

The Place of Autonomy Within Liberalism*

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1 Introduction

My concern in this chapter is the place of autonomy within liberalism, understood as a public morality.¹ To what extent is liberal morality necessarily committed to some doctrine of autonomy, and what is the nature of this doctrine? I begin (§2) by briefly explicating my understanding of liberalism, which is based *the fundamental liberal principle*—that all interferences with action stand in need of justification. Section 3 then defends my first core claim: given a certain compelling view of the nature of moral reasons, the fundamental liberal principle presupposes a Kantian conception of morally autonomous agents. I then consider (§4) an implication of the fundamental liberal principle when applied to public morality and the law, viz. that an interference with liberty must be justified to everyone. This *public justification principle*, I argue, constitutes a version of Kant’s categorical imperative; thus liberalism is committed to not only autonomy of the will (§3) but a substantive morality of autonomy. By the end of section 4 I will have shown that liberal morality is committed to what may be broadly deemed a “Kantian” conception of moral autonomy.

In section 5 I show how this necessary presupposition of moral autonomy in liberal public morality implies a further commitment to one interpretation of the much-discussed ideal of “personal autonomy.” It is often maintained that the ideal of personal autonomy is independent of moral or “Kantian autonomy;” the commitment to one is said not to entail a commitment to the other. Kantian autonomy is understood as a metaphysical idea concerned with free will, or more generally a presupposition of the very possibility of moral responsibility, while personal autonomy is typically understood as a character ideal, focusing on the value of critical self-reflection on one’s desires, values and plans, or the value of choosing one’s way of life for oneself, or perhaps the value of self-control.² To be sure, most acknowledge that Kantian moral autonomy and personal autonomy are in some way related—after all, they both go by the label of “autonomy.” Both are about self-direction or self-government.³ Nevertheless, most advocates of what we might call “liberal autonomy”—

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¹ On the idea of a liberal public morality see my *Value and Justification: the Foundations of Liberal Theory* (Cambridge: Cambridge University Press, 1990), pp. 323ff; *Justificatory Liberalism* (New York: Oxford University Press, 1996), pp. 120ff; *Social Philosophy* (Armonk, NY: M.E. Sharpe, 1999).

² I consider these in section 5 below.

³ John Christman, after discussing the ideal of personal autonomy, notes that it seems an “abrupt departure from the traditional Kantian notion,” though he adds that “despite...[the] radical differences, there remain crucial aspects that our core idea of autonomy shares with its Kantian ancestor.” “Introduction” to his edited collection, *The Inner Citadel: Essays on Individual Autonomy* (New York: Oxford University Press, 1989), p. 14. Kant scholars have agreed; see Roger J. Sullivan, *Immanuel Kant’s Moral Theory*

according to which the justification of liberalism is grounded on the notion of personal autonomy—seem more intent on distinguishing the two ideas of autonomy than showing their connections. Section 5 challenges this: the case for personal autonomy, I argue, derives from the case for moral autonomy. They are distinct, but by no means independent, notions of autonomy, a position not unlike Ranier Frost’s in Chapter 10 of this volume. My claim is, I think, less radical than the thesis Jeremy Waldron defends in the next chapter: while I wish to stress the connections between moral and personal autonomy, I nevertheless rely on the distinction between them.⁴

Insofar as a commitment to autonomy is bound up with liberal public morality, many liberal autonomists appear to think that it is personal autonomy that is really crucial. Distinguishing personal from Kantian autonomy is typically part of a project claiming that a liberal political morality can be based on the former.⁵ By and large, those who would construct liberal political morality on autonomy seek to build on personal autonomy.⁶ Thus, for example, a recent commentator tells us that although “Kant’s strong and metaphysically controversial conception of autonomy” seems unable to “play the role of providing a sufficiently non-sectarian basis for liberalism,” those “conceptions connected with the value of self-reflection” are much more widely accepted, and may well provide the basis of non-sectarian liberalism.⁷ To be sure, some who advance personal autonomy justifications of liberal morality and the liberal state give at least a passing acknowledgment to Kant’s conception of autonomy.⁸ More importantly, Rawls is, on the whole, an exception to this common privileging of personal autonomy: Kantian autonomy, understood as a type of moral power, plays a fundamental role in Rawls’ liberalism (though it is certainly also true that he moved away from a Kantian “comprehensive” view as his political liberalism evolved).⁹ In

(Cambridge: Cambridge University Press, 1989), pp. 46-47. Gerald Dworkin, however, sees moral autonomy as a particular case of the wider notion of autonomy as critical self-reflection. *The Theory and Practice of Autonomy* (Cambridge: Cambridge University Press, 1988), p. 48. Compare my argument in section 5 below.

