessively oppressive but thriving. The two are mutually exclusive in a liberal context. If the cultural group is intolerant to its members 'a very slow' and careful transformation process is apt to gradually turn it to a flourishing one (Raz,1994) without transplanting its people. Raz's autonomy is cogently complemented by universal elements like membership in *any* flourishing culture respecting its members and the enabling value of freedom. For Raz these are the central elements of normative political theory which in reality form the basis of his pluralism. The distinctive perfectionist part of his liberalism is particularly congenial to conceptions of 'multiculturalism', understood as political support for various cultural communities (Peters,2003). Deveaux acutely points out to this by adding that Raz's "liberal perfectionist premises" ensure respect for cultural minorities more readily than other neutralist liberals do (Deveaux,2000,p.473). Nonetheless, tying the well-being and autonomy of individuals to their cultural membership as Raz does (Kymlicka,2003a) to

⁸¹Combining the 'local' and 'universal' philosophical elements that his multiculturalism as closely related to his perfectionist autonomy presumes.

found his multiculturalism, does not avoid criticism⁸². However, even if the philosophical foundations of Raz's multicultural proposals can be contested, most of his concrete recommendations are shared by other liberal theories of multiculturalism (Peters,2003).

It is time to turn to a more thorough investigation of the core conceptual framework related not only to Raz's value-pluralism but to his whole distinct vision of liberalism. It is time to study him as an unequivocal advocate of perfectionism.

ii.Raz as a Perfectionist

Like Mill did with his ideal of individuality, Raz suggests a general mode in which people can live their lives in a liberal society if they are to be considered free in a politically relevant manner. He brings forward his idea of a good liberal life because he believes that ideals of human flourishing should inform conceptions of political morality. He rejects the view of the latter as producing sound conceptions of the good only insofar these conceptions are universally accepted. After all, as we saw, he believes there is a wide plurality of reasonable views on ideals of the good and, intentionally or not, political action will favour some over others. Given the circumstances of our societies and in order for liberal aspirations to be accomplished or not devitalized, Raz propounds that political morality should actively favour sound ideals of human flourishing like the ones he incorporates in his conditions for autonomous life. Thus, while he shares with several contemporary liberals the noble intention to capture the core of liberal ethos by promoting plurality and autonomy, for him autonomy requires perfectionist ideas and state assistance. He focuses on the cardinal moral affirmation of autonomy together with pluralism as aspects of an ideal of the good leading to a perspective of the political

⁸²See Waldron (1995) and Deveaux (2000).

founded on tolerance but not on neutrality (Raz,2002). Raz's perception of autonomy and the condition he poses for its attainment (section b) match well with the way he expects the state to be functioning in a liberal context and with the kind of legitimization he attributes to authority (section c). In showing that, despite some theoretical complications, Raz's perfectionism follows a logical sequence founded effectively on the meaning he ascribes to autonomy and in accordance to the role he anticipates authority to play, the present approach intends to fortify the currently debilitated stream of perfectionist liberalism. Even when viewed as a resourceful exoneration of liberal perfectionism (chiefly by perfectionists), Raz's argument is more often castigated than praised, partly due to the contextual defence it uses (McCabe,2002). As we will see, even if McCabe's point has some credibility, overall Raz's perfectionism remains a viable proposal that, *mutatis mutandis*, could shape and redirect the course of contemporary liberal political theory away from its prioritization of moral and state neutrality.

Before proceeding to the analysis of the constituent components of his perfectionism, we should see how Raz actually uses the term embedded in a political context. In tracing the logical continuation of his reasoning, it is also expedient to investigate the political thrust of his normative effort to analyze "the value of political freedom and its proper role in our society" (Raz,1986,p.265), as well as to recall briefly where his idea of its perfectionist conception originates (logically and historically) from.

a. On the Political Use and on the Roots of Raz's Perfectionism

Regarding the first issue, an important preliminary element is that Raz believes that in normative political theory the public and private conduct is 'of a piece' and that no sharp divide exists between them or between the considerations which bear on them. For

him the entire notion of normative political theory is an aspect of ethics, i.e. of theoretical reflection on how to guide our life and conduct (Raz,2006a). It is in the light of this that we have to probe the political use of his term 'perfectionism'.

[T]he label 'perfectionism' is used to indicate the rejection of views which take political actions to stand apart from other actions, being subject to their own special practical reasons. This remark makes 'perfectionism' sound like a negative doctrine, a rejection of the division between ethics and normative politics. There is...an additional, more positive element in it...expressed as the endorsement of humanism in politics, that is, endorsement of the idea that politics has to do with the advancement of human well-being (Raz,2006a,p.72).

For Raz, blending normative political theory and ethics is fundamental in enabling the necessary reflection that could potentially guide people when their conduct has a political dimension. Thus, he does not see why the fact that "one would be showing disrespect to another if one ignored moral considerations in treating him" (Raz,1986,p.157) should be exempted from exploration in the conduct related to the political sphere.

Concerning the political thrust behind Raz's deliberation over the interplay of freedom, good life and society, it is evident and it permeates all his 'liberal perfectionism' as Farneti (2006), among others⁸³, labels it. His reflection upon the morality and value of freedom is deeply political. "It is a perfectionist view of freedom, for it regards personal political freedom as an aspect of the good life. It is a view of freedom deriving from the value of personal autonomy and from value-pluralism" (Raz,1986,p.265). Raz uses a solid basis of rationality and value to describe his freedom as self-determination. Stocker's (2004,p.304) claim attributed to Raz's view of free acts - relating their intelligibility with reasons and goodness- is plausible, at least in relation to the normative part of his freedom. Raz relates deliberately the latter to the active and rational part of our selves. The control of our will and intellect is more in 'submission'

⁸³E.g. McCabe,2002.

“to the laws of rationality rather than in the absence of any shackles” (Raz,1989,p.1178). Political “freedom is valuable” insofar as it is “a concomitant of the ideal of autonomous persons creating their own lives through progressive choices from a multiplicity of valuable options” (Raz,1986,p.265). And Raz never doubts that such perfectionist freedom belongs politically to liberalism.

He also stresses that the core idea of his concept is no ‘parthenogenesis’; on the contrary, it is a familiar one which used to be very popular (Raz,1986), not only because it is underpinned by the familiar Kantian insight about the ‘laws of rationality’ (Raz,1989). The seeds from which it originates are present in a thought known to western civilisation since Socrates and expressed powerfully in Plato and Aristotle (Raz,2006a). It is true that Raz uses a ‘classical’ conception of human agency which he likens to the ones held by Plato, Aristotle and Kantians (Raz,1999). Aristotle disseminated and expounded it in its political expression, conceptualizing legislators ensuring good citizens and using the appropriate institutions to this end (Aristotle,1958). Concisely, for the classical view if there is no good in something, there is no reason to do it (Stocker,2004). Accordingly, Raz’s classical view sees reasons for action as anchored in the value of ends and activities, reflecting the diversity characterizing the realm of value (Wallace,2004). The prevalence of this ‘classical’ thought is characteristic of Raz’s approach to liberalism, differentiating it from certain “recent times trends in moral philosophy”, “theories of instrumental rationality”, “of consequentialist morality” and of ‘neutral’ orientation, trying to “impose a regimented and impoverished range of concepts which are supposed to be the only ones used in practical thought” (Raz,1986,p.265). Galston verifies, that most contemporary liberal theorists deeply mistrust what Rawls called ‘perfectionism’

and the effort to aim at good as a goal of political life. He reaffirms that they combine this scepticism about theories of the good life with a belief in philosophically defensible principles regulating relations among individuals (Galston,2002a).

To overcome such theories and appreciate liberal thinking as resting on similar to Raz's concepts of pluralism and autonomy, one has to embrace the centrepiece of his 'classical' approach and agree that narrow self-interest *per se* does not constitute an interesting normative domain (Wallace,2004). Since its early formation, Raz's effort to explicate normativity (Raz,1975) aimed to capture the structure of practical reasoning and apprehend the layered relations between reasons at various levels (Waldron,1989). His perfectionism rests partly but soundly on what he calls a 'logical point': A good act or state of affairs entails reasons to do it since evaluations are connected with reasons. It is pointless to say that a state of affairs is good but that fact is no reason to do anything about it. And Raz's argumentation culminates with a rhetorical query directed implicitly against 'neutralist' liberals. "If the value of our actions or their consequences is no reason for action, then what can be such reason?" (Raz,1989,p.1230).

Raz's perfectionist theory includes a serious effort to compound a liberal scheme that fits the sensible, prudent and constructive moving force of value as a reason for action together with the choice of any autonomous agent. It contains an interaction between impersonal reasons guiding choice and the individual's initiative to opt for his own life. This delineates the contours of that person's well-being by adding new reasons. "This interplay of independent value and the self-creation of value by one's actions...provides the clue to the role of the will in practical reasoning" (Raz,1986,p.389). By playing down the independent role of desire-satisfaction Raz

displays its possible contrast with the agent's well-being as embodying the first and the third person perspective. He emphasizes that often people who aim only at their own well-being cannot prosper. Nonetheless, he is also quick to add that when people do not act in such way, it does not entail that they do not value their well-being (Raz,1989). Bringing, however, into play more independent factors like the false or true premises of one's action and the measure of success for its justification, aims to dismiss a strict division often assumed by 'neutralist' liberals. "There is no essential conflict between individuals' concern for their own well-being and their moral obligations,...there is no conflict between one's reasons arising out of considerations of one's well-being and reasons constituted by other values" (Raz,1989,p.1217). This is a crucial feature of the Razian perfectionist rationale and Wallace acknowledges its emphatic force by stating that Raz rightly urges us to reject the simplistic idea of a fundamental contrast between morality and self-interest (Wallace,2004).

Raz underscores that while "according to Rawls, people care most about their ability to realize their own conceptions of the good", himself is "inclined to say that they care most about realizing the sound conception of the good" (Raz,1995,p.82). But Rawls' antithesis to perfectionist criteria is based on the conjectural validity of a two folded argument. Firstly, he attributes to people a justified in his eyes reservation to confide with such criteria because of a putative possibility. After the 'veil of ignorance' is removed, people may find that their conceptions of the good do not conform with such criteria and therefore that they are disfavoured and discriminated (Rawls,1973). But if people's conceptions of the good are in fact less worthwhile than others, it is unclear why they should care if they are disfavoured. Indeed it would be unreasonable to regard false

conceptions as equally valuable to those known to be genuinely fulfilling. The second part of Rawls' argument implies that despite reasoning in good faith people fail to identify objective elements of the good. But this would entail scepticism about the human good and within Rawls' argument, scepticism is unsupported (McCabe,2000). While it is contestable if he avoids the pitfall of sceptical or subjective underlying assumptions, Rawls equates his political liberalism with a conception affirmed on moral grounds, not with mere *modus-vivendi* (Rawls,1993).

Raz's critique of neutrality is surely not identified with a claim simplistically equating (all) neutralists with moral relativists or sceptics⁸⁴; after all his criticism is addressed towards anti-perfectionists like R.Dworkin who opposes any taint of subjectivism about ethical value (Mulhall and Swift,1996). Rather, Raz argues that being just to people—as Rawls aspires to be (Rawls,1973;1993), or respect for persons—advocated by R.Dworkin (1985,1988), does not demand political neutrality in regard to conceptions of the good. Hence, Raz and neutralists like Rawls and R.Dworkin differ on what morality requires, not about whether there is moral knowledge. Unlike Rawls, Raz opts to develop and defend a perfectionist view. And for him the main arguments for the 'naturalness of perfectionism' (Raz,1989) stem from propositions predicating a comprehensive notion of autonomy. While he emphatically opposes the political promotion of a single criterion of the good life, for his perfectionism there are morally better and worse ways to pursue life. And against the claim of all neutralists, the task of

⁸⁴ Apart from R.Dworkin, more anti-perfectionists are not necessarily sceptics regarding moral knowledge. Barry's (1994) 'constitutional neutrality' and his liberal theory of justice as impartiality do not favour any conception of the good (Kelly,1998). Yet, Barry rejects the charge of relativism (1995,2002), with Lukes actually criticizing him for a too strong universal blueprint of flourishing undermining (Lukes') liberalism (McCabe,2005). Still, some theorists charge Barry's liberalism with scepticism and relativity in relation to our ability to know the good (Long, 2004).

the state to encourage or discourage these ways of life respectively is for Raz highly recommended. When drafting laws the democratically elected government should consider what is good and valuable and what is ignoble and depraved (Waldron,1989).

After these preliminary reflections on the political aspect and the underlying foundations of Raz's perfectionism, it is time to turn to the, along with his pluralism, foremost components of his theory. Namely, it is time to turn to the analysis of his rich notion of autonomy and of the role the state plays for its shaping and for his perfectionism as a whole.

b. A Comprehensive⁸⁵ Notion of Autonomy

Emphasizing the existing diversity of its conception, Raz says that “autonomy is a much-used word to indicate both a variety of ideals, and a variety of undesirable conditions” (Raz,2006a,p.78). Barring a deeper value traced in calling people free, the controversies about its meaning are long-lasting (Waldron,1989). Given the close but occasionally subtle connection between freedom and autonomy and due to the elusiveness of the latter, its description can end up being tendentious (Sher,2002). Rosenblum too draws our attention to the possibility of creating an autonomous individual as a fiction serving a specific theory of politics (Rosenblum,1987). Raz is conscious of the danger of an account with despotic characteristics and he tries to dismiss it. He warns the reader of the variety of prevalent ideals, and of the fact that in writing about autonomy he refers only to one of them, not to instigate rejection of the others, but

⁸⁵The term ‘comprehensive’ is used both in its literal and in its recently acquired in political theory meaning. The first refers to Raz’s inclusive autonomy and the second to the labelling of liberalism or autonomy as ‘comprehensive’, ‘perfectionist’, or ‘ethical’ (Gardbaum,1996).

because he regards it as the most directly relevant to contemporary political thought (Raz,2006a).

Raz uses his notion of autonomy as a normative conception. He attempts to do that by constructing an ideal of autonomy asserting not the fact, but the value, of autonomy (Gardbaum,1996). Distinguishing it from his unelaborated methodologically (unless otherwise specified) term of freedom, Raz largely denies autonomy as an end that cannot receive external justification. He rejects the claim that prioritizes pursuing our purposes with a minimum of interference subscribing to Taylor's view of autonomy as important to us because we are purposive beings (Taylor,1979). Accomplishing our goals appears desirable and attainable partly through our striving. And Raz's perfectionist freedom expressed as autonomy is valuable because it permits us to pursue our good (Galston,2002a). It "is a constituent element of the good life". All this is depicted in his principle of autonomy which requires securing the conditions of autonomy for all people and yields duties going "far beyond the negative duties of non-interference, which are the only ones recognized by some defenders of autonomy" (Raz,1986,p.408). According to Galston neutralists like Ackerman, Rawls and R.Dworkin concentrate on such a 'non-interference' defence of autonomy, insisting on a futile, and undermining of the force of liberalism, negation of holding an underlying conception of the good (Galston,2002a).

While I agree with Galston that this is the general tendency among many neutralists, it seems to me that the case of R.Dworkin can be distinguished for a couple of reasons. It is not clear that Dworkin holds a non-interference view of autonomy. He has argued for positive welfare rights as being required by his conception of respect for persons, and as being necessary if autonomy is to be realised. Where Dworkin differs

from perfectionism is not in taking a negative view of autonomy but in arguing that fostering autonomy does not involve promoting a particular view of the good life, rather the possession of certain capabilities (Dworkin,1988). Yet, on the other hand, despite his commitment to the contrary, his view faces at times considerable difficulties to be reconciled with his professed intentions for neutrality. In earlier writings, in line with the mainstream neutrality of political liberalism, he accepts as politically relevant primarily the given expression of people's good life, be it "life of contemplation" by a scholar or "television-watching [of a] beer drinking citizen" (Dworkin,1985,p.191). By not paying due political attention to the way 'what gives value to people's life' is formed, at this stage, he abides by a concept of autonomy representative of mainstream political liberalism which is not concerned much whether individuals adopt ways of life because of authority, tradition, cultural isolation, or impoverishment rather than as a result of genuine choice (Gardbaum,1996). But when Dworkin holds his government responsible for the cultural background in which people decide how to live, supporting "collective decisions about which lives to promote or recommend as better" (Dworkin,1988,p.272), he violates his own understanding of the sense in which the state should be neutral (Mulhall and Swift,1996). A precursor of this is also his endorsement of a rich cultural structure multiplying distinct possibilities of value, the richness of which should be preserved for future generations. Dworkin advances as better for people the availability of complex and deep forms of life to choose from (Dworkin,1985). Advancing a culture with opportunities which reflective people see as 'part of living well' implies that Dworkin's 'rich and diverse' culture is not defined without invoking judgements about

the worth of cultural products. Thus, it is far from clear that he relies on a value-neutral interpretation of cultural richness.

Actually, Mulhall and Swift note that Raz's perfectionist liberalism in favouring state support for background culture resembles remarkably Dworkin's reasoning which "is not as neutral...or as anti-perfectionist as he sometimes suggests" (Mulhall and Swift,1996,p.306). While Dworkin does not generally enforce its ethics through criminal law, he approves enacting legislation to improve ethical consciousness in other, less coercive, ways (Dworkin,1988). Dworkin's conception of equal respect employed to justify political practices of this kind takes into account undue influences (not only state oppression but also tradition, authority, poverty, etc) that shape free choice (Gardbaum,1996); in a sense it is one which poses Razian-style conditions for autonomy. Dworkin's 'free and independent people' disagreeing about political morality and wisdom comprise therefore a political community of comprehensively autonomous agents (Raz,1986). For him the legal conception of integrity is attractive exactly because it permits us to conceive such political community. Not political liberalism but Dworkin's conception of 'free and independent' (not simply 'disagreeing') people acquires normatively central political importance (Gardbaum,1996), approximating considerably Razian autonomy. Mulhall and Swift confirm Gardbaum's conclusion claiming that Dworkin's defence of liberal equality equals after all the perfectionist variant of liberalism which he resolutely condemned at the outset (Mulhall and Swift,1996).

Nevertheless, mainstream liberal neutralism insists that even if knowledge about the good is available, implementing it by state action breaches individual freedom

(Galston,2002a). And this is the ground for concentrating on a 'non-interference' defence of autonomy. But for Raz autonomy-related reasons leading to duties of non-interference lead to other duties too unless counteracted by conflicting reasons. Such countervailing reasons are sometimes present but confining the duties of autonomy solely to non-interference is for Raz a crucial mistake. "If the duties of non-interference are autonomy-based then the principle of autonomy provides reasons for holding that there are other autonomy-based duties as well" (Raz,1986,p.408). As an essential ingredient of the good life Razian autonomy and its principle impose duties to secure for all the conditions of autonomy (Raz,1986).

Against a Right to Autonomy

Talking about autonomy-based duties, however, might be responsible for a serious misunderstanding threatening to 'reduce' Raz's whole account to a conventional defence of autonomy as a right. As Waldron postulates, since Raz believes that concern for autonomy implicates enabling people to have a good life and that duties to promote autonomy stem from people's interest for a valuable autonomous life, it follows that people do have a right to autonomy. Waldron backs his claim by contending that the willing participation of the people who would have to carry out the duties for securing such an autonomy would vindicate at least its partial justification as right-based (Waldron,1989). Raz accepts this last point, meaning that there are "partial rights based on people's interest in autonomy" (Raz,1989,p.1223) since "many rights contribute to making autonomy possible" (Raz,1986,p.151). Yet, he negates Waldron's outright assertion that there is a right to autonomy. It could have been the case, Raz maintained, only if the right-holder's interest justified retaining other people to be duty-bound to her

for the provision of a social environment necessary for the potentiality of her autonomy. But the interest of one cannot justify holding so many under burdensome duties in basic aspects of their lives. Thus, it follows there is no right to personal autonomy (Raz,1986). Nonetheless, Regan insists that Raz's discourse for duties to promote autonomy consolidates the argument for 'a peremptory reason' to do so, based solely on the individual's interest; something that in itself justifies attributing to autonomy the status of right. This should be the case, according to Regan, because the duty to promote autonomy cannot depend on how diffused the effects of complying with it are for the (slightly) affected individuals. On the contrary, the issue whether there is a right or not to autonomy should depend on the answer to the question if the interests calling for autonomy are of 'a special character'. And Raz has absolutely no intention of disclaiming that (Regan,1989).

Maybe Raz's choice of the specific terminological path -using autonomy-based duties and contributing rights- to repeal the arguments of the rights-theorist is indeed precarious; maybe all he needed to show is that the significance of autonomy vanquishes anything rights can capture (Regan,1989). But Raz has particular reasons to distance himself from right-based theories and, in any case, he successfully maintains that his notion of autonomy transcends a possible rights-centred line of reasoning for its defence. Among the main objectives of Raz's liberalism is to eschew any resemblance to its neutralist conception and its rights-strategy because of its excessive moral individualism. As Jones puts it, a neutralist theory⁸⁶ sharply distinguishes between the right and the good; between the rules of right or justice within which conceptions of the good are pursued, and conceptions of the good *per se*. But a 'sterilized' scheme of rights reduces

⁸⁶Jones refers to Rawls, Ackerman, R.Dworkin and Nozick.

the treatment of autonomy to a purely technical matter implying an entitlement or 'proprietary' conception of freedom, a fixed identity of individual liberty which should be protected (Jones,1989). Declaring the priority for such protection alludes that only individuals' states or aspects of their lives can be intrinsically valuable (Raz,1986). Diametrically opposed to this is Raz's view that collective goods are constituent parts of autonomy and as states of society they are intrinsically good. "We should think of the good life as having an essential, non-instrumental, social component, as being life in a certain environment, and...as something the goodness of which the agent himself maybe unaware of" (Raz,1989,p.1226). The dependence of Raz's autonomy on collective goods intends to subvert the impression of a perennial conflict between individual freedom and the needs of others. It aims to debilitate the individualist emphasis on the importance of rights (Raz,1986). The right-based approach to individual freedom, informed by the neutralist position to maintain the sharp distinction between the right and the good, avoids by default qualitative judgements concerning the priorities of a liberal society drawing upon a theory of good. In doing that, on top of promoting moral individualism, it is 'liable to be dogmatic' and it often faces difficulties when it has to adjudicate between rights of freedom⁸⁷ (Jones,1989).

Thus, in his pursue of a perfectionist scheme for liberal society, Raz has every interest to refrain from using a right-based terminology for his autonomy. This is while he is eager to highlight via the use of the term 'autonomy-based duties' the urgency of the task to provide society with collective goods. "The provision of many collective goods is constitutive of the very possibility of autonomy and it cannot be relegated to a

⁸⁷There are important efforts defending moral and political individualism; attempts challenging the claim that being responsible for one's self *and* others is 'antithetical to individualism' (Mack,2002). However, here I simply focus on how Raz interprets the underlying message of such 'right-based' streams of thought.

subordinate role, compared with some alleged right against coercion in the name of autonomy” (Raz,1986,p.207). Largely because of the weight of the non-individualistic part of autonomy, it might be true that Raz comes ‘perilously close’ to be committed to autonomy rights (Regan,1989). It is a fact though that Raz clearly endeavours to avoid erroneous conclusions related to such rights. He discards Waldron’s recommendation that such rights correspond to ‘a right to autonomy’ since it would falsely suggest “that there is nothing more to autonomy than what is covered by the right”. He also repudiates “that those autonomy-based rights are more important than one’s interest in any collective goods. Since many collective goods are vital for the possibility of autonomy, providing them may be as important as providing rights” (Raz,1989,p.1224).

If one is to trace meticulously the clues that Raz offers in the course of his work, she could find considerable evidence backing up his present argument along with his decision to support autonomy-based duties for the provision of collective goods. “Typically individuals do not have rights to common goods...The non-existence of individual rights to common goods is...compatible with the existence of duties to provide and preserve them”. Leaving aside the possibility of collective rights to common goods, Raz consistently claims that public authorities have duties -deriving from governments’ role to serve their subjects- to protect the common goods of a community. “Their duties are to the community as a whole rather than to any individual right-holder” (Raz,1995,p.34). But why does Raz choose duties rather than rights to support precisely his conditions of autonomy? By rebutting rights’ priority in expressing ‘interests of a special kind’ (Regan,1989), Raz highlights the active aspect which distinguishes his duties and matches the active element embedded in his autonomy. Answering the above

question he believes duties involve responsibilities, engaging our lives in a way rights do not. “We are passive regarding our rights, we are recipients so far as they are concerned. We may benefit from them even while we are totally unaware of them” (Raz,2001,p.21). In the case this happens with duties too it would only mean that we do not refer to them in deliberation since “duties are reasons for action”. The additional function of duties to exclude options from our mental horizon (e.g. duty not to murder) justifies for Raz the necessity of their presence in our hopefully autonomous lives. “This is a way of guiding our life, perhaps the deepest and most profound way”. While “rights too can have such an aspect”, the axiological advantage of duties to carry the special interests for autonomy still prevails, according to Raz. Even if some rights determine status, unless the status entails duties and responsibilities, rights engage less intimately with our life. “Our duties define our identities more profoundly than do our rights. They are among the primary constituents of our attachments, among the fundamental contributors to meaning in our life”. Raz concludes that “duties and special responsibilities, not rights, are the key to a meaningful life”, i.e. the life Raz envisages for autonomous agents (Raz,2001,pp.21-2).

Despite the inherent shortcomings of rights to portray adequately the force of Raz’s autonomy, this is not to say that when he decides to actually use the term ‘rights’ he does it in a standard, anti-perfectionist manner. He openly challenged Nozick’s (1974) view of rights in which conflicts with the interests and moral claims of others are central (Raz,1995). According to Richards, there are indeed several writers, among them Nozick and others⁸⁸, who ‘confuse’ liberal civil and political rights with egoistic principles encountered in classical economic liberalism, thereof undermining the genuine meaning of the liberal conception of autonomy (Richads,2002). For Raz, a balanced understanding

⁸⁸See Richards (2002,pp.365-6,n.55).

of rights and their role in our moral and political culture refutes such theories (Raz,1995). Negating the allegedly fundamental conflict between the right-holder and the rest, Raz integrates the use of rights to his general conception of the common good. When he uses them he does it more as a mean for accomplishing such good. He imputes them a more modest role related to practical principles helping to secure a common political culture (Green,1988). Raz asserts that when institutions (e.g. courts) serve individual rights they serve their community by protecting and developing its common culture. He rejects the dichotomy, implied by several right-theorists, between “self-interest and the moral claims of others” or between “egoism and altruism” (Raz,1995,pp.58-9).

Recapitulating Raz’s perspective of personal autonomy in relation to rights, we can draw two basic conclusions. He defends autonomy as a moral ideal which it is to be pursued by, among others, political action. This, on the one hand, “serves to justify and to reinforce various derivative rights which defend and promote limited aspects of personal autonomy” (Raz,1986,p.247). But Raz is generally sceptical of the view that morality or political morality is founded on rights (Green,1988). Thus, on the other hand, Raz’s specific way of pursuing and endeavouring autonomy makes it a challenge transcending what an individual has a right to. A “person may be denied the chance to have an autonomous life, through the working of social institutions and by individual action, without any of his rights being overridden or violated” (Raz,1986,p.247). No short list of concrete rights is sufficient for making autonomy possible (Raz,1986).

The Ideal of Autonomy: Conditions and Types

While some version of individual well-being related to the concept of personal autonomy has acquired considerable popularity in western industrial societies

(Raz,1986), it is questionable that it is identical to Raz's ideal of autonomy. True, the ruling idea behind it, i.e. that people should make their own lives, is largely a product of modernity and capitalism; it is not characteristic of 'traditional societies', while it is linked to labour mobility and technological change (Raz,2006a). Yet, apart from the serious reservations about contemporary capitalist societies providing the best context to comply to liberal aspirations (Gray,1998), I think Raz's concept of personal autonomy is considerably more ambitious than the currently dominant one in these societies⁸⁹. "The ideal of personal autonomy is the vision of people controlling...their own destiny, fashioning it through successive decisions throughout their lives" (Raz,1986,p.369). Raz's doctrine of freedom is ingrained in the creation of value through the leading of an autonomous life (Green,1988). The deeper value is personal autonomy but not as a version that glorifies simply the non-coerced choice. His ideal of autonomy "transcends the conceptual point that personal well-being is partly determined by success in willingly endorsed pursuits and holds the free choice of goals and relations as an essential ingredient of individual well-being" (Raz,1986,p.369). His perspective should be regarded as explicitly distinguishable from views described as seeing additional freedom to choose, *per se*, as always preferred to less free choice (G.Dworkin,1988).

For Raz our attention should be drawn more to the potentially added value and its quality offered by choice. Indeed, he finds of primary political importance showing that autonomous choice is relevant when it occurs in respect of valuable options. But this is not to say that autonomous choice is impossible in the absence of valuable alternatives to choose from. He accepts the reality of the prospect of "an autonomous, demeaning, bad,

⁸⁹Since Raz avoids relating his ideas overtly with contemporary affairs (Raz,2006a), there is some haziness in discerning how Raz's politico-philosophical thesis relates to actuality.

or worthless life, [which] is worse than a non-autonomous [equivalent] life”. His stance is closer to the view that autonomy is not really worthy (politically) when exercised over options that they are not valuable. “Autonomy is valuable only if used in valuable pursuits” because Raz sees it not so much “as a virtue but as a property of life”. Hence he also stresses that he is not principally interested in elevating the importance of the property as such. For him the crucial question is if that property contributes to the value of life. “The answer is...that it does so only if the life is spent in valuable pursuits. This is what [Raz] sought to show” (Raz,1989,p.1228).

The circumstances under which the added quality of choice could be accomplished define Raz’s autonomy accordingly as the ideal of an individual mentally capable to partly create her life. ‘Partly’ since we can only act within constraints (Raz,2006a). The view of a flourishing autonomous personality developing only against a background of biological and social constraints makes Raz sensitive to the role personal and social conditions or non-coercive interferences can play in diminishing the degree of individual autonomy. Such factors can potentially produce equally obtrusive or detrimental effects with coercion, impeding the smooth functioning of biological or social components in the agent’s life (Raz,1986). Among other reasons which compose the perfectionist gist of Raz’s theory, this kind of deductive reasoning provides him with a strong argument to conceptualize the necessary circumstances under which autonomy can tentatively blossom:

The conditions of autonomy are complex and consist of three distinct components: appropriate mental abilities, an adequate range of options, and independence. If a person is to be a[n]...author of his own life then he must have the mental abilities to form intentions of a sufficiently complex kind, and plan their execution. These include minimum rationality, the ability to comprehend the means required to realize his goals, the mental faculties necessary to plan actions,

etc... [To] actually use these faculties...there must...be adequate options available for him to choose from. Finally, his choice must be free from coercion and manipulation by others, he must be independent (Raz,1986,pp.372-3).

For Raz, as for most contemporary liberals, the idea of autonomy requires pursuing freely our own conception of the good; unlike neutral liberals however, Raz also insists that for autonomy to be possible agents should have an array of different goods to choose from (Deveaux,2000). In Berlin's terminology, Raz's concept of autonomy seems to be closer to a notion of positive liberty (Berlin,1969). Taking for granted the active component that Raz includes in his notion, as described above⁹⁰, it is reasonable to claim that one cannot transform someone else directly to an autonomous agent. Therefore, an 'exercise concept' like Raz's, as Taylor (1984) would put it, whose active promotion of freedom transcends non-interference, should secure its background conditions fostering requisite deliberative and volitional capacities and ensuring the availability of adequate options (Green,1988). And Raz does exactly that. He aspires to combat in such a way moral individualism as well as to develop the core idea of his perfectionist freedom -as opposed to neutralists- i.e. the link between autonomy and value.

Using his essentially Aristotelian account of well-being (Raz,1989), according to which the very distinction between well-being and self-interest is a rough and ready discrimination (Raz,1986), Raz builds up the foundations on which his ideal of autonomy rests. Given that the agent's well-being consists of successfully pursuing valuable goals and given value's dependence on social forms, "it is of the essence of value that it contributes to the constitution of the agent's personal well-being just as much as it defines moral objectives". Justifying the social and evaluative touch of his theory of autonomy he adds that "the source of value is one for the individual and the community.

⁹⁰See pages 170,176-7.

It is one and the same for the individual and from the moral point of view” (Raz,1986,p.318). The social aspect of Raz’s well-being, with individuals drawing on the communal pool of values (Green,1988), requires from well-ordered societies to contribute with opportunities that accommodate both the self-interest as well as other aspects of the individuals’ well-being (Raz,1986). Raz’s contextual perception of value, while it is not free-floating but trying to equilibrate between partiality and universality (Raz,2001), provides the argumentation for a communal field of moral values. This field, in its shaping ability, does not apply different criteria for the agent’s view of her own interests and the normative course they should follow. “There is but one source for morality and for personal well-being”⁹¹ Raz promulgates. If the offered to individuals social forms and opportunities are morally valid, they will give people the chance to pursue their own goals and enhance their own well-being. This is while at the same time people will be “serving their communities, and generally living in a morally worthy way” (Raz,1986,p.319). Therefore, the thrust of a comprehensively autonomous way of life is not exhausted by insisting only on an isolated subjective process of critical reflection on valuable options (Gardbaum,1996). This understanding of autonomy is not an exclusive creation of Raz among contemporary liberal theorists. It resembles to, among others’, Sher’s proposal to understand autonomy in a way that equates not only acting on reasons in general but in particular on choosing good activities because they are good (Sher,1997). For such theorists, it is clear that an adequate notion of autonomy has to take into consideration the obvious fact that a life involving independently good rather than bad choices is morally better. A logical upshot which Gardbaum too shares with Raz is

⁹¹Raz is not suggesting here an inevitable identity of moral and personal concerns. He only stresses that individual goals derive from the available stock of social forms (Raz,1986). For Raz’s opposition to moralism and strong paternalism see also chapter 5.

that autonomy should not to be regarded as the whole story of human flourishing (Gardbaum,1996). It seems therefore that for Raz a morally better life with independently good choices is not necessarily (more) autonomous, but if chosen freely, it is *the* (ideal) autonomous life that is at the centre of his political scope.

All this illustrates Raz's effort to balance his thought between the partial and universal aspects of value. Having to express his view that autonomy is valuable only in pursuing the good and somehow match also his claim that autonomy is intrinsically valuable (Raz,1986;1989), his account should not sound too restrictive when combined with his pluralistic view. To cope with that, Raz propagates the inevitability of a contextual defence⁹² of autonomy which proclaims that intrinsic goods are often good in certain contexts; this applies to collective goods contributing to autonomy and in fact it is true of autonomy itself. By exemplifying that certain activities remain bad even in the event that they are autonomously undertaken, Raz promotes his view that autonomy is a property of life, an aspect of other values, not a virtue (Raz,1989). To Waldron's (1989) objection that a modest view of autonomy's value as such undermines protecting and providing the conditions of autonomy for all members of liberal societies, Raz regrettably answers by shifting the nature of the discussion. He evades replying to the logical premises of the question itself and resorts to 'pragmatism', something that he rarely does in similar debates. He claims that his argument is embodied in a context of 'normal politics' whose business is not to be involved with large scale social design. Only with an imaginative, looming -but highly improbable in Raz's view- large scale change the

⁹²McCabe (2002) forcefully criticizes this Razian defence. Waldron (1989) also thinks that Raz's emphatic defence of autonomy matches its promotion only as a universal value. Raz's (2001) attempt to reconcile the universality of value with its social dependence and partiality—aspects playing a significant role in his theory of autonomy—is an implicit reply to such criticism.

probability of threatening the protection and provision of autonomy's conditions could surface (Raz,1989).

Leaving aside Raz's unwarranted illation to resort to 'pragmatism' for the support of his conditions for autonomy, he surely offers more vigorous and original arguments in their support. His account construes as a condition to autonomy the agent's ability to make informed and effective judgements. As Sher remarks, this is a common theme among writers who are interested in freedom, autonomy and their link. Indeed, someone may be acting 'unfreely' due to lack of information to evaluate options or lack of ability to process this information (Sher,2002). In its more original direction, Raz's exposition shares with Hurka what constitutes its proper gist. They both accentuate the significant reliance of (what they respectively call) the free or autonomous person on the number and quality of her options (Hurka,1987a). Elaborating more the aspect of his account that concerns the quality of options open to agents, Raz says that to be autonomous their choices should not be dictated by personal needs. They can create their own moral world when they engage willingly into projects and relationships which have an important impact on the kind of life they regard as worthy (Raz,1986). Except from biological needs, our well-being depends on 'comprehensive' goals structuring our lives. According to Green, Raz's main effort constitutes in attempting to eliminate the essential tension between individuality and community, between the self and the other or between self-interest and morality in general (Green,1988). Instead of assuming a deep division between the subjective and objective theories of value, his autonomy resembles what Sher's perfectionism intends to do by using objective and subjective elements to bridge in a continuum these antithetical theories of value (Hurka,1998).

Valuing autonomy presupposes neither atomistic individuals interacting only instrumentally with society nor to overlook the powerful effects of socialization. Indeed, being committed to the value of autonomy should reflect the reality of the 'social construction of individuality' (Gardbaum,1996). Could this undermine the liberal perception of political morality as a 'conflict-regulating' device? What in essence does it do to reinterpret it as mediating between the antagonistic social forms of life which tend to become mutually intolerant, instead of mediating between the individual and community (Green,1988). As part of his contribution to reinterpreting morality, Raz stresses the absence of inherent conflict in acting to improve one's well-being and acting altruistically (Raz,2006a). Since morality does require a certain impartial respect for others, his autonomy has to offer conditions that promote -or at least not inhibit- this type of constructive acting (Raz,2001). With autonomy requiring habituation, a Razian society ideally has to provide worthwhile projects and relationships stimulating a potential that already exists; it has to set goals that serve both our interests and the interests of others. To Farneti's question if such attachments to others with such attention to their concerns can inhibit autonomy, Raz replies that while sometimes caring for others conflicts with our well-being, so can the pursuit of our non-altruistic goals. "As to attachments, perhaps we should remember Marx's warning that we should see in other men the realization of our freedom, not a barrier to it" (Raz,2006a,p.79).

Using as an example the general requirement to respect high art -regarded by Raz (1986) not as restricting people's personal goals but as an embedded part of their general outlook on life- Raz endeavours to elucidate Marx's point. While for such cardinal for his theory idea he could have used more politically intriguing examples (e.g. the respect for

the environment or the need to honour norms for social cohesion)⁹³, Raz expounds further a recognition process of value and others, upon which his autonomy largely depends. Development of normal personal relations depends on people's perception of their own tastes and objectives as related to those of other people. Their own goals and tastes should be seen "as valuable because they exemplify universal values" or values forming "part of a mosaic which in its entirety makes for valuable social life" (Raz,1986,p.215). Raz's position here, to the extent it shows individuals defining their moral personhood assisted by and through other people's values, approximates that of Macedo (1990). The latter adheres to a similar 'internalization process' which he sees as a necessary component for the formation of the liberal ideal of autonomy. He envisions social pluralism as penetrating the core of liberal personality, provoking a useful value interaction which stimulates critical reflection. Macedo is aware too that to contemplate the formation of one's own scheme of values in conjunction with other people, the individual has to believe that the commonly formed values are genuine goods that she, like others, wants willingly to pursue (Macedo,1990). Likewise, Raz's individual -if capable of personal relations- must embed other people's values within her value-scheme. In respecting commonly appreciated values without being motivated by first-order 'selfish' incentives she recognizes some worthwhile options on which autonomy depends (Raz,1986). For Crowder too, if a person is to count as autonomous, the valuable range of options to choose from is not enough. It requires a generous appreciation of goods and life paths other than her own (Crowder,2002). Moreover, when close personal relations

⁹³Raz's (1986,p.215) example of high art does not do much to dispel an often imputed to liberal perfectionists reputation of political or cultural elitism (Arneson,2000). Yet, this misinterpretation of their preoccupation to preserve the good should not detract our attention from their potential contribution to people's tangible social and political reality.

are involved it is possible that the boundaries between self-centred and wider morality disappear completely. Good family relations and close friendships prove for Raz that “autonomy does not require independent decision by oneself on all issues”. It allows delegating such authority in various ways (Raz,2006a,p.80). This could also be the case in relations that involve allegiance, dedication and sense of pride in one’s workplace, wider social group or even country (Raz,1986).

Again we should stress that at the centre of Raz’s understanding of our close attachments to people is value and the process of its appreciation, not externally imposed obligation. Intimate, affectionate and caring relations are among the most rewarding aspects of people’s lives (Raz,1986). Perceived as valuable they may involve acceptance of some collective preference formation and collective decision making (Raz,2006a). The gist of Raz’s thought applies in human relations; choosing forms of interaction with others are not good because they are chosen; “they are chosen because they are thought to be good. Choice is possible only where there is belief in a reason for choosing as one does” (Raz,2002,p.207). Through learning and appreciating the *value* of human attachments we acquire a sense of the possibilities of our own life and of our obligations to others. “The two are aspects of one and the same conception of value” (Raz,1986,p.216). Such interactive process is a valuable enrichment insofar as it ensures that human attachments “do not erode the capacity for independent judgement and action, as some groups do to their members, and some spouses and parents do to their relations” (Raz,2006a,p.80). With his relevant discussion here Raz does two things. He advances his argumentation about the intrinsic value of certain collective goods, such as membership in particular social groups or society at large, claiming thereof that it is

natural to perceive them as the source both of personal goals and of obligations to others (Raz,1986); and all this for the sake of people's personal autonomy since such collective goods are among its constituent conditions. But by evaluating forms of human attachments and their effect on independent judgement, he is also implicated in a complex debate about the proper liberal reaction to traditional cultural expressions.

To the extent Raz gives incentives for the traditional ways of life to assimilate gradually to the liberal one⁹⁴, he does it more on grounds of humanity that take into consideration the possible well-being of the agent in a context where autonomy is already dominant. He notes that assimilationist policies may be recommended for upholders of a traditional culture harming their own members mainly when they reside in non-established, marginal communities⁹⁵. But even if Raz had to resort to such contestable treatment, the decision for the proposed 'gradual assimilation' would not really be based for the most part on moral grounds (Raz,1986). As Sher points out, a traditional option cannot be challenged on grounds of morality but on premises of an efficient and realistic coexistence with liberal options and actual way of life (Sher,1983). And Raz shares this view since throughout much of his work⁹⁶ he attributes a great part of autonomy's value to the 'functional role' it has for an individual living in a liberal society, precisely because her smooth adjustment to it presupposes her autonomous reasoning and acting. It is worth noting though that Raz's above assessment of illiberal modes of acting dedicates more attention to the valuable (or not) context guaranteeing in his eyes the existence of a

⁹⁴See pp.155-6.

⁹⁵For Raz, irrespectively of their stance towards freedom, viable communities by definition enable their members to have an adequate and satisfying life (Raz,1986). It is dubious that the value of one culture for its members can be reduced solely to the viability of the culture *per se*. While strongly counter-intuitive, many historical examples also prove this claim mistaken. Raz's 'pragmatic' view of communities (Raz and Margalit,1995) does not underpin his present argument.

⁹⁶See Raz,1986,1989,2006,etc.

traditional community and of its cultural expressions (Deveaux,2000). He is less, if at all, interested in the exact process leading to the expression; if it does or not implicate the application of reason or genuine choice in its adoption. Maybe because he assumes that in any case it does not. Yet, as Gardbaum (1996) indicates, it is possible that one *consciously chooses* to follow a traditional way of life, oppressive for herself in the eyes of liberals; a fact that, irrespective of the choice's nature (what one actually chooses), for Gardbaum automatically renders this life autonomous⁹⁷. In this definition, whether a traditional act qualifies as autonomous does not depend on the value of the act itself but on the process through which it is chosen. Raz largely disregards this kind of reasoning for autonomy as far as traditional living is concerned. This is why Deveaux criticizes him for a lack of a deserved to the traditional cultures sensitivity when analyzing their rationale. She propounds that Raz stresses a particular connection between cultural membership and autonomy that hinders appreciating potentially interesting aspects of the identification process with the (traditional) culture. Such aspects could play a significant role in accepting the culture from a liberal standpoint. Her criticism could have been answered or considerably enfeebled if Raz's autonomy were more closely linked to our deepest values and convictions; however, according to Deveaux, there is little evidence that Raz employs autonomy in such broad sense (Deveaux,2000). Regarding the way Raz analyses (or not) the identification process with one's traditional culture, Deveaux's argument retains its force.

⁹⁷Gardbaum explains that the reason for acting "on the basis of tradition or authority" is its determination in instructing 'proper' action. By contrast, by choosing to act in the 'traditional' way, a person exercises independent judgment; the reason for acting becomes the action's merit or following tradition or authority (Gardbaum,1996,p.395).

Speaking of the potential form Raz's autonomy could acquire brings me to the question of what sort of autonomy-types he actually uses. The exposition is brief since Raz's typology on autonomy is not of paramount importance for his account. Additionally, his occasionally employed taxonomy is not used in a strictly consistent manner since it, sporadically only, denotes a special meaning of autonomy whilst elsewhere the same particular connotation is conveyed by the generic term. A demonstration of this is perhaps more salient when exemplified by Raz's own words: "The ideal of autonomy is that of the autonomous life. The capacity for autonomy is a secondary sense of 'autonomy'. I am using 'capacity' in a very wide sense. Perhaps it is better called the 'conditions of autonomy'. I will use both expressions on occasion" (Raz,1986,p.372). Nonetheless, Raz's alleged intention was to distinguish autonomy in its 'primary' sense from that in its 'secondary', i.e. autonomy "as an achievement" from autonomy "as a capacity". In its former type, autonomy is paired in a blurry way to the authorship of one's own life and following the latter sense someone is autonomous if the conditions of autonomy obtain (Raz,1986,p.204). Waldron made a praiseworthy effort to pin down these two different kinds of autonomy in Raz, even though he has somewhat rounded them for the sake of clarity. Thus, he claims that for Raz, in the sense of achievement, "people are autonomous if their lives are largely of their own making" (Waldron,1989,p.1115). Curiously enough Raz gives roughly the same explanation for "autonomy as capacity" which someone can acquire "if he can become the author of his life" (Raz,1986,p.204). Leaving aside any verbose ramifications, Waldron is right to suggest that, by using different terms, Raz's initial intent was to distinguish between worthwhile achievements insinuating that a person is comprehensively autonomous and a

condition which solely means that people can determine the course of their lives only if they want. The latter is a condition where people's environment makes self-determination possible but many of them (may) lead non-autonomous lives despite their capacity for autonomy (Waldron,1989).

However, the easiness with which Waldron portrays Raz as assigning a superior value only to the actual autonomous achievements and not their needed conditions is disputable. As we saw Raz attributes much value and importance to the conditions of autonomy. He views collective goods (ideal social states) as carrying intrinsic value⁹⁸, making it thereby hard to differentiate them in evaluative terms from worthwhile achievements. We can assume that, in theory, Raz's terminology was intending to reflect the factual observation that autonomy's conditions are to be valuable as a means to an end; yet the accentuated social aspect of his liberalism and his attention to provide ideal circumstances for human flourishing slightly changed things. Developing the appropriate conditions for the nurturing of certain abilities, in order to set humans free, acquires in Raz's scheme a valuable *per se* humanistic aspect whose idiosyncratic richness can potentially inspire novel political interpretations. What Waldron calls the 'individual' and 'environmental' requirements for Razian autonomy are so profound and highly valued elements in Raz's thought that they would probably fit better as part of his universal respect for humans (Raz,2001) than as mere instrumentally valued conditions. The creation of an accommodating to develop cognitive abilities environment, supportive for emotional capacities necessary for human attachments and plans, the provision of basic health and physical well-being, all are in Raz obligations arising from the same source of

⁹⁸Raz stresses that "we should think of good life as having an essential, non-instrumental, social component, as being life in a certain environment" (Raz,1989,p.1153).

value ascribed to worthwhile achievements (Raz,1986). Their importance hence defies part of Waldron's justification of Razian taxonomy as reliably encompassing distinct axiologically primary and secondary kinds of autonomy. Conditions of autonomy like the above are valued by Raz also for their own sake. This is the reason why he often resorts (interchangeably) to the generic term when he describes the autonomously capable person.

Raz complicates typologically further the situation when he adds the notion of 'significant autonomy'. "Significant autonomy is a matter of degree. A person may be more or less autonomous. (Significantly) autonomous persons are those who can shape their life and determine its course". They are people committed to projects, relationships and causes defining the kind of life which for them is worth living (Raz,1986,p.154). Therefore, for Raz "significant autonomy is exercised when a choice is perceived to be one between morally acceptable options" (Raz,2002,p.207). Emphasizing the connection between exercising choice in this way, the concrete expression of the integrity of a 'significantly autonomous agent' and the success or failure in his life, Waldron attributes to this terminology an *ad hoc* role that probably does not deserve (Waldron,1989). It is worth making some brief remarks on the use of the term 'significant' by Raz to describe his autonomy. First, just after introducing it, and underlining its supposedly distinctive role in 'partly creating one's world', Raz drops the term for the use of the adjective-free generic idea (Raz,1986,post p.155). He does the same with all the presented here typological variations of autonomy, which for the most part (he occasionally discerns its conditions) he abandons altogether in his subsequent writings (Raz,1989,etc). Second, if 'significant autonomy' was contrived to play a more profound role in Raz's thought, it

logically would have had to be defined as opposed to its conceptual 'rival'. This is never the case in Raz. Third, if 'significant' was meant to have a use of its own here, it would have to be discerned from the previously mentioned 'autonomy as an achievement' with which yet they share an identical definition.

The last point I want to make concerns the whole array of terminological variations used to describe Raz's autonomy, including what George (1991) sees as a clear, in his opinion, distinction between what he terms moral and personal autonomy in Raz's work⁹⁹. The gist of Raz's liberal theory can be better understood and transmitted without adjectives before his notion of autonomy. This is because the added descriptions could undermine the force of a theory which rests on a holistic and undivided "perfectionist political defence and promotion of liberty and autonomy" defined as an ideal (Raz,1986,p.19). A fragmentation of his core concept, implying that his theory can accommodate in an equally hospitable manner many variations of freedom, could not be further from the truth. It would comprise something like what Raz called an 'inadequate linguistic analysis' (Raz,1986,pp.14-6). In his attempt to offer a politically relevant definition of the general term of freedom, Raz aspires in particular to oppose liberal neutralist -individualistic in his own words- perceptions of autonomy which separate moral from political principles. And he aims to reject them by using "positive conclusions...concerning the morality of political freedom [which] are based on considerations of individual morality to a greater degree than is common in many contemporary works of political philosophy" (Raz,1986,p.4). His particular

⁹⁹Viewing Raz's liberal political theory as grounded on a notion of autonomy that can be exercised immorally-carefully distinguished from moral autonomy (George,1991,p.666), insinuates that George didn't really grasp the kernel of Raz's liberal thought. Raz is primarily dedicated to the overall unity of the notion which he promotes as politico-philosophically relevant.

considerations on individual morality inform his concept of autonomy in its entirety, not just fragments of it. Therefore, the ‘compartmentalization’ of his concept by attributing more than due weight to its allegedly classified nuances undermines the thrust of his holistic in its moral and political objectives liberal project.

Summarizing some basic thoughts on the Razian ideal of autonomy, we could say that it is the central notion around which the liberal and perfectionist components of his thought revolve. They are informed by it and they mould it in a mutually intimate relation. It succeeds largely in expressing the principal goals and elements of his theory, which although scattered in his writings, they find a condensed manifestation in the basic disclosure of this notion. His conception of autonomy, with its relevant conditions and emphasis on our social part, contains his professed aversion for liberal theories founded primarily on individualistic premises. It is also a consistent and accurate extension of his notion of value. It intends to demonstrate that there “is no value-neutral definition of liberty” and it definitely has a conspicuous place in his mission to “rehabilitate the traditionalist affirmation of the value of freedom” (Raz,1986,pp.16-7). It gives Raz the appropriate weapons to combat ‘neutralists’ whose pronounced antipathy for liberty perceived as the currently described ideal debilitates in his eyes the cohesive nexus of societies. The positive character that he admits in giving to his concept aims to provide the necessary, for the prominent status of his value, conditions. The provision of many valuable options he demands for the comprehensive liberation of people accommodates comfortably the needs of his value-pluralism. Over and above these, he reminds us that his notion is such that it expedites people’s well-being in a liberal context, since many of its ingredients are already present in it. Its normative claims would fail only if individuals

were 'so' socially constituted as to make part-authorship of their lives impossible (Gardbaum,1996). All this is while it eschews any (seriously) coercive means for its application. Raz is conscious of the cognitive or emotional dissonance any (strongly) paternalistic methods could cause to liberally nurtured agents.

If the fulfilment and application of such an ideal of autonomy is to have any chances to flourish, Raz is convinced that the state and the public institutions have to be implicated actively in order to promote the appropriate conditions for its realization. We now turn to the exact role he expects them to play.

c. The State's¹⁰⁰ Role for Perfectionism

Its Extended Function and its Classification

According to Raz "perfectionist ideals require public action for their viability" (Raz,1986,p.162). The term 'perfectionism' cogently indicates "that there is no fundamental principled inhibition on governments acting for any valid moral reason" (Raz,1989,p.1230). Interested in a more socially functional and cohesive liberal society, Raz claims that appealing to an anti-perfectionist state would make sense only if sufficient options available in a society are always available to all its members. As he elucidates, despite attempted social reforms to make opportunities open to all, this is the case neither in contemporary liberal societies nor in societies of the recent past. Raz avoids maximalist demands by clarifying that there is no need for all options to be accessible to everyone but enough options to be available to each person. For this to happen, according to Raz, the active help of the state is indispensable. But such supportive action in order to have any chance to fulfil its role should not be dominated by

¹⁰⁰Raz uses interchangeably the term 'state' and 'government'. The same is done in the present text.

a general 'exclusionary rule' about morality, as 'the so-called neutralists' ask for (Raz,1989). Such a rule would lead to "a political stand-off from support for valuable conceptions of the good, undermining the chances of survival of many cherished aspects of our culture" (Raz,1986,p.162). It has to be underlined here that Raz is not primarily talking about exquisite forms of human creation or art which could come under the threat of extinction without public subsidy in a quality-indifferent capitalist society. He talks about threats directed towards the very same essence of freedom; impending dangers that could not be avoided but with a morally relevant and active participation of the state. In a liberal context, the latter is for Raz more a potential source of autonomy than a menacing impediment to it. Preventing denial of freedom is not the sole duty of the state; it should promote it by creating the conditions for autonomy (Raz,1986). This is out of the scope of many anti-perfectionist liberals whose primary concern is to trace potentially sinister side-effects of state intervention. "The doctrine of limited government regards governments as a threat to liberty. Its protection is in keeping governments confined within proper moral bounds". While Raz accepts that governments often pose a threat to liberty, he portrays them also as a potential source of liberty. "They can create conditions which enable their subjects to enjoy greater liberty than they otherwise would...Liberty [is] sometimes threatened by individuals and corporations, not only by governments" (Raz,1986,pp.18-9).

If on occasion some governmental action displays coercive features, while it affects profoundly the considerations that regulate it, this does by no means justify the exclusion of ideals from its range of action (Raz,1986). Raz's conception of the state and the role he seeks for it is in accordance with the promotion of the ideal of autonomy as

presented above. “The doctrine of autonomy-based freedom is not inimical to political authority...it looks to governments to take positive action to enhance the freedom of their subjects” (Raz,1986,p.427). Green construes this stance as genuinely adhering to the essence of liberalism founded on liberty’s value and as contrasting the modern wave of ‘revisionist’ liberals treating it as a doctrine of justice or rights entailing a theory of limited government (Green,1988). Green labels such Razian defence of liberalism and the role it assigns to the state as ‘traditional’ partly because a similar form of justification for such a role could be traced in (ancient) classical thought. A shared moral understanding directed towards a particular way of life is the basis for the Aristotelian polis defined as a tutelary community (Galston,2002a), nurturing social groups and political institutions as to best promote the good life of its citizens (Chan,2000). Inspiring for the systematic arrangement of liberal institutions at the disposal of an effort to foster the value of freedom, along with Raz’s, such view permeates Barry’s assertions too. Barry affirms that political theorists must hold that societies and its institutions should aim at the largest possible number of admirable characters among its members by taking stand on the proposition that some ways of life are more admirable than others (Barry,1973b).

The antithetical in the perspective of its parts division between ‘traditional’ and ‘revisionist’ arguments, prominent in Raz’s debate about the appropriate function of the liberal state (Raz,1986), corresponds neatly to Galston’s similar classification. This consists of two strategies to justify the liberal state; the first, which he calls ‘substantive justification’, is the one that matches Raz’s relevant stance. It argues for a life characterized by distinctive liberal goals, like Raz’s ideal of autonomy does. According to this view the liberal state is justified for nurturing as much as possible liberal virtues

and goals. In opposition to this strategy for justifying liberalism Galston poses the one that he calls 'formal justification'. He regards as its main representatives the same people Raz calls 'neutralists' and contrary to whom he juxtaposes his theory of autonomy. Thus, the views of Rawls, R.Dworkin and Ackerman on the liberal state are epitomized as justifying it as desirable for remaining neutral among different ways of life; presiding benignly without favouring any of them. In such view state-intervention becomes synonymous to preventing a particular way of life from tyrannizing over others (Galston,2002a).

Linked with the notion of Authority

Raz's perception of the liberal state and that of the 'neutralists' differ considerably not solely because the former backs his theory of autonomy. In addition to serving his moral and political objectives, its perception stems right out from his deeper perfectionist philosophical analysis in general and his convictions on the idea of authority in particular. I will begin by the second since it is a cornerstone for Raz's work and demonstrates its direct contrast with the anti-perfectionist stance at a deeper level; or as Regan puts it, the discourse of authority in Raz is central exactly because his overall politics is perfectionist (Regan,1989). Many contemporary neutralists challenge the rationality of any account of perfection or of the good life resting their defence of the neutral state on the unavailability of knowledge of the good (Galston,2002a). It is not then only that they support a scrupulous position of priority of freedom over the good, as if the two were utterly separated; it is that they imply an arbitrary arrangement of convenience between the individual and any authority rather than a principled one. The absence of a theory of good, on which construction of political arrangements can be

based, deprives people from the chance of a structured ‘responsiveness-to-reasons’ relation with their authority, creating hence suspicion around its perception. A number of theorists representing the neutralist position¹⁰¹ underestimate the ability people in a liberal society have to make reasonable predictions and arrangements about the norms that can govern their relationship with authority. But rationally or non-rationally, no government avoids shaping its citizen preferences or inducing them somehow. Since all political arrangements inevitably do that, Sher rightfully wonders, why not do it following a rationally principled in our relation to authority way. He reassures us that choosing autonomously on the basis of (potential) value would not be undermined¹⁰². On the contrary, if we trust the government to act in certain issues more effectively than us, ‘submitting’ ourselves in these areas to its rational judgement, the number of people who live in potentially valuable ways could increase (Sher,2002).

Raz follows a similar rationale in his account of authority, not based on fear of the abuse of its power, something that is a common place in the neutralist position. He developed the basic elements of what he named his ‘service conception of authority’,¹⁰³ emphasizing the conciliatory personal reasons that its function serves and should have motivated individual action irrespectively of the authority’s presence. He also underlined the conditionally successful mediating service that authority provides between people and reasoned decisions and actions, since authority’s task is to judge and pronounce what

¹⁰¹As mentioned among liberal neutralists there is no unanimity on the infeasibility of reasonable predictions on moral knowledge and good. By not being sceptical or subjectivist about the rational status of the good life R.Dworkin (see pp.126-7) distinguishes himself from neutralists who underestimate the ability for reasonable arrangements about the norms governing people and authority.

¹⁰²Sher’s notion of autonomy here is very similar to Raz’s ideal of it.

¹⁰³See Raz (1985;1994;1995).

people ought to do according to right reason (Raz,1979;1986). He epitomized his position in his two constituent theses of his service conception:

The dependence thesis: All authoritative directives should be based, among other factors, on reasons which apply to the subjects of those directives and which bear on the circumstances covered by the directives...

The normal justification thesis: The normal and primary way to establish that a person should be acknowledged to have authority over another person involves showing that the alleged subject is likely better to comply with reasons which apply to him (other than the alleged authoritative directives) if he accepts the directives of the alleged authority as authoritatively binding, and tries to follow them, than if he tries to follow the reasons which apply to him directly (Raz,1995,p.214).

It is perhaps not difficult to infer from these positions that the active role of the Razian liberal state comes as a natural extension of his view on authority. It is intended to depict the institutionalized expression of the independently existent concepts of moral duties and the good as endorsed by individual interest. Mitigating the widespread liberal fear that the state often functions in a *de facto* domineering fashion, Raz's idea of government "reveals that much of the good that [its] law can do does not presuppose any obligation to obey" (Raz,1995,p.344). It is to be fostered, and to a certain extent advanced, by the agents own initiatives. Under Raz's concept of authority, governmental intervention in the market or elsewhere renders the "morally unscrupulous or misguided with self-interested reasons to do that which they ought to do, but which moral reasons fail to make them do". By separating authority's enforcing power from its moral justification, Raz seeks to "dispel the myth that denying the existence of an obligation to obey the law amounts to denying the possibility of a just government" (Raz,1995,p.346). And he raises a good point since these two are often excessively and mistakenly interwoven. As Chan asserts, several liberals believe that if the state occasionally compels people to assist in an objective that they cannot be given adequate reason to

share, the state thence treats them not as ends in themselves (Chan,2000). They overrate in their evaluation of the state the part any enforcing obligation can play in its operation. The existing functions of a government which can be a just one, Raz argues, should not be misinterpreted as necessarily supposing the existence of a general obligation to obey the law. "For those functions can be discharged by governments independently of such an obligation" (Raz,1995,p.346).

Regarding the possible separation of the enforcement of law and the obligation to obey it on the one hand and the moral reasons which could independently back up authority's role on the other, Raz corroborates his position. But what about the inevitable cases where the will of authorities has actually to be 'imposed'? What if people demand 'sharing' adequate reason in order to comply with state enforcement? Is authority justified to proceed with law enforcement? Wouldn't it violate people's autonomy? Raz's initial part of the answer to the alleged questions would be his pre-emption thesis: "The fact that authority requires performance of an action is a reason for its performance which is not to be added to all other relevant reasons when assessing what to do, but should replace some of them" (Raz,1995,p.214). And the pre-emptive force of authority is justified morally because of the previous two theses of the service conception. First, that the subject under authority would better conform to reasons that apply to him anyway; Second, that the nature of the matters on which the first condition applies is such that on them it is better to conform to reason than to decide alone, unaided by authority. That is why people can often comply willingly with authority. The other part of the answer would be that Raz accepts the potential difficulties of some cases, where two concerns may be radically different as to be incommensurate; one satisfied by conformity with

reasons and the other by acting on one's own judgment. They may be radically different and thus rendering the decision between independence from and conformity to authority undetermined (Raz,2006b). He recognizes, in other words, the 'special character of authority', claiming that it could not be functional without the possibility its directives leading us to act differently than we would have done without them. He also concedes that there is some truth in the opinion that "in accepting authority we surrender our judgement to authority" (Raz,2006b,p.1019).

But special cases aside, the main point Raz continues to highlight in his latest treatise on authority is that, generally speaking, conformity with legitimate authority¹⁰⁴ improves one's conformity with reason. His overall conclusion is that, with the necessary amendments, his 'service conception' still holds and retains its validity (Raz,2006b). Authority is meant to aid capacities of ours whose function is to ensure abidance with reason. It can allow rational ability to attain its aim more successfully while taking also into account our propensity and general capacity to guide our conduct by our own judgment. This is because "we value the ability to exercise one's judgment and to rely on it in action, but it is a capacity we value because of its purpose...to secure conformity with reason" (Raz,2006b,p.1017). Such remarks run counter to a whole strand of liberalism¹⁰⁵ holding that any used force on someone, employed to serve even an end like her own good, treats her as a mere means. By extension and given the coercive character of the state, its restraint becomes a condition of political legitimacy (Nagel,1991). But the

¹⁰⁴A legitimate for Raz authority has to respect his service conception and its main theses (Raz,1986;1995). Later (Raz,2006b) he adds its ability to co-ordinate resources and to impose its mandate, adjoining also some peripheral conditions potentially fortifying its legitimacy: the ruled people's knowledge of the authority's legitimacy (the most prominent); increasing someone's independent decision-capacity by submitting to authority (the most paradoxical); respect and trust by the governed towards authority (a welcomed but not necessary condition).

¹⁰⁵E.g. Nagel, Rawls, Larmore (Chan,2000).

liberal perfectionist state does not seek to advance 'its own view of the good', it aims to promote ideals of good as deriving from the truth¹⁰⁶ (McCabe,2000). Chan rightly argues that such neutralists should answer to perfectionists "why the state's enforcement of controversial decisions is problematic only in the case of conceptions of the good life and not in non-good-life issues like social justice" (Chan,2000,p.22). In attempting to answer Chan's question Nagel appeals to people's 'reasonable agreement' on issues that suppose increased unanimity, prescribed by practical necessity (Nagel,1991). Behind this necessity however, in the underlying foundations of Nagel's answer, we can trace a motive to find the most reasoned way to strive for a better, worthwhile life. And a legitimate state with its potency for collective coordinated efforts provides often the best means for such aim, offering space for 'reasonable agreement' in many more issues than Nagel assumes¹⁰⁷ (Chan,2000).

From Raz's perception of authority we infer that complying with the state's decisions does not necessarily mean renouncing our own judgement. The significance the latter has for us derives mainly from our practical concern to conform to reasons, and that concern can be met in various ways among which complying with authority. Therefore, we can conform to both simultaneously. The foundation for Raz's perfectionist state is based on his view that its "directives, just like promises, are binding because and where they improve our powers by enabling us to conform to reason better than we could without them" (Raz,2006b,p.1020). In addition, his definition of authority clearly

¹⁰⁶Promoting ideals of good by invoking a reasonable agreement on 'truth' need not be more arbitrary than a neutralist state-policy abstaining from or minimally contributing to the formation of such ideals. In the latter case no democratically elected institution (under liberalism) has a saying on ideals, all of which are left to the influence of other factors like the market, tradition, etc.

¹⁰⁷For Nagel (1991) there are very few policy areas (defence, justice) where approximate unanimity on the need for state-action justifies its intervention.

accentuates the liberal aspect embedded in his state, namely its obligation, under conditions of legitimacy, to act as a vehicle of the individual's reasoned capacity to act. It becomes a 'device' for people to achieve the *telos* of their capacity for rational action by not using it directly (Raz,2006b). While Morigiwa rightly mentions the -nonetheless obvious- abundance of ideal elements in Raz's perception of authority and while he might also be right that their presence is exaggerated, yet he acknowledges that Raz's view of authority comprises an attractive liberal version of it. He notes that its morally justifiable aspect reflects the public's general interest, embodying a democratic, liberal ideal of a civil servant, keen to express people's will (Morigiwa,1989).

If this feature of authority is rarely revealed in liberal writings, in neutralist ones it is virtually ignored. And its significance, among other things, consists in contributing to normalize a notion like state-intervention which is received with considerable suspicion among many (neutralist) liberals. "The coordinated schemes of action that political authorities should pursue are those to which people should be committed" (Raz,2006b,p.1032). Raz's explication of authority attempts to change the understanding of the matter in insisting that in a liberal society legitimate authority should not be received with excessively more suspicion than commonly accepted concepts. He parallels following authority to following advice since it preserves ultimate self-reliance. "For it is one's own judgment which directs one to recognize the authority of another, just as it directs one to keep one's promises, follow advice [and] use technical devices" (Raz,2006b,p.1018).

Political Connotation and Objectives

One of Raz's aims in his quest for explaining the nature and value of political freedom was to assess "the merits of existing policies, laws and institutions as well as [contemplate] on proposals for changing them" (Raz,1986,p.9). His state as a vehicle for his perfectionism is a fruit of this process but not plainly because of its potential controlling strength. Raz is perfectly conscious that "many private corporations" and "powerful private organizations", "have as much, if not more, power than many public authorities", thereby we need to consolidate more the role of political authorities. The only interest government is entitled to pursue is that of its subjects and Razian political institutions "are obligated to regulate the activities of those over whom they claim authority". Thus, by focusing on their perfectionist function "we indirectly study the norms which they should impose on other corporations" (Raz,1986,pp.4-6). Important regulation like this is an additional reason why the duties of the liberal state to its subjects are (or should be) according to Raz much more extensive. Despite reality often falling short of the ideal, he insists that we should understand political authorities through their ideal functioning. "For that is how they are supposed to function...that is the normal way to justify their authority...and naturally authorities are...evaluated by comparing them to the ideal" (Raz,1986,p.47).

Motivated by the incentive to match its ideal similitude, when moving from the theoretical to the practical plane, Raz's perfectionist state has to take concrete steps to secure its objectives, i.e. to try to offer and ensure the existence of worthwhile options of life to everyone. The obvious political connotation is that Raz, unlike many neutralists, does not rely on any -assumingly just and politically equipped- automata inherently attached to liberal society which could supposedly regulate its affairs. He seriously

challenges the view of the minimally committed state as truly hospitable to all lives and conceptions of the good. Like Galston, he disputes Rawls' (1975) allusion that solely 'undeserving' ways of life lose out in a liberal society, a contention Galston finds as unworthy of serious social philosophy (Galston,2002a). Raz delegates 'his' governments to actively deter worthless options and "to encourage valuable pursuits, say schools, public parks, sports facilities, preservation of historic buildings, provision of medical services, rather than...others" (Raz,1989,pp.1232-3). He does not confide (solely) in economic or social competition as trustworthy means to supply people with what is essential for a worthwhile life. For the latter to materialize in a liberal society a nurturing public culture is required since, if autonomy-enhancing, it can help tilt people's lives towards autonomy (Raz,1986). In sum, Raz subscribes to Galston's view that social and economic competition is not in itself benign enough to sustain the necessary valuable forms of life for people to be autonomous. Social heterogeneity includes potentially flourishing lives whose viability depends on a more hospitable public culture (Galston,2002a). There are many valuable elements of individual and social life that need the state's support in order to become accessible to people and it is not because they are worthless. It is the government's obligation to create an environment which accommodates them and offers valuable opportunities to choose from.

A liberal interpretation of the political protection of freedom as purely a doctrine of limited government finds no support whatsoever in Raz's work. "The provision of public goods out of public funds on a non-voluntary basis", the purveyance of "tax-financed educational and national health systems, the subsidization of public transport, etc," are policies defended by Raz as a primary task for the state to carry out. Failure to

supply them would most likely force many people not to be able to lead an autonomous life (Raz,1986,pp.415-6). Deveaux observes that in Razian politics the government provides a supportive nexus for people's well-being, signifying that for Raz important goods, like health and education, are typically public and cannot be sustained without the assistance of the state. She infers from Raz's view that many valuable forms of life are a social rather than an individual matter; for him liberal neutrality cannot adequately secure collective goods the provision of which requires public (legal and economic) assistance, not state forbearance in social and political arrangements (Deveaux,2000). Between public and private interest there is indeed a worth mentioning 'asymmetry' in Raz's thought. While well-being is unimportant as a goal for the people regarding their own life, it is important as a goal of political action. Under the conditions of autonomy, people determine what matters in their life; the state has to take these 'determinations' seriously facilitating their pursuit of their worthwhile goals. This, coupled with "the contribution by the state to an environment in which people will incline to care about worthwhile things", composes the way in which the government can respect people (Raz,2006a,p.75).

Stemming from the due respect to people and the important choices they (can) make in their life and from their ability to lead their own course by their own lights, the justification for the state's duty to render services and supply goods becomes a powerful argument in Raz's hands. Raz approves the state using its fiscal powers to promote perfectionist ideals. In discouraging depraved activities it may tax them to mark its disapproval. Similarly, it may subsidize practices that advance a morally good life, deeming that this does not result in restricting autonomy (Waldron,1989). According to Raz, a liberal society has to use for its benefit the "symbolic effect of governments'

pronouncements” and their ability to contribute to the formation of an interesting agenda of social issues by benevolently instigating people’s interest. “An ever-growing proportion of government business is done not through using its...coercive powers, but through its intervention in the economy under the same rules which apply to other actors, while flexing its enormous economic muscle to political ends” (Raz,1989,p.1232). Whereas presenting governmental intervention in the economy as ‘ever-growing’ is out of date in contemporary liberal capitalist societies, Raz intends to justify state intervention and taxation as part of its task to protect and promote autonomy, albeit in a collective manner. His use of state power to improve people’s economic condition is illustrated in its duty to impose taxes and use the revenue to subsidize training useful for full employment and for economic development (Raz,2006b). To the claim that separate individual needs do not constitute a sufficient justification for imposing taxes or subsidize training, he responds:

[This] is a misperception. To the extent that the inhabitants of a country have reason to improve their own economic situation, they will have reason to do so through a common authority in those matters where that authority will be capable of achieving that goal better than they can do so by acting independently of it. Does it mean that I do have reason to raise taxes? Not necessarily, but the question stems from overlooking the fact that typically reasons do not come singly, rather they are nested (Raz,2006b,pp.1029-30).