⁴ In the end, the difference between our positions may be modest: the closer one connects the two ideas, the more blurry the distinction becomes.

⁵ See Steven Wall, *Liberalism, Perfectionism and Restraint* (Cambridge: Cambridge University Press, 1998), Part II.

⁶ As attested to by the work of the most important contemporary liberal autonomist, Joseph Raz. See his *The Morality of Freedom* (Oxford: Clarendon Press, 1986), ch. 14.

⁷ Harry Brighouse, “Is there a Neutral Justification for Liberalism?” *Pacific Philosophical Quarterly*, vol. 77 (September 1996): 193-215, at p. 209. This, I shall argue, gets things almost precisely backwards.

⁸ See e.g., Joel Feinberg, *Harm to Self* (New York: Oxford University Press, 1986), ch. 18.

⁹ The importance of Kantian autonomy is clearest in his “Kantian Constructivism in Moral Theory” in Samuel Freeman (ed.), *John Rawls: Collected Papers* (Cambridge, MA: Harvard University Press, 1999),

any event, I aim to show in this essay that, though Kantian and personal autonomy are related, and commitments to both are part of liberal public morality, the Kantian notion is more fundamental than the ideal of personal autonomy.

2 The Fundamental Liberal Principle

Stanley Benn asks us to

Imagine Alan sitting on a public beach, a pebble in each hand, splitting one pebble by striking it with another. Betty, a causal observer, asks him what he is doing. She can see, of course, that he is splitting pebbles; what she is asking him to do is to explain it, to redescribe it as an activity with an intelligible point, something he could have a reason for doing. There is nothing untoward about her question, but Alan is not bound to answer it unless he likes. Suppose, however, that Betty had asked Alan to justify what he was doing or to give an excuse for doing it. Unlike explanations, justifications and excuses presume at least *prima facie* fault, a charge to be rebutted, and what can be wrong with splitting pebbles on a public beach? Besides, so far as we can tell, Alan is not obliged to account to Betty for his actions....

Suppose Betty were to prevent Alan from splitting pebbles by handcuffing him or removing all the pebbles within reach. Alan could now quite properly demand a justification from Betty, and a *tu quoque* reply from her that he, on his side, had not offered her a justification for splitting pebbles, would not meet the case, for Alan's pebble splitting had done nothing to interfere with Betty's actions. The burden of justification falls on the interferer, not on the person interfered with. So while Alan might properly resent Betty's interference, Betty has no ground for complaint against Alan.¹⁰

Benn observes a basic asymmetry between acting and interfering with the actions of another. Alan does not have to justify his pebble splitting to Betty: he is under no standing requirement to show Betty that he has good reasons for what he is doing. On the other hand, it is required of Betty that she justify to Alan interfering with his actions, or stopping him from what he is doing, or in some way restricting his actions. This is essentially what Joel Feinberg has called the "presumption in favor of liberty:—"liberty should be the norm, coercion always needs some special justification."¹¹

The liberal tradition in moral and political philosophy maintains that each person has a moral claim to do as he wishes until some justification is offered for limiting his liberty.¹² As

pp. 303-358. Kantian autonomy remains a basic feature of political liberalism. See *Political Liberalism*, paperback edn. (New York: Columbia University Press, 1996), Lecture II.

¹⁰ S.I. Benn, *A Theory of Freedom* (Cambridge: Cambridge University Press, 1988), p. 87.

¹¹ Feinberg, *Harm to Others*, p. 9. Benn is talking about interference, a wider notion than Feinberg's "coercion," so these are not identical formulations.

¹² Feinberg, *Harm to Others*, pp. 14ff.

liberals see it, we have liberty to act as we see fit unless reason can be provided for restriction. Call this *the fundamental liberal principle*:

- (1) A person is under no standing obligation to justify his actions;
- (2) Interference with, or restriction of, others' action requires justification; unjustified interference or restriction is unjust, and so morally wrong.