There are theorists¹⁰⁸ who remain sceptical of the claim that deference to authority in the process to assume a valuable goal would not undermine individual autonomy. Waldron disputes the necessity of state interventions like the above, maintaining that by judging the moral value of ways of life the government distorts individual understanding of the underlying merits of competing positions and unduly replaces people’s moral

¹⁰⁸Not surprisingly theorists defending ‘philosophical anarchism’ react warily towards state-duties. Wolff believes in an inherent conflict between autonomy and authority in general and the state’s ‘putative’ authority in particular (Wolff,1970).

calculations (Gardbaum,1996). In particular, he argues that the Razian state's taxation and subsidizing insults its citizens by making their moral calculations easier than they should be. Waldron's objection to Raz's interventionist state which employs taxes, subsidies and legal measures to advance its perfectionist policies, is that it heavily interferes and distorts the way people formulate their persuasions about value (Waldron,1989). There can be a two-folded answer to the criticism. The first part of the response comes from Raz's affirmation that if we accept Waldron's argument the state would be utterly paralyzed since all state action has such distorting effect. As Raz accentuates, the very justification of authority rests on the claimed benefits of deferring to its judgements (Gardbaum,1996). This reminds us that Raz, like Galston (2002a), opposes a morally neutral state not because he thinks that as such it is attainable in its application, but because it comprises a deficient and bad polity, undermining instead of advancing liberal ideals.

The second part of the answer to Waldron's criticism, while in fact not extensively found in Raz's work, it forms part of a theoretical defence for policies similar to his perfectionist ones. Waldron (naively?) assumes that the process of individual understanding of the merits of each choice takes place in a 'sterilized' environment or in a moral, social, economic and conceptual vacuum... In Raz's words "Waldron's argument relies on a notion of intrinsic merit and demerit which is independent of social conditions, and which in most cases is hard to sustain" (Raz,1989,p.1234). Otherwise it is difficult to explain why he isolates government's role -in his view the only 'corrosive' parameter for the individual's 'impartiality'- as the deciding intervening factor for preference formation. In addition, from the various factors (pressing social and economic

needs, personal health, market dynamics, media, education, etc.) which could influence individual choices, the state's implicit (via taxation or subsidizing) role is among the few corresponding to a transparent, standardized process, linked with some form of individual consent. We should remember that we are talking about a liberal democratic (i.e. elected) government that, under Raz's 'service conception of authority', has to comply with conditions of legitimacy holding it accountable to the individual's interest. Even if reality often falls short of the ideal, it is a fact that the liberal state is institutionally obliged to account more for its actions to its average citizen than are, say, huge private conglomerates dominating the market. While Waldron claims to be sensitive to the use of social capital, the above spirit dominates the entire last part of his article (Waldron,1989,pp.1141-52). The postulate of an actual liberal society functioning satisfactorily but for the state's intervention, surfaces in his reasoning. A subsidy, according to Waldron, gives its beneficiaries a misleading picture of the *real costs* and *benefits* of pursuing the subsidized activity (Waldron,1989). Otherwise stated, Waldron actually believes in a market that expresses for the most part the genuine ('real') individual preference, able to be contorted solely by the alien, 'external' state intervention.

In contrast to this, Raz plainly quests for substantial egalitarianism in the allocation of resources (Regan,1989) because he does not believe this can just happen by itself or solely guided by the 'invisible hand of the market'. His examples of 'distorting' private interests that can influence people's life and preferences are indicative of this (Raz,1989,p.1234). Of course there are neutralists like R.Dworkin (1985;1988) and Rawls (1973;1993) who endorse Waldron's opposition to subsidies while favouring

redistribution on egalitarian grounds. The difference between liberal neutralists and perfectionists is by no means that all of the former reject redistribution while the latter support it. But Raz's difference from neutralists is expressed through his call to justify taxation and subsidies for the sake of a valuable and autonomous life, and via the prevalent role his government has to support people's well-being (Raz,2006b). Raz explains that for him redistribution -realized through taxation and subsidies- is more than anything else required for effective autonomy. He criticizes Waldron's overview of his stance for isolating the issue by assuming that taxes are not justified for redistributive reasons subsumed in sound moral ideals. Raz clarifies that he stands firm against such an idea: "In my view, consideration of the protection and promotion of autonomy provides the basic grounds which determine issues of justice and distribution. They cannot be separated from them" (Raz,1989,p.1233). Raz's advocacy of redistribution on grounds intimately related to what he sees as the essence of freedom (autonomy) comprises in principle a more forceful argument than that of the neutralists supporting it by invoking principles of equality. This is because in liberal theories -neutralist or perfectionist- it is reasonable to assume that freedom is in a privileged position. And when in Raz the claim for redistribution is so intimately vested to liberty¹⁰⁹ as to make the most essential part of the latter conditional upon the former, the predominant importance of redistribution becomes patent.

The social embedding of Raz's autonomy and its value (Raz,2001) allows him to see that pursuing good life is not simply an individual process. The development of

¹⁰⁹Moral principles like justice and equality that neutralists use in order to support their claim for redistribution are very important. Yet, being liberal, their theories too seek to prove the preponderance of liberty over other values, making the political aim to realize its necessary conditions of prior significance. Neutralists would have prioritized redistribution only if they had perceived it -like Raz does- as an essential precondition of (real) freedom.

people's capacities, virtues, tastes, and preferences is significantly influenced by the social environment. Unlike what Waldron implies with his argumentation, social and economic structures mould considerably the meaning, availability and accessibility of personal and social goods (Chan,2000). The inevitable participation of the state in regulating aspects of social life favours or hinders the development of certain structures. Thus, we can extrapolate that it is reasonable for the government to be concerned with encouraging the good life (Regan,1989). Even the government that aspires to remain neutral takes sides. The state inevitably participates in evaluating the goodness or badness of the impact of the social environment on people's disposition and ways of life. Raz is conscious that state neutrality denotes opting for ways of life and dispositions more favoured by the prevailing environment (Chan,2000). His support for necessary measures permitting people's emancipation via the choice of worthwhile lives, stands up to what anti-perfectionism may signify. The latter, as a principle of restraint on the sorts of reasons for which governments may act, impairs the logic to increase the availability of various goods. Anti-perfectionism "in this way may ultimately help to immunize the status quo" (McCabe,2000,p.336).

Raz avows the difficulties a government might face in its tasks by saying that in applying policies it is not always easy to discern the optimum solution. He nevertheless posits its active interventionist role, for governments can facilitate the better discernable situation (e.g. in parenthood policies) without always aiming at excellence (Raz,1989). Their objective to create an environment with adequate valuable options and opportunities to choose among them suffices. To this end, Raz supports raising compulsory taxation for it "subsidizes certain activities, rewards their pursuit, and

advertises their availability” while justified by the principle of autonomy. Besides, state policies related to inculcating “respect for the environment”, cultivating “good taste in landscaping and urban planning”, “while not positively required as a condition of autonomy”, they are consistent with it since “autonomy requires a public culture and is consistent with a tasteful rather than a vulgar and offensive environment” (Raz,1986,pp.418-22). Finally, it is important to underscore that while the perfectionist character of the Razian state brings it “close to various collectivist, or communitarian doctrines”, it differs from them in a significant aspect. It neither intends to advocate in favour of a “strong centralist government, nor a radical programme of change through political action”. It is a quest for a state which substantially contributes in maintaining a valuable life, i.e. a government that “is extensive and important, but confined to maintaining framework conditions conducive to pluralism and autonomy” (Raz,1986,pp.426-7).

The epilogue of the analysis of Raz’s perfectionism *per se*, signifies the commencement of my initiative to juxtapose it with that of Mill. Through this, I will attempt to reach some hopefully informative conclusions regarding the comparison of what, in my opinion, comprise the perfectionist elements in their liberal theories.

CHAPTER 4: COMPARISON OF MILL AND RAZ: REVEALING THE COMMON PERFECTIONIST CORE OF THEIR LIBERALISM

In the previous chapters the main objective in analyzing individually the basic traits of Mill's and Raz's work was to trace in it a general perfectionist rationale. It was shown that Millian utilitarianism and Raz's value-pluralism co-exist with a perfectionist logic which formulates their overall direction. Testing if the above analysis survives the actual juxtaposition of the two writers' claims, I proceed to their comparison which serves primarily to situate their common perfectionism and reveal the constituent parts of their theories in which it is prevalent. Demonstrating that fundamental for their liberalism components are comprised by certain perfectionist elements which essentially characterize their overall liberal work is the aim of such comparison; something that, if true, would challenge the dominant contemporary view which often identifies the liberal doctrine with its anti-perfectionist versions (Wolfe,2006; Galston,2002a; Neal,1997). While Waldron verifies the dominance of anti-perfectionist theorizing in contemporary liberalism, he also acknowledges that Raz's main project on freedom is as significant a new statement of liberal principles as anything since J.S.Mill's On Liberty (Waldron,1989). The importance of the status both writers enjoy within the liberal tradition is confirmed by Sadurski who includes Raz's treatise on liberty among the most eminent contributions to liberal political philosophy in recent times (Sadurski,1990). The prominence of Mill and Raz due largely to their commitment to liberty and perfectionism respectively is a principal motive for undertaking their comparison here. Juxtaposing arguments of a theorist who is well-known for his robust defence of liberty with those of a proclaimed perfectionist accredited for his work, facilitates the inductive conclusion

that by proving their common strategy of fusing liberal and perfectionist elements, these two traditions can be successfully combined. The present comparison aspires to form part of a perfectionist reasoning hardly defended in mainstream liberal thought.

It certainly contrasts with arguments classifying Mill as anti-perfectionist in a similar manner they do with 'neutralists' like Rawls and Nozick (Kymlicka,2003b). It is definitely set against the currently popular view that a retreat from liberal neutrality necessarily entails a retreat from liberal values (Damico,1997). Yet it is not only against such widespread liberal opinions which do not trace any perfectionism in Mill's liberalism and project illiberal views in Raz's perfectionism; it also deviates from views like Gray's which, despite detecting the constitutive perfectionist core Mill's and Raz's liberalism share, they use it to undermine the aspirations of the liberal project (Gray,1996). While Gray is one of the very few to stress that the perfectionism which is "undergirding" Mill's liberal arguments is something that he shares with Raz, he nevertheless sees it for the most part as a "disability" that plagues Mill's liberalism as much as part of its liberal posterity like the one represented by Raz (Gray,2000b). Evaluated jointly as in Gray's case or individually as Smith does with Mill (Smith,1984) and Neal with Raz (Neal,1997), their perfectionism is seen mostly as a troublesome side-effect of their argumentation rather than as a positive, viable and integral part of their liberal perspective, as I think it is the case. Against the above mainstream positions, the present comparison aims to contribute to such 'deviant' positive evaluation. It underpins the claim that they invoke coherent perfectionist arguments consistently combined with their commitment to liberalism. Mill and Raz coincide on the basic rationale of their liberalism which retains a perfectionist character covering all its major features.

In detail, in the principal segment (part ii) of the chapter it will firstly (section a) be claimed that both Mill and Raz propose comprehensive arguments for an ideal liberal life which oppose value-monism and encompass plurality, something to which perfectionism has been long depicted as antithetical. In the subsequent section of part ii I will argue that they both coherently use as an important vehicle for their perfectionism a similar conception of the harm-principle substantiating therefore its congruence with liberal principles and ideals. Such ideas enhance the compatibility of the liberal and perfectionist aspects of their accounts by elevating personal autonomy to a central component of human flourishing. The ideal of freedom as autonomy has largely its roots to Mill's account, subsisting today as witnessed in Raz's writing (Gaus and Courtland,2008); when combined with their notion of harm, Mill's and Raz's comprehensive autonomy becomes a common essential ingredient of valuable human lives (Nussbaum,2003a&b). In the third section of part ii, their comparison confirms that in addition to such perfectionist promotion of autonomy their views coincide on seeing as morally permissible the government's action to intentionally favour valuable pursuits over less valuable ones. According to Wall's typology of perfectionism this would classify Mill and Raz as proponents of a more 'holistic' liberal perfectionism distinguishing them not only from 'neutral' liberals like Rawls, Larmore and Nagel, but also from liberals like Kymlicka and Waldron who do promote the ideal of autonomy but do not subscribe to the view that the state should actively favour valuable pursuits (Wall,1998). The last constituent similarity confirming the common perfectionist strategy both Mill and Raz espouse to convey their liberal ideal will be the deep social embedding of the concept of self they adopt (section d, part ii). They share the view of human beings

as creatures whose loyalties and commitments with the rest of the people are profound, so as to conclude that their flourishing is bound up with that of their fellow-beings. Such view is here considered antagonistic to the anti-perfectionist strand of liberalism which, given its theoretical commitment, tends to discount efforts to sustain a culture of such social interdependence (Perry,1995) and leans more towards individualistic liberalism (McCabe,2000). It has to be noted that due to the nearly absolute¹¹⁰ absence of serious academic studies comparing directly the two liberals, extracting the essential similarities of Raz and Mill is a challenging and innovative task which needs to rely on the composition of dispersed arguments, describing separately each one of them.

While in my effort to unfold the perfectionist character of the two expositions I am more interested in revealing their common ground (part ii), a comparison in order to be comprehensive cannot disregard certain objective discrepancies between Mill and Raz (part i). Thus, the first part of the chapter will begin with an exposition of their distinct historical and social reality, their diverse backgrounds, as well as the different mode with which they approach -and integrate in their writings- liberal reality (section a). The objective, however, of the comparison remains the same in seeking to show that such variant conditions, despite affecting the particular implementation of their perfectionism, do not undercut their central mutual dedication to a perfectionist understanding of liberalism. Unveiling differences like their stance towards utilitarianism (section b), which indeed shapes accordingly their approach, does result only in a difference of form and not of essence regarding their perfectionist liberalism. Thus, Mill's perfectionism is defined as 'broad' and Raz's as 'narrow' (section c), with this part of their comparison

¹¹⁰ Klem's (2006) article cannot reasonably be considered an extensive or in depth effort to examine Mill's arguments along with Raz's in order to note their common ground.

becoming yet another warrant that the crux of their liberalism is similar rather than divergent since it does not contradict their perfectionism. It is this same end then that both parts (i and ii) of this chapter seek to confirm since the distinct features of Mill and Raz permit them at the same time to converge in the perfectionist way they perceive liberalism.

i.Their Differences Do Not Deny the Common Perfectionist Character of their Theories

a. Distinct Contexts

As happens with any systematic expression of human creativity, the liberal approaches Mill and Raz have are partly vested to their historical, cultural and intellectual context. While the main subject of their treatise has inherent archetypal features with a transcendental aspect, and seems to be independent of localized experience, their respective approaches to freedom are inevitably influenced by their different backgrounds. During Mill's time the individual was still seen by some "as the victim of...the new and triumphant forces of nationalism and industrialism which exalted the power and the glory of great disciplined human masses that were transforming the world in factories or battlefields or political assemblies" (Berlin,2002,p.219). As expected, in comparison to Raz's contemporary experience, built upon a long and relatively solid liberal and democratic tradition the benefits of which society at large enjoys, Mill had to put more emphasis on the discourse of individual liberation, at least in its terminological formulation. Additionally, the memory of anti-absolutist struggles were not so distant from his time, a recollection which could not avoid but exercise a formative influence on

his conceptual depiction of the ideal of liberty and the extent to which it could formally be defended by the state's involvement. Yet, Mill advanced very much from Locke's paradigm of unfreedom by demanding much more in the name of liberty than freedom from the arbitrary will of others, security and governmental non-interference (Green,1988). Nonetheless, for contextual and historical reasons, his account was embedded in a much more sceptical attitude towards institutional contribution and guaranties for personal liberty than Raz's is today. After all, as Berlin puts it, "the disease of Victorian England was claustrophobia—there was a sense of suffocation, and the best and most gifted men of the period, Mill and [others included]...demanded more air and light. The mass neurosis of our age is agoraphobia; men are terrified of disintegration and of too little direction" (Berlin,2002,p.243). This might be one of the explanations why Mill was not as outspokenly perfectionist as Raz is in terms of the moral foundation of liberty and the role the state can play to 'direct' people by supporting the necessary conditions for autonomy; and this is while they share, as we could see in the previous chapters, many common features in their approach to liberty and its value. Mill is animated by an exaggerated liberal partiality and like other early liberals he is too uneasy about concentration of power coming either from public liberal institutions or from the effects the very same democratic process can have. Thus, his fears of a numerically expanding working class would today be regarded as exaggerated or flawed. Despite aiming at promoting moral improvement, defending robustly the expansion of the democratic prospect and holding a developmental view of the liberal self, Mill retains a strong liberal scepticism in relation to unchecked power (Terchek,1993). This is more comprehensible taking into account his context and if not seen from a current perspective.

To avoid any misunderstanding here, I am referring to the potential impact the context of the two theorists probably had on the use of their respective nomenclature and terminological subtleties, since as I have contended I take the core of their liberal perspective to be quite similar. And Raz's formal refinement does not hesitate to articulate as part of a perfectionist process -Mill could have used similar signifiers- moral and political goals which he sees as an obligation for the government to achieve and as a precondition for the individual to be rendered autonomous. But while Mill never used such transparent labelling to describe his moral and political aspirations this is not to say that their difference is deeply rooted. While it is important to take into consideration the distinctiveness of the societies which host them, as Valls reminds us, Mill's experience with a state only relatively democratic did not deter him from envisaging it as a plausible extension and vehicle to society (Valls,1999). Thus, for him as for Raz, state assistance is a legitimate means society can use in order to achieve certain ends, among which to promote moral development and liberty as autonomy. The historical context therefore can be held accountable more for a largely nominal than essential difference. This is because Raz is perfectionist in both senses and Mill only in the latter one.

A possible explication of the different way Mill's and Raz's theoretical work relates to their immediate political reality as well as to practical issues in general could also be derived from another relevant context, that of their broader personal interests, objectives and activities. Mill's proposals for moral and political advancement were often finding an applicable expression since they were more clearly tested in a tangible actuality. "Mill [was] actively engaged in the policy debates of his day, and saw much of his work as a contribution to these debates...His work on political economy, women's

rights, democratic reforms, and the like, are all presented as practical alternatives to prevailing policy” (Valls,1999,p.272). On the other hand, Raz adopts a more cautious stance towards political activism. He invites us to recognize the boundaries of the effectiveness of political action and realize that it is a crude tool with shortcomings and limited ability to influence people’s personal goals. Consequently, he most of the times opts to view political theory from its more general philosophical side, assuming that philosophers should not react hastily to current issues or even to longer political trends. Despite acknowledging the more topical side of political philosophy, he denotes a reluctance to be drawn too much in that direction. He sees himself as a theorist, whose work could at best be combined, but by no means substitute the job of empirically minded policy experts. His stance is epitomized in his appeal to political theorists to be patient, observe long terms, facilitate their understanding, and conceptualize them in a useful way rather than seeking to participate as direct actors to the dramas of political life (Raz,2006a).

Maintaining generally speaking such remoteness from everyday life have permitted Raz’s theoretical work to engage in pursuing or envisage schemes without worrying too much about the detailed applicability of his proposals or for having a second best plan. Indicative of this is an autonomy which always demands compliance with nothing less than ‘many morally valuable options’ (Raz,1986) or a theoretical scheme in which acting in accordance to its ‘service conception’ purifies authority (Raz,2006b). While Raz is perfectly conscious of the abstract nature of these exercises and their limitations *per se*, it seems that for him they comprise a more enjoyable endeavour in the sense of describing the ideal without niggling about daily trivial

constraints. Such a general view of the way his theory relates to his immediate political and social context liberates Raz from being too much preoccupied about its practical application. In this light, his insistence to emphasize a largely exclusive link between autonomy and morally good choice, or his idealized concept of authority, are more understandable. Mill on the other hand, was embroiled in the actuality of his society, taking often a realistic view of political questions by offering practical solutions. His approach of self-development resonates this (Valls,1999). As a result, and in comparison to Raz, the application of Mill's theory is not as rigidly idealistic. Donner suggests that we should look at Mill's concept of human development as a feature admitting degrees and not as absolute. This is the corollary of him engaging in practice¹¹¹ to the issue of how to increase and refine the rational and social skills of people (Donner,1991). But again the difference in their willingness to be involved in the current affairs of their respective societies should not be exaggerated as far as their overall perfectionist stance is concerned. After all, while being more practical in attempting to approximate a society of developed individuals, Mill recognizes a range of goods needed for self-development and the state's implication to provide them. And this resonates as very similar to Raz's needed conditions for autonomy and the role of his perfectionist state in catering them.

However, choosing or not to distance one's moral and political theorizing from the actual affairs in a particular society has in the case of Raz and Mill a specific repercussion on whether the critical aspect of their philosophy is accentuated or not. Mill adopts a more critical stance towards what he sees as an excessive uniformity of ideas and uncritical thinking in his contemporary society which he relates considerably to

¹¹¹ See in CW Mill's extensive discussions of representative government and democracy as well as of economic affairs.

conformity to commercial norms. “The great danger to Millian moral development is an uncritical uniformity to the norms of production and consumption” (Terchek, 1993, p.180). Mill is worried that people in a commercialized civilization can be enslaved to artificial wants, dulled by mechanical production, and ultimately be entrenched in their private lives becoming selfish members of an undifferentiated atomized mass instead of forming a public. Based on such critique of similar features of his contemporary society Mill offers the contemporary liberal a combination of market and socialist measures emphasizing the importance of devolved power and material independence as basic to any attempt to combine freedom and community. Such an offer for Mill meant to contribute to the accomplishment and not the disavowal of liberalism’s best values (Levy, 1981). On the other hand, while Raz lives in a more advanced capitalist society than Mill’s where commercialization is more accentuated, the examples where he is engaged in pinpointing problems of this kind for the realization of his autonomy in the real world are very limited. I do not think it is beyond Raz’s capacity to envision the relationship between his perfectionist ideal of autonomy and the extent to which contemporary liberal society actually allows its realization or not, and if not, to study why this is the case and offer possible remedies¹¹². By describing the scope of his perfectionist state action he implicitly stresses the limitations a liberal commercialized and market oriented society has to generate by itself the appropriate and necessary conditions for his ideal of autonomy. Raz though does not seem to want to engage extensively in the direct evaluation of the actual society and its potential obstacles hindering his envisioned ideal. He opted not to actively pursue a thorough evaluation of such link and therefore the

¹¹²A sample of Raz’s ability to envisage the practical application and the necessary politics for the implementation of his ideal of autonomy was presented in Chapter 3 (pp.205-13).

question to what extent and of which aspects he is critical of today's liberal capitalism remains to a large extent unaccountable.

Despite such objective contextual differences between Mill and Raz, the upshot of the present discussion is that they are not of a kind that negates the -philosophically and politically- perfectionist approach of liberalism they share. Such discrepancies account only for the nominal deviations I mentioned as well as for a more (Raz) or less (Mill) abstract application of their perfectionism. Let's see now how another difference between them affects their expositions.

b. Mill is a Utilitarian while Raz is Not

There is an abounding literature dealing with the utilitarian aspect of Mill's thought. While the relevance of it here is largely exhausted in the scope of chapter 2, it surely reminds us that this is not an aspect that Mill shares with Raz. Whereas they agree that liberalism should not be conceived as a right-based theory and that pursuing the good is what matters, Mill's emphasis on some concept of human happiness -though ambiguously linked with that of classical utilitarianism- makes a broadly defined utility a constituent element of the formulation of his political argumentation. Donner's view of Mill focuses on his concept of the good rather than on rights and obligations. From this perspective his liberalism parallels Raz's in the sense that it is not right-based. Yet, "in contrast to Raz, who argues that utilitarianism will not support such a liberalism, Donner indicates how Mill's qualitative hedonism, when placed in the context of his views on human development...constitutes a utilitarian defence of a non-rights-based liberalism" (Wilson,1993,p.184). There is indeed a tangible difference between Raz's and Mill's approach towards utility. Raz (1986) criticizes any form of consequentialism. He

avowedly declines utilitarianism and the rationale that desire-satisfaction is intrinsically good. He rejects the supposition that actions are less morally significant than outcomes¹¹³ (Green,1988). On the other hand, Mill's version of the utilitarian doctrine is an integral part of his theory and in principle suggests that the only thing desirable as an end is happiness (Mill,CW,x,1985,p.234). Articulated in this way this constitutes a clear but also profound difference in their approaches. However, as we saw in chapter 2, and as Young reminds us, Mill's liberalism does not use mainstream utilitarian arguments to promote the value of freedom, autonomy and individuality (Young,1982). This makes the existent divergence of their approach not one affecting deeply the core of its perfectionism. The rich composition of Mill's idiosyncratic concept of happiness, while open to contradictory interpretations, is surely not meant to reflect a rigid notion of psychological or mental state reached with plain desire satisfaction (Bogen and Farrell, 1978).

Thus, Donner's attempt to offer an "unexpectedly strong defence" of Mill's utilitarianism as combinable with his liberalism conflicts with some of Mill's other views (Wilson,1993,p.184) leaving her unsatisfied with his treatment of measuring pleasurable experience and happiness. As Wilson puts it, if Donner's Mill is to count as utilitarian it is likely that this would show that utilitarianism "is sufficiently fuzzy to elude the clear and easy categories into which our theorizing would like to put it". This is because it hardly offers any "formula for ranking all pleasures, or perhaps actions, in a tractable and easy order" (Wilson,1993,p.184). The difficulty to constitute such single scale to measure

¹¹³While partly sharing with the utilitarian his concern for human well-being, Raz interprets it differently. The utilitarian fundamental units of moral concern of satisfaction or dissatisfaction are primarily individual when for Raz individual well-being is closely vested with that of society as a whole, contributing thus to the bridging between self-interest and morality (Green,1988).

them is reminiscent of Raz's warning that utilitarians are wrong in regarding all values as commensurable. As we saw¹¹⁴ this does not establish that comparison of values is impossible nor necessarily to be avoided. It draws our attention to the inability of comparison to detect always the qualitative differences of the nature of value. The wide use of the means of comparing values -as a utilitarian calculus would presuppose- can be incompatible with the appreciation of the options' quality (Green,1988). It is interesting to see that despite the different stance that the two theorists adopt *vis-a-vis* utility they both retain the sensitivity to detect the nuances of quality in their political value-scheme. And when they trace that they are of distinguished importance they aim to attribute them their due status and promote them as political goals with their support of a perfectionist state¹¹⁵. While in Raz this is expressed via his outspoken perfectionism, in Mill it takes place through his 'choice criterion of value' articulated in the verdict of the 'competent judges'. These are the ones responsible to decide on quality due to their rational acquaintance with the offered options; the ones that are capable of ascribing superior quality to their preferred enjoyment—even in the case that it is accompanied with greater discontent. This superiority in quality of their preferred option can outweigh quantity of happiness -the common utilitarian criterion- as experienced by the individual which might be greater when opting for a different choice (Mill,CW,x,1985,Utilitarianism).

Therefore, Mill and Raz differ indeed in their position towards utilitarianism but this does not constitute an obstacle in the formation of some rationalist basis for their perfectionism¹¹⁶. Gray in his later writings¹¹⁷ verifies this by arguing that the fundamental

¹¹⁴ See Chapter 3, part i, section b.

¹¹⁵ See mainly Chapter 2, part ii, section c and Chapter 3, part ii, section c.

¹¹⁶To the extent that this difference between them does not touch upon their perfectionism it is not meant to be analyzed extensively in the present text.

moral theory behind Mill's liberalism is "a species of perfectionism" rather than conventional utilitarianism. "The conception of human flourishing that it invokes is one in which the goods of personal autonomy and individuality are central" (Gray,2000b,p.137). Aiming at a character ideal seems to be more important than mere subjective want-satisfaction since a noble character contributes more than other things to human happiness (Mill,CW,viii,1974,Logic). The above mentioned Millian theory of the higher pleasures detected by the 'competent judges' ultimately links choice with self-improvement. This is highlighted also by Berlin whose interpretation of the gist of Mill's liberalism traces the presence of his perfectionist state promoting education, hygiene, social security and justice but does not include his utilitarianism as a constituent part of his theory. "At the centre of Mill's thought and feeling lies, not his Utilitarianism...but his passionate belief that men are made human by their capacity for choice"; a capacity of choice intimately linked with the "capacity for self-improvement" (Berlin,2002,p.237). Thus, the professed Millian utilitarianism seems to allow its unconventional coexistence with the defence of a specific ideal of life in which individuality and autonomy are highly valued and praised. But this ideal -Gray and Berlin agree- is brought forward by Mill as a theory of human flourishing in which people can potentially express their nature with success only in a society that respects and promotes these liberal traits. And this is something on which the opinions of Mill and Raz converge rather than diverge.

¹¹⁷ Post 1995 writings.

c. Mill's Broad and Raz's Narrow Perfectionism¹¹⁸

As an extension of their distinct approach on utility comes a difference of taxonomy relevant here for circumscribing their perfectionism. Let's see where this difference stems from. Taking the core message of Millian liberalism to be founded more on perfectionist rather than on utilitarian grounds does not entail neglecting the utilitarian aspect of his theory. The complexity of his approach and his engagement in its analysis oblige someone not to dismiss light-heartedly such facets of his theory as irrelevant to his perfectionism. Thus, as the examination of his treatment of autonomy and happiness shows, his concepts are implicitly affected by the broadness of a focus that includes apparently 'want-regarding' utilitarian arguments as well. It seems that Mill makes a more persistent effort than Raz to 'fuse' want and ideal regarding¹¹⁹ aspects and 'squeeze' them into his autonomy; this is regardless if its overall evaluation tilts towards its ideal formulation and even if autonomy itself cannot be the whole moral ideal since it can coexist with moral flaws (Feinberg,1990). Traces of this want-ideal 'fusion' can be found either dispersed in Mill's argumentation or as part of a complex effort to reconcile -seemingly antithetical according to conventional terminology- parts of his theory. Deciphering his intention Gray, throughout his writings, claims that Mill aims to favour a basis of a want-regarding theory. But in evaluating his effort, Gray reaches two conclusions. First he claims that Mill roughly succeeds to abide to his alleged intention for a want oriented theory (Gray prior to 1996) and later on that he unintentionally slides towards an ideal-regarding theory (Gray post 1996). The latter opinion he shares with

¹¹⁸ For the exact typology of perfectionism and its variations see chapter 1.

¹¹⁹ For the special use of 'ideal-regarding' aspects see chapter 2, p.42. For the want/ideal-regarding fusion in Mill see chapter 2, pp.82-4.

Brian Barry who identifies Mill's idea of the higher pleasures with an attempt to differentiate aims based on want-regarding premises, an effort foundering on the facts (Barry,1973a). As I explained in chapter 2, I believe that Mill's general orientation¹²⁰ was more to promote an ideal-regarding liberalism that would in the political use of the term 'educate' people and permit them to make informed choices to which they are entitled to. He also believed that choices should not -within reasonable limits- be directed or blocked by others. Mill advocated education without forgetting the freedom to which it entitles the educated. He pressed for freedom of choice remembering that without adequate education it may lead to chaos and a new form of slavery. He aimed at an ideal of liberty and that is why he demanded both things (Berlin,2002). Despite combining want and ideal arguments I take Mill's overall stance to be closer to Gray's later ideal-regarding interpretation -but not seeing this, as Gray does, as a failure for Mill's project.

I understand however that due to his complicated effort to fuse the promotion of people's choices and the needed education if they are to be politically meaningful, there are parts of his account that can support the want-regarding interpretation. "No reason can be given why the general happiness is desirable, except that each person, so far as he believes it to be attainable, desires his own happiness" (Mill,CW,x,1985,p.234), a *per se* want-regarding view. Based on such parts of his account one can rightfully claim that here lies this additional difference with Raz, making his perfectionism of a 'broader' or 'inclusive' nature. It seems that Mill by taking more into account individual desires makes it occasionally easier for an agent to qualify as autonomous even if she or he opts (wants) to choose a morally bad or mistaken choice (as long as Harm Principle is

¹²⁰ Since Mill never deals explicitly with the issue of want and ideal regarding arguments, the evaluation here is based on the weight he attributes to such kind of arguments as defined by Barry (1965;1973a).

satisfied). For Raz the equivalent is not that clear, at least as far as autonomy as a normative political value is concerned. While he knows that in practice the eradication of immoral and repugnant options is nearly impossible -making always the “autonomous wrongdoer” a morally abhorrent but existing possibility- his politically relevant contribution does not see the availability of bad options as a requirement of respect for autonomy. Thus Raz’s political proposal for an ideal of autonomy requires solely the availability of morally acceptable options (Raz,1986,pp.381-2). On the other hand Mill intuitively claims at some point that the only necessary proof for his aimed happiness, that happiness is good for someone, is its subjective evaluation. “All the proof which the case admits of..., all which is possible to require” is that “each person’s happiness is a good to that person”. And this is while happiness remains a constituent element of his liberal theory as one of morality’s criteria (Mill,CW,x,1985,p.234). Accordingly, this can be interpreted as establishing a close connection between the desired and the desirable (Haworth,1989) without emphasizing here the qualitative criteria that he usually¹²¹ sets for his happiness. In addition, Berlin includes in the principles that Mill never abandons “the right to err”, the possibility of “fallibility” as an important and often prerequisite “corollary of the capacity for self-improvement”, something that demonstrates his overall “distrust of symmetry and finality as enemies of freedom” (Berlin,2002,p.237). Raz’s autonomy, requiring exclusively morally good options, does not take as seriously this consideration for the ‘usefulness’ of fallibility.

When Mill aims at a happiness that at times seems to qualify as such by merely being desired, when his ‘trial and error method’ is posed as a requirement for self development, the relevant here process of attempting to give shape to his overall

¹²¹ See chapter 2.

perfectionist approach cannot remain unaffected. Based on this evidence it seems to be diverging from the equivalent 'narrowly' defined Razian perfectionism that promotes only good and valuable options if someone is to qualify as autonomous. This is also the case when all this is matched with what theorists like Rachels and Ruddick see as an episodic endorsement from Mill's part of a versatile concept of liberty¹²². According to them, Mill's liberalism endorses, in various places, three different concepts of freedom. One that sees it as intrinsically good and is opposed to his utilitarianism, one being in accordance to it by reverting to consequentialist arguments, and the most eloquent one which promotes the self-realization argument of liberty as autonomy (Rachels and Ruddick,1990)¹²³. The truth though is that "if there is one moral theory where talk of autonomy has traditionally been unwelcome, it is utilitarianism...[but] the fact [is] that John Stuart Mill comes very close to assigning a direct and irreducible value to autonomy" (Christman,1990,p.15). However, the question here at issue is not if Mill's liberty preserves its essential to a utilitarian theory want-regarding character (Krouse,1985) but what perfectionist scheme fits better his engagement with utility and his occasional use of different concepts of freedom. While I believe that Mill's work is distinguished for the third concept of freedom as autonomy which, for the most part, dominates his liberalism, all the above elements differentiate the formulation of his perfectionism from that of Raz's.

¹²²For Mill's various uses of the concept of liberty see chapter 2, section c, particularly pp.91-6.

¹²³These three concepts of freedom are based on interpretations of respective comments from Mill's work: The first derives from comments like "all restraint, qua restraint, is an evil..., leaving people to themselves is always better...than controlling them" (Mill,CW,xviii,1977,p.293), the second from Mill's defence of free speech as having desirable consequences and facilitating the knowledge of the truth (On Liberty,chapter2), and the third from texts that promote Mill's constituent argument of the mutual interdependence between genuine liberty and self-development (e.g. Mill,CW,xviii,1977,pp.262-3).