The presumption underlying the liberal principle is essentially justificatory: it regulates justificatory discourse about the morality of action, and ties moral wrongness to the lack of required justification. (This is not to say that this justificatory presumption in favor of liberty itself does not have to be defended; that indeed would be a question-begging error.) It matters greatly, then, on whom the onus of justification is placed: who must bear the justificatory burden? As Benn says, "justifications and excuses presume at least *prima facie* fault, a charge to be rebutted." If I have no justificatory burden I am permitted to act without justification, for I have no charge to rebut, no case to answer. If the onus is on you, the failure to justify condemns your act. Conceivably, a conception of morality might place the onus on the actor: "Never act unless one can meet the justificatory burden by showing that one is allowed to act." The liberal insists that moral persons have no such general burden to bear, though of course they may in special contexts in which a restriction already has been established (say, in contexts of trusteeships). Thus, unless you occupy a special role such as a trustee, if I object to what you are doing, it is of no avail to demand "Show me why you should be allowed to act." As Locke said, all men are naturally in "a State of perfect Freedom to order their actions...as they see fit...without asking leave, or depending upon the Will of any other Man."¹³ My objection must take the form of a claim that your action is immoral, or inconsiderate, or dishonorable—you must answer the case that your act is not eligible. But I bear the justificatory burden of establishing this case. Ranier Frost objects that, contrary to the fundamental liberal principle, "there is a standing duty to justify morally relevant actions" (pp. 000). However, by the time we have established that an action " is morally relevant we have, *ex hypothesi*, justified a limitation on freedom (or, alternatively, a case to be answered). That there is a *justified* moral rule prohibiting or regulating " implies, of course, that the justificatory burden has already been met. Morality, for the liberal, is as much in need of justification as any other restriction on action,¹⁴ but once justified, moral prescriptions shift the onus back to the agent (he now has a case to answer), as Frost rightly observes.

¹³ John Locke, *Second Treatise of Government* in Peter Laslett (ed.), *Two Treatises of Government* (Cambridge: Cambridge University Press 1960), p. 287 (§4).

¹⁴ It is sometimes objected that this view requires that there is an uncontroversial, basic, negative conception of liberty, which is at the foundation of morality, and so does not itself presuppose any moral claims. If, it is charged, liberty is itself a moralized concept, or one that involves moral ideas (as, for example, some concepts of positive liberty seem to), then a basic claim to liberty cannot be the presupposition of all other moral claims. There is something to this charge: for the fundamental liberal principle to make sense, there must be some sensible liberty claims that are claims to non-interference, and which do not themselves presuppose justified moral norms. Thus it must make sense—and it does—to say

My main aim in this essay is not, however, to defend the fundamental liberal principle (but see §5.1); rather, I seek to examine its presuppositions. More precisely, I am concerned with what must be the case about reasons for actions and agents if the fundamental liberal principle is to serve as a moral principle for governing social life.

3 The Liberal Principle and Moral Autonomy

3.1 What Reasons Do We Have? The Radical Instrumentalist Model

My concern, then, is the sorts of agents and their reasons that are presupposed by the fundamental liberal principle. What must be true for the fundamental liberal principle to be the basic moral principle? To begin, suppose that all reasons for action are instrumental reasons.¹⁵ The core of the instrumental model is the intuition that in rational action an agent necessarily seeks the best available result, with “best” being understood in terms of what she cares about, her goals, her purposes, and so on. This is the idea behind one conception of rational action qua utility maximization, which is often taken to be much the same as saying that an agent has “purposes that her action is designed to promote.”¹⁶ I shall follow Robert Nozick in taking the idea of goal pursuit as the core of instrumental rationality; indeed, as he observes, “it is natural to think of rationality as a goal-directed process.” So according to the basic “instrumental conception, rationality consists in the effective and efficient achievement of goals, ends, and desires. About the goals themselves, an instrumental conception has little to say.”¹⁷ I explicitly do not refer to “preferences” here, as the idea of a preference is ambiguous between something akin to a goal, purpose or end (in which case “preference” would be suitable) and something akin to an overall reason for action, in which case it is axiomatic that all reasons for action are intended to satisfy preferences (which is a broader idea than instrumental rationality).