Raz's liberalism is closer to what Hurka (1993) calls a species of pure perfectionism, denoting that his morality contains a concept of autonomy that as a political ideal it is one of narrow perfection. By this is meant that Raz's liberal claims are weighted against no other ideal but that of his perfectionist autonomy. While taken for granted that Raz's autonomy already contains the negative duty of respect for people, this is only a preliminary condition vested to his perfectionist idea to respect and promote what is valuable since to respect people arises out of the fact that people themselves are of value (Raz,2001). Thus, Raz's autonomy is (implicitly) founded on some definition of human nature and its value and it urges us to develop our natures by attaining autonomy as an ideal of excellence (Hurka,1993,p.4). More concretely, Raz's autonomy as a political goal¹²⁴ demands much more than the negative duty to respect people, much more than the minimal but not sufficient condition of what Hurka calls the simpler autonomy of any free choice (Hurka,1993). His autonomy aims at the good and its realization involves, at least partly, all the three major goods that Hurka (1987b) includes in his 'narrowly' defined Aristotelian perfectionism: physical, theoretical and practical perfection. While he takes seriously the accommodation of biologically determined needs, Raz clearly puts the emphasis on the last two, that is, on what Hurka defines respectively as the knowledge that we should have about ourselves, others and the world as well as the exercise of rationality in action. For Raz human rationality, both theoretical and practical, plays a central role in forming his morality of freedom. In building up his autonomy, he underlines the dependence of personal goals on valuable reasons

¹²⁴ Raz's autonomy is political not only by implicating his perfectionist state to provide the necessary for its attainability conditions. Autonomously choosing morally bad options is not for Raz as *politically* relevant as to concentrate on the process that leads to autonomously chosen good options; as pertinent political concept autonomy presupposes the adequate conditions for morally good choices.

incorporating the evaluation of a person's project to the success of his life based on the truth and cogency of his goals (Raz,1986,ch.12). And this process implicates as a basic evaluative criterion the knowledge of us and others, i.e. the Hurkian theoretical perfection. The primacy of action reasons as an integral part of personal well-being and success -what Hurka calls the successful achievement of an agent's goals (1987b)- coupled with Raz's inseparability of morality and well-being (Raz,1986,p.313), add as essential for his autonomy the component of practical perfection.

There is a similarity between the ways Hurka's 'pure perfectionist proposal' and Raz's liberalism ascribe perfection to their view of autonomy. They both promulgate a concept that requires more than the availability of options. It involves the exercise of deliberative and applicable rationality that realizes agency and presupposes choices between valuable options. Hurka's narrow perfectionism calls it 'deliberated autonomy', a free choice from a wide range of options that does not involve only their intellectual assessment but reflects practical reasoning about them. In his Aristotelian perfectionism Hurka's autonomous agents have encompassing ends of quality that shape their life realizing thereby substantial agency (Hurka,1993). By setting preconditions like the presence of various *valuable* options for an agent to choose from if she is to qualify as autonomous, Raz follows a similar approach. He relates his liberalism to an account of human nature where the exercise of rationality, knowledge, agency, care for others, and the attainment of value in general -under the necessary state encouragement- are expected to flourish. It is similar to the view of Green (1969) and Hurka (1993) of humans as having some tendency to the good which in favourable conditions they can smoothly follow. In a politically relevant manner Raz envisages the identification of the

autonomous with the morally good person. And the morally good person for him “is he whose prosperity is so intertwined with the pursuit of goals which advance intrinsic values and the well-being of others that it is impossible to separate his personal well-being from his moral concerns” (Raz,1986,p.320).

On the other hand, Mill’s liberal perfectionism is closer to what Hurka calls its broad, inclusive version¹²⁵. This is because his liberty as autonomy, a perfectionist ideal, co-exists with a form of utilitarianism and occasionally, as we saw, with (non cardinal for his theory) statements in favour of subjective happiness and liberty as a right ostensibly defending non-perfectionist principles about utility or rights (Hurka,1993). This is not to say that Mill does not comply with one of the Hurkian criteria for narrow perfectionism as referring to a moral theory based on a particular view of human nature. Mill’s doctrine of development and self-development is related to a conception of human nature as naturally seeking to nurture its higher capacities (Donner,1991). Yet, his perfectionism approximates more an ‘inclusive broad’ version because Mill does not use an ‘all in one’ ideal of narrow perfection like Raz’s autonomy. The crux of his perfectionism is diffused between his notion of free individual evolution as an ideal of self-development and his qualitative perception of happiness. But even if his qualitative utilitarianism is to be regarded as a species of “perfectionist consequentialism” (Sinnott-Armstrong, 2006), Mill broadened the basis of the value of pleasurable experiences thinking that the conception of the good of his utilitarian predecessors had been far too narrow (Donner,1991). His liberal vision of self-development is of a broad perfectionist style for it supports “the more inclusive view that values...development of capacities or some achievement of excellence” as expressed in conjunction “with other broadly perfectionist

¹²⁵ See also pp.65-7.

values...about utility or rights” (Hurka,1993,pp.4,6). Human development, seen in the context of Mill’s utilitarian rights theory, plays multidimensional roles. “Mill’s ability to see the richness of crucial concepts and the interconnections among key elements of an interwoven and dynamic system accounts for much of the intricacy and interest of his theory” and explains the broadness and inclusive nature of his perfectionism (Donner,1991,p.5).

It has to be stressed though that while I share with Hurka (1993) the use of his typology of an inclusive view of perfectionism to describe Mill, this by no means imply that I agree with his evaluation of Millian liberalism as containing an absolute principle of freedom¹²⁶. This should not be regarded as a decisive element of the inclusiveness of his theory. Mill uses various concepts of liberty but the one that best describes the core of his liberalism is liberty as autonomy and not freedom as a rigid, absolute and never negotiable right. He negotiates some freedom as a negative right in order to achieve gains in liberty as autonomy. In the lack of an elaborated taxonomy for the different Millian freedoms Hurka mistakenly identifies the essence of his liberalism with a blatant absoluteness of liberty as a right. Mill would not necessarily oppose, as Hurka suggests, his view that to (non-coercively) ‘restrict’ now a person’s freedom -as expressed in a trivial desire or impulse for example- could increase her autonomy in the future. After all, Hurka himself (later in his text) endorses the opinion that Mill’s fundamental perception of liberty is not as simplistically negative and absolute as he initially contends. Mill’s “broadly perfectionist line” “care[s] most about the freedom to fix the general shape of one’s life or one’s general guiding ends” by requiring extensive knowledge of the available options in our experiments of living (Hurka,1993,pp.148-52). Evidently I share

¹²⁶ See also chapter 2,pp.108-9.

Hurka's view of Mill as rejecting neutrality for not being a traditional liberal ideal, and subsequently as willing to non-coercively promote the good, something that is incompatible with an absolute defence of liberty as a right (Hurka,1993).

Therefore, the inclusive character of Mill's perfectionism is also exemplified in the incorporation of his notion of development in his liberty as autonomy as well as in his utilitarian -though not classical- concept of happiness. Mill believes that if someone is to be a competent judge and in a position to know how to choose good options, she needs to undergo a process of self-development involving individual and social skills constructed on the groundwork of generic human capacities. In turn, enjoyments involving such generic cognitive, affective, and moral capacities are substantive components of happiness since it is presupposed that humans possess these abilities. Their development is a prerequisite not only for autonomy but for happiness too (Donner,1991). Summing up, the inclusive character of Mill's liberalism can be attributed to the coexistence of ideal values like his autonomy and happiness which occasionally intertwine or cohabit at a lower level with secondary arguments about utility or liberty as a right constructing thus the broadness of its perfectionism. And it is this broad nature of Mill's liberalism that is responsible for attracting descriptions which identify it with moralities that range from an "open-ended sort of perfectionism" (Gaus,1981,p.64) to a strong perfectionist championing of virtue first of all and of liberty only afterwards (Semmel,1984). It is true that Mill at times appeals to distinctive objectives; to a substantial way of life ought to be chosen and to a conception of liberty in which choices are central regardless of their content (Gardbaum,1996). But this should not distract us from his main message which is clearly perfectionist, albeit of a broad nature.

If we are to follow Chan's basic division of perfectionism, both its Razian and Millian variants should certainly be classified as belonging to the "moderate" rather than the "extreme" type. Nonetheless, when we proceed to examine Chan's elaborated typology¹²⁷ describing in detail the different versions of his perfectionism, Mill's and Raz's exact classification -following this detailed taxonomy- would begin to diverge. According to this scheme it is verified that Raz's liberalism as based on the ideal of autonomous life is rather closer to what Chan calls a "pure" species; this is while Mill's liberal theory seems to have more features of his "mixed" and "multicentered" style (Chan,2000). In the first case the expression of the good life is identified more with a single value and in the second the examination of other values comes also into play. The latter is more inclusive in the sense that it co-examines different variables and their contribution to good life. It allows for a 'broader' liberal perspective where the promotion of valuable goods and ways of life is examined not only from the perspective of the autonomous agent but also in conjunction with the happiness of the political community. As mentioned above and as Chan reassures us the "pure"- "mixed" (more) methodological distinction between forms of perfectionisms should not be taken as necessarily corresponding to the (more) axiological diversion between "extreme"- "moderate" types. Extreme perfectionism involves comprehensive rankings of particular ways of life and goods; it is largely insensitive to possible repercussions of abrupt social and state interventions to pursue the good life. Both Mill's and Raz's perfectionisms, with their 'mixed' or 'pure' nuances, while rejecting liberal neutrality they adopt a cautious stance

¹²⁷ While Chan's classification (2000) serves more as a guiding line for state policies I believe it can also be a useful indication of the various forms perfectionisms can in general take. Its use is pertinent here since some of its features correspond considerably to the forms of perfectionism attributed in this section to Mill and Raz.

towards social and public interference which might infringe autonomy. They both reject interventions which based on highly counter-intuitive beliefs that cannot be rationally defended prioritize arbitrarily concrete ways of living and goods. After all, Chan does “not claim that the comprehensive aspect of extreme perfectionism is logically connected to other [forms] such as pure [perfectionism]” (Chan,2000,p.16). The fact that both Mill and Raz represent moderate types of perfectionism will be vindicated in the following chapter as well as in the next part of the present one where their common features will be located and analysed.

While their comparison could not have omitted certain distinct procedures of inquiry between Mill and Raz as well as concrete objective contextual differences that separate them, the present part suggested that, regarding their approach to liberalism, both follow a perfectionist path that is differentiated by such varied features only in form and not in essence. And this is because such perfectionist essence lies in all the constituent traits of their liberalism. Thus, after examining their relevant differences I will now proceed to the analysis of the traits where the perfectionist liberal approach they share is more clearly revealed.

ii.Situating and Analysing their Common Perfectionism

The focal point in the present work is to underline that what Mill and Raz share is of eminent significance not only in comparison to what divides them but also in terms of its relevance for today’s liberalism. This part contains the crux of their comparison, namely, the *common* features of what I see as an essentially *perfectionist strategy* to convey their liberal ideas. A fundamental part of this strategy is accommodated by their concepts of liberty as autonomy, their harm principle and their concept of self but its

formulation is also affected by their approach on value and on the theme of plurality. Contrary to what is often argued, I will claim that they essentially share their opposition to value monism, something that if true can contribute to the bridging of the alleged gap between perfectionism and plurality of value.

a. Consensus against Monism

While Raz is a declared pluralist not all scholars detect seeds of plurality in Mill's liberalism. Riley (1998) and Smith (1984) use a similar line of reasoning connecting solely with a complex type of liberal utilitarianism and not with value-pluralism Mill's fondness for the diverse expressions of human individuality and his aversion to conformity. Johnston (1994) has argued that Mill's -and Raz's- ideal for autonomy is so 'strong' that it does not only undermine any reasonable value-pluralism but it is also essentially illiberal resulting in despotic paternalism. Crowder also infers that Mill is a monist but certainly not authoritarian since the two concepts are not necessarily linked (Crowder,2002).

Serious arguments counteract not only Johnston's view of Millian liberalism as stubbornly entrenched behind a rigid value-monism which it aspires to impose but also the position that Mill is not a value-pluralist. It seems that all the aforementioned authors who detect monist features in Mill they do so by prioritizing his utilitarianism. While this runs counter to the argumentation presented in chapter 2, according to which his perfectionism precedes in importance, it also largely ignores the evaluative concept of happiness Mill uses. Such concept of utility can doubtfully support their claims whilst it may be taken as a serious footing for value-pluralism (Mason,2006). For Mill there are many divergent paths to lead a good life and achieve the human good. Affirming this

Gray sees Mill as “a proto-value-pluralist” (Gray,2000a,p.30). It has to be acknowledged that there is an obvious difference in the societies where Mill and Raz reside and work, with the latter naturally having more incentives to study and promote value-pluralism than the former. There are objective reasons to examine the plurality of values more thoroughly in an age of a liberal multicultural society and therefore it is not a surprise that Raz explicitly highlights and more meticulously investigates the issue of value-pluralism (Raz,1994). However, it is interesting to see that Mill could be considered as a predecessor in a debate that was to reach its culmination much later (Mason,2006) since he essentially embraces heterogeneity of value “in all but name” (Galston,2002b,p.31). His acute critical and historical self-consciousness makes the adaptation of his ideas sensitive to their context and thereby not antithetical to Raz’s value pluralism. His arguments about the diversity of human knowledge and the active adjustability of men to new experiences, his “experiments in living” (On Liberty), confirm “the half-conscious value-pluralism [Berlin] finds in Mill” (Gray,2000b,p.157). Acknowledging the diversity of forms of genuine human flourishing and the possibility of its flexible contextual adjustment stems from the common feature of the historical self-consciousness that Mill and Raz share, something that does not seem to be as prevalent among present-day neutralist liberals (Gray,2000b).

If one was to follow Stocker’s typology to distinguish monism from pluralism Mill’s theory is definitely not monistic. “Theories can be monistic or pluralistic in different ways...: in regard to value, in regard to act evaluation...and in regard to the function between the two” (Stocker,1997,p.202). Stocker maintains that a theory is just as much pluralistic if it only has plural evaluative modes as it is if it has plural values. And

the evaluative mode of Mill is not singular since values for him have qualitative as well as quantitative dimensions. The qualitative dimensions though can give rise to incomparability (Chang,1997) or, better put, incommensurability¹²⁸ and either alternative suffices to make the theory pluralistic. For according to Stocker an approach like the Millian with its qualitative differences to estimate the good involves plurality in its act evaluations and function, diverging thereof from monism (Stocker,1997).

But even if we do not follow Stocker's typology for monism but the 'mainstream' one -according to which the commensuration of values independently of their context is taken as a given- Mill and Raz can be seen as sharing their opposition to it. Mill is aware of the multiple sides of truth and of the complexity of life which rules out simple solutions; he advocates the need to understand and gain illumination from diverse doctrines. He is notably open to change and concerned to preserve variety by resisting the peril of social pressure (Berlin,2002). This is due to the conviction he holds about the contextual shaping of the truth each person experiences. "The world to each individual means the part of it which he comes into contact". The 'truth' that he experiences and takes as a given might be, at least partly, a product of his immediate ambience: "his party, his sect, his church, his class of society". Mill urges us to be more conscious of the fact that "other ages, countries, sects, churches, classes, and parties have thought, and even now think, the exact reverse", making the individual within them experiencing a different 'truth' (Mill,CW,xviii,1977,p.230). The awareness of this deters him from promoting an

¹²⁸ For the different use of the terms see chapter 3, section c. The use of incommensurability is preferable here since it does not necessarily entail incomparability, making thus liberal perfectionism compatible with plurality of value. As Stocker puts it, "if values are plural, they must be incommensurable, since [he] understand[s] 'plural values' to mean pretty much the same as 'incommensurable values'. But incommensurables can be comparable. The side and diagonal of a square are incommensurable but comparable. Indeed, the diagonal is provably longer than the side" (Stocker,1997,p.203).

oversimplified monistic perception of liberalism. It was an intellectual task for Mill to encourage the interplay of alternative ideas and diverse practices by promoting variety, criticism and free discussion, contributing hence to self-development through a struggle that limits some ideas while delivering others. The pre-eminent value Mill assigns to diversity and experimentation in life becomes apparent when he describes it as being one of the main truths of his liberalism. This truth is summarized in “the importance, to man and society, of a large variety in types of character, and of giving full freedom to human nature to expand itself in innumerable and conflicting directions” (Mill,CW,i,1981,p.259). Encouraging diverse modes of thought and life-styles constitutes partly for Mill the development of man as an autonomous agent (Gray,1996).

While I agree with Berlin’s evaluation that Mill’s liberalism is much closer to value-pluralism than monism I do not think that Mill’s desire for variety emerges for its ‘own sake’. I do not share what Berlin implies about Mill as promulgating a ‘deep pluralism’ ruling out final answers to concrete problems (Berlin,2002). Based on goals that contain some objectivity Mill combines liberal with perfectionist elements. For Mill, while liberal toleration is good in itself, it is also a means since conflicting ideas produce greater truth and higher modes of existence for everybody (Devigne,2006). Mill’s defence of various concepts of good add choice and free thought to the essential for human flourishing rational conditions. Diversity, in a liberal context, is not solely a value *per se*. There are non-negotiable liberal positions that, as expected, are incompatible with ‘deep pluralism’. But, as Ferreti notes, such incompatibility should not give a liberal a bad conscience (Ferretti,2000). In liberal societies most people subscribe to what Scheffler names “common-sense pluralism about value”, in which a numerous variety of

activities and projects are valuable (Scheffler,2004,pp.252-3). Diversity is not something to be primarily commended *per se* as in a Berlinian ‘deep pluralism’ and the fact is that neither Mill nor Raz praise it in this sense. While Mill urges people if they can to act simply in a deviant manner from the mass in what he sees as an age of conformity, he especially praises difference when expressed in an “eccentric” way. And the laudability of his “eccentricity” is more due to the “mental vigour and moral courage” that it contains (Mill,CW,xviii,1977,p.269). In equating human excellence with eccentricity Mill’s intention is neither to promote the infinite malleability of human personality nor to glorify arbitrary defiance of conventional opinion (Devigne,2006). By strongly encouraging the exercise of higher faculties through an eccentricity which helps the evolution of higher modes of existence, he stresses the fact that the reasons to defend diversity do not stem from moral relativism. A variety of *valuable* projects and pursuits can provide us with reasons for action through which we can develop ourselves and progress. And this is something shared by both Raz (1995) and Mill. The truth emerging solely in a context of wide freedom of expression and the fact that humans progress in a climate of free development provide the Millian reasons to praise diversity and justify differences (Ferretti,2000). Mill’s ‘experiments in life’, used by Berlin to ascribe to the former a volatile perception of human life as perpetually transformed (Berlin,2002), justifies only Mill’s affinity for plurality without signifying his resignation from aiming at objective goals. “Mill’s explicitly stated goals in...advocating many and varied experiments in living are liberty and wisdom, or perfection of the individual and society” (Devigne,2006,p.190). By this is meant that he aims to promote self-determined modes of

existence along with the discovery of the best ways of life and practices which are worth preserving.

As we can see the similarity with Raz at this point is striking. “Raz [too] makes a strong case for the compatibility of...liberal perfectionism with moral pluralism, which asserts ‘the existence of a multitude of incompatible but morally valuable forms of life’. Unlike Rawls...Raz thinks moral pluralism is best secured not via state neutrality but rather through a form of liberal state perfectionism” with political action encouraging valid conceptions of the good and discouraging evil or empty ones. As Deveaux asserts Raz’s position invokes Millian ideas. “Like...Mill, Raz believes that some social diversity is a requirement of human flourishing; following Mill, he suggests that the value of diversity derives primarily from the fact that it supplies agents with worthwhile or ‘valid’ options and choices, whose value is determined according to whether they contribute to human excellence or good” (Deveaux,2000,p.480). I take it as a given that Millian autonomy is largely articulated through his concept of individuality which refers to the ability to undertake experiments in living and shape our character in accordance to our particular powers. It is worth underlining that what in turn “drives Raz’s defence of moral diversity -and ultimately, cultural membership rights- is his (Millian) view that personal autonomy is a central feature of a flourishing life” (Deveaux,2000,p.481). Assuming that the Millian rationale could be applied in a present-day liberal society, its multicultural reality and the different cultural structures could be seen more as an opportunity than an impediment for a good life. This can be inferred from Mill’s conviction that cultural, social, religious contexts and ages are no more infallible than individuals. This entails that from a Millian point of view there does not seem to be a

seed of evaluative discrimination on the basis of difference as such because it is something that rather helps than hinders our quest to approximate truth. After all he invites us to notice the mere accident that decides which of the numerous worlds that surround us is the object of our reliance. The same causes that make someone “a Churchman in London, would have made him a Buddhist or a Confucian in Peking” (Mill,CW,xviii,1977,p.230). The presence of various cultural structures could put in practice people’s ideas of the good life contrasting them with seemingly superior dominant practices which for Mill are not infallible. Cultural difference in approaching life may be beneficial taking into account the Millian sense of freedom to search for the truth.

The interaction of diverse positions and opinions seem to fulfil Mill’s ideal presupposition for “complete liberty of contradicting and disproving our opinion” which comprises “the very condition which justifies us in assuming its truth for purposes of action” (Mill,CW,xviii,1977,p.231). Mill’s observation that in his society there is an “imperfect state of mental and social science” (Mill,CW,x,1985,p.122) and a pronounced conformity of opinion, make antagonistic modes of thought of great value. He praises the great variety of paths, encountered in different moments of the Western civilization, each leading to something valuable. In a conformity of opinions that is probably exacerbated in our days, the need for such a variable interaction becomes more opportune and even more expedient as a precondition to exercise successfully our autonomy. Diversity can assist us to be reflexive and aware of our choices, supplying us with the necessary options to exercise autonomy. For Raz too our ability to autonomously form, revise and pursue our own conception of the good presupposes our contact with heterogeneity and a society

where people are allowed to view and experience things from a different perspective. “Likewise, he emphasizes that the exercise of autonomy gives rise to a plurality of values, for familiar Millian reasons to do with the diversity of individual thought and opinion” (Deveaux,2000,p.481). These arguments support Raz’s conviction that to value autonomy entails the endorsement of moral pluralism but not of neutrality.

What needs to be stressed before concluding this section is the common emphasis Raz and Mill put on synthesizing their aim to promote a better proposal for the human flourishing with their commitment to liberty as expressed via plurality and respect for individual expression. They would both probably subscribe to the view that reducing all of our diverse values to a single master value, as in value monism, cannot succeed¹²⁹. Whilst pluralism about the good admits different philosophical interpretations, their own approach comprises a similar perfectionist vision. They agree on the promotion of a ‘common-sense pluralism’ and they politically aim at the availability of many valuable projects, of different kinds, pursued by many different people (Scheffler,2004). They both hold that practices that develop human capacities should be based on evaluations of what is better and worse among an infinite variety of living experiments. In these human capacities is certainly included reason and will, but also the cultivation of feelings. “Raz, like Mill, is also careful to point out that persons who have personal autonomy are not merely rational agents”. They are both against a strict monistic perception of liberalism and they promote arguments against conformity. But at the same time they accentuate and “consistently recognize that a [based on variety] standard of perfection is preferable to differences in imperfection and that discovering the former is a vital social and political goal” (Apperley,2000,p.307). As Deveaux acknowledges, liberals like Raz

¹²⁹ As we saw Mill’s principle of utility does not play in his theory the role of such a ‘master value’.

“reject monistic...forms of perfectionism in favor of a more moderate, Millian perfectionist liberalism that foregrounds individual liberty” (Deveaux,2000,p.492). Mill’s commitment to free human conduct, self-development and the discovery of higher modes of existence, his admiration for someone being “nearer to the ideal perfection of human nature” (Mill,CW,xviii,1977,p.278) are all fused with plurality. The diverse modes of existence become a step for higher practices and beliefs. If a wide variety of opinions and practices can emanate from civil society this generates experiences and discussions enabling individuals to manage better their desires as well as their mental and moral faculties. And this can potentially lead them to discover the best life. To the remark that Mill’s stance for tolerance, variety and self-development contradicts his affinity to set standards of good and bad, Devigne reassures us for the contrary.

Fostering differences, criticisms, and contradictory paths did not mean for Mill that we quit discovering better and worse ways of life. The former was a necessary condition for the latter, and while it may seem from the focus of Mill commentators that Mill prefers the current of his thought that contributes to liberty and self-development to the current of his thought that focuses on wisdom and discovering the truth, in fact, Mill regards neither *by itself* as a...desirable way to develop the good society (Devigne,2006,p.223, emphasis added).

It would be intriguing to see how Mill and Raz harmonize this synthetic approach of liberal perfectionism not only with their chiefly plural outlook but also with the ‘harm principle’, the use of which they both share. To their common use of a comprehensive concept of autonomy and to its combination with their harm principle we will now turn.

b. Perfectionism in their Autonomy and their Harm Principle

The overall predominant similarity between Mill and Raz seen throughout the present text as worth highlighting is perfectionism as being at the centre of their liberalism. It is the main linking variable that connects Raz’s autonomy to Mill’s concept

of individuality and stresses the resemblance between the requisites for a happy and genuinely free Millian individual and the conditions Raz sets for his autonomous agent. Their mutual affinity to construct a perfectionist understanding of liberalism does not necessarily run counter to the basic intuitions of most liberals. They do value the mere absence of coercive interference, what Berlin (1969) calls 'negative liberty', but they do not think that the political goals of a liberal should be exhausted with its attainment and preservation. On the contrary, the value of 'negative liberty' for Mill lies more in its contribution to a person's well-being identified with an autonomous existence. Likewise, being left to make our own decisions contributes to Raz's autonomy (Murphy,2001). While not all interferences with negative liberty reduce autonomy (Raz,1986,pp.409-10), coercive interference can indeed reduce it by limiting the basic requirements of autonomous life collectively referred as a person's positive freedom. To possess such freedom is what Raz defines as having available a full range of options along with the ability to make reasonable choices among them. By holding that in a liberal political context the value of negative liberty lies mainly in its instrumental contribution to positive liberty, that is, in its contribution to autonomy, Raz according to Murphy, "remains squarely in the Millian tradition" (Murphy,2001,p.633). Mill too looked to liberty negatively defined as a means of achieving high accomplishments. Individuality, as pertaining to Mill's idea of autonomy, releases energy and ingenuity destined to meet with noble rather than ignoble ends (Himmelfarb,1974).

While, as previously mentioned, the 'broadness' of Mill's doctrine occasionally allows (more than in Raz) for non-good autonomous choices, the perfectionist character of his liberalism is evident. Both Mill and Raz admire the accumulated human experience

and knowledge about the good life that they envisage but this is coupled by their wish not to underestimate the freedom of its individualized interpretation according to each person's circumstances. Nevertheless, it is a single-sided perspective of their thought, i.e. the opposition of both Mill and Raz to coercive interference, which seems to attract a disproportionately large attention if one is to consider the needs and problems of liberalism today¹³⁰. Particularly for Mill, it is not uncommon to see scholars overstressing this aspect of his theory. For example Brady believes that in Mill's arguments for liberty particular elements merit special emphasis and among them is his initial interpretation of the concept which he simply classifies as part of the British empirical tradition. According to Brady Mill "equates liberty with an absence of external coercion over an individual's thought and activity". Freedom is equated with desire-satisfaction and people's liberty consists in expressing the views they want and doing what they want without injuring others. "To such liberty the principal threat has hitherto come from irresponsible and despotic governments" (Brady,1977,p.liii). As mentioned, I do not see Mill as being so staunchly devoted to empiricism, since he tended to combine it with a romantic conception of free will. Devigne demonstrates that he stood for a reformed understanding of Anglo-Scottish liberalism incorporating ancient and romantic insights, developing thus more robust ideas of liberty, morality, and human excellence. "Mill challenges a long-standing dichotomy...between empiricisms' interests and moral

¹³⁰ Freedom is not threatened in today's liberal world only by oppressive external interference. A largely globalized economy and culture with increasingly homogenized commercial norms, where human occupation is over-specialized and life-style more 'automatized' than before, where many liberal political structures have to conform to, or at best to administer, the 'necessary measures' imposed by the overall economic and political context, all this would have scared Mill. His ideal for a genuinely free and autonomous person would have been increasingly threatened by a homogenizing tendency. "Human nature is not a machine to be build after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing" (Mill,CW,xviii,1977,p.263).

idealism's autonomy". The ingrained belief that the two streams of thought are impossible probably explains why "so many readers of *On Liberty* have often found it difficult to reconcile Mill's defence of liberty with his passionate commitment to human excellence" (Devigne,2006,pp.179-80). For Smith the strong predisposition to read Mill as a negative libertarian is due to his easy classification in a tradition of nineteenth-century British liberalism cleaving to an empiricist and negative concept of liberty¹³¹. Another reason for this misinterpretation is people mistakenly attributing central role to Mill's instrumental use of negative liberty construed as absence of external impediments on an agent's doing what he wants to do. Such liberty is in essence perceived by Mill more as a means to an end, that is, as a necessity -not sufficient to ensure in itself- if someone is to live autonomously. Despite criticizing it, Smith detects this reality in Mill when he says that his concept of liberty embodies notions of self-development and self-mastery¹³² (Smith,1984).

While this synthetic view of Mill is not only accepted but also celebrated by Devigne (2006) and Skorupski (1999,2006), Brady too acknowledges its feasibility. He implies a smooth coexistence in Mill between an empiricist preconception of liberty, Humboldt's influence of romantic thought portraying human development as synonymous with the cultivation of individuality, as well as his admiration of the Greek ideal of self-development. Brady notes that Mill's combination of these features deserve to be cherished by contemporary readers who can welcome his admonition that, being

¹³¹ Smith acknowledges that among the British 19th century liberals are people like Green and Bosanquet who deviate from this negative perception of liberty.

¹³² Smith is disenchanted that Mill never really upholds a thoroughly empiricist liberal notion of freedom. Adversely, according to Smith, the synthetic Millian liberty incorporating self-development and self-mastery indicates a fateful step towards authoritarian ideas. My attempt to answer to such criticism will be analyzed in the next chapter.

fragile, liberty and intellectual progress demand unremitting cultivation (Brady,1977). This is against the common predisposition seeing liberals like Mill, and occasionally Raz, as concentrating largely to a commitment to the moral importance of individual choice-making, an individualistic philosophy of ethical liberalism which from a Romantic perspective is destined to harm the roots of morality itself¹³³ (Tomasi,2001).

An important factor falsely interpreted as vindicating the allegation that Mill's (and secondarily Raz's) liberalism concentrates almost exclusively on an empiricist notion of individual choice is the harm principle. Apart from stressing the reality that both use it, I will here contend that the way they apply and understand it is essentially quite similar, certainly more similar than widely thought. This is closely linked with the political emphasis they both place on freedom positively conceived in addition to its negative defence; it is connected to their overall understanding of liberty as autonomy. The Millian harm principle advocates "that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their member, is self-protection" and thus someone can be compelled only "to prevent harm to others" (Mill,CW,xviii,1977,p.223). But the principle is not as simple as it seems to be. For Mill asks that several challenges should be met if people are not to be harmed and if there are to enjoy a genuinely free life. As we will see he accordingly justifies mixing negative and positive responsibilities for state action "by appeal to a perfectionist conception of the common good that stresses the role of autonomy in self-realization" (Brink,2007). However, this should not be depicted in the way many commentators portray Mill and his harm principle. Devigne corroborates that most of the contemporary

¹³³ This is a common critique that communitarians direct towards liberals, including comprehensive liberals like Mill and Raz (Larmore,1996b).

literature focusing on Mill's harm principle present it not as himself did, but 'reconstructing' it as to show that he agreed with expanding liberty of action in more and more spheres of society. Such commentators ignore Mill's emphasis on romantic and ancient teachings of qualities of character leading to higher forms of individualism and eschew his position to embrace individual eccentricity as an expression of the human good. As Devigne affirms, they mistakenly present Mill's harm principle and liberal theory as lukewarm to substantive ethical concerns, apathetic to the human bonds holding societies together and antagonistic to human excellence (Devigne,2006).

Raz is indeed a theorist who reprocesses Mill's harm principle but his interpretation is basically innovative not in relation to its overall original Millian use but in comparison to the above "prevalent anti-perfectionist reading of the harm principle" (Raz,1986,p.417). Raz's understanding of the principle retains largely its original meaning from "Mill's perfectionist justification of liberal essentials [which in turn] provides a contrast with an influential strand in recent Anglo-American philosophical defenses of liberalism" (Brink,2007). Brink refers to a neutral defence of liberalism of the sort found in Rawls (1993), R.Dworkin (1985), Ackerman (1980), Larmore (1987). This strand of 'neutral liberalism' propagates, by and large, a liberal regime where people are free to form and pursue their own conception of the good merely in the absence of external -governmental or other- interference. They do not seek to promote as part of their liberal argumentation any other positively defined conditions for the nurturing of freedom -if to be conceived as autonomy- in fear that such action can be regarded as an imposition to the individuals of what is good in life. They thereof adopt their own particular reading of the harm principle. That reading is at odds with Raz's reassuring

belief that the principle basically restricts the use of coercion and perfectionist goals need not be pursued by coercive measures. Taxation or subsidizing can be raised to provide adequate opportunities and they are justified by the principle of autonomy in a way consistent with the harm principle. This is because “the harm principle allows full scope to autonomy-based duties. A person who fails to discharge his autonomy-based obligations towards others is harming them, even if those obligations are designed to promote the others’ autonomy rather than to prevent its deterioration” (Raz,1986,p.417).

While the essence of Mill’s theory indicates that he shares a similar approach with Raz, he does not exactly express this last point in the same terms. Mill’s above phraseology on the harm principle when superficially read appears to be more ‘negative’ than Raz’s in defining more the external limits than the conditions for liberty. But I think that with the distinct formulation of this point their divergence is exhausted. “Both Mill and Raz accept versions of the harm principle. But they accept it not as a limit on perfectionist politics, but rather as a principle that guides the proper promotion of the good. Their political theories are examples of perfectionist liberalism and their discussions of the harm principle show how perfectionist politics can be supportive of individual liberty” (Wall,2008). They share with the above anti-perfectionist strand of liberalism only a limited part of their liberal rationale. Thus they do believe that in order to be autonomous people need to be independent, free from coercion and manipulation but they in addition believe in further autonomy-based conditions and duties. Raz calls them the necessary ‘mental abilities’ which contain cognitive and emotional capacities, as well as ‘character traits’ which include the ability to develop personal attachments. Other conditions “concern health, and physical abilities and skills” (Raz,1986,p.408). Moreover

it is clear that for Raz someone is not autonomous if she does not have available to her an adequate range of valuable options. This entails an autonomy-based duty to create for all an adequate range of valuable options to choose from. Raz's conditions of autonomy "do not contravene the traditional liberal view, famously formulated by Mill and usually referred to as the 'harm principle'" because they are invoked in the name of what should count in political terms to be essentially free. And Raz makes sense of 'harm' in accordance with this logic. If the autonomy-based duties -people or the state have- towards others are not fulfilled they do cause harm to them. "Once we see that one can harm another by denying what is due to her, that someone who fails to fulfil his autonomy-based obligations towards another is harming her" (Mulhall and Swift, 1996, p.333). When "seen in this light the harm principle allows perfectionist policies so long as they do not resort to coercion" (Raz, 1986, p.420).

Hence the notion of harm can be more complex than a simple and hasty reading of its original Millian formulation suggests. Accordingly, the terminology Raz uses in relation to coercion and autonomy seems intricate. Yet in some aspects it is rather mistaken than complex. Raz claims that coercion invades autonomy defeating thus the purpose of promoting it, "unless it is done to promote autonomy by preventing harm" (Raz, 1986, p.420). But as already hinted Raz argues that if an intervening policy (like subsidization or taxation) is justified by the principle of autonomy and therefore prevents harm, it *should not be regarded as coercive* since any 'compelling force' it uses is to enhance the essential liberty of people. This is what Waldron calls the Razian "non-coercive perfectionism" (Waldron, 1989, p.1141). The main point Raz should be highlighting here is not only the fact that perfectionist policies need not be coercive. It is

also that there are cases where the compelling force of these policies affects only a certain aspect of liberty, the negative one, and not people's autonomy (such view is present elsewhere in Raz's work). After all as Raz himself puts it autonomy is possible solely within a framework of constraints since biological and social constraints exist anyway. In pursuing her goal to secure a suitable environment for autonomous life the liberal may use some coercion, with the coercion by an ideal liberal state -as Raz stresses- being different from coercion from most other sources that most probably invade individual autonomy. In the former case a public morality expressing concern for individual autonomy guides the state and guarantees adequate rights for its citizens. The coercive measures of such state do not insult autonomy but "it is common knowledge" that it is "motivated not by lack of respect for individual autonomy but by concern for it" (Raz,1986,pp.155-7). In line with Raz's notion of harm it should therefore be noted that there are serious exceptions proving that not all coercion must always infringe autonomy (Raz,1986,pp.378,421).

This matter could be amended with an adequate terminological adjustment¹³⁴ and it should not distract us here from seeing the similar way in which Mill and Raz use their harm principle. In Raz's formulation it deserves its status as a liberal principle of freedom "not because it is anti-perfectionist. For it is not. But because, as J.S.Mill its original advocate...clearly saw, it sets a limit on the means allowed in pursuit of moral ideals. While such ideals may indeed be pursued by political means, they may not be pursued by the use of coercion except when its use is called for to prevent harm" (Raz,1986,p.420). Yet in accordance to Raz's considerations described above, the appeal to coercion in

¹³⁴A terminological distinction between negatively defined liberty and positively described autonomy might result useful, particularly in relation to targeted 'coercive' interventions that limit the former for the sake of the latter. See also next chapter's section dealing with potential criticisms against Raz and Mill.

order to prevent harm might be deservedly activated to protect or promote autonomy and comply with autonomy-based duties which, if not performed, cause harm. A similar reasoning can be detected in Mill's liberalism where to justify coercive interference with liberty of action a special appeal to prevent harm to others is required. Coercion on the basis of wishing to avoid harm to others, Stanton-Ife reminds us, is to coerce on a moral ground and Mill does not hesitate to defend on moral grounds not only the security interests of the individual but also her autonomy interests. Mill's understanding of harm in relation to the 'interests' of persons emphasizes their permanent interests as 'progressive beings'. He perceives a condition of harm where there is a 'set-back to interests' and coercion is justly applied if the set-back is wrongful (Stanton-Ife,2006). This morally comprehensive liberalism requires several positive acts for the benefits of others if they are not to be harmed and thus permit if necessary compelling measures for their implementation. As for Raz, for Mill too "a person may cause evil to others not only by his actions but by his inaction" (Mill,CW,xviii,1977,pp.224-5). And as is the case with the former, for the latter too, this understanding of harm stems from the positive aspect of his defence of autonomy. While by promoting various liberties of thought and action he certainly subscribes to the negative conditions that self-government requires if human beings are to lead an unfettered life, he also underlines in a perfectionist manner the positive aspects of liberty. As Brink observes, good life for Mill necessary implicates the exercise of high capacities of selection, assessment, and implementation of a life-plan. This entails a notion of self-government requiring, among other positive conditions, an education that develops such deliberative competence, aesthetic sensibility, skills

essential for critical reasoning, intellectual curiosity, modesty, and open-mindedness (Brink,2007).

The empiricist negative conception of freedom is too narrow for Mill. Negative liberty is just an essential condition for the realization of freedom itself which is not completely realized merely because *a condition* is met. Notwithstanding the fact that positive aspects of his notion of liberty are often overlooked by commentators, Mill clearly sees “the necessity of wisdom and higher modes of existence for the development of individual happiness and a prosperous liberal society”. His goal was “to form individuals with the qualities of mind and character capable of exercising choices skilfully, boldly, and autonomously” (Devigne,2006,pp.224,230). To this end he used the notion of ‘competent judgement’ which someone needs to have if he is to obtain *real* individual happiness. The autonomous Razian individual is strongly reminiscent of the Millian ‘competent judge’. As we know, Mill’s ‘individuality’ is an essential component of good life and it can be understood to be a conception of autonomy (Wall,2008). Like Raz’s precondition for an adequate range of valuable options, Mill’s intention is to create the necessary conditions for useful experience which makes the self-amendment of character possible and qualify a person as autonomous; this is if she develops her capacities and faculties according to her own mode of laying out her existence. As Raz maintains, in choosing between valuable and non-valuable things it is important that we opt for the former but our individuality discloses its features in a special way when we choose among good options (Waldron,1989). For Mill too “autonomy is understood to be an essential aspect of a good human life, not a separate ideal. And the value of autonomy explains [partly] why Mill recommends the harm principle. The Millian defense of the

harm principle sits well with the perfectionist focus on good human lives. Its availability nicely illustrates how perfectionist politics can be consistent with a...rejection of state coercion” (Wall,2008). Coercion *per se* for both Mill and Raz entails a symbolical and actual threat to autonomy. Yet, the diminution of the prospect of autonomous life is the meaning they both assign to harm. In the way construed by Mill, we can use coercion only to prevent harm i.e. someone’s autonomy may be threatened only where it is necessary to avoid some unacceptable diminution of the autonomy of another. And Raz subscribes to such view (Waldron,1989). Mill’s comments referring to how the harm principle should be better applied in education and in family relations reveal the dual - positive and negative respectively- functioning with which it can be implemented: “Owing to the absence of any recognized general principles, liberty is often granted where it should be withheld [e.g. parents obligation to educate their children], as well as withheld where it should be granted [e.g. women should be liberated from their subjection]” (Mill,CW,xviii,1977,pp.301-2). Waldron observes this and underlines his conviction that Raz shares with Mill the view that harm principle has two sides to it, legitimating coercion to promote autonomy in certain cases, as well as restraining it in others (Waldron,1989).

Brink gleans a series of Millian arguments¹³⁵ which not only verify the positive aspect which Mill incorporates in his autonomy but also allow us to deduce the compatibility of his notion of harm principle with his perfectionist understanding of liberalism. Thus, for Mill “some actions for the benefit of others may be compelled on the ground that their omission causes harm. These include (a) giving evidence in court,

¹³⁵ See also On Liberty (pp.224-5inCW) where the lack to contribute one’s fair share to society is regarded as ‘harm to others’. Duties to assist social life through “beneficence”, if not performed, may rightfully lead society to hold people accountable for not accomplishing them.

(b) contributing one's fair share to common defense and other public goods, and (c) certain kinds of mutual aid (e.g. Good Samaritanism)". In addition, Mill anticipates as part of liberal policies that each individual "may be required to bear his fair share of the costs of securing public goods". He favours the position that "government may regulate trade" because "such conduct is not purely private" and he expects that "the state should make education compulsory". Overall, "Mill accepts many forms of social welfare legislation" (Brink,2007). Squaring Good Samaritan laws with the harm principle presumes a morally perfectionist reading of the latter in Mill; it presumes the use of a conception of harm featuring the absence of positive action or help as an *unjustified* setback of someone's interests (Jacobson,2000). For only according to such reading, restrictions on liberty aiming to advance the public good harmonize with the harm principle on the basis that they aspire to preclude unwarranted interference with the interests of others (Brink,2007).

While this is in essence the meaning the harm principle acquires as an integral part of Mill's liberalism, there is a minor omission in Mill which hinders its smooth terminological accommodation. Unlike Raz, Mill does not specify that he accepts the idea of "harm to unassignable individuals" (Raz,1986,p.416). Public policies which both of them acknowledge as necessary in order to foster and enhance the autonomous life of people, whose legitimacy stems from autonomy-based duties, depend largely on the individual contribution to government revenue through taxes. Failure to contribute to such policies need not produce *prima facie* grave or personalized harm. Yet, their omission *does cause harm*, the political importance of which both Mill and Raz essentially underline. Consequently, if someone fails to contribute to such autonomy-

fostering public policies, she conduces to the harm of others. This is cogently articulated more accurately by Raz in a manner that takes into account these distinct nuances of harm. “If one fails in one’s duty to a person or a class of persons and that person or a member of that class suffers as a result” he definitely causes harm. “This is so even when one cannot be blamed for harming the person who suffered because the allocation of the loss was determined by other hands. A government which has a moral duty to increase old age pensions harms old age pensioners if it fails to do so, even though it does not harm any particular pensioner” (Raz,1986,pp.416-7).

This touches upon the worry whether the failure to provide benefits can always count as harm. It is clear that Mill is a liberal and as such he sets the threshold for the omission of positive actions to be regarded as harmful only if they undermine the autonomous life that people deserve. Taking into account however that, along with Raz, he stands for a ‘demanding’ notion of autonomy, Brink is right to ask for a more precise criterion linking the absence of certain actions with harm. As it can be inferred from the foregrounding of Mill’s above liberal policies, social and economic hardship, educational and intellectual atrophy can clearly hinder people’s ability to live freely, in the politically relevant sense of the term¹³⁶. This constitutes a precise baseline for the definition of harm as the absence of required autonomy-related specific circumstances. Mill and Raz are both politically sensitive to the adversities that can cause harm to people rendering them less free to live the autonomous life they envisage, and therefore they strive to secure the

¹³⁶ By ‘politically relevant’ it is meant here that it is the subject of political proposals involving state intervention or other measures of political nature.

appropriate conditions under which they can realize it¹³⁷. But, in relation to the ‘harm definition’, this stance is more accurately detectable in Raz. In order to accommodate more consistently (in a terminological manner) such a fundamental position in his theory, Mill’s criteria for harmful conduct could have been a bit more precise. As we saw, Raz explicitly states that he does not relate harm only with its facet of ‘personalized’ or ‘quantified’ affliction; nor does he take into account if its consequences are spread too widely, things that, according to Brink (2007), seem to roughly describe Mill’s blurry outline of the criteria for harmful conduct. Harm does not need to be borne by assignable individuals as the case of failure to contribute and provide social policies demonstrates (Raz,1986). For while the impact of a person’s omission to contribute her fair share to such policies -if individually counted- is both small and is spread widely over the population, Raz convincingly manifests that the harm produced by such an attitude can be considerable.

While it can be claimed that Raz has advanced more than Mill in the terminological approach of harm, this remains an issue of minor significance. What matters here is the way in which Mill too ‘translates’ the harm principle in the course of his theory; and while it does not, at the end, seem to be a simple one, there is sufficient evidence to assert that the principle surely forms an integral part of his perfectionist armoury, as is the case with Raz. Mill accentuates people’s obligations not only to not actively harm others but also to assist them when help is clearly needed (Valls,1999). Therefore, it is justified to conclude, as Raz argues, that “Mill’s principle has been...misinterpreted, by supporters and opponents alike, as stating an absolute right to

¹³⁷ In line to this claim Donner notes that Mill’s plea for “cooperation and good-samaritan requirements [is] justified on the grounds that they prevent harms, not on the basis that they increase benefits” (Donner,1991,p.197).

non-interference in ‘private’ actions”. Raz denounces what he sees as a distortion of its meaning as presupposing a private sphere and as being concerned exclusively with it. The harm principle “has been twisted to fit the basic liberties tradition by attributing to Mill a belief in a sphere of action that does not affect others”. It has falsely been interpreted “as stating that others should not intrude into the sphere of private action” (Raz,2002,p.179). Ten verifies that Mill’s position does not presuppose an area of conduct remaining always completely free from intervention. The Millian principle is invoked to show that certain reasons for intervention in individual conduct must always be ruled out as irrelevant. It is also meant to specify that justified interventions take place on the basis of particular reasons rather than on others (Ten,1980). Both Mill and Raz accept such reasons only providing that they stem from autonomy protection or fostering motives. But by holding a comprehensive notion of autonomy, it can be argued that Mill, like Raz, endorses the harm principle not just as a general guide of political restraint but also to deny a commitment to a non-perfectionist position. “Raz suggests that the harm principle is itself a perfectionist ideal which presupposes specific moral conceptions which are not indifferent towards criteria of moral worth or moral virtue” (Sadurski,1990,pp.122-3). The same applies to Mill if we are to take seriously the way he defends his notions of individuality, self-development and liberty as autonomy.

c. Mill and Raz Share the View of a Perfectionist Role for the State

Recalling Mill’s and Raz’s thoughts on the role the state should play in a liberal society¹³⁸ leads us to another constituent similarity their theories share. By juxtaposing

¹³⁸ While these thoughts were separately presented in chapters 2 and 3 respectively, in order to stress their similarity, a selection of them will be here placed side-by-side.

these thoughts here it becomes clear that they form part of the same distinctive strand of liberalism which opposes state neutrality. They both firmly oppose the popular among contemporary liberals view that political decisions should be taken independently of any particular conception of the good life or of what is valuable in life. This anti-perfectionist stance suggests that since people differ in such conceptions, “the government does not treat them as equals if it prefers one conception to another” (R.Dworkin,1985,p.191)¹³⁹. Supporters of neutrality place strict limits on the justification of state action, restrictions not necessarily stemming from its potentially coercive power but from its (possibly benign in its liberal version) intention to promote the good. “Liberal governments, on this view, can and must enforce individual rights and any further demands of social justice, but they are not to undertake any action as a way of promoting a particular conception of the good life”. While citizens in a liberal regime should be free to pursue their own view of the good, the state should not regulate what, according to this standpoint, should remain exclusively a matter of personal conscience. “On matters of the good, a liberal state must be strictly neutral” (Brink,2007). Against this, as we can infer from their positions on the role of government, both Mill and Raz take the state as not only having a right but perhaps a duty to promote valid ideals of what is good in life. They hold that legislators may consider what is valuable and what depraved in life when they draft laws and when they contemplate on the appropriate framework for social and personal relationships (Waldron,1989). Raz challenges forcefully the state neutrality precepts by replying that neutrality is a ‘chimerical’ ideal. “It is not that the state *should not* be neutral; it *cannot* be so” (Sadurski,1990,p.122).

¹³⁹ Here I am referring specifically to R.Dworkin’s quoted work and not to his work as a whole. As we saw he does not have a linear and always consistent position on neutrality (see pp.170-2).

As Brink attests liberal neutrality is problematic. A liberal state cannot be neutral among all conceptions of the good as it cannot tolerate individuals pursuing illiberal conceptions of the good (Brink,2007). Based on basic psychological knowledge (Thorndike,1970;Skinner,1971), one could add here that conceptions of the good are subject to personal, social and economic conditioning which certainly contributes to their shaping. While it is not disputed that the duty of the state should be to ameliorate many of these conditions for its citizens, why is it that, in comparison to all these influences, its mediation should be regarded as the only undesirable ‘intervening variable’ for the formation of people’s conceptions of the good? Could its exclusion from influencing the citizens’ views on what is good add to their more genuinely independent formation? Or could it be that its contribution might be the only democratically -under a liberal regime-administered factor, with a potentially beneficial role in its (probably small) share to shape opinions? Brink rightfully wonders why we shouldn’t want the state to help citizens leading better lives. We logically anticipate from a liberal state a variety of public goods, among which education and public health, but it is hard to see a neutral about the good state justifying adequately such measures (Brink,2007). This could be the main underlying logic behind the reasons both Raz and Mill have to overtly reject neutrality as a recommended stance for the democratic liberal state.

For Mill the optimum government has to effectively ameliorate people and democracy to improve a sufficiently advanced people. This distinguishes him both from instrumental arguments for democracy and from those liberals of today who consider as appropriate the state’s detachment from people’s conceptions of the good. For he thinks that it should be seeking energetically to *improve* people (Skorupski,2006). “Mill’s

perfectionist liberalism” claims as due, if people are to be autonomous, “certain positive conditions, such as health, education, a decent minimum standard of living, and fair opportunities for self-realization”. It is committed to secular and democratic political institutions, to property rights and market economy, to equal socio-economic opportunities and various civic liberties. Yet, it is not laissez-faire liberalism and by justifying liberal essentials it promotes the common good (Brink,2007). Even if he does not share many socialists’ view for an ideal capitalist-free world, Mill’s criticism of capitalism -scorning its mass poverty and wage-slavery- is of a socialist inspiration which highlights that without state intervention its injustice is magnified. “The very idea of distributive justice, or of any proportionality between success and merit, or between success and exertion, is in the present state of society so manifestly chimerical as to be relegated to the regions of romance” (Mill,CW,v,1967,p.714). One could only imagine his reaction to the magnified wealth inequalities observed in contemporary societies (Burtless,2007;Korzeniewicz and Moran,1997)¹⁴⁰. It is the fear for such inequality which he sees as often being imminent in a capitalist system that motivates Mill to argue in favour of an interventionist state. Limited market competition between large enterprises justifies regulating production or even its public takeover. Among his specific proposals to ameliorate capitalism are workers’ profit-sharing schemes, declaring land the property of state if its ownership is not the product of human labour, inheritance taxes set to eliminate any unearned fortune (Skorupski,2006). By encouraging the state’s intervening role in the economy and rejecting pure laissez-faire liberalism, Mill attaches a *significant moral aspect* to the function of the government. The appropriate stepping in of the

¹⁴⁰ The references given here suggest that there is increasing income inequality both in the world as a whole as well as within the developed -and often liberal- countries.

government can contribute towards “a just distribution of burthens, by holding up to every citizen an example of morality and good conscience applied to difficult adjustments, and an evidence of the value which the highest authorities attach to them, tends in an eminent degree to educate the moral sentiments of the community” (Mill,CW,xix,1977,pp.386-7).

In addition, it is on a *moral basis* that he held the government accountable to actively contribute to the provision of education¹⁴¹. The state must ensure that all given instruction teaches us “not that we may live, but that we may live well; all which aims at making us wise and good calls for the care of Government” (Mill,CW,vi,1982,p.227). Compatibly with the liberty principle, society may raise taxes to ensure that an education in the self-regarding virtues is available by the state. For Mill education in virtue and intelligence is a necessary condition of representative government. Raising taxes to provide such education is a question of efficient policy, not a question touching negatively on liberty. Education is something that helps self-development and therefore creates better conditions for an autonomous life. As it can easily be inferred “Mill is not an ethical neutralist about the state” (Skorupski,2006,p.50). He bolsters the state’s role to ensure equal opportunity and good education which nurtures normative competence; to rectify market inequalities and provide public goods. He justifies mixing negative and positive responsibilities for state action “by appeal to a perfectionist conception of the common good that stresses the role of autonomy in self-realization” (Brink,2007). While for Mill society with its institutions should not impose on people what it considers better for their own good, ethical questions about the good life should be part of the political discussion of policy. Along with some 19th century liberals who connected political and

¹⁴¹ For Mill’s position on the state’s role in education see chapter 2, section c.

civic freedom to the pursuing of an objective ideal of human self-realization and against much of 20th century liberalism, Mill's liberal state legitimately promotes conceptions of the good, yet it does not enforce them (Skorupski,2006). Telling on this issue are the similarities between Mill and T.H.Green on the one hand (Brink,2003), and their differences from contemporary neutral liberals (Ryan,1998) on the other. In contrast to liberals like R.Dworkin (1985) and Rawls (1993), the Millian state has a cardinal role in the development of its citizens and their opportunity to advance their generic capacities. While cognitive, emotional and social faculties can develop in various ways, the state should not overstep its jurisdiction and dictate the exact form; yet by supporting different developmental experiments, it should aim to carry together the community members towards perfection and towards forming the national character (Mill,CW,x,1985,p.9). Working together for the common good is for Mill a noble ideal -among other more 'private' ideals- for the realization of which the implication of the state is often needed; this remains Mill's position even though he affirms that the government's efficiency is increased when the help and management it provides takes place through a decentralized rather than a single general form (Mill,CW,v,1967)¹⁴².

As we can observe, Mill does not see any need to apply in political morality an all-embracing prohibition for the state to directly promote the good. The role he expects from the state to play in a liberal democracy rejects the doctrine of state neutrality expressed in its different formulations. This is the case even if we scrutinize more closely the distinct nuances of the argumentation neutralists employ to justify their stance (Wall,2008). The condition of the absence of a possible societal consensus or the appeal

¹⁴² This explains why Mill found more useful and practical Owen's and Fourier's socialist proposals for the management of productive resources. Contrary to other 'revolutionary Socialists' these two do not support a centralized general authority managing the whole production of a country (Mill,CW,v,1967).

to a presence of reasonable disagreement on a good-contributing process implicating the state seems, from a Millian point of view, more as a pretext for neutralists to use their own particular interpretation of liberal ideology; this is because such an interpretation is based on a chimerical consent-based account of political legitimacy which de-contextualizes the source of many problems in liberal societies; be it of economic, educational, health or opportunity-related nature. For Mill the alleviation of such problems asks for state intervention which inevitably touches upon moral grounds. But since these kinds of problems have a context and a history, addressing them with state-neutrality unavoidably implicates a particular moral stance too; only that in this case, and from a perfectionist Millian perspective, it might be a more disputable one. It can be claimed that an ideology bolstering a neutral state reiterates -consciously or not- the existing socio-economic status quo (Chan,2000,p.40). This is while state intervention justified on motives to improve life-conditions -and therefore based on grounds of what is morally good- might provide a more solid basis to address inequality problems like those involving access to certain provisions and services (Chan,2000). When compared for example to unfettered market forces state action can be the least controversial means a liberal democracy can apply to make a difference for people's life. In addition, there are serious arguments indicating that state neutrality does not meet its alleged objectives. As Sher (1997) puts it, state neutrality is not necessary for stable social cooperation or for preventing the abuse of state power. It is also evident that its proponents -without managing to fortify arguments for social cooperation- selectively overvalue the goods associated with an abstract consensus and undervalue other goods (Wall 1998).

According to Raz, to increase the chance for social peace and cooperation as well as to support other valuable forms of life it is required to resort to political action. Adhering strictly to the doctrine of state neutrality undermines the possibilities of subsistence of many precious aspects of our culture (Raz,1986). As we have already seen, Raz also demonstrates that it is not at all indispensable to embrace state neutrality in order to favour value-pluralism and defend a plurality of good, but incommensurable, forms of life fully worthy of respect. His combination of state perfectionism and value-pluralism replies cogently to liberal neutralists who believe that the latter is compatible only with the government's abstention from issues involving the good (Wall,2008). Gardbaum verifies this by asserting that perfectionists can consistently claim that diversity of beliefs is precisely why the state's affirmative duty to foster rationally superior ways of life has to be assumed. State's assistance and guidance is needed if people are to lead the various valuable lives available to them. And as Gardbaum notes, this perfectionist approach is endorsed by both Mill and Raz. The argument to support plurality by positing the necessary educational and moral functioning of political institutions is explicit in Mill as well as in Raz who makes an analogous claim for the state's fundamental part in enabling people to live valuable lives (Gardbaum,1991). This is while liberals like Nagel (1991) by supporting state neutrality attempt to convince us that their stance is the only one to secure the allegiance of people who hold very different conceptions of the good; such conclusion runs counter to both Raz's and Mill's claims. "Certainly it is no principle of Mill's that the liberal state should not have a conception of the good among its core allegiance-inspiring values" or "that the state should be ethically or aesthetically neutral" (Skorupski,2006,p.104). Another example of this is Mill's

position to ensure the necessary government revenue by taxing 'depraved' pursuits or commodities more and prior to others. "It is...the duty of the State to consider what commodities the consumers can best spare" (Mill,CW,xviii,1977,p.298). Taxing in general is necessary for the function of the government but taxes on narcotics and stimulants for example are to be approved of *a fortiori* because of their depraved nature. L.Green highlights too the related to the state's role similarities found in Raz's (1986) and Mill's (CW,ii,iii,1965) work. With the use of the harm principle (as interpreted above) restricting how the state may go about issues that involve morality, they both exhaust the stipulations for such an involvement. In principle they do not see any reason requiring from governments to abstain from having an active role in issues that touch upon moral grounds (Green,1988). "A [liberal] government whose responsibility is to promote the autonomy of its citizens is entitled to redistribute resources, to provide public goods and to engage in the provision of other services on a compulsory basis, provided its laws merely reflect and make concrete autonomy-based duties of its citizens" (Raz,1986,p.417).

It is intriguing to follow a couple of additional arguments Raz uses to justify his common position with Mill for an active perfectionist state and the reasoning from which he derives this conclusion. The normative character of Raz's liberalism requires for the attainment of autonomy an adequate range of valuable options which in turn depends, as he acknowledges, on certain social forms. He therefore defends a liberal theory sensitive to the social factors and forces which delineate individual autonomy. Raz cannot be blamed for grounding his liberalism in the asocial individualism to which communitarians object (Mulhall and Swift,1996). Unlike many liberals, he is aware of

the inevitable 'embeddedness' of the individual life in its surrounding environment. Therefore the importance of a desirable public culture and a good society is a *sine qua non* for his liberalism. And as Mulhall and Swift (1996) underscore, since the state through its policies can undoubtedly exercise an influence on social forms, the interplay between the individual, society and the state is emphatic in Raz's liberal theory. To maintain and protect the fundamental moral and political traits of an autonomy-fostering community he makes it plain that we need the help of "specific institutional arrangements or political conventions" (Raz,1986,p.245). "The common culture continuously nourishes and directs our behaviour in pursuit of our goals" (Raz,1986,p.312). But an *appropriate* common culture is needed to foster the availability of various collective goods if autonomy is to be feasible. In addition to the provision of basic public goods like health and education, social security and policies of economic redistribution, secured by funds raised via compulsory taxation, Raz proposes many other ways in which state-action can be involved in offering valuable options: "to form a family of one kind or another, to forge friendships, to pursue many of the skills, professions and occupations, to enjoy fiction, poetry, and the arts, [as well as]...common leisure activities" (Raz,1986,p.247). The role of the polity in providing the conditions necessary if individuals are to live valuable lives is central in Raz. Mulhall and Swift (1996) emphasize the fact that this becomes more understandable if we take into account his context-sensitive rationale in approaching autonomy. Under this perspective it is yet more palpable to comprehend Raz's position that "the state...may encourage people to pursue worthwhile forms of life by creating an environment conducive to such a choice and...may discourage the pursuit of morally unacceptable ways of life by trying to uproot the conditions that make them

appealing” (Raz,2002,p.207). For Raz to sustain the needed for autonomy social forms, perfectionist political action is indispensable.

His position linking the creation of the appropriate for the flourishing of autonomy social forms with a perfectionist state reminds us of the way Wilson depicts Millian liberalism. For Mill the best person is the individual responsible for her beliefs and actions; and since individuality as autonomy is good, it is essential to foster social institutions that contribute to that individuality. Mill defended his representative government as the best form to encourage individuality and a more active and intelligent social participation. In a context-sensitive approach where social institutions adapt to the time and place where they operate, Mill opts for a form of government in which the members have the maximum feasible education (Wilson,2007). It is because this can define accordingly the political and social context, facilitate political decisions, and prepare an environment within which individual autonomy can flourish. Both Mill and Raz are sympathetic to Green’s view that social conditions frequently militate against the realization of people’s autonomy and thus the state’s concern for it requires certain institutional interventions to overcome social and material obstacles which inhibit its development (Harris and Morrow,1986).

Another argument which could be related to the provenance of the endorsement of Raz’s perfectionist state is the one stemming from his normal justification thesis¹⁴³. Raz accentuates as very realistic the possibility that an organization like the liberal state might better judge when there are sufficient reasons for social coordination to which its citizens should contribute. The government in a liberal society does (or should) more often than the individual feature ‘lack of bias’ and ‘greater expertise’ to achieve coordination

¹⁴³ See chapter 3, section c, pp.198-204.

potentially needed to satisfy social needs and achieve goods. This entails that “within specified bounds” the individual is better off to adopt a rule to follow the instructions of the governing body and to regard it as an authority. Under the conundrum of individual coordination, this rule is warranted by the fact that following it will lead individuals to participate “in justified coordinated social behaviour more reliably” than if trying to decide by themselves (Raz,1989,p.1192). The link Raz establishes between authority and reason as a necessary legitimizing factor for the former and as a prerequisite for its existence cannot be seen independently from his intention to promote the normative perfectionist role the state deserves. Raz stresses that “authority helps our rational capacity whose function is to secure conformity with reason. It allows our rational capacity to achieve its purpose more successfully” (Raz,2006b,p.1017). By postulating that authorities are legitimate only if they enable their subjects to conform better to reason, one can deduce that Raz recommends viewing the state not as a potential threat against rational people, but simply as one device helping them to achieve the purpose of their capacity for rational action, albeit not via its direct use (Raz,2006b). Trusting the government manifests identification with society, revealed in a belief in an obligation to obey. Of course such identification is conditional. “It is misplaced...in an unjust legal system...This means that respect for law is not the normal justification for the authority of the law. It is dependent on and derived from the normal justification being met to a high degree”. The aim is primarily a just and good government to pass laws and be in charge of their enforcement (Raz,1989,p.1198).

This kind of rationale, with Raz’s emphasis on the normal justification thesis, furnishes support to the morally active role he attributes to the liberal state. It does not

have in Mill its exact equivalent but there is a worth noting similarity with the way the latter envisages the institutions of a good political society. For Mill the value of an administration that deals with laws, justice and the social good consists largely in its ability to perform as a moral educator and coordinator by matching the appropriate standards. A good political society is expected through its liberal institutions to cultivate inner conscience with values and practices that inspire obedience, and promote equality, moral development and the health of the individual's character (Devigne,2006). Mill asks for a proportional representation that introduces wisdom in its representative apparatus, also because people do not have a rational will that is perfect, automatic and omnipresent; hence for certain issues, to approximate reason more, the government's function has to be trusted. This plays a role in the way Mill envisages political institutions for the formation of which, consistently to his perfectionist liberal theory, he focuses on the problem of reconciling wisdom and liberty. By maintaining that circumstances and experiences are crucial to shaping and realizing the free will, he anticipates from the government to play the role Raz (2006b) assigns to authority and Hegel (1952) expects from the state. "As individuals recognize their own minds -their own conception of subjective freedom, realized in the constitution of the state- they come to view the state and its institutions not as mere instruments of their freedom, but as expressions of it" (Devigne,2006,p.230). As Mill himself noted, right politics aim at the *good* of people, thereof our object should be not to compel but to persuade them to restraint for their own good the immediate and unlimited exercise of their own will. "One of the reasons for desiring a popular government was, that men whom the people themselves had selected for their wisdom and good affections, would have authority enough to withstand the will of the people

when it is wrong” (Mill,CW,xxiii,1986,p.502). Mill by no means encourages passive acceptance of authority. Yet, paving the way for a perfectionist liberal polity, he underlines that the role of the good state implies, on certain issues, some informed concession on the part of the individual to the government because of the (expected) expertise of the latter. This is strongly reminiscent of Raz’s normal justification thesis where people’s trust for the role and expertise the state has translates into conceding to it part of their ability to decide on everything by themselves. After describing the mutual stance Mill and Raz adopt towards the role of the state, another basic trait of their common perfectionist strategy will be brought in to the foreground.

d. Both Mill’s and Raz’s Perfectionisms Feature the Social Aspect of the Individuals

The last -but not least- constituent element that contains, for the purpose of this project, interesting similarities between Mill and Raz is their approach to the social aspect of people contained in their liberal theories. Closely related to the kind of perfectionism they advance and the state policies they support is their view that people, by nature, are ‘social animals’. Mill thinks that “the social state is at once so natural, so necessary, and so habitual to man, that [barring unusual exceptions]...he never conceives himself otherwise than as a member of a body” (Mill,CW,x,1985,p.231). Raz’s perception of liberalism is also very far from an asocial individualism like the one communitarian critics¹⁴⁴ often attribute to liberal thinkers. One has to admit that such critique is justified when targeting the idea of the secluded individual many anti-perfectionist liberals have (Wall,1998). Raz’s self however is not what MacIntyre (1984) calls ‘emotivist’; it

¹⁴⁴ See for example Sandel (1984,1992), Taylor (1989,1992), MacIntyre (1984,1988).

accepts, in a broader manner, Sandel's (1992) insistence that social forms¹⁴⁵ provide the matrix which contributes to the constitution of our self-understanding. Raz's autonomy not only does not preclude the possibility of attachments and commitments, it requires them. His autonomous self embraces the character traits of stability and loyalty in relationships (Mulhall and Swift,1996). The social embedding within which Razian liberalism is situated has, according to Berger, its equivalent in Mill. He formulated his theory of freedom as needed partly because people are social creatures and their life cannot exist but in a social context (Berger,1984). "It would be a great misunderstanding of this doctrine to suppose that it is one of selfish indifference which pretends that human beings have no business with each other's conduct in life...unless their own interest is involved". Self-regarding duties are important, yet most often they are "second in importance...to the social. It is equally the business of education to cultivate both" (Mill,CW,xviii,1977,pp.276-7). It is clear that Mill asserts that social feelings like sympathy are present in all people but they still need to be cultivated and further inculcated by training¹⁴⁶ since the extent of altruism of people varies, albeit it is natural for all to have it. Such a natural predisposition provides Mill with the incentive to envision and promote a society where people reach a highest happiness implicating the identification of one's interests with those of all. His perfectionist notion of autonomy expressed as self-development sets an exalted objective for its realization. Attaining sufficient self-development comes from pursuing the general welfare and through

¹⁴⁵ Actually Sandel emphasizes more the role of community in shaping our self-understanding while Raz extends this role to encompass society as a whole (Raz 'broadens' Sandel's argument). This could change the ideological orientation of similar views. Restricting the scope of a theory only to a certain community could have more 'conservative' underlying incentives as opposed to the more encompassing view which could be leaning towards a more 'socialist' perspective.

¹⁴⁶The Millian representative government renders such moral training and fosters natural human sympathies. It reinforces thus the habit to look at social questions from an impersonal perspective rather than that of self-interest (Wilson,2007).

identifying the social good with one's own (Berger,1984). Sacrificing one's own good for others is not considered by Mill a disturbing thing in itself. Indeed, he would prefer it if men¹⁴⁷ tended to be more self-effacing and self-abnegating (Brink,2007). In any case, sacrifice might be required only in imperfect states of social arrangements since as people approximate Mill's ideal state of character, where their own welfare is indissolubly associated with the general, it will not be anymore a question of sacrifice. The point is that our full flowering lies in our social selves and the evolution of such identification provides our best chance for happiness (Berger,1984).

While Berger's description captures accurately the gist of Mill's views, its formulation is a useful reminder of their similarity with Raz's. Both of them acknowledge the possibility of conflicts between one's own interest and the interests of others¹⁴⁸. Yet the two coincide that this need not be the case as their normative suggestion for liberal theory opts to highlight the ideal stage where the concerns and priorities of the individual and the others concur. Following this line of thought Raz overtly rejects the opposing to his own stance.

The confrontational view of morality which pitches a person's own interests and goals as not only occasionally in conflict with his obligation to others but as deriving from independent and fundamentally different sources is essentially an individualistic conception. My objections to the view that morality is right-based derive from a sense of the inadequacy of the conception of morality in the narrow sense which itself is a rejection of moral individualism (Raz,1986,p.216).

¹⁴⁷ Here Brink's comment on Mill's 'men' is accurate since the latter literally refers only to men. For Mill women have an exaggerated sense of self-sacrifice with too little concern for themselves and too much for others' welfare. Brink refers to Mill's views on women depicted in his work *The Subjection of Women* (CW,xxi).

¹⁴⁸For the possible conflicts in Mill between self-others and their interests see Berger,1984,pp.62,288-9; for the same possibility in Raz see 1986,p.216. Moralistic theories using hard paternalism often insinuate a complete obliteration of potential conflicts between their ideal and want-regarding aspects by imposing the former. This is something that both Mill and Raz reject (see chapter 5, part ii).

The moral individualism to which Raz objects with resolute determination is the same one that Mill detests. “As little is there an inherent necessity that any human being should be a selfish egotist, devoid of every feeling or care but those which centre in his own miserable individuality”. Mill requires from his individual to be strictly impartial between her own and others’ happiness. Building up on the strong natural tendency people have to care for others, education, laws, social arrangements and opinion “should place the happiness, or...the interest, of every individual, as nearly as possible in harmony with the interest of the whole”. Hence, the impulse to advance the general good may become a habitual motive of action and part of everyone’s sentient existence (Mill,CW,x,1985,pp.216,218).

Sociality and fellow feeling are elements accentuated in such manner in Mill’s theory that immunize it to common anti-liberal criticism¹⁴⁹. For such critical views often identify the liberal self with an egoistic, alienated and competitive individual which maintains a clear distance from his fellow citizens and his social environment. Donner asserts that such criticism is doomed to fail if meant to target Mill’s version of liberalism since his value of self-development is profoundly distinct from that in liberalisms founded on possessive individualism and insatiable urge to control resources and property. In Millian liberalism, individuality and sociality are complementary notions, aspects of the same whole, which if not grown together in a well-proportioned manner, one’s development is accordingly hampered (Donner,1991). The same interconnectedness among one’s own well-being and the well-being of others is a striking feature of Raz’s liberalism too. He is persistent in reminding us that he sees no essential

¹⁴⁹For a communitarian critique against the liberal self see for instance its advocates in note 144 and D.Bell (2005); for a leftist, radical criticism of liberalism see Beiner (1992), Wolff (1968), Brenkert (1981),etc.

conflict between taking care of our own life and flourishing and that of the rest of the people (Raz,1989). Our social nature is at the heart of his liberal theory. He urges us to recollect that we serve our well-being by successfully pursuing goals and relationships we care about. The latter most often involve others who if we succeed helping, this assists our own life. Raz does not see an inherent conflict between ours and their concern for well-being (Raz,2006a). In the occasional event that there is a conflict, its resolution lies in values on which both the agent's own well-being and the respect for the well-being of others is grounded. During such antagonism, unless the agent remains loyal to these values, not only the well-being of others but his own too will be in jeopardy (Raz,1986). We can therefore observe that Raz, along with Mill, contribute with their perfectionist strategy to the fortification of liberalism, which in its dominant neutralist form seems more vulnerable to the criticism that it promotes excessive individualism. Neutrality tends to discount their perfectionist thesis that the well-being of people extends beyond themselves and that people have an important interest in residing in a public environment conducive to such well-being. This is because such thesis might run afoul the anti-perfectionist principles of restraint which oppose the promotion of such 'controversial' perfectionist ideas (Wall,1998; MacCabe,2000).