Elsewhere I have specified this instrumental model in more detail.¹⁸ For now, let us work with a straightforward formulation:

that in an amoral Hobbesian state of nature people interfere with each other, and in that sense limit each other’s liberty. What is not supposed by this account, however, is that this use of “liberty” exhausts all sensible liberty claims (positive or norm-based liberty claims still might make sense and be important) or that “interference” is an uncontroversial idea, such that we never disagree what constitutes an interference. We do, of course, disagree, which means we disagree about the interpretation and application of the fundamental liberal principle.

¹⁵ Unless specified to the contrary, throughout this chapter “reasons” means “reasons for action.”

¹⁶ Geoffrey Brennan and Loren Lomasky, *Democracy and Decision: The Pure Theory of Electoral Preference* (Cambridge: Cambridge University Press, 1993), p. 9. Note omitted

¹⁷ Robert Nozick, *The Nature of Rationality* (Princeton: Princeton University Press, 1993), p. 164.

¹⁸ See my essay: “Why All Welfare States (Including *Laissez-Faire* Ones) Are Unreasonable,” *Social Philosophy and Policy*, vol. 15 (June, 1998): 1-33; “Goals, Symbols, Principles: Nozick on Practical Rationality” in David Schmidtz (ed.), *Robert Nozick* (Cambridge: Cambridge University Press, 2002), pp.

Instrumental Rationality: Betty has a (good) purely instrumental reason to $\$$ if and only if given her option set, $\$$ best secures her goals (ends, etc.).¹⁹

Therefore, if Betty performs some alternative action $\$*$, $\$*$ cannot be justified by appeal to instrumental rationality.

Suppose, then, not only a world in which each is always guided by, and only by, her instrumental rationality, but a conceptual world in which there simply is no other type of reason for action. The only reason for action that anyone ever has or could have, given a set possible acts, is a reason to do that which best promotes her goals, achieves her ends, etc. Many think we live in such a world: they are convinced that instrumental rationality subsumes of all rationality. This is the world of orthodox rational actor theory and, through that, many moral theories, such as David Gauthier's.²⁰ It is, I shall argue, an illiberal world.

3.2 *The Basic Case*

Suppose in this world of purely instrumental reasons Betty interferes with Alan's actions. Betty is a successful predator, and manages to force Alan to do what she wants. She gains, he loses. She does not seek to justify her actions to him, nor is she concerned that he is harmed; her instrumental reasons unambiguously instruct her to invade. Given all she cares about, the act "invade Alan" best promotes her goals, so she follows her best reasons and invades. This is a manifest injustice; it is a considered judgment of liberals that Betty does wrong. Our question is this: in such a world, can Alan invoke the basic liberal principle, insisting that unless Betty justifies her intervention, she acts unjustly? If he cannot do so, then the fundamental liberal principle presupposes some other world than the world of purely instrumental reasons.

3.3 *The Rejection of a Radical Externalist Account of Moral Obligation*

For Alan to sensibly invoke the fundamental liberal principle in the world of purely instrumental reasons it would have to be possible for him to claim that Betty's unjustified invasive action is *ipso facto* wrong, even though she has no reason to refrain from her invasion. That is, he (and we) would have to accept:

83-130; "The Limits of *Homo Economicus*" in Gerald F. Gaus, Julian Lamont and Christi Favor (eds.), *Values, Justice, and Economics* (Amsterdam: Rodopi, forthcoming).

¹⁹ This defines instrumental reason simply as effective action, with no regard to justified belief, a view that I argue against in "The Limits of *Homo Economicus*." This simple characterization suffices for present purposes; a more adequate conception would push the analysis of rationality even more towards the internalist position defended in sections 3.4-3.5.

²⁰ See David Gauthier, *Morals By Agreement* (Oxford: Clarendon Press, 1986).

Radical Externalism: Betty can have a moral obligation to refrain from act \$ even if there is no reason for her not to \$.²¹

Radical Externalism should be rejected: it denies a necessary connection between a moral obligation to not \$ and a reason to not \$. If Radical Externalism holds, then even if Betty has no reason at all to refrain from invading Alan, she still can have a moral obligation to refrain; the moral obligation itself provides no reason for her to refrain. It should be stressed that Radical Externalism is indeed a truly radical form of externalism. It goes considerably further than those externalists who would insist that Betty can have a moral obligation to refrain from \$ even if she does not have a *motivating* reason to refrain from \$ (for an externalist can admit that her *lack of motivating reason* to \$ does not itself show that *there is no reason* for her to \$; see, however, §3.5). Indeed Radical Externalism goes beyond the typical externalist claim that Betty can have a moral obligation not to \$ even if there is no way that, given her epistemic position, desires, etc, she could have access to a reason not to \$.²² In fact, most externalists, as well as all internalists, deny Radical Externalism; that is, they deny that Betty can have a moral obligation to refrain from \$ when there is no reason whatsoever for her to refrain from \$. They thus accept:

Modest Internalism: Betty has a moral obligation to refrain from \$ only if there is a reason for her not to \$.