The potentiality of compounding the interests of oneself and others provides the inspiration to contrive perfectionist policies which, by advancing it, could alleviate or ideally obliterate tensions between the individual and society. This is a rationale present both in Mill as in Raz. Good life has for Raz a non-instrumental essential social component. Accordingly, promoting collective goods becomes also a mean to promote autonomy, with collective goods effectively making up fundamental part of autonomy

(Raz,1989). Mill's claim that all people should have opportunities to live well and evolve their capacities forms part of a similar to Raz's eloquence to invigorate the ability to live an autonomous and developed life. For all to have proper chances to exercise their aptitudes, social guarantees requiring positive action for the allocation of social resources should complement non-interference with their developmental attempts. (Donner,1991). Apart from revealing Mill's conviction that all people have a potential for virtue and rationality (Skorupski,2006) the justification for the initiative of perfectionist measures stems from our other-regarding nature. For Mill the important role cognition plays in morality is coupled with sympathy for ourselves vested with sympathy for others. People as reasonable beings resent jeopardizing society's security because they realize their own safety depends upon social stability. Mill accepts social sympathies as the specifically moral human feelings and that the root sources of moral obligation stem from the fact that our good is largely and inextricably vested with the social good (Nakhnikian,1951). While I think that Nakhnikian in his account of Millian value and obligation exaggerates the credibility a naturalistic epistemology can add to Mill's thoughts¹⁵⁰, he is right in highlighting that Mill has probably in mind our other-regarding nature in order to ground and justify his normative suggestions and perfectionist politics. The Millian morally worthy agent possesses other-regarding impulses and moral education consists in refining and enhancing such impetuses (Nakhnikian,1951).

¹⁵⁰To establish the intrinsic goodness of Mill's happiness, Nakhnikian uses 'scientific' -ostensibly more credible- "axioms"; his equally 'scientific' "normal conditions" serve to 'objectify' the test linking Millian happiness and goodness (Nakhnikian,1951,pp.35-7,39). 'Positivistic' approaches are occasionally used in political theory to assign to it more 'scientific reliability'. While not wrong *per se*, I oppose this 'more objective scientific' epistemology only insofar Nakhnikian uses it to conceal Mill's *particular* perfectionist moral stance to interpret liberalism.

Indeed, Mill confirms that the feeling of duty towards others' happiness would appear arbitrary if we did not already have powerful natural sentiments to attend people. Such duty is in harmony with solid sentiments to foster other people's well-being, which if absent, would let the implanted by education care for others wither gradually away. "But there is this basis of powerful natural sentiment...This firm foundation...of the social feelings of mankind; the desire to be in unity with our fellow creatures, which is already a powerful principle in human nature..." (Mill,CW,x,1985,p.231). Nakhnikian traces in the other-regarding nature of the Millian self the basis not only of his morality but of morality in general (Nakhnikian,1951). Raz has a similar view as we can notice in his reply to Farneti's question if the accentuated other-regarding aspect of his moral theory is too demanding. "I do not believe there are several moralities, more or less demanding, let alone several which we can choose from". While conceding that there can be different views of moral requirements, he specifies that morality is by definition right. (Raz,2006a,p.76). It would be redundant to elaborate on the fact that Raz does not believe that his other-regarding morality is either too demanding or mistaken. What I think Raz wants to stress here is that when moral and political thinkers -like him and Mill- concentrate on the social part of ourselves and accentuate our tendency to care for others, it is a natural and thus inevitable thing to do. It is *the* way to deal with moral and political issues.

Mill and Raz do not favour compelling people to develop their social capacities or to participate in valuable social relationships. They take the realization of many perfectionist goods to require self-direction, facilitated by the work to ensure that others' living-conditions are conducive to people's own self-development and realization of

perfectionist goods (Wall,2008). They acknowledge the possibility of tensions between own and other-regarding interests but they do not see them as inherent or politically central; they thereby foreground the ideal state of their absence. In that sense their approach falls outside Wall's strict classification of egoistic and non-egoistic forms of perfectionism despite resembling more perfectionist writers like Green (1986) and Hobhouse (1911) who held that the others' good derives from one's own. On such views, one's own perfection does not contrast with the perfection of others. Yet, Mill and Raz certainly confirm Wall's view that "perfectionism is best understood as a moral theory that directs human beings to care about the perfection of others as well as themselves..." (Wall,2008). In addition, they in general prefer indirect than direct measures to bring about the perfection of others by facilitating, not imposing, the appropriate conditions for a good life. Consisting part of a defence from criticisms potentially attributing to any perfectionism illiberal characteristics, such arguments lead us to the following discussion.

Thus, after locating the common perfectionist features of Mill's and Raz's liberalism and analyzing how their similar strategy to convey its message deviates from its current dominant versions, I intend to probe if their perfectionisms withstand a critical examination and if they pass a general coherency test. A succinct consideration of such possible challenges to their presented accounts comprises the first half of the forthcoming chapter; its second part is dedicated to defend them from the principal accusation, i.e. to prove that their commitment to perfectionist values does not render their accounts illiberal.

CHAPTER 5: ASSESSING THE COHERENCY OF THEIR PERFECTIONIST ARGUMENTS AND THEIR COMPATIBILITY WITH LIBERAL VALUES

The present chapter seeks to examine possible criticisms addressed to Mill and Raz exclusively as they are presented in the current project¹⁵¹. I cherish no illusions about referring to all the conceivable weaknesses traced in the argumentation of the writers as they are widely perceived. Taking into account that there is an abundant literature viewing Mill -and to a lesser extent Raz- in very distinct ways, and also bearing in mind the project's particular objectives, it would be meaningless and bewildering to attempt to capture the entire array of criticisms that could possibly target them. Thus, the following claims are meant to point out shortcomings that could potentially spring from the particular presentation of their viewpoints here and under this scope they should be considered. Their positions are to be evaluated critically mainly for their perfectionism, for an alleged inconsistency the combination of perfectionist, liberal and pluralist parameters could be thought to entail, and for the way they attempt to put together and join all these ideas. This aims to fortify the rarely defended view that the perfectionist components of their theory form a coherent theoretical scheme when combined with their plurality of value and the primacy they attribute to the essence of liberty. Abiding by their core commitment to promote human flourishing they legitimately accept that people hold a plurality of views about good life and that the world contains diverse and incommensurable values. The subjection of their views to the relevant criticisms is meant to demonstrate that the species of perfectionism that both Mill and Raz represent according to the current proposal is generally logically coherent and politically useful.

¹⁵¹The critical arguments presented here were largely picked up with a criterion of relevancy for the perfectionism of both writers and as such they form part of their comparison.

The confirmation process of my hypothesis that their perfectionism coherently combines objective good with the subjective liberal affinity for personal choices reveals -in addition to the need for some terminological adjustments- only minor flaws primarily in the application of their reasoning. Apart from certain terminological deficiencies which if amended would clarify their views and strengthen their cohesiveness, the following critical process will conclude that there are only few weaknesses that debilitate but do not jeopardize the overall consistency of their common perfectionist argumentation.

It facilitates the critical examination to distinguish between the two different levels -theoretical and practical- at which their perfectionism might be challenged. At the first one it will be acknowledged that their liberal accounts could typologically have been more neatly organized to accommodate better their perfectionism (part i, section a). Yet, subsequently, it will be argued that barring minor inevitable tensions between perfectionist and liberal elements, their theoretical schemes follow a coherent reasoning only strengthened by a potentially more apt terminology. Furthermore, it will be claimed that their perfectionist viewpoint is such that it more appropriately than its neutral counterpart conveys the liberal ideals today (section b). At the practical level it will be conceded that in applying their perfectionism they do not avoid certain flaws or omissions, attributed mostly to the respective context and perspective from which they assess liberal reality, as well as to some terminological haziness (section c). Nonetheless, the overall assessment of their strategy imparts additional support for my hypothesis that their perfectionism comprises a coherent account of liberal political morality deserving more attention than the one it attracts in comparison to its anti-perfectionist rival. In an effort to vindicate this, the second part of this chapter will attempt to provide the

evidence needed to repel the most prominent and forceful criticism perfectionist theories are regarded to be vulnerable to; namely I will contend that Raz and Mill do not host any 'hard paternalistic' or excessively 'moralistic' line of reasoning that could seriously undermine their liberal aspirations. Their perfectionism not only survives the criticism equating it with non-liberal tactics of moralism and hard paternalism but it overall qualifies as a more viable liberal species than its neutral counterpart. Repelling the criticism which identifies perfectionism with hard moralistic and paternalistic policies is meant to defend the perfectionist crux of Mill's and Raz's arguments which for the present account remains quintessentially liberal.

In seeking to demonstrate that Mill's and Raz's perfectionism is an overall well-grounded autonomy-based political morality which qualifies as a coherent form of liberalism my arguments contrast with much of what is known as the 'traditional criticism' against Mill (Gray,1996,pp.160-1) as well as with a common liberal reception of Raz's ideas. The alleged ambiguity and inconsistency of Mill's liberalism, due largely to the perfectionist elements detected in it, is one of the unifying factors classifying many interpretations of his work as 'traditional'. Much of this stream of thought has "attacked the [Millian] Principle of Liberty itself for its [putative] indeterminacies and consequent inability to serve the action-guiding uses Mill demanded of it" (Gray,1996,p.133). Since Gray summarizes and uses 'traditional' arguments that specifically point out to the alleged antithesis of Mill's perfectionist and liberal components, the present claims are often set in opposition to the ones Gray promulgates. Similarly, they counterpoint what Neal calls "standard objections to perfectionism raised by conventional liberals" (Neal,1997,pp.145-6) which in various versions target Raz's ideas. By invoking his

perfectionism they attribute to Raz an incoherent liberalism or illiberal sentiments, exactly what this chapter aims to countervail. Such arguments directed in this way against Raz's and Mill's liberal perfectionism are respectively expressed with diverse intensity from people like Moore (1991), Neal (1997), Lomasky (1990) as well as Cowling (1963), Letvin (1965), Brown (1972), Hamburger (1995). My arguments also oppose people like Johnston (1994) and Damico (1997) who criticize jointly Mill's and Raz's perfectionism as favouring illiberal and excessively moralistic methods. In addition, they naturally aspire to rebut traditional neutralist liberals like Rawls and Larmore who posit or implicitly suggest that the Millian and Razian perfectionist vision is too 'comprehensive' and ultimately illiberal (Devigne,2006). If the offered terminological amendments for a more apt in Mill and Raz fusion of perfectionist and liberal elements are innovative, it is because they too differ from the proposed ones by others like Berlin, Waldron or Regan.

Let's now proceed to the evaluative process aiming to probe if and to what extent Mill and Raz are justifiably held accountable for weaknesses and incoherencies in their reasoning and if this truly entails that they fail to qualify as consistent liberals.

i. Some Weaknesses but No Incoherency in their Reasoning

a. No Systematic Taxonomy

It might be regarded daring or audacious to suggest that Mill and Raz could have been terminologically more accurate in order to convey better their liberal ideas. Nonetheless, as we saw, it is their own argumentation having a common essentially perfectionist core that needs a refined terminology able to reflect the subtlety of its combination with liberalism; accurately portraying this would surely increase further the

degree of integrity and coherency of their position. Their proper claims seem to require an apt terminology to depict their fusing arguments and convey more scrupulously their perfectionist message. Indeed, a more systematic taxonomy of the freedom-related concepts could have been a very handy assistance for both Mill and Raz to accomplish a bit more neatly their perfectionist liberal objectives. Thus, while Mill's theory of liberty is overall sufficiently coherent -with its synthetic character playing a central role in its consistency- the different components of the theory are not terminologically demarcated¹⁵². Such components roughly correspond to Mill's two different conceptions of liberty; the negative one, with Mill's commitment to it restricting what others can do to the individual, and his pivotal positive objective for autonomous agents, that is, for people with the necessary qualities of mind and character to exercise choices bravely and proficiently. The former is just a condition for the ability to develop the latter i.e. the autonomous individual. Mill opted not to develop a congruous terminology to describe these two kinds of freedoms separately¹⁵³. He hence frequently uses the term liberty to signify distinct views of freedom. Negative ones focusing on its possible restraints, as when he propounds that "the sole end for which mankind are warranted...in interfering with the liberty of action...of their member, is self-protection"; or positive ones, as where he identifies individuality with development, its cultivation with well-developed human beings, and the "undeveloped" people with "those who do not desire liberty" (Mill,CW,xviii,1977,pp.223,267). Here Mill's concept of liberty is not defined in relation

¹⁵²Stressing the absence of a strict typological order, the discussion of the different concepts of Mill's liberty can be found in chapter2, part ii, section c. As part of an effort to disentangle the different freedom-related elements in his theory, a more structured taxonomy of his liberties was suggested.

¹⁵³ The lack of a viable liberty-related taxonomy in Mill has repercussions on the terminological accuracy of other terms he uses, like the term of 'harm'. Such largely nominal blemish in his definition of harm was discussed earlier (chapter 4, part i, sectionb, pp.259-61).

to the absence of possible restraints and he naturally does not mean that 'less developed' people wish to be coerced. He denotes that such individuals miss the aspiration to govern themselves, lacking thus the required stamina to qualify as autonomous.

Devigne rightly points out that Mill could have elaborated more his taxonomy of 'freedoms'. This would have helped to clarify more the priorities in his political writings and his overall perfectionist stance. It would have subsequently reduced the available scope for criticism now related to an alleged ambiguity and inconsistency as claimed by the 'traditional approaches' of his liberalism (Gray,1996,p.160). Had Mill used typologically clarified conceptions of liberty, this would have reduced the confusion surrounding his political philosophy and would have made more transparent the empirical, classic and idealistic components of his synthetic perfectionist liberalism (Devigne,2006). Again, the terminological criticism should not be overstated since Mill *did* play a bridging role between the 'classic liberalism' of his time and the idealism of his posterior 'new liberalism'. As Freedman argues, in his theory of freedom Mill elevated the qualitative aspects of character and personality into a supreme value, something which his successors embraced and expanded. "Individuality thus replaced Individualism, and by regarding a socially rooted individuality as the main attribute of human welfare, social reformers crucially complemented the previous liberal stress on liberty" perceived in a negative way. Additionally the later mild-socialism of Mill assured the continuity between 'new' and 'old' liberalism, facilitating the transition towards a socially concerned ideology (Freedman,1978,pp.23-4). Yet, the lack of terminological clarity to describe his 'liberties' makes more apprehensible the failure of traditional interpretations to apprise Mill's distinct concerns. For example, it was probably due to this hazy

terminology that Berlin (1969) -a 'traditional' *vis-a-vis* Mill (Gray,1996)- fails to acknowledge Mill's two different conceptions of liberty and mistakenly attributes to him confusion. There was no confusion in Mill because he never intended to demonstrate -as Berlin argued- that the 'negative goal' of averting interference with free action is both the necessary *and* sufficient condition to develop autonomy. Mill consciously wanted to synthesize negative and positive elements in his theory of freedom, drawing more the attention on the latter. And in this sense, Berlin failed to substantiate Mill's middle ground between positive and negative conceptions of freedom. Lifting the impediments to harmless action does not ensure safeguarding genuine individual liberty. The latter is not threatened solely by coercion but also by the lack of self-development of character. "Freedom, [Mill] maintains, consists of both the absence of burdensome constraints on people's possible actions and the capacity of persons for self-determination and self-government" (Baum,1998,p.215).

The use of different notions of freedom as components synthesizing his liberal theory does not go unnoticed (Friedman,1998; Smith,1980). Mill himself seems to be offering us in advance an explanation for why he did not tag these constituent elements separately. In the fear of missing out the diverse social and cultural enrichment linguistic terms have acquired throughout history, Mill generally prefers to use his philosophical terminology in an amplified manner. Accordingly, instead of following the strategy of philosophers who he criticizes for attempting to tame language and elaborate it to the extent that it can assumingly produce uniform concepts, he prefers to use general terms, like liberty in this case, to encompass several elements of diverse past traditions. Language for Mill is the depository of experience to which former and future ages

contribute their share. Therefore it is our obligation to transmit to posterity a larger portion of this inheritance than the one we benefited from. Mill opposes the tendency of many philosophers to reduce philosophical language to a narrow nominalist perspective into which they squeeze their logical schemes (Mill,CW,viii,1974). He accuses reformers of language for expropriating its ambiguity and therefore its critical force. Such nominalist reformers and logicians instead of aiming at 'comprehensive' linguistic meanings, insist more on clarifying the forms. They focus on anchoring words like liberty to what they signify in conventional usage and accordingly employ the term uniformly (Mill,CW,viii,1974). Mill is worried that competing outlooks are not exploited well enough. He "insists that we can get a lot out of paying attention to the ambiguities of language and re-excavating their original force and meaning". He seems to imply that it is delightful to discover and exploit 'ambiguities of language' (Devigne,2006,p.212).

I think that Mill does well to synthesize different elements under the name of liberty, not only because this maintains the linguistic and semantic continuity of the term but also because with his particular synthesis he manages to give new force to the normative role of liberal thinking. I also agree with Devigne that Mill's lack of terminological description of the components of his liberty by no means entails a poorly thought and inconsistent liberalism as several of his 'traditionalist interpreters' argue. However, I do not share what Devigne implies, i.e. that all this provides a sufficiently good excuse for Mill not to assign distinct terms to the *components* which he uses to construct his liberty; nor to designate separately the importance of each one of them; nor to specify which component he prioritizes, in case they conflict or depending on the context within which the conflict takes place. If done, all this would have been

compatible with the openness he wants to retain for the general term of liberty which would still have hosted and fruitfully synthesized traits from competing traditions. The issue here is one touching more upon his methodological approach than his constituent objectives. After all, as he states in his requisites of philosophical language, Mill is also in favour of terminological precision. “It is imperative to determine the attribute or attributes which [a general name] is to express”. The habit of predicating all the various properties of the name “keeps up the association between the name and those properties” (Mill, CW, viii, 1974, pp. 670, 681). The best proof for the need to have adopted a more apt and precise terminological adjustment than the one Mill actually offered is the very existence of the bulk of traditional criticism as well as the diversity of the revisionist approaches trying to capture his thought¹⁵⁴.

It is interesting to observe that a similar criticism does apply to Raz’s liberalism too¹⁵⁵. The terminological accommodation he offers for his liberal theory seems flimsy to depict accurately the different meanings and nuances of its constitutive elements. Thus, in parallel to Mill’s ‘abuse’ of the general term ‘liberty’, Raz seems to do the same with his term of ‘autonomy’. While it is the term that fittingly carries most of the perfectionist weight of his theory, it is obvious that it co-exists with distinct valuable -but uncertified terminologically by Raz- versions of freedom. Otherwise it would be impossible to explain his following statements: In general, “the value of autonomy does not depend on choice”. “To be sure autonomy itself is blind to the quality of options chosen. A person is

¹⁵⁴ See Gray, 1996, pp. 160-1 as well as Devigne, 2006, chapter 7.

¹⁵⁵ For the incongruity of Raz’s fickle effort to follow some typology for his autonomy, see chapter 3, part ii, section b, pp. 190-4. While there I exclusively examine Raz’s attempt to clarify the different ‘stages’ of his perfectionist autonomy, the lack of a holistic taxonomy of his freedoms surfaces. Raz’s distinct freedoms - the positive and negative ones- sporadically appear in chapter 3. See also chapter 4, pp. 254-5 for Raz’s unfit terminology to describe how coercion affects autonomy; diversifying terminologically his liberties (between negative freedom and autonomy) could have helped him to cogently delineate their relationship with coercion.

autonomous even if he chooses the bad” (Raz,1986,pp.394,411). Firstly, it is difficult to square them with his repeated claims that “autonomy is a distinct ideal” possible only in the presence of valuable options, that “autonomy requires a choice of goods” and that “a choice between good and evil is not enough” (Raz,1986,pp.395,379). They also contradict his assertions that “the ideal of autonomy...makes a virtue out of necessity” and that “personal autonomy is the ideal of free and conscious self-creation” (Raz,1986,p.390). The present remarks rather than challenging the generally well-defended essence of the Razian perfectionist autonomy, they indicate the terminological gaps in his theory which proves to be wanting of an elaborated typology of freedom.

Sadurski cogently indicates this when he investigates why Raz reaches his surprising conclusion that we should protect autonomy -valuable insofar as it seeks the moral good- even if spent to pursue the morally repugnant. Raz affirms that interference with autonomous, though morally repugnant, choices violates the coerced person’s independence and disrespects him. Using the rationale of perfectionists, Sadurski challenges the need to respect an action which is morally repugnant, adding that disrespecting such action need not imply disrespect for a person, as Raz promulgates. It is true though that the ‘condition of independence’ is violated by the interference with the morally repugnant action; but unless Raz introduces a distinct value of independence, its violation could not justify protecting morally abhorrent though autonomous actions. Therefore, Sadurski rightly wonders if Raz smuggles in his theory -under the guise of ‘independence’- a non-perfectionist notion of autonomy, valuable irrespective of the moral value of autonomous actions (Sadurski,1990). The reason Raz gives for not interfering with autonomous bad options because of the indiscriminate effects of coercive

restriction on other options too, is not convincing. Again, following Raz's perfectionist logic, intervention does not need to be coercive; it suffices to state clearly that *such use of autonomy* is a bad and repugnant one. Yet, Raz is correct in not always doing that¹⁵⁶ because he values too a different (maybe 'lower') level of freedom, that of its negative expression. That is also why he qualifies as a non-contingent (upon a certain contextual justification) liberal theorist. Raz, implicitly only, acknowledges this level of freedom with his 'respect for people' (2001), the intrinsic value of people and the 'enabling value of freedom' (2003), as well as with his very limited references to negative freedom (1986)¹⁵⁷. All these are valued tacitly but universally and irrespectively of his autonomy. Yet, his lack of a more elaborated terminology of freedom -like in the case of Mill- which would not necessarily venture the force of his perfectionist autonomy and his priority to promote it, undermines the precision of his liberal theory. It deprives it from a more detailed guide to describe the relations of such freedoms, to adjudicate in the event of a clash between them, and prescribe when and why to prioritize one over the other according to the context of their possible conflict.

In sum, it is argued that while Mill and Raz opt to stress more the perfectionist part of their liberalism by accentuating the good conditions people need to live as autonomous agents, they undoubtedly value too freedom defined as absence from coercion. Thus, it is suggested that they combine the Berlinian positive and negative freedoms. Liberty as autonomy and freedom from shackles both have a role to play in their theory. However, while they do so, Mill and Raz do not accommodate in a

¹⁵⁶ Promoting the good through a (non-coercive) 'perfectionist conditioning' does not prevent liberals like Mill and Raz from accepting the final individual choice, as genuine, even if bad.

¹⁵⁷ See for example the instance where Raz (1986,chapter 15, especially pp.408-10) tries indeed to provide a more elaborated typology of freedoms and analyze the relation between autonomy and freedom. However, in this respect, his effort is hasty, not based on a transparent and consistently used taxonomy.

systematic taxonomy the different kinds of liberties they use nor they adequately specify their exact participation in the recipe of their synthesis in a single account. Furthermore, they sometimes use liberty-related concepts like ‘self-development’ and ‘individuality’ or ‘harm’ and ‘coercion’ without linking them consistently with the same meanings; this does not add to the credibility of their terminology and it becomes problematic to the extent the signifiers do not correspond always to the same signified. All this does not considerably distort their intended political message but it can occasionally result to confusion since to decipher reliably the depiction of their composed position, terminological accuracy helps. While not a fatal mistake for the coherency of their accounts, it is something that has surely perplexed numerous of scholars in their quest to produce a reliable interpretation of their writings. Generally speaking, however, both Raz and Mill defend well their perfectionist liberalism. The present section did not aim to reverse this evaluation since it primarily touched upon the terminological handicaps of their theory and not its essence which will be appraised subsequently.

b. Mill’s and Raz’s Perfectionism: A Coherent Reasoning for Their Liberal Accounts Needing Only Minor Adjustments

While it was hinted or overtly stated that there is some tension between elements of their theories, it is important to clarify that Mill’s and Raz’s perfectionism, designed to promote good and discourage bad pursuits, is not incompatible with their strong commitment to personal autonomy. By invoking primarily terminological amendments it is suggested that their underlining fundamental philosophy constitutes a coherent reasoning which with the needed adjustments unifies in a commendable synthesis distinct components. Thus, despite terminological complications the present account seeks to

show that their autonomy-based perfectionist morality is rationally well-founded and it qualifies as a coherent species of liberalism. It aspires to substantiate this by opposing 'traditional', neutralist and other critical arguments which elevate surmountable nominal frictions to the level of fundamental inconsistencies between their perfectionist and liberal or pluralistic arguments.

The central difficulty in both Raz's and Mill's theory is to prove the good as somehow related to the desired. Nakhnikian notes that Mill faces the central value-problem to determine just what this relation is. It seems that the task of liberal perfectionism *per se* can contain some effort to reconcile occasionally adverse currents. It might consist in identifying and associate goods to desire in a way that whatever is good is desired but not everything desired is good (Nakhnikian,1951). As expected the difficulties of such reconciliation do not go unnoticed. Gray by condensing several 'traditional' criticisms against Mill (Gray,2000b) interprets his account of the higher pleasures as being most at odds with experience by attributing to Mill the assumption that his informed judges will prefer the same kinds of pleasures. It is claimed that he holds this view since he postulates that higher pleasures are intellectual and moral rather than physical and sensuous. Mill, according to Gray, never doubts that people familiar with both reading Plato and going to the races would prefer the former than the latter. Mill's certainty on this, the argument goes, is incompatible with his repeated assertion that individual needs vary extensively. Based on what he describes as opposing impulses, Gray claims that "Mill's ideal of personal development breaks down on the fact that different ways of living develop our different powers and faculties". He invokes the dynamic nature of our goals and preferences, subject to change due to the continuous

interplay with experience, to challenge the compatibility of Mill's perfectionist notion of higher pleasures with plurality. In line with this he blames Mill for not doubting that the best life is the autonomous one (Gray,2000a,pp.58-60). Raz faces the same type of criticism by Margaret Moore who argues that his defence of liberalism fails to underpin the liberal primacy of autonomy over all other values (Moore,1991). She challenges whether a theory of the good life like the Razian can provide an adequate justification for prioritizing autonomy while at the same time permitting individual freedom for someone to act on her preferences even if it is possible that they are judged to be 'objectively' bad. Whilst the ideal of personal autonomy, as Moore puts it, is a formal conception pertaining to personal conducts, goals, and commitments, other values on the objective list theory of well-being are subjective ones. As such they deal with the particular content of the person's objectives and ideals. Hence, "there is always the possibility that the two may come apart, that the person may freely choose to adopt ways of life that are contrary to the ideal" (Moore,1993,p.147).

Apart from the already provided argumentation supporting the fusion of objective and subjective elements as realistic and as the recommended path liberalism should follow if it is to comply with its normative role, it is worthwhile to summarize briefly some claims affirming the validity of liberal perfectionism. First, both Mill and Raz do not see as deeply problematic the fact that an individual might choose contrary to the 'objective good'. They do accept such choice and that is why they repeatedly have stated that they are against the imposition of the good. They do strive however -motivated by their 'associationalist logic'- to qualify the creation and provision of the conditions for a good life as a legitimate political claim which, if followed, tends to assist the valid -since

antiquity (Chan,2000)- philosophical quest to link autonomous choices with the good. Second, as we saw -and as Gray admits- both Mill and Raz strongly favour diversity; they are inclined to favour quality in general without prescribing the 'content' of the person's goal as Moore seems to suggest. Third, the decision process of the Millian 'informed judge' Gray criticizes is indeed expected to lead to choices where higher faculties are engaged. Yet such engagement is of a more ample kind than Gray assumes by contrasting different kinds of options, i.e. rational against physical and sensuous. The quality of options that Mill and Raz use refers to choices of the same type, that is rational vs rational, sensuous vs sensuous but with a preference to aid the promotion of the better one of each kind. While it is true that they do not give us a detailed perfectionist guide for what to do when we have to choose between impossible kinds of options, and while they show an obvious preference for mental activities, they by no means exclude physical or sensuous options from their perfectionist scheme as Gray seems to imply.

Mill equates the quality of pleasure with its kind. He says, for example, that 'the pleasures derived from the higher faculties [are] preferable in kind'. Thus intellectual pleasures can be a kind. But kinds of pleasure are not categorized solely by the faculty affected; they are also classified by cause and by phenomenal differences in the pleasurable experiences themselves. Thus causal and intentional properties enter the picture. Mill's notion that quality of pleasurable experience is roughly equivalent to kind and his particular view of kind give his view a flexibility (Donner,1991,p.41).

Gray (2000b,p.148) correctly propagates that Mill -like Raz- did hold to an ideal of personality, a perfectionist feature of his moral theory stemming from his view on psychology and human nature. But contrary to Gray's traditional criticisms Mill also cogently combines this with the valuing of individual experience. While protecting his theory's objectivity, we should treat his notion of quality as having a strong empirical dimension. Mill certainly allows cases where intellectual pleasurable experience is

prioritized over physical one. Yet, he also permits choosing a larger quantity of a less valuable kind over a small amount of a highly valuable kind. Mill embraces both options as being equally feasible and, according to Donner, the correct interpretation of his theory should demonstrate this. Indeed, her interpretation of Mill convincingly manifests that his competent agents rank preferentially both quantity and quality; in assigning rank to pleasurable experiences they evaluate judgement procedures where all good-making properties count (Donner,1991). Raz's liberalism also offers an indefinite list of options between which autonomous people can choose. He attributes due importance not only to the cultivation of mental faculties but also to the conditions that allow us to satisfy our physical and sensuous needs. His liberal theory is not one sided, it is flexible. "The autonomous life may consist of diverse and heterogeneous pursuits. And a person who frequently changes his tastes can be as autonomous as one who never shakes off his adolescent preferences" (Raz,1986,p.371).

Up to this point, the mentioned possible challenges refer more to the alleged inconsistency between Mill's and Raz's perfectionism and their liberalism or plurality. Some replies were given throughout the text as well as here in an attempt to repel the criticism. In addition, it has been conceded that Raz does not always manage to consistently combine the different variables of his liberal theory and a reasonably simple adjustment bringing closer his perfectionism with his plurality was proposed¹⁵⁸. Another of Gray's 'traditional' challenges focuses on the fact that both writers encounter difficulties in reconciling their pluralist affirmation of diversity and incommensurability of values with their prioritization of liberty. If value-pluralism is true, Gray wonders, shouldn't liberty be considered as just one value among others, without any privileges?

¹⁵⁸ See chapter 3, part i, sections b and c.

(Gray,2000b). Yet, here Gray's critique of Mill and Raz points out to a potential inconsistency between their liberalism (not necessarily liberal perfectionism) and their affinity for value-pluralism. This means that the charge could be more efficiently directed against liberals who through their theory's alleged neutrality claim or imply a strong universal application of *their* liberty. As Gray admits, Mill and Raz differ from the dominant neutral tradition of liberalism since a critical and historical self-consciousness characterizes their theories. Though they explicitly (Mill) or more tacitly (Raz) claim universal authority for the negative -in Berlin's terms- elements of their theory, they avoid setting certain cardinal rights or standards of basic liberties as binding and authoritative for all societies. In that sense, their liberalism "has a clear advantage over that of Rawls", and of all other neutral liberalisms "whose unarticulated assumptions are the local conventions of American constitutionalism" (Gray,2000b,p.155). Neither Mill nor Raz seem to me to seriously claim a universal superiority for their context-sensitive liberalism -as Gray assumes and as he rightly charges the neutralist liberals for doing so. The basic underlying negative aspect of their liberty is indeed of universal application, as part of a minimum respect for humans. But the (core) positive elements of their theory - like individuality and autonomy- are recommended but seen as culturally bound and thus barely carrying the 'authority' to be imposed on other cultural or political forms of distinct evolution. They do respect pluralism with the advantage of acknowledging the 'situatedness' of their perfectionist position.

In contrast to neutral liberalism, Mill manifests that his thought is dependent upon a particular European concept of progress. Despite weaknesses -characterizing in Gray's opinion all political thought adopting the philosophy of history of the Enlightenment- Mill's

liberalism relies on an account of human historical development displayed explicitly; for this reason it can be subjected to critical evaluation and this is a notable virtue because such degree of historical and self-critical consciousness is not present in today's dominant neutral liberalism (Gray,2000b). Mill's and Raz's 'situated' liberalism, which according to Gray uses the same transparent approach not hiding its perfectionism, does not imply an imposing universal aspiration as much as neutral liberal theory does. This is verified by Raz's claim that while liberal principles and institutions might be superior to rival ones, we are not necessarily meant to live under liberal modernity (Raz,2003a,p.153). Regarding Gray's critical argument for the incompatibility of *any* liberal theory (perfectionist or neutral) with value-pluralism, as shown in chapter3 it need not be true. In the amendment proposed for Raz, the concept of 'incommensurability' is defined as to allow comparisons of values through super scales¹⁵⁹, allowing thus liberalism to accommodate value plurality (Mason,2006); and as shown (pp.147-50), by using 'goodness' as a super scale, its perfectionist version is potentially more consonant with pluralism. After all, even if we were to follow Gray's 'modus vivendi' to promote pluralism, one could claim that it contains a liberal seed in favour of toleration; multicultural coexistence would presume some coordinating tolerant authority, monitoring plurality and adjudicating between different cultural views in case of conflict, whose minimum existence could be seen as the intellectual (by)product of liberal

¹⁵⁹Despite values being plural, there is an available scale on which to rank them. Such scale is not rationalized by a common value-feature like in monism, but by something over and above the values, not itself a super-value (Mason,2006). Chang (1997,2004) and Stocker (1990,1997) verify that evaluative comparisons are feasible via their 'covering value' or 'synthesizing category' without resorting to monism. Such incommensurability allowing value-comparisons was suggested for Raz in order to reconcile his liberal perfectionism with his plurality (chapter3,part i,sections b and c).

tradition. Gray himself admits that “the institutions characteristic of liberal civil society are most congenial to the truth of value-pluralism” (Gray,2002b,p.29;Gray,1993).

Writing in times when the awareness of plurality’s importance is more accentuated, Raz takes more seriously than Mill the effort to reconcile his liberal perfectionism with value-pluralism. Yet, as we saw some adjustments were needed to amend a not always consistent combination of local and universal arguments, as well as an insufficient notion of incommensurability¹⁶⁰. In addition, as McCabe (2002) forcefully demonstrates, he relies too much on a contextual defence of autonomy which, at times, seems to deprive from his view the transcendent value of freedom, a minimum of which is necessary if someone is to defend a consistent liberal position. Crowder agrees that a solely contextual defence of autonomy, even if capacious as in Raz, might entail an incomplete liberal justification for freedom and restrict the liberal ideal (Crowder,2002). For Raz human flourishing largely depends on the successful pursuit of our comprehensive goals widely formulated by the existing social forms. Our goals are a function dependant on the availability of options in our context. But in our modern liberal context autonomy is a fact of life and, to be successful in an autonomy-supporting environment, we inevitably have to be autonomous. On the one hand, Raz’s perfectionism dismisses value-relativism or conservative life-options possibly derived from a contingent social context by linking well-being with the free successful pursuit of *valuable* objectives entailing the provision of *valuable* options. Yet, on the other, without stressing the transcendent value of autonomy he simply argues that concern for the

¹⁶⁰See chapter 3, pp.148-52 for the problematic role of reason in Raz’s incommensurability which “typically yields situations in which reason is incapable of guiding action” (Galston,1999,p.771,n.3). Chang (1997) justifiably criticizes his incommensurability which most often seems not to permit rational comparisons. The fact that Raz does not pursue an adequate connection between his autonomy and his incommensurability is also noted by Crowder (2002,pp.202-4).

contextually shaped human flourishing makes it appropriate for liberal states to promote autonomy. While Razian autonomy, feasible only through plurality of valuable options, responds to anti-liberal objections about the value of liberal life, Raz's combination between autonomy and value-pluralism is also supposed to signal that diversity does not entail a lack of shared values. His plurality is meant to reflect a common culture grounded in a shared commitment to the value of autonomy.