Strong conceptions of externalism are consistent with accepting Modest Internalism (which goes to show just how modest a form of internalism it is). On these more plausible externalist accounts, just as there can exist a moral obligation whether or not a person knows about it or is motivated to act on it, so too can there be a reason to act on this obligation whether or not a person is aware of it, or is motivated to act it.²³

Radical Externalism denies, to use Michael Smith's term, a "platitude" about morality: that morality is part of practical reason in at least the weak sense that an ideally rational agent, who was aware of all the reasons for action that there are, would necessarily have reasons to act on her moral obligations.²⁴ To accept Radical Externalism is to hold that correct moral judgments need not imply reasons of any sort—motivating or otherwise—to do anything about them. Of course some think this. Radical expressivists seem to believe that

²¹ The classic paper on this issue is, of course, William K. Frankena, "Obligation and Motivation in Recent Moral Philosophy" in K.E. Goodpaster, (ed.), *Perspectives on Morality: Essays by William K. Frankena* (Notre Dame: University of Notre Dame Press, 1976), pp. 49-73. See also Philippa Foot *Virtues and Vices* (Berkeley: University of California Press, 1978), pp. 157-173. For an effective criticism of Foot's externalism, see Michael Smith, *The Moral Problem* (Oxford: Blackwell, 1994), ch. 3.

²² This view is suggested by Wall, *Liberalism, Perfectionism, Restraint*, p. 118.

²³ I contrast internalism and externalism as accounts of obligation and of reasons, in *Value and Justification*, pp. 153ff, 261ff.

²⁴ See Smith, *The Moral*, pp. 7ff.

moral judgments are simply affective expressions that have no tie to practical reason; radical realists conceive of moral judgments as simply claims about certain moral facts that have no implications for what agents have reason to do. But these are strange views, which are not even embraced by most expressivists and realists. If morality is not about what agents have reasons to do, it is hard to understand what it is about.

Now if, as we should, we accept Modest Internalism, Alan—in our world of purely instrumental reasons—cannot coherently claim that Betty is under a moral obligation or duty to refrain from interfering with him without justification. More simply, he cannot claim that Betty acts wrongly in our case, for, *ex hypothesi*, Betty's only reasons are to advance her own goals, and these are reasons that unambiguously endorse invading him. Thus, according to Modest Internalism, if Betty has no reason to refrain from invading, she cannot have an obligation to refrain, and so she does not act wrongly. If that is so we have a contradiction: the fundamental liberal principle deems Betty's act wrong, but on the supposition that all reasons are instrumental reasons, she does not act wrongly. Given Modest Internalism, we need to give up either the fundamental liberal principle or the purely instrumental view of practical reason.

3.4 A Challenge to an Assumption: The Convergence Thesis

Some may seek to remove the apparent contradiction by challenging the assumption that, all things considered, instrumental reasons endorse Betty's unjustified invasion. Following Hobbes, a number of contemporary moral and political philosophers have argued that agents such as Betty would find themselves in intractable conflict, which would frustrate the pursuit of their goals, and so our assumption is false. The contradiction, then, might be said to depend on a false assumption that instrumental reasons endorse unjustified interference.