However, given the fact that Raz supports multiculturalism, several viable communities within liberal societies do not appear to endorse the ideal of autonomy. Thus, his contextual justification for autonomy is not always secured. "The very appeal to social practices that Raz relies on undermines the privileged position of autonomy he seeks to defend" (McCabe,2002,p.235). The problem is that an entirely contextual defence of autonomy relies on social practices to provide the adequate number of valuable options, something that makes their presence only contingent. Some fundamental liberal criteria shaping the value of goals and evaluating citizens' performance need to be, minimally, context-independent. Raz risks the reliance of his perfectionist freedom on social practices which might be inappropriate to sustain it. For example, as McCabe observes, considering the dismaying in many respects spectacle of contemporary liberal society, if liberal perfectionism aims to commit liberal citizens to worthwhile goals, anti-liberal views may be vindicated by challenging the value of several goals in such society (McCabe,2002). Waldron follows this logic when he claims that there is a conservative element in Raz's theory inasmuch as it derives the value of its autonomy solely from its contemporary social practices¹⁶¹. Against his overall coherent perfectionist reasoning, Raz's government would tend to support options already rooted

¹⁶¹ Admittedly, Raz's reply to this charge is not utterly convincing (Raz,2003a,pp.22-5).

in social life failing to promote lifestyles with which no one is familiar (Waldron,1989). Contrary to one of Raz's claims (Raz,1995,p.24), it is not hard to imagine (liberal) societies that do not make available to their citizens an adequate range of acceptable options¹⁶². Societies through their practices could legitimize many unattractive options the presence of which Raz in principle objects. A similar criticism is addressed by Hurka against Sher's liberal approach whose perfectionism seems to rely on (many) people's acceptance (Hurka,1998)¹⁶³.

The fact that sometimes Raz's view appears ambiguous on whether autonomy should be regarded as a transcendent value or merely as a contextual one, worthy because of the sort of our society, is often highlighted (Lomasky,1990;Regan,1989). The liberally contestable Razian prospect to defend autonomy contextually is discussed and several solutions are offered for its amendment. If only the kind of our society renders autonomy morally valuable, the mere significance of the latter cannot aptly promote or sustain existing options. The availability of options need in Raz's account to be somehow linked with the circumstances and value of autonomy. According to Waldron, Raz's liberalism could be more cohesive abandoning his coyness and simply acknowledging autonomy's unequivocal goodness; thus the social circumstances making it feasible could be celebrated unconditionally as contributing to the advancement of modern life and duties derived from the value of autonomy could sustain the environment which makes its exercise possible (Waldron,1989). In addition, when an account of the duty to promote

¹⁶² Raz maintains "that just about all societies have an adequate range of options available in them" (Raz,1995,p.24). This unsubstantiated claim can also have conservative connotations. History demonstrates that there are societies not supporting an adequate range of life-choices. Where human differences are not tolerated sufficiently well for instance, Raz's view could be interpreted as implying not to promote the appropriate social changes to accommodate them better.

¹⁶³ Hurka stresses the distorting effects this contingent legitimization of perfectionist values can provoke. "Even if humans do not in fact pursue aggression, we can surely imagine a possible world in which they do. Is aggression good in this world?" (Hurka,1998,p.190).

autonomy depends almost exclusively on its social context -as Raz sometimes seems to suggest- the perfectionist core of his thesis debilitates; the duty to promote autonomy only to the extent autonomous choices are good ones becomes blurred and the governments' imperative to promote autonomy seems to be defended independently of the value it generates. Connecting its significance to social circumstances in which other modes of life are impossible, insinuates that governments must respect autonomy independently of the value of the options that autonomous persons encompass. Again, Waldron's proposal to Raz to solve this conundrum is to acknowledge that autonomy is a good thing unconditionally (Waldron,1989). On the other hand, Regan innovatively advises Raz to abandon the claim that autonomy is autonomy even when it chooses the bad. Seeing Raz as intrinsically valuing autonomy (contrary to Waldron), Regan mentions that the only alternative to his own proposal is the undesirable for Raz prospect to abandon the claim that autonomy is *per se* valuable (George,1991).

As we saw in the previous section, the suggestion presented here to surpass or alleviate the tension between the different elements of Raz's theory -perfectionist, liberal, and pluralist- combines parts only of Regan's and Waldron's above mentioned fragmentary proposals. Regan's view here for an 'always good' concept of autonomy accentuates the perfectionist elements of Raz's theory to the extent that makes it vulnerable to the criticism that it is not sufficiently liberal. Waldron's unconditional acceptance of freedom as autonomy could have the weaknesses of an ahistorical, de-contextualized defence -with the potentially 'colonizing' or expanding tendencies- of the universal, neutral strand of liberalism that Gray rightly deprecates (Gray,2000b). The proposal offered here was for the mild, basic part of negative liberty in Raz to retain its

universal aspect; this is while his positive freedom defended as autonomy could carry the normative weight of his theory embedded more in its particular context. Such amending terminological coalescence is inspired by Raz's views on value and its universal and local parts (Raz,2001,2003)¹⁶⁴. Some evidence underpinning the attribution of such typology of freedom in Raz can also be traced in his reply to his critics (Raz,1989). There 'freedom from repression' tends to have universal characteristics as it forms a constituent part of Raz's account of well-being. At the same time autonomy's value, while intrinsic, continues to be acknowledged in specific contexts where choice and self-determination plays an indispensable role in people's lives. Yet, the absence of an explicit endorsement by Raz of a delineated terminology of liberty 'relativizes' its defence, leaving it more susceptible to criticism by giving the impression that it has no axiological criterion to evaluate societies with or without autonomy¹⁶⁵. It's worth noting that elements of the proposed here taxonomy of Raz's freedom can also be found in McCabe's view of how perfectionism can better approach liberty, its value and the agent's good (McCabe,2000,p.329).

Whilst there is no certainty that terminological adjustments can completely eradicate the tension between the distinct perfectionist and liberal components in Mill's and Raz's theories, they might help to fill certain gaps facilitating thus their worthwhile fusing process. It is true they can still be subject to criticism but maybe this is inevitable in a constructive effort, such as theirs, to maintain alive the real values of liberalism through a normative process which reaffirms its prominence. Yet, to the criticism

¹⁶⁴ For a view on how they relate to his liberal theory and to the terminology suggested here cf pages 140-3 with pages 144-5.

¹⁶⁵ For a distinct approach tracing an advantage and not vulnerability in this Razian relative defence of liberty see Gray,2002b,p.29.

insisting to present the difficulties of their perfectionist liberal blending as insurmountable, an additional answer could be that even if we were to assume as genuine parts of such critique, the alternative to their syncretizing process in question is much worse; it is much worse in comprising a consistent defence and coherent promotion of liberal values, at least with the meaning Mill and Raz attribute to them. Liberal perfectionism may indeed imply some tension as such, but it is a philosophically legitimate exercise (Hurka,1993)¹⁶⁶ with potentially fruitful results for the aspirations of today's liberalism. Whether these are better served when through a political scheme a perfectionist notion of human flourishing is *suggested* or if this should be left outside of the scope of political theory, as neutral liberalism proposes, is central in critiques judging Mill's and Raz's work as incoherent. If the present explicit endorsement of their perfectionist approach is not substantiated well enough, the adherents of neutrality still have to uphold their case. And there is a lot of hard evidence against their position to which they would need to give a convincing reply. As basic sociological and psychological knowledge¹⁶⁷ indicates there are contextual factors that condition the individual and her choices. Excluding this entire conditioning process and its repercussions from the political debate of freedom, as anti-perfectionists hint we should do, pushes liberalism towards a fragmented, dispirited and eventually conservative direction which reiterates the status quo and undermines the chances many people have to lead an autonomous life (McCabe,2000,pp.335-6; Chan,2000). By openly stating their particular perfectionism Mill and Raz not only prove that it comprises a cohesive

¹⁶⁶ Hurka offers us a list of adherents to perfectionism with names from Plato to Green and Bosanquet with several of them consistently combining perfectionist and liberal elements (Hurka,1993).

¹⁶⁷ See Berger and Luckmann (1967), Fiske and Taylor (1991), Thorndike (1970), Skinner (1971),etc. For the importance of social dimensions of knowledge or information see Goldman (2007).

reasoning for liberalism, they also remind us of its advantages in comparison to its neutral counterpart. The transparency of their stance in relation to what they believe is good avoids insinuating that ideology does not stem from concrete roots and positions. Neutrality, on the contrary, tends to hide its propagated position on human flourishing behind the decisions of an unrealistically ahistorical and unencumbered individual whose decisions miraculously do not seem to be affected by her social context and conditions. By not stating how its position fares towards the good, neutral liberalism contributes to a 'depoliticization' of politics relinquishing its role to unbridled contextual economic or social factors.

c. Coherent but Not Unblemished: Some Imperfections in Applying Their Liberal Perfectionist Ideals

The current project delineates perfectionism in a way that has to do more with the abstract formation of a political theory and less with the practical application of its particular content. Its use to describe Mill's and Raz's political theory aims primarily to differentiate their liberalism from one that sharply distinguishes the right from the good by expelling the latter from its scope. This is certainly not devoid of content in the sense that it distances their liberal politics from neutralism and approximates them to a social contract political tradition. Yet this does not mean that my current proposal approves all the political content which their particular realization of human flourishing has led Mill and Raz to embrace or the perspective from which they review the application of their ideals in liberal reality. Regarding Mill, critical attention will be given to some of his political suggestions which contradict his conceptually solid liberal perfectionism; what is critically evaluated in Raz is more his unwillingness to reveal how his perfectionist

ideals translate into practice or to criticize current phenomena that apparently oppose his liberal proposals, producing thus some haziness in relation to his ideas. Such deviations from the crux of their thought are mostly attributed to the idiosyncratic features of their respective context and the perspective from which they assess liberal reality, as well as to some terminological haziness.

Mill and Raz portrayed as perfectionists would commonly have to face a criticism which identifies them with elitism. Such charge attributes them the view that only few selected people who have greater insight into moral truth have the privilege to impose it on all the rest (Neal,1997)¹⁶⁸. Contrary to this claim, the perfectionist line assigned here to Mill and Raz is similar to the one Wall promotes i.e. aiming to create and maintain social conditions enabling all people to lead valuable and worthwhile lives (Wall,1998). Mill's liberalism was primarily an encompassing one seeing all people as able to lead intellectually and emotionally gratifying lives as well as deserving their chance in life. This is exemplified in his broad notion of development, implicating not just intellectual but also moral and affective capacities, seeking to foster generic skills without solely perfecting exquisite ones and to motivate people to help each other and work collectively. It is not circumscribed to an area of high intellect aiming at elitist developmental resource allocation. In general, for Mill -as for Raz- such elitist advocacy is self-defeating (Donner,1991).

Yet, there are specific issues of applied politics on which Mill's approach can be regarded as having elitist tendencies something that Donner herself does not deny. One such trend prompts Mill to protect overtly the middle class at the expense of the working

¹⁶⁸ To the extent their accusation as elitists is linked with the use of moralistic and paternalistic claims, this will be answered in the second part of the chapter.

class by exaggerating the dangers of the latter's involvement in the public domain. Mill often seems to be worried that the educated elite minority could effectively be silenced by the rest. Hence, he devised particular strategies like weighted voting and an educational qualifier on voting rights favouring the educated elite. It is inevitable that such a complex political theorizing like Mill's, messing with social and political reality, embodies in its practical implementation certain flaws. One of these was to approve of laws designed to forbid marriage between couples unable to prove they were capable of raising their offspring well. Another was when Mill made universal suffrage contingent on universal education (Devigne,2006). Lack of participation in social and political issues exacerbates the position of the poor and uneducated people. Mill's concern about people without formal education -informal instruction acquired through political participation is curiously highly regarded by Mill (CW,iii,1965,p.763)- justifies additional support by the social state, not their exclusion from political participation which undermines their development. It would justify social policies nourishing competence and participation in tandem, not delaying participation indefinitely until would-be voters meet other conditions (Donner,1991).

While Mill's weaknesses do not affect the fundamental principles of his theory, certain policies he suggested in order to achieve his theory's goals are not backed by contemporary evidence. Mill's elitist remark¹⁶⁹ that members of ancient and underdeveloped countries are 'backward' or like children "is embarrassingly false". Donner underscores that contemporary knowledge enlightens our sensitivity to cultural diversity and rejects the Millian equation of economic with intellectual and moral development. Even if manifested differently, many aspects of human development take

¹⁶⁹ See for example Mill,CW,xviii,1977,p.224.

place in all societies (Donner,1991,p.171). Baum highlights a similar insensitivity in the way Mill often construes his liberty irrespectively of different historical and cultural contexts (Baum,1998,pp.210,216). Mill also seems to make some naive generalizations about class characteristics. Worker cooperatives cannot be established as easily as Mill assumes nor owners would be happily willing to form partnership with workers by relinquishing their own power. Macpherson duly criticizes him for not combining adequately the change in social inequality and in consciousness with democratic participation (Macpherson,1980). Hughes underlines the occasional antithesis between Mill's adherence to private property as well as his treatment of the working class with his version of the good society. She also adds an intriguing element that Mill does not deserve all the credit of being called a progressive feminist (Hughes,1979)¹⁷⁰. Nonetheless, as Donner acutely reminds us, all these flaws "are easy to see from a vantage point [more] than hundred years hence" (Donner,1991,p.207). It is true that anyone engaging in such a complex project -and Mill is not an exception- could have done better in certain aspects. While he did not fail, as many contemporary commentators claim, in connecting wisdom and higher modes of existence with individual happiness and a prosperous liberal society, his political philosophy is vulnerable in establishing a link on how moral and intellectual excellence can reach the general public. Given the weakness of liberal societies to sustain the mental and moral qualities needed for Millian autonomy, he "does not fully clarify the disproportion between liberalism's need for

¹⁷⁰Compared with his contemporary William Thomson, Hughes argues, Mill is less progressive towards women. Apart from claiming that women should be allowed to be political candidates, Thomson claimed that children and their education can be superintended "by a 'man or woman as may be most convenient'" (Hughes,1979,pp.531-2). Mill adheres, however, to more traditional schemes under "which the man earns the income and the wife superintends the domestic expenditure"; for him this remains "the most suitable division of labour between the two persons" (Mill,CW,xxi,1984,p.297).

moral and intellectual development and the means he proposes to identify the qualities it needs its citizens to possess” (Devigne,2006,p.224).

Unlike Mill, Raz opts to stay relatively aloof from commenting on social and political reality since the main focus of his work is of an abstract nature¹⁷¹. Yet, given his view that “people’s understanding of concepts” generally depends “on their understanding of their relations to concepts that can have instances” (Raz,2003a,p.24), he could have insisted more on revealing to us how liberal reality fares in comparison with his theoretical schemes. Like that he could have avoided the charge that he largely remains uncritical to the problems of contemporary liberal society, the spectacle of which does not always underpin parts of his theoretical framework¹⁷² (McCabe,2002). Placing his theory side by side with social and political reality would have probably been a short fruitful deviation from his stated course to deal more with the fundamentals of political philosophy and less with its topical side (Raz,2006a). Additionally, it would have overcome what Waluchow calls theoretical limitations stemming from the fact that he largely forgoes the discussion of the concrete implications his reasoning yields (Waluchow,1989). For instance he is criticized for holding that intelligibility of acts requires their goodness, meaning that acts are intelligible solely if performed for reasons while only what is good provides reasons. Yet, as Stocker asserts it is not only goodness which makes acts intelligible (Stocker,2004). It seems that Neal duly criticizes Raz’s perfectionism for consecrating its criteria of inclusion in the name of a non-contingent and non-contestable reason, reason as a disinterested sovereign power untainted by the

¹⁷¹ Raz is mainly a legal and political philosopher unlike Mill who, apart from philosopher, he was also an economist and he was deeply engaged in the political reality of his time.

¹⁷² The mismatch between Raz’s perfectionist liberalism and the current liberal reality can also be traced - among others- in pages 178-80,221-4 of the current text.

politics it judges (Neal,1997). While the “combination of social dependence and objectivity in Raz’s treatment of value” (Wallace,2003,p.9) is rightly praised (Pippin,2003), it seems that providing their conceptual juxtaposition without applicable clarifying examples invites critical comments from different directions; either for demoting the human nature of values by accentuating too much their cultural dependency (Korsgaard,2003) or for applying values without contextual restrictions of time and place (Williams,2003). Taking into consideration the impossibility to fully insulate evaluative enquiry from its historical and social contingency (Wallace,2003), charges for relativism and conservatism against Raz (Pippin,2003) could have been mitigated if he had chosen not to obscure his position by avoiding examples. Despite his additional clarifications (Raz,2003a), the abstraction and the primarily terminological haziness of Raz’s position remains in regard to the exact combination of objectivity and his social dependence thesis. Since Raz openly favours multiculturalism, it is maybe such tendency to defend his perfectionism without examples implicating some ambiguity that leads Deveaux (2000) to charge him with reservation towards the diversity of various cultures.

It would not be honest to claim that Raz’s perfectionism is absolutely unblemished in its defence against the moralistic charges of his critics. He could be blamed for certain recklessness when he insinuates that his view is not an interpretation of morality but it depicts accurately morality itself. Asked if *his claim* that there is no inherent conflict between our own and others’ well-being is too demanding, he replied that he was unable to understand how *morality* can be too demanding. “Since by definition morality is right, how can it be too demanding, a description which implies that it is wrong?” (Raz,2006a,p.76). By following Raz’s hesitance to attribute significance to

people's well-being, Regan wonders why an activity being someone else's and not ours means that we should value it as a contribution to her well-being (Regan,2004). The potential criticism here is that this could have a moralistic connotation affecting the way we see and respect others, particularly for someone like Raz who values highly individual autonomy. Translating Raz's perfectionism as connoting conservative features seems to resemble one of Berger's observations on Mill. Since Mill (like Raz) holds that denial of benefits is a form of harm and strongly promotes cooperative and positive duties as part of his liberalism, there is a danger to interpret his theory as permitting a widespread enforcement of morality (Berger,1984)¹⁷³. Berger's point is a reminder that caution and elaborated work needs to specify the principles that pick out sound arguments for the promotion of a good liberal life.

The present section underlined this by acknowledging that some of the ways in which Mill decided to apply his ideas as well as Raz's insistence to maintain his reason 'uncontaminated' by tangible reality can provoke moralistic interpretations incongruous to the spirit of their accounts. Nevertheless, their overall evaluation here insists that these instances do not manage to overturn the consistency of their perfectionist arguments whose core remains profoundly liberal. To this end I will proceed to analyze Mill's and Raz's arguments repelling the most common and forceful challenge for perfectionist liberals. If shown that in realizing their perfectionism Mill and Raz do not resort to illiberal methods, my argument that their perfectionist theories are consistently liberal will gain further ground. Fencing their accounts from such principal criticism could hopefully contribute in increasing the interest currently devoted to a stream of thought

¹⁷³ Berger makes it clear that he does not share such criticism and that he considers Mill to be a consistent and solemnly devoted liberal (Berger,1984).

largely ostracized by (conventional) liberalism. Mill's and Raz's perfectionist thoughts could be used more to extrapolate useful conclusions for the amendment of contemporary liberalism.

ii. Consistently Liberal: Against Hard Paternalism and Traditional Moralism

In their attempt to define the distinct kinds of paternalism as well as moralism G.Dworkin (1972,2005) and Feinberg (1984,1986) use an extensive typology that is only indicative of how subtle and complex it is to clarify these two terms. Here I am precisely referring to their versions generally acknowledged to be incompatible with or firmly adverse to the basic rationale of liberalism in a degree that their prevalent presence in a theory would designate it as illiberal. Thus I am referring to a generalized use of 'hard' or 'moral' paternalism (Dworkin,2005) based on 'moralistic' grounds. In hard paternalism protecting competent adults against their will -from the harmful consequences of their voluntary choices- is a valid reason for criminal legislation. It should be distinguished from 'soft paternalism' where the state prevents self-regarding harmful conduct only when it is substantially non-voluntary, or when temporary intervention can establish whether it is voluntary or not (Feinberg,1986). When the prohibition of an act is decided purely for the moral welfare of the consenting participating agents, moral paternalism is involved (Devlin,1959). Traditional moralists, supporters of moralism as defined here, hold that the enforcement or prohibition of acts is to be decided often on a purely moral basis irrespectively if it invades or not in any reasonable sense people's liberty or autonomy (George,1990). There is a meaningful distinction between certain kinds of paternalism applied through state intervention (that liberals traditionally use) and the enforcement of morality without any reasonable reference to people's vital interests

somehow related to their autonomous life (Gray,1996). There are often attempts to obscure this meaningful distinction. Hart (1963) convincingly argues that Devlin (1959) mistakes 'legal moralism' -the notion that laws are entitled to arbitrarily enforce moral standards- with 'legal coercion', of hard or soft paternalistic type. Even 'moral' or 'hard' paternalism should be distinguished from legal moralism because the latter is not concerned at all with the actor's state (physical or moral) but simply if the activity is morally degrading (G.Dworkin,2005). Yet, it should be clear that liberals are generally speaking against not only legal moralism and 'moralistic legal paternalism' (state coercion preventing moral harm to the actor himself) -as G.Dworkin (2005b,p.305) defines them- but also against 'hard' or 'moral' paternalism. They are very reluctant to apply freedom-limiting policies without any reference to a reasonable harm-principle. While their ideology is consistent with the application of certain policies of soft paternalism liberals are generally¹⁷⁴ firm against moral paternalism (Feinberg,1984,1986; G.Dworkin,2005).

In this section it is argued that Mill and Raz as perfectionist liberals remain committed to the general aversion of liberalism against not only legal moralism but also against moralistic paternalism, that is, of its 'moral' or 'hard' version. The terms 'moralism' and 'moralistic' are used here with their traditional-common connotation (used for example by Gray, George, G.Dworkin, Feinberg, etc) which is completely different from Raz's free-floating use according to which himself is a 'moralist liberal' because he supports "a 'moralistic' doctrine of political freedom, i.e. one based on the moral value of individual liberty" (Raz,1986,p.367). The essence of Mill's and Raz's

¹⁷⁴Rarely and reluctantly liberals can resort to 'welfare' justification (G.Dworkin,2005) for certain policies (e.g. compulsory seat-belt fastening in cars), something that can barely avoid the 'hard paternalistic' logic.

positions as presented here is clearly perfectionist and, as Haksar observes, many liberals wrongly think that liberalism is incompatible with perfectionism as a political principle. They often use it as a derogatory concept following Rawls who “in essence uses perfectionism as a pejorative term to refer to the ideals of his opponents, such as Nietzsche and Rashdall” (Haksar,1979,p.2). Frequently liberals mistakenly identify perfectionism with the imposition of the above mentioned strong versions of paternalistic and moralistic patterns. The truth is that policies based on such patterns need not be assimilated by perfectionists. And in the case of Mill and Raz they are certainly not, at least not to a degree threatening to disqualify the liberalism of their theories. Naturally, charges doubting his commitment to freedom are rarely -e.g. by Cowling (1963), Letvin (1965) and Johnston (1994)- directed explicitly against the ‘champion’ of liberty. Such criticism more often targets Raz, with Lomasky (1990) epitomizing the thought of the whole ‘neutral’ and ‘anti-perfectionist’ strand of liberalism for which Raz’s theory is not sufficiently liberal¹⁷⁵. As Damico affirms, perfectionists in general are habitually criticized as illiberal due to “liberalism’s historic opposition to perfectionism” (Damico,1997,p.398). But both Mill and Raz are regarded here to be perfectionists. Hence, even in the event it is not stated explicitly, they could implicitly be subject to the criticism that their perfectionism promotes hard paternalism and moralism.

Nevertheless, as Feinberg’s definitions of liberty-limiting principles indicate when combined with his account of autonomy, the promotion of human flourishing and the good can be incorporated in the harm principle of a liberal theory in order to protect the autonomy of other (than the actor) people. Put differently, while Feinberg forcefully argues against moral paternalism, perfectionism can be traced in his presentation of

¹⁷⁵ See also Neal,1997.

autonomy as (partly) an ideal (Feiberg,1986) as well as behind his ideas of ‘authenticity’ and ‘self-determination’ (Christman,1990). After all Feinberg qualifies as a ‘moralist liberal’ -in a way Raz does¹⁷⁶, not as a traditional moralist- something that is hard to match with an anti-perfectionist conception of liberalism (George,1990). Apart from well-known theorists that forcefully support the compatibility of perfectionism with liberalism¹⁷⁷ the argument discerning the former from the use of paternalistic measures is further reinforced by even some non-perfectionists liberals. By distinguishing between perfectionist moral guidance and moralistic coercive interference Clarke (2006) and Biondo (2005) accept that perfectionism can be applied through non-paternalistic actions and hold that a perfectionist teleological morality can be consistently liberal¹⁷⁸. That perfectionism can meaningfully be distinguished from paternalism is in line with the opinion of another non-adherent of liberal perfectionism¹⁷⁹. George accentuates that while traditional moralists are perfectionists, “they typically reject the harm principle and permit the legal prohibition of some victimless immoralities”, being hence in opposition to some contemporary liberals who are also perfectionists. The latter, while they reject state neutrality and the exclusion of ideals, simultaneously they argue that due regard for the human good of individual autonomy restricts the governmental means to pursue moral ideals. Liberal perfectionists “typically accept a version of the harm principle that

¹⁷⁶ Cf with p.315. Yet, Feinberg never formally endorses perfectionism and one could opt to concentrate on their differences. For instance, Feiberg (1984) and Raz (1988) describe ‘harm’ differently. Still it is difficult to dismiss any perfectionist similarity. It is not always easy to distinguish if harm is defined as “benefit unattained” or “deterioration caused” or if the former equals the latter (Hamilton,2007,pp.78-9). For interesting discussions on defining toleration and harm see Horton and Mendus (1985).

¹⁷⁷ Hurka (1993), Sher (1997), Haksar (1979), Wall (2008),etc.

¹⁷⁸ Yet, according to their criteria describing paternalism and the harm principle, only Mill qualifies as a consistent perfectionist liberal while Raz’s perfectionism leans towards paternalistic coercion.

¹⁷⁹Unlike Clarke and Biondo who argue from a liberal perspective, George is a distinguished social conservative.

forbids, or sharply limits, the use of coercive measures to combat victimless immoralities” (George,1990,p.1420).

In this last category fall both Mill and Raz; while as perfectionists they have no absolute objection to paternalism -like most common-sense liberals do not- they object in general to hard and legal paternalism as well as moralism (Hurka,1993). Hurka’s defence of perfectionism as not necessarily moralistic is generally convincing (Mulgan,1994) and coincides with Crowder’s view that liberal perfectionism need not, indeed ought not, be identified with coercion and imperialism. Liberals generally consider the use of force cruel and unproductive and prefer to seek the liberal good through argument and education. This is despite the under investigation form of liberalism being one “that dares speak its name” (Crowder,2002,p.226). Let’s see now how Mill’s and Raz’s particular arguments fare as part of a reply to the (hard) paternalistic and moralistic charges.

a. Mill against Moralism and Hard Paternalism

Mill’s liberty principle itself has an obvious anti-paternalist and anti-moralist connotation. A person’s own good, physical or moral, is not a sufficient warrant to limit his liberty. “He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise, or even right”. Mill’s perfectionism has certain limits that are inviolable. “There are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise”. People’s conduct is amenable to society only when it harms others. “Over himself, over his own body and mind, the individual is sovereign” (Mill,CW,xviii,pp.223-4). Gray stresses the “anti-paternalist implication of Mill’s

principle” which stipulates that it is not legitimate to interfere coercively with the fully voluntary choice of rational agents regarding their own interests (Gray,1996,p.91). Mill demarcates paternalistic and moralistic restrictions of liberty from freedom limitations based upon the harm principle (Brink,2007). He thus reconciles his commitment to human excellence with his defence of liberty and repudiates the ruling of ‘perfected individuals’ enforcing ideas of the good and compelling people’s development. His view is that this anti-moralism comfortably coexists with his recognition that mores of justice and laws need to be accompanied by certain conditions required to cultivate human agency and to develop individuality. Mill refutes the use of coercion in liberty’s name but this does not exhaust the sufficient measures for his autonomy. His political goal to strive for human excellence and justice are neither incompatible nor identical.

The emphasis Mill puts in our obligation to obey the rules of justice allows criticism but not legal coercion against people who exemplify what he calls a “miserable individuality”. The rules of justice to which we all need to abide, “forbid mankind to hurt one another”; and in hurting “we must never forget to include wrongful interference with each other’s freedom” (Mill,CW,x,1985,pp.216,255). Mill’s justice insists on toleration for all and permits civil peace by offering legal protection for the weak and vulnerable. Thus the cultivation of character qualities like the self-commanding, energetic and creative individual that Mill promotes coexists with and abides to norms of justice which protect the self-interested activities of individuals. As we saw Mill despite promoting a prototype of a good liberal life, his same vision for it makes it open to plurality and diversity. Self-developed existence is advanced as a liberal way of life but as one among others. People who do not eventually value self-development as much are not meant to be

repressed. It should be noted that Mill's insistence on everybody's opportunity, not obligation, to self-amend, "answers the misguided charge of John Rawls, Charles Larmore, William Galston¹⁸⁰, and others, who claim that Mill's vision is too 'comprehensive' and ultimately illiberal because it would lead the state to end outlooks and ways of life that do not center on autonomy" (Devigne,2006,p.71). There is ample evidence in Mill distinguishing one's own interest from people's general interest and against the moralistic imposition of the latter on the individual. "That nothing which is a cause of evil on the whole to other people, can be really good for the agent himself, is indeed [only] a possible tenet, and always a favourite one with *moralists*" (emphasis added). Distancing himself from moralism, Mill opposes the flat identification of benefits to the world with the ones for the person: "That is no valid argument, but a fallacy of ambiguity" (Mill,CW,viii,1974,pp.812-3). His effort to promote perfectionist values without resorting to moralism is evident. "No man's individual share of any public good which he can hope to realize by his effort, is an equivalent for the sacrifice of his ease, and of the personal objects which he might attain by another course of conduct". Solely social interests of feeling and conscience, "the necessary subordination of which to 'self-regarding' is so lightly assumed", can lead to virtuous exertion. To strengthen the feelings of virtue in people "it is necessary, first to have, and next to show...a firm unwavering confidence in man's capability of virtue" (Mill,CW,x,1985,pp.15-6).

Berger (1984) convincingly argues against Brown's (1972) portrayal of Mill as being in favour of the enforcement of morality by society on the individual; this would commit Mill to the interference with individuals' life not on the grounds of the harm

¹⁸⁰ For arguments insisting that Mill praises excessively his autonomy, to an extent that undermines ways of life not centred on self-development, see Rawls (1993,pp.199-200), Larmore (1996a,p.128), Galston (2002b,pp.21-3).

principle but simply because their behaviour is allegedly morally wrong. To the question whether society can impose its beliefs or whether the majority's view of morality entitles enforcement merely because of its dominance, Mill's answer is clear. It is the mainstream liberal reply. Unless harm is caused to others no coercive interference to the actor's behaviour is justified. Disgust and indignation felt merely in knowing other people's conduct do not establish rights of protection from such feelings¹⁸¹. These reactions, according to Mill, may reflect prejudice and superstition threatening human individuality; their 'respect' should not allow invading freedom for the actor's good alone. This position is central in the liberalism espoused also by contemporary philosophers (Berger,1984). Nevertheless, people like Hamburger persistently confuse Mill's perfectionism and his proposals *suggesting* a better life as a legitimate target of a liberal society with illiberal moralism and unjustified paternalism. Hamburger challenges the viability of the Millian distinction between harmful to others and self-regarding conduct, by wrongly identifying the former as being subject to penalties and the latter as immune to them. He claims that Mill violates such distinction by finding legitimate the coercive pressure of opinion on individuals deriving from superior natures (Hamburger,1995). Riley's reply to such criticism adheres to Mill's own text and substantiates his preference to *encourage* a better liberal life rather than impose it coercively. It reveals Hamburger's recklessness to attribute illiberal ambitions to Mill and affirms that the latter's self-other distinction does not correspond to conduct immune from retribution and subject to it. Mill accepts that natural punishment may attach to self-regarding actions. His distinction is between conduct harmless to others and conduct harmful to them, with self-regarding

¹⁸¹Similar Millian arguments repel the moralistic and conservative criticism of theorists like Devlin (Berger,1984,pp.259-61).

matters averting deliberate legal or other social punishment. For Riley there is no textual evidence in Mill supporting the allegations of willingness on his part to use coercion against strictly self-regarding 'contemptible' behaviour. Every competent adult -not some 'superior' intellectuals- should enjoy liberty in self-regarding acts. The means Mill uses beside the harm principle to pursue his perfectionist aspirations should not be equated with compulsion. They do not impede self-regarding free conduct. Advice, persuasion and encouragement do not equal coercion or threat of harm; coercive measures involve noticeable impairment against the victim's will. Riley responds to Hamburger's moralistic portrayal of Mill by arguing that the latter's liberalism is as lenient as to permit society to evolve in a different direction from the one he recommended. As a proof of this Riley cites the fact that Mill's liberalism often provokes conservatives and even some liberals to depict him as naïve for proposing a far too permissive doctrine (Riley,1998).

While Riley's defence of Mill's anti-moralistic liberalism is persuasive, describing Mill as demanding "a complete ban on paternalism" under any circumstances (Riley,1998,p.196) is not equally convincing. This is not to say that Riley's view of the Millian theory overlooks its key points of how to deal with self-regarding conduct¹⁸². Although mainly a lexical issue which he approaches identically with Arneson (2000), whose 'perfectionist Mill' stands for an absolute prohibition to paternalism too, Riley could have done better in not identifying Mill's exoneration from moralism with an opposition to all kinds of paternalism¹⁸³. This would have helped him to shun certain linguistic paradoxes: "Mill's absolute ban on paternalism can be compatible with what is

¹⁸²In his 'expedient' limitations of the liberty principle, Riley implicitly 'incorporates' paternalistic practices (Riley,1998,pp.194-5). Also his correctly defined broad 'harm' can justify Millian duties addressing people's inaction and Mill's taxation of self-regarding conduct enhancing the social state.

¹⁸³ See Riley,1998,p.221,n.12, where he attributes to Mill an "equation of pure moralism with paternalism".

often called ‘soft’ or ‘weak’ paternalism” (Riley,1998,p.198). He would have also eschewed contestable expedient arguments in his effort to justify the renowned examples where Mill favours paternalistic practices¹⁸⁴. Whilst responsible for causing considerable confusion, according to the above mentioned typology and for the present approach, these examples are species of ‘soft paternalism’ compatible with the liberal character of Mill’s project. Thus, in Mill’s renowned example of a person about to walk across a damaged bridge, a soft paternalist justifies -like Mill does- forcibly preventing him from passing the bridge until we determine whether he knows about its condition (Dworkin,2005). This weak paternalism to which Mill assents enjoins only temporary freedom-restriction or social intervention to establish whether the self-damaging conduct was clearly autonomous; if not, it hinders the agent’s action until he becomes capable of thinking and acting autonomously. This soft paternalism, while inconsistent with the moralistic and hard paternalistic unqualified proscription of self-damaging actions, aims to protect the person not solely from ignorance and misinformation but also from various conditions rendering his choices less clearly autonomous (Gray,1996). In Mill’s words, someone can be “a child, or delirious, or in some state of excitement, incompatible with the full use of the reflecting faculty” (Mill,CW,xviii,1977,p.294). While such interventions are partly justified by the conditions of the liberty principle which, according to Mill, does not apply in the cases of children, insane adults, or savage barbarians, the intervention -like in the bridge example- due to ignorance or misinformation *is paternalistic* but not illiberal. Although justified, it does not cease to be an intervention against the avowed will of the agent for his own shake, therefore paternalistic.

¹⁸⁴ See Mill,CW,xviii,1977,pp.294,299. Riley discusses them in Riley,1998,pp.132-5,198-201.

This is also the case in the following well-known example in which Mill seems even to embrace a more substantial form of paternalism by negating to accept contracts of voluntary servitude. Yet, such rebuff could be a case of hard paternalism only insofar as the volition of the 'aspiring' slave could qualify as autonomous. Under the concept of autonomy used here the presence of valuable options is necessary if someone is to be able to exercise it. Thus, having genuinely worthwhile alternatives someone cannot reasonably opt to become a slave. In case he does, it is dubious if the liberty principle should still apply since it is evident that its stipulation of minimum rationality is not satisfied. Hence, intervention against voluntary slavery qualifies as a species of 'soft' (not 'hard') paternalism because it aims to protect the agent's autonomy even going contrary to his momentarily expressed, under unfavourable conditions, velleity. Mill's opinion against irreversibly liberty-limiting contracts like this is yet another example that he does distinguish between moralism and a kind of paternalism compatible with the liberal principles. He circumscribes morality's domain in terms of respecting people as bearers of capacities for autonomous thought and action. But the protection of human interest is constituted partly by states of affairs empirically or logically needed to attain autonomy and Mill promotes such states (Gray,1996). Intervening with liberty may sometimes be an empirical requisite to nourish the abilities implicated in autonomous action and thought. Mill acknowledges this when he states that the principle of liberty cannot apply until "mankind have become capable of being improved by free and equal discussion" (Mill,CW,xviii,1977,p.224). While Mill does not dismiss coercive interference as means to foster autonomy, he also maintains that "in civilised societies, and in all but the rarest cases, men's growth as autonomous agents is best promoted by according them liberty"

(Gray,1996,p.96). Such a 'rare case' therefore is the case of negating voluntary slavery. By substituting Gray's taxonomy of liberty and autonomy with 'short' and 'long-run' autonomy respectively, G.Dworkin verifies that Mill's paternalism in the slavery case is compatible with liberal values. He parallels prevention of mind-destroying drugs on the grounds that it preserves long-run autonomy with Mill's argument against allowing people contracting into slavery (Dworkin,2005).

Despite references resembling a blanket prohibition of paternalism from Mill's part, Brink too imputes to Mill soft paternalistic practices which serve the protection and advancement of his autonomy. Referring to the slavery example, he comments that certain liberties acquire their significance due to the importance of exercising one's deliberative capacities. The logic behind recognizing liberties is against extending them in a way that undermines future exercise of those same capacities. Hence, in such examples "an exception to the usual prohibition on paternalism is motivated by appeal to the very same deliberative values that explain the usual prohibition". Such principled exceptions are based on what Brink calls "*autonomy-enhancing forms of paternalism*" (Brink,2007). Even though Mill claims that the reasons in "this peculiar case" of slavery are "of far wider application" (Mill,CW,xviii,1977,p.300), I agree with Brink that Mill does not scrupulously address the question what other forms of paternalism are exempted from his usual prohibition on it. Apparently his paternalistic measures are rare since apart from the two discussed examples they have limited application. Even in issues like prostitution, gambling, and drug consumption, in which he indeed leans towards paternalism, it is impressive, as Gray observes, to notice Mill's preoccupation with the

liberty restriction of those¹⁸⁵ who exploit other people's weakness of will subverting their autonomy. Mill's compelling mechanisms of tax-payment and compulsory public services, restrictions of liberty to sustain important social institutions, cooperation and public goods, are all justified on a different basis than the above mentioned paternalisms. For the most part these do not even qualify as paternalistic interventions since they are 'covered' directly by a sole appeal to the broad Millian harm principle¹⁸⁶; in addition the democratic legitimacy of the enforcing authorities and the public issues they deal with differentiate them from mere paternalism against professed volitions of individuals.

In general, the anti-rigorous side of Mill's liberty principle distinguishes between innocuous individual actions and actions that concern or adversely affect others. Interventions on grounds of offending other people's feelings or moral views are conspicuously rejected. The anti-moralism of Mill's liberty principle places the onus of proof precisely on those who claim that something harms others (Skorupski,2006). Mill's perfectionism though, with its notions of autonomy and harm, is often willing to meet the challenge that severe differences of opportunities *do cause harm* to people's autonomy. That is why he requires state action "to diminish this inequality of opportunities" "by instruction and legislation", which even if it imposes taxes, does not violate but promotes people's autonomy (Mill,CW,iii,1965,p.811). Berger (1984) verifies this and Brink cogently epitomizes it. "Though Mill generally opposes paternalism, censorship, offense regulation, and moralism, he does recognize various functions that government should perform in pursuing the common good". Since individual opportunities partly depend on the position and resources of others, Mill intends to provide fair equality of opportunity

¹⁸⁵ Gray mentions the examples of casino owners and brothel keepers (Gray,1996,p.99).

¹⁸⁶ As mentioned, such 'broadness' encompasses also cases where inaction rather than action harms others (seeMill,CW,xviii,1977,p.225).

to curb socio-economic inequalities. However, Millian good is largely incorporated in his concept of autonomy and is thence consistently liberal and anti-moralistic. “Mill’s perfectionist liberalism promises to deal with natural worries about perfectionist politics without the problematic commitment to neutrality” (Brink,2007). Its emphasis on prizing rational capacities and forms of self-government which exercise them matches the essentials of the classical liberal tradition. Thereof Mill’s general conclusion is that paternalistic or moralistic state intervention cannot foster this kind of good. While basic liberties of thought and action accommodate better deliberative powers, at the same time, positive conditions for decent living, including adequate education, health and fair opportunities for self-development, are conditions for the Millian autonomy and their provision is highly appraised. Only if substantiated by invoking the harm principle and if clearly strengthens autonomy, then rarely, soft paternalistic intervention might be excused to protect people’s deliberative powers. Yet Brink is right to claim that Mill generally demarcates paternalistic and moralistic restrictions of liberty from its circumscribing due to the harm principle. As Brink affirms,

if liberal essentials can be justified by the right sort of perfectionist account of the good, then the perfectionist need not be illiberal. And this sort of classical perfectionism explains ways in which many liberals do think that the state can and should help its citizens lead better lives. In these ways, Millian liberalism articulates a tradition of classical liberalism that has enduring significance (Brink,2007).

While Berger notices the possibility of assigning a conservative orientation in arguments that use -like Mill does- a broad conception of harm coming also from people’s inaction (Berger,1984,pp.293-6), he reiterates that Mill’s rejection of a moralistic and conservative logic is genuine and consistent with his liberal position centred on autonomy. Hence, unlike children and barbarians, Mill’s self-developed

person can be left free to be impulsive or make irrational choices, because her developed capacities help her to learn from those experiences. “A presupposition, then, of the application of the liberty principle is that the agent have [sic] the capacity of acting autonomously” (Berger,1984,p.270). In a developed person it is always possible that freedom somehow contributes to well-being, and certainly to the attainment of its highest states. Mill’s general presumption is that freedom in the long-run benefits developed adults rather than children and savages. Yet, as we saw, this presumption might be defeated by certain incapacities of civilized adults; this makes relevant the chosen-slavery situation where Mill argues that -due to voluntarily remaining in it- all future freedom is foregone and the agent’s position “has no longer the presumption in its favour” (Mill,CW,xviii,1977,pp.299). Berger confirms that this is certainly the case because *such* exercise of freedom does not contribute to autonomous development (Berger,1984).

b. Raz against Moralism and Hard Paternalism

Contrary to Johnston’s (1994) criticism that Mill’s and Raz’s ‘strong’ defence of autonomy results to despotic paternalism because they both require from individuals to subject their lives to critical appraisal, Raz asserts that “autonomous persons are those who can shape their life and determine their course” (Raz,1986,p.374). As Apperley underlines this does not entail that they *must* do so, or that they must do so *constantly*. Occasionally living autonomously can stress people and they may retreat from making choices. If such decision is the fruit of reasons the individual endorses and is not imposed by others or by unfavourable conditions, then it is compatible with the Razian autonomous life (Apperley,2000). Raz’s liberalism is opposed to “over-intellectualized conceptions of autonomy”. His ideal of personal autonomy “is meant to be wider and

compatible with other styles of life, including those which are very unintellectual” (Raz,1986,p.371). He does not *impose* autonomous life; he proposes it as a better kind of life. “Raz’s view of morality is light years from that of Lord Devlin” and from legal (or general) moralism. Moral beliefs or feelings of disgust identified with a given society - Devlin’s idea of morality- cannot be traced in Raz. Morality is generally reason-based but Raz’s interest is specifically circumscribed to states with autonomy-respecting cultures and to good life in such societies. He focuses on autonomy and the state’s duty to protect and foster it for all its citizens (Stanton-Ife,2006). Thence, by valuing autonomy and seeking to promote it, the Razian state has good reasons not to act despotically towards its citizens. Raz’s pursuit for the appropriate conditions rendering people potentially autonomous and capable of critically evaluating their life-plans is not equivalent to forcing them to bend to the will of authority. Apperley describes Raz and Mill as sharing the view that it is the opposite of their concept of autonomy, the Kantian ‘immaturity’¹⁸⁷, that is the recipe for despotism; such immaturity facilitates despotism whilst their autonomy is a defence against it. Producing, accessing and having the capacity to evaluate knowledge are underlying elements of the liberal defence of freedom of speech and thought; they are constituent in the structure of liberal autonomy and of liberal democracy. Millian and Razian promotion of autonomy does not lead to despotic paternalism (Apperley,2000).

There is abundant evidence showing that Raz is in principle against coercion and manipulation stemming from moralistic or paternalistic arguments. His perfectionist account of autonomy “may sound very rigoristic and paternalistic” but “nothing could be

¹⁸⁷ Apperley’s Kantian notion of ‘immaturity’ corresponds to the inability to critically evaluate one’s own life-projects, resulting to complete reliance on others (Apperley,2000,p.309).

further from the truth” (Raz,1986,p.412). For Raz coercion commonly diminishes a person’s options below adequacy for autonomy. “Furthermore, loss of options through coercion is [correctly] deemed to be a greater loss of autonomy than a similar loss brought about by other means. That is why slaves are thought to lack autonomy even if they enjoy a range of options which, were they free, would have been sufficient”. Manipulation too perverts people’s preferences and goals, comprising thus “an invasion of autonomy whose severity exceeds the importance of the distortion it causes”. Coercion, manipulation and their effects highlight for Raz the significance of a particular dimension of autonomy, namely “independence”. By subjecting the individual’s will to that of another person, they violate her independence and are inconsistent with her autonomy. This is not only due to their consequences but also to the “kind of treatment of others that they are”. While they are exceptions of coercive interventions that promote rather than hinder autonomy, they “only reinforce the argument” for the “symbolic” and “expressive” prohibition against coercion and manipulation, “at least to the extent that it transcends the severity of the[ir] actual consequences” (Raz,1986,pp.377-8). Raz’s liberalism contributes greatly to dispel “the most deeply rooted confusion” “that anti-perfectionism is necessary to prevent people from imposing their favoured style of life on others”. He stresses that (his) perfectionist political action often maintains or strengthens social institutions enjoying unanimous support in a community; it most frequently abstains from any imposition related to a style of life by solely facilitating desired action or discouraging undesired modes of behaviour (Raz,1986,p.161). As Waldron observes, since “neutrality so dominates modern liberalism...it would be natural to expect Raz to defend his perfectionism by showing that individual liberty does not matter as much as

mainstream liberals have traditionally supposed. Natural but mistaken” (Waldron,1989,p.1002)¹⁸⁸. Mistaken because Raz’s freedom is vested to the richer ideal of autonomy, distancing his perfectionist theory from the sort of legal moralism Devlin (1959) advocated. In pursuing perfectionist ideals, Raz adheres to the liberal opposition to the use of coercion (Waldron,1989). Enforcement by criminal penalties or less severe infliction invades for Raz autonomy in a fairly indiscriminate way. He accentuates the link between coercion and a potential loss of autonomy, particularly when the appeal for the former invokes moral reasons. According to Raz, “there is no practical way of ensuring that the coercion will restrict the victims’ choice of repugnant options but will not interfere with their other choices”. As in Mill, Raz’s moral theory justifies coercion only to prevent harm to others, harm that interferes with other people’s autonomy. The inevitable presence of repugnant options, even their free pursuit, does not detract from people’s autonomy; though undesirable, it may not be curbed coercively (Raz,1986,pp.418-9). All this confirms Frankfurt’s comment that Raz, “in articulating and elaborating his moral and social vision, he is never moralistic...” (Frankfurt,2004,p.119).

An argument on the basis of which Raz could be criticized as advancing a moralistic theory is the one suggesting that he uses a ‘too perfectionist’ interpretation of the harm principle. A commonly voiced complaint against the harm principle is that harm is defined in a way as to include anything one objects to. But by seeing harm in terms of autonomy, a highly significant moral concept, Raz attaches to the idea a conspicuous liberal content (Stanton-Ife,2006). Harm “is to be judged by the degree of restriction of

¹⁸⁸Despite praising the liberal, non-coercive aspects of Raz’s perfectionism, Waldron insists that its appeal to autonomy does not wholly justify the Razian state’s coercive power.

one's autonomy it represents" (Raz,1986,p.421). By praising greatly the traditional liberal value of autonomy Raz, like Mill, typically favours coercion only against harmful to others behaviour and not against harmlessly worthless conduct or harmless immorality. His toleration is of a comprehensive kind since it describes the tolerant person as curbing her desirable inclinations, convictions and indignation even "at the site of injustice or other moral evil" (Raz,1986,p.402). Additionally, Raz clearly specifies that autonomy-based considerations do not 'overstretch' the harm principle as to legitimize coercion to prevent offence. "Offence as such should be restrained and controlled by other means, ones which do not invade freedom" (Raz,1986,p.421). He establishes a close connection between the duty of toleration or "tolerance as a right" and the duty of respect for autonomy (Raz,1988). Theorists like Damico (1997) and Lomasky (1990) who explicitly attribute to Raz an illiberal moralism, proceed to their conclusion by deprecating the very same value of autonomy. For them, "autonomy merits no special regard by liberals" and only a right-based *pure* negative liberty does. Any notion 'contaminated' by positive characteristics beyond a minimal level -like Raz's autonomy- does not deserve to be defended as liberal (Lomasky,1990,p.101). Contrary even to Berlin's rationale, who despite his own 'negative' inclinations he also regarded highly the positive aspects of liberty (Berlin,1969), Raz's theory is classified as illiberal mainly because it attempts to combine negative with positive features which *could* allegedly result to a stringent moralism. While such arguments insinuate that only an asocial and de-contextualized formal notion of freedom from external constrain merits praise as the core idea of liberalism, Raz is accused as an illiberal moralist not on the basis of what he said but on a conjecture of what *could derive* from his perfectionist account. Thus, Damico imputes to

Raz a theory that could potentially result in legitimizing his state to impose 'norms of right choosing'. He is criticized for contingencies not facts. "The fact that Raz himself does not carry his argument in this direction is almost beside the point..., the point is...that nothing in his perfectionist liberalism prevents it from being completed in this direction" (Damico,1997,p.412). At least Lomasky made a courteous observation on "the richness of Raz's discussion" (Lomasky,1990,p.99) when commenting on his value-pluralism. It is generally a striking omission from his critics' part that the moral plurality to which Raz so passionately adheres to is almost ignored since there is a premeditated - as in the above cases- intention to attach him the label of moralist or illiberal.

However, it is a fact that moral and value pluralism are compatible with perfectionism (Wall,2008). "Perfectionism can accommodate diversity if it regards the [good or the] excellence that people ought to strive towards as personal autonomy. [And] this is the position that Joseph Raz takes in his perfectionist liberalism" (Fagelson,2002,p.45). As Raz admits, by approving many incompatible forms of life value-pluralism does not by itself establish the value of toleration (Raz,1986,p.401). Nevertheless, the fact only of conceptually promoting and institutionally accepting plurality of values is in itself antithetical to the reasoning of moralism and hard paternalism. His value-pluralism distances Raz from stringently perfectionist and moralist theories of virtue-ethicists who do not propound plural conceptions of flourishing and who presuppose a more monistic account of the good (Deveaux,2000). In addition, plurality as commonly defined contributes *a posteriori* to a culture of tolerance encompassing diversity and opposing fanaticism (Nehushtan,2007). In Raz's words, "the fundamental moral affirmation of autonomy and pluralism is itself an aspect of an ideal

of the good and leads to a conception of the political based on toleration but not on neutrality” (Raz,2002,p.208). By claiming that autonomy entails value-pluralism Raz not solely embraces tolerance but suggests we should celebrate the diversity of goals in liberal societies. To the argument that a liberal like Raz demonstrates moralistic intolerance because he promotes and subsequently ‘forces’ the non-liberal to be tolerant there is a kind of rhetorical answer; reinforcing Raz’s (1991) claims, Nehushtan notices that since the discourse of toleration is by definition value-based, it is awkward to accuse value-based liberalism of following its values. Hence without a minimum -liberal or other modus vivendi promoting- similarity of political or moral understanding of acceptable values, the discourse of tolerance can hardly reconcile value-based arguments between them (Nehushtan,2007). A moralistic imposition of ideas and conduct is by definition intolerant in marked contrast to liberal acceptance. Accustomed coexistence of difference and values can ideally create a free from moral fanaticism environment, where people are less inclined to desire to persecute, harass and harm others; eventually much less is left in such an environment to actually need to tolerate. This rationale is not reflected sufficiently well in Raz’s earlier “pessimistic” vision of a competitive pluralistic morality (Raz,1986,p.406) but it is surely expressed in his latter more enthusiastic embracement of difference and multiculturalism (Raz,1994). Raz’s multiculturalism presupposes in particular a political society recognizing the equal standing of all its viable cultural communities. This suggests that “there is no room for talk of a minority problem or of a majority tolerating the minorities”. Raz’s multicultural political society and state consists of “diverse communities and belongs to none of them” (Raz,1994,p.69). McCabe’s (2002) argument that the gradually increasing Razian openness to cultural difference

reaches a level that undermines his account's perfectionism is unconvincing. The perfectionist aim of an overall long-term autonomy-enhancing environment is not abandoned in a Razian multicultural society; its gradual implementation indicates not only his respect for autonomy but also his sensitivity to the historicity and contextual formation of value. Additionally, Raz's multiculturalism maintains its liberal perspective with the minimum conditions he sets for all communities to respect, either of basic independence or by insisting on "the right of individuals to abandon their cultural group" if they wish so (Raz,1994,p.73). Furthermore, one can also note, as Nehushtan (2007) does, the overall caution with which Raz's liberal state treats the non-liberal conduct of vulnerable minorities (Raz,1991).

Let's turn now to the instances where Raz does indeed justify coercion by the state. Some degree of coercive measures could be justified if the state protects or aims to secure autonomy for individuals. Driven by its perfectionist foundation but in a compatible to liberalism manner Raz is willing to consent to the state's use of some compulsion. "Inasmuch as the liberal concern to limit coercion is a concern for the autonomy of persons, the liberal will also be anxious to secure natural and social conditions which enable individuals to develop an autonomous life...In pursuing such goals, the liberal may be willing to use coercion". As already mentioned, normally for Raz compelling an agent equals insulting her, treating her as non-autonomous, as "an animal, a baby, or an imbecile". Yet, coercion by "an ideal liberal state" which respects certain stipulations and "coercion from most other sources" can be significantly different (Raz,1986,p.156). Compulsory taxation may thus be justified to limit liberty or autonomy for the sake of greater autonomy. By sufficiently guaranteeing rights of political

participation and by using as a guide a public morality concerned with individual autonomy, the 'ideal' state's coercive measures do not insult people's autonomy. By contrast, they "can be genuinely for the good of the coerced and can even be sought by them". Raz is keen to stress that naturally "these considerations do not...affect the liberal concern to limit coercion in a non-ideal state" (Raz,1986,p.157). Apart from the fact that Raz permits such state interventions exclusively with the proviso that they adhere to the harm principle -distancing once again his position from moralism- he further amended¹⁸⁹ his account to conceptually fence it from such correlation. Thus, in response to Green's (1989) comments, he concedes that in his (relevant for the ideal state) quest to formulate the presumptions of authority, he should have stressed more as part of the conditions for its legitimacy¹⁹⁰ the consent of its subjects. "Green is right in alleging that [in 1986] I underplayed the importance of consent as a condition for authority". Raz acknowledges that between matters in which deciding correctly surmounts the importance to decide by yourself and matters where deciding for oneself overrides all other considerations, there are areas where it remains optional for the person to decide for herself. "In such matters [individual] consent serves to establish authority" (Raz,1989,p.1183). People's consent to establish a *de facto* authority and the need of a just legal system with a functioning democratic structure are yet more pronounced in Raz (1989) as conditions to obey the law and the relevant institutions. Recognizing the possibility of a morally justified disobedience of law and accepting that the practice of the common law courts can be unfair and unjust are not features reminiscent of a moralistic approach using the state for

¹⁸⁹Cf Raz,1989 with Raz,1986.

¹⁹⁰In Raz authority's legitimacy stems primarily from his normal justification thesis and his condition of autonomy. These conditions do hold but individual consent is also attributed its due weight as a stipulation to establish authority (Raz,1989).

its objectives. Matched with his distinction between ideal and actual government and his cautious approach scrutinizing “what trust one can [sensibly] put in the political machine”, all these practically watch over state-intervention; including in issues where neutralists uncritically favour government intervention (Raz,1989,pp.1231-2;1986,pp.427-9).

As Green maintains Raz, like Mill, is not against any form of paternalism. He is not opposed to ‘soft’ paternalistic involvement with people’s choices if doing so enhances their chances to live autonomously making thus the general character of the interference non-coercive (Green,1988). Despite noting that many liberals positively encourage a good deal of indirect paternalism, Raz prefers to always relate the permissibility of paternalistic measures with its effects on people’s autonomy. His moral theory allows restricting someone’s liberty for the sake of others’ autonomy or even of that person herself in the future. When the impact of paternalism on autonomy is confined on matters regarded by everyone as of merely instrumental value it does not interfere with autonomy. According to Raz this justified paternalism is instantiated well by laws for compulsory seat-belt wearing in cars, for safety and quality controls of manufactured goods, etc¹⁹¹. Such measures “do not coerce those whom they protect but neither are they designed to stop people from inflicting harm to others”, they are hence paternalistic yet of a soft kind. They merely “reduce people’s choices on the ground that it is to their own good not to have those choices” (Raz,1986,p.422). The bottom line is that two constituent restrictions apply on such “perfectionist” or soft “paternalistic policies”. They should be compatible with respect for autonomy, confined to the creation

¹⁹¹In contrast, risky sports cannot be paternalistically prohibited since “participation in sporting activities is intrinsically valuable” and such limitation would affect the agent’s autonomy (Raz,1986,,pp.422-3).

of its conditions, and they must abide by the limitation of coercion and manipulation imposed by the harm-principle (Raz,1986,p.423). It seems that Raz after all is not opposed to an 'autonomy-promoting' paternalism which by this fact is only quasi-paternalistic or, according to some, does not even qualify as paternalism. "There must be a violation of a person's autonomy" -which Dworkin, like I do here, conceives as distinct from liberty- "for one to treat another paternalistically" (G.Dworkin,1988,p.123). There is indeed doubt as to whether autonomy-promoting paternalism counts as paternalism or not. According to Arneson, if an act does not principally aim at restricting people's freedom against their will for their own good, it does not qualify as paternalistic (Arneson,1998). Notwithstanding this, in line with Raz, Husak maintains that philosophers should not outright object to all kinds of paternalism and should instead assess the justifiability of instances of paternalism on their individual merits. There are serious reasons to doubt "that concern to preserve moral autonomy is necessarily inconsistent with paternalistic treatment" (Husak,1981,p.46), meaning primarily with its 'soft' species which Mill and Raz encompass¹⁹².

The arguments sketched in this section seem to confirm Chan's claim that perfectionism does not need to be identified neither with moralism nor with hard paternalism. As the cases of both Mill and Raz demonstrate comprehensive liberalism does not need to stand for an oppressive state which aims to impose its will based on moralistic grounds. Following Chan's typology Raz's and Mill's stance corresponds to a "moderate" kind of perfectionism and not to the "extreme" one against which the criticism for moralism, hard paternalism and oppression could be justified (Chan,2000). While it may be true that many versions of perfectionism throughout the history of

¹⁹² Husak agrees that Mill is in favour of a "freedom maximizing" kind of paternalism (Husak,1981,p.36).

political thinking have paid little heed to the value of individual liberty (Wall,2008) this is not Mill's and Raz's case. Their accounts demonstrate that perfectionist politics can be reconciled with a proper regard for individual liberty and that it is not inconsistent to claim that they combine liberal and perfectionist ideas without resorting to moralism and moralistic paternalism (Arneson,2000). The meaningful exercise of choice they both stand for is essentially indifferent to the exact content of what one actually chooses. The promotion of an autonomous way of living in their perfectionism should not be equated with accounts instructing a particular 'morally approved' life or one dominated by a stringent process of rational and critical self-examination. Their perfectionism consists more of promoting real, meaningful and valuable options in life -the range of which is virtually infinite and immensely diverse- and tries to ensure that people have the capacity to autonomously choose among them (Gardbaum,1996). Even though some 'soft' kind of paternalistic measures are rarely permitted to this end, they are justified if invoked in the name of achieving the good of autonomy (Galston,2002a). Mill's and Raz's perfectionist liberalism is essentially of this kind and it therefore has nothing in common with a perfectionism aiming to impose a particular way of life on an arbitrary basis of moral ideas; ideas stemming from particular customs, traditions and authorities which enjoin people on how to accommodate best their own needs.

In the current chapter I reviewed actual and potential critical arguments against the perfectionist rationale ascribed to Mill and Raz aiming to prove that -despite minor imperfections- it overall retains its coherency and it consistently forms part of the liberal tradition. Given the analytical and detailed character their presentation and comparison

presupposes, the next and concluding chapter will attempt to recapitulate all my principal claims and objectives since the outset of the present exposition.

CHAPTER 6: CONCLUSION

Neutralist liberalism largely opts to bypass rather than address basic preoccupations related to liberal ideals. The complex issue of defining the conditions under which someone is regarded as free or autonomous proves that in political thought there are no value-neutral approaches of autonomy, only better and worse ones (Raz,1986). And its ethically agnostic defence is among the latter; by not guarding actively as part of a liberal vision the necessary conditions for its attainment, such defence omits to include among its political aims the promotion of autonomy as a distinctive ideal. The assumption that liberal values are *a priori* implanted in liberal societies precludes their fostering from becoming a political objective. Representing autonomy as a background feature of liberalism succeeds in ‘neutralizing’ the endeavour to advance it as a worthwhile principle. By distancing the political from the moral the doctrine of neutrality has drawn liberalism towards a strategy of epistemological detachment. Liberal theory seems to be mainly preoccupied with developing an ethic of equal respect, a theory of rights as against goods. In an age where people “are terrified of disintegration and of too little direction” (Berlin,2002,p.243) such posture relies too much on subjectivism or scepticism about the good life. In the guise of nominal neutrality it conceals its controversial nature rooted in an atomistic view of humans prompted primarily by selfishness. It undermines the nurturing of autonomy in a social environment conducive to the promotion of prudential and collective goods necessary for nourishing essential freedom (Chan,2000). It concerns itself very little whether people adopt ways of life by genuine choice or impoverishment, social alienation, cultural isolation and tradition. As we saw such liberalism is wanting even in its version that defies

commitment to scepticism or subjectivism, claiming that the good should stay outside the political argument because that is the way to be consistent to the normative principle of equal respect (R.Dworkin,1985;1988). Allowing comprehensive views to inform political argument need not be incompatible with treating people with equal respect. The criterion whether someone is respected should be determined “at least partly by the force of good reasons...given that the principle of equal respect derives from our capacity for rationality” (McCabe,2000,p.326). And Mill and Raz demonstrate that there are plenty of good reasons for a liberal theory to try and provide the adequate positive conditions to render people potentially autonomous since, as they show, autonomy is a central component of human flourishing. It is by *not* advancing politically the argument for securing these conditions that a theory would not respect people.

According to their present interpretation, Mill and Raz conceive liberalism’s central ideal of autonomy as something malleable to political and social practices and that is why they aim to situate the individual in a normative, political and economic structure that privileges choice. Consistently to liberal values they both envision autonomous choice as a good not as a situation where we ‘choose to choose’. Their tactic has proved to be congruent with the demand for equal respect to people and it has reasonably justified why we are entitled to assistance and support to enhance both our capacity to choose and our range of choices (Gardbaum,1996). The problem is that the anti-perfectionist strategy ostracizing the pursuing of good as a legitimate aim of liberal theory comprises the dominant one in current literature. It is its prominence that chiefly forges the template against which theorists are judged for complying or not with liberal values. The tendency is to either make them fit the dominant neutralist model or, if not

possible, to portray them as incoherent liberals. This is often how contemporary liberalism interprets Mill and Raz. A huge effort -due to his celebrated status- was made by neutralists to present Mill as an adherer of their stance. Mill is commonly treated “as forerunner of our own rather formalistic debates about liberalism” which prevail in recent political philosophy (Waldron,2003,p.225). Yet, some of his interpreters thinking that his appeal to perfectionist considerations in conveying his liberalism could not be easily concealed, they depicted his theory as gravely incoherent. For the same reason many of its exponents commonly scrutinize Raz’s work to trace major inconsistencies in a perfectionist account that paradoxically (for them) wants to be called liberal. Such expositions reflect the fact that in recent years liberalism has increasingly become synonymous with numbness to substantive moral concerns, antagonism to human good, and enmity to human bonds that keep societies together (Devigne,2006). If I am right that anti-perfectionists are mistaken in receiving Mill and Raz as they do, if the two indeed advance liberal ideals sharing a common perfectionist strategy that is cogent, this could enhance a marginalized view of liberalism that in my opinion can offer much more to the appeal of liberal values than it actually does.

In order to promote what I see as Mill’s and Raz’s common perfectionist understanding of liberalism I followed a series of steps each of which brought me closer to approximate this general objective. At first I had to prove that cardinal features in their theories, that is, Mill’s utilitarianism and Raz’s value-pluralism form an integral part of their perfectionist vision of liberalism. To achieve this, in the case of Mill, I examined and discarded as incongruous to his perfectionist spirit the major revisionist approaches portraying him above anything else as rule, indirect or broad utilitarian. This effort

complemented the one showing that the elaborated sense Mill ascribes to his concept of happiness is in accordance to his comprehensive liberal thinking and not to a simple desire-satisfaction model of utility. Likewise, my analysis of Raz's value-pluralism had to show that it is mistaken to claim, as it is often the case, that it yields a radical relativism, an unrestricted scepticism or neutrality about value, conclusions which could not justify his perfectionist vision of liberalism. For the latter to be meaningful needs some kind of value-ranking and if pluralism is interpreted as insinuating that there is no reason to justify discrimination of value (if choices among conflicting plural values are non-rational), Razian liberalism would be ill-supported. Despite revealing in this respect a lacuna in Raz's definition of incommensurability -an easily amenable one, whose adjustment corresponds to Raz's general stance- it was shown that his value-pluralism is reconcilable with his liberalism. This conclusion was further consolidated by analyzing the way Raz applies his value diversity in his perfectionist liberal encompassing of multiculturalism.

After showing that the neutral epistemologies the revisionist approaches project on Mill fail to delineate convincingly the spirit of his theory, I proceeded to highlight how he actually invokes perfectionist considerations to construe the cardinal concepts of his liberalism, namely happiness and autonomy. The analysis of his notion of happiness revealed that the prerequisites set for people's well-being through his contrivance of 'competent judges' are integral of his independent vision of human flourishing, for the realization of which he actively employed the state. Among his different uses of the concept of liberty the one that discerned in my analysis as foundational for his liberalism is that of personal autonomy. Circumscribing it by the notions of self-development and

individuality Mill unveils his intention to ward as crux of his doctrine a belief in essential freedom conceived as an ideal. Furthermore, evidence was adduced to illustrate -contrary to his common neutralist interpretation- that state engagement is for Mill needed to attain the conditions under which the cultivation of freedom as autonomy is feasible. In a similar manner, through the analysis of Raz's perfectionism *per se*, I intended to countervail the neutralist liberal thesis portraying autonomy simply as a right. Presenting its comprehensive Razian understanding displayed the conditions under which autonomy becomes the ideal of individuals charting their proper course in life. Choosing self-consciously activities and undertaking commitments from an extensive range of sufficiently valuable alternatives permits people to genuinely govern their lives. With its traces dating back to classical thought, Raz's normative political thought resists the torrent of an asocial and individualistic perception of liberty. My aim to accentuate this was served by bolstering the advantages of his notion of autonomy compared to that of anti-perfectionist liberalism. Indicative of the logical continuity permeating Raz's conclusion that political authorities should have a significant role in promoting autonomy as a character ideal was my presentation of his perfectionist state. The 'substantive justification' he attributes to it is the logical outcome of a reasonable analysis of authority embodied in his general perspective of human flourishing. Raz's general hesitancy to translate his philosophy to concrete politics did not deter me from contouring the political orientation his liberalism sanctions. I contended that his perfectionism entails chiefly progressive egalitarian politics with a redistributive state deriving its legitimacy directly from his interpretation of autonomy. For a liberal theory, and in comparison to the neutralists' invocation of other values for redistribution, this revealed a more powerful

justification to enact policies against inequalities of resources and opportunities as inhibiting people's free life.

The actual juxtaposition of Mill's and Raz's arguments began by casting light on the differences between them. The examination of the distinct context which inspired their ideas and of their diverse stance towards utilitarianism removed instead of adding grounds for rejecting the commonality of their perfectionism's core. Only its form, described as 'broad' and 'narrow' for Mill and Raz respectively, was found to vary. Despite their differences, the perfectionist crux of their liberalism remains largely unaffected. Situating the exact locus where their perfectionist reasoning resides was the main objective of their comparison. All the key-concepts of their liberalism establish a mutual strategy indicating that their account of liberal political morality draws freely on their understanding of a good life. Unlike popular depictions of Mill as a monist, it was exhibited that they both advance a perfectionist understanding of value-pluralism. In contrast to a nearly unanimous but unfounded claim that Raz radically reinterprets the Millian harm principle, it was manifested that they use it in an essentially identical way. Their mutual use of a state helping actively its subjects to achieve the character ideal of autonomy leaves no good explanation why political support should be foreclosed from the understanding of human flourishing. Additionally it was demonstrated that, in opposition to its prevalent anti-perfectionist vision, they both argue for a liberal morality on non-individualistic grounds. They both see people's flourishing as vested with that of their fellow-beings and their perfectionisms emphasize the social needs of the individuals, making their satisfaction a constituent precondition for people's genuine freedom.

Against Mill's traditional exegesis and against the neutral and popular appraisal of Raz, both promoting their simplified and ambivalent portrayal as being unable to reconcile their various ideas, I defended the overall coherence of their perfectionism and its consistency with liberal theory. It was conceded that its formulation could improve with minor adjustments of largely terminological nature; it was accepted that Raz's hesitance to use examples from actuality does not help clarifying his position and that some of Mill's ways to engage with the messiness of social and political reality deviate from the spirit of his perfectionism. Yet, it was established that, while not unblemished, their perfectionist reasoning succeeds to combine in a cogent theoretical scheme pluralistic and liberal arguments with qualitative judgements that draw upon a theory of the good. This conclusion was tested and found to be vindicated even when placed *vis-à-vis* the most forceful criticism perfectionist theorists face, namely that in conveying their beliefs they use hard paternalistic and moralistic methods. Such critical process ascertained that in imparting their ideas both Mill and Raz convincingly distance themselves from such illiberal tactics.

The present individual analysis and comparison of Mill and Raz served to show that their elaboration on the ethics and mores of liberalism comprises a good proposal for its less individualistic evolution. Liberal anti-perfectionism is incapable of ensuring the flourishing of the needed for people's autonomy context. In contrast, the gist of their common strategy is neither neutrality nor liberty negatively defined but the ability of people to exert and develop their capacities; something they both link politically with the availability of adequate social forms making possible the ideal of self-government. They advance a political association friendly to collective efforts cultivating the capacities for

autonomous value-judgements. In the very centre of political morality they embed autonomy, feasible only under certain conditions the provision of which constitutes a principal element of their idiosyncratic liberal perfectionism. A perfectionism that, in this concrete form, could help liberalism turn away from a notion of freedom widely celebrated in modern atomistic and consumerist societies. According to Mill and Raz the freedom that matters should not be equated to its very limited version of choosing favourite products in the marketplace. It should be a plan of life and mode of existence encompassing not only our possibilities as independent units but our opportunities for self-government (Baum,1998). In that sense their understanding of liberalism has clear advantages over that of the neutralists who, paraphrasing Gray, use unarticulated assumptions often reflecting the local conventions of American consumerism. Liberalism does not need to be committed to such reflection and Mill and Raz offer a powerful argument that it is profoundly incompatible with it. Additionally the transparency of their account, setting out explicitly their view on human flourishing, allows it to be more than its anti-perfectionist opposite the subject of fruitful critical evaluation. Unlike the latter it refrains from articulating with universalistic finality the structure of liberty ostensibly demanded by justice (Gray,2000b). This allows demonstrating the potential advantages of its stance without self-righteously silencing other positions. It permits a constructive debate that can advance the case for liberalism by considering basic human goods and their provision as a serious political matter touching upon people's essential freedom. Mill's and Raz's perfectionism could help illuminating a way out of a gloomy maze of rights and identity discourse with which liberal moral philosophy is currently engaged. Incapable of defending cogently ideals like personal autonomy contemporary liberal

political theory is too abstract and ahistorical (Eisenach,1998). It transmits a distorted image of liberalism projected by people who are convinced that it should not be linked to any substantive vision of worthy human existence; fortunately not all liberals think like this (Galston,2002a). Neutrality is only one possible liberal version and perfectionists like Mill and Raz are liberals too. The morality of liberalism can be vindicated by questioning the hegemony of neutral liberalism, and their common strategy provides all the necessary means to achieve this. It comprises a coherent doctrine with cogently interconnected elements which restores liberalism to the status of a political enterprise; as such it deserves more of our attention.

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