For this reply to be effective there must be *no case* in which instrumental reason instructs Betty to wrongly invade Alan simply to effectively advance her goals. If there is just one case in which such predation is instrumentally rational, the inconsistency we have been discussing arises. Thus we need an argument for the universal convergence of instrumental reason and applications of the liberal principle. It seems pretty doubtful that a successful argument along these lines will be forthcoming, but let us grant the convergence assumption. Let us suppose that a project such as Gauthier's succeeds in showing that, given facts about human society and human nature in world *W*, for all individuals in *W* of purely instrumental reasons, it will always be the case in *W* that one will have reason to refrain from interference (unless that interference can be justified to the person being interfered with). This, though, would still only show that within *W* the contradiction would not arise. But our conception of liberal morality is not limited to *W*. Our understanding of morality commits us to some (I am assuming for now) counterfactual judgments (think of Judith Thomson's trolley cases, or her

violinist case).²⁵ That those cases do not arise in our world does not show that our moral concepts need not apply to them. Now so too with the fundamental liberal principle: even if we live in *W*, the principle covers at least proximate possible worlds, including those in which instrumental reasons lead us to invade others without justification. If in these counterfactual cases the contradiction arises, we can conclude that our understanding of the liberal principle still presupposes that not all reasons are instrumental reasons. The conceptual point about the presuppositions of the fundamental liberal principle thus cannot be met by showing that there exists a world *W* in which the problem does not arise, even if we happen to live in *W*.

To be sure, as we entertain more and more outlandish counterfactuals—consider possible worlds that are further and further from our own—our concepts lose their grip, our ability to apply them becomes attenuated, and we become confused about what to say. This is certainly a severe problem with many of the so-called “mental experiments” designed to “test” our “moral intuitions,” or more accurately, the criteria for applying moral notions. In these worlds of incredible machines where hitting one button or the other causes amazing chains of events, our normal concepts are apt to leave us unsure about what to say.²⁶ Surely, though, that is not a relevant objection here. *Our* empirical world is one in which what best advances people’s goals often enough conflicts with refraining from interfering with others; it is the assumption of universal convergence that pushes us into unfamiliar territory.

This criticism of the convergence assumption could be avoided by showing that the tie between the fundamental liberal principle and agents’ goals is not contingent. Drawing on a theory of value, it might be suggested that, say, because everyone’s true goal is to respect others, and because the fundamental liberal principle is an expression of this (or, perhaps, a means to it), in all relevant possible worlds—those with the correct theory of value—there will always be an instrumental reason not to unjustifiably interfere with others. Serious problems confront this proposal. As I have argued elsewhere, goal-based and principled-based reasons are not the same, nor can one be reduced to the other.²⁷ If this is so, then converting the fundamental liberal principle into a goal would not account for the types of reasons it implies. I will not, however, insist on this somewhat complicated point here. For present purposes, we can reject the suggestion as it is clearly inconsistent with liberal theory. Liberalism denies that each of us has the overriding goal of being good liberals, or that our overriding goal is to abide by liberal principles. (It should be stressed that for the present

²⁵ Judith Jarvis Thomson, “Killing, Letting Die and The Trolley Problem,” *The Monist*, vol. 59 (1976): 204-217; “A Defense of Abortion,” *Philosophy & Public Affairs*, vol. 1 (1971): 47-66.

²⁶ See for example, Michael Tooley, “An Irrelevant Consideration: Killing versus Letting Die” in B. Steinboch (ed.), *Killing and Letting Die* (Englewood Cliffs, NJ: Prentice-Hall, 1980), pp. 56-62.

²⁷ See further my: “Goals, Symbols, and Principles,” “Why All Welfare States (Including *Laissez-Faire* Ones) Are Unreasonable,” “The Limits of *Homo Economicus*.”

suggestion to work, abiding by the liberal principle must be one of our highest ranked goals, capable of giving instrumental reasons to forgo our other goals by refraining from interfering with others.) Although liberals do indeed insist that individuals are capable of putting aside their various goals to abide by the principle of non-interference, this is not because they believe that our primary goal is not to interfere with others. Liberals conceive of individuals as possessing a diverse array of goals and ends; they do not—certainly need not—advance a theory of value according to which an overriding goal of everyone is to abide by the fundamental liberal principle.

3.5 Acting Upon Reasons for Action: A Standard Internalist Claim About Reasons to Act

We must conclude that, given Modest Internalism, the fundamental liberal principle is incompatible with a world in which all reasons to act are instrumental. Liberalism supposes that there are moral reasons (to refrain from interfering with others) that are not ways to achieve goals. Now to accept that there exists a reason R to refrain from $\$$ commits one to also accepting that, supposing no competing reasons outweigh R (are more important than R , rank higher than R , etc.²⁸), a rational agent who is aware of R will refrain from $\$$ on the grounds of R , or because of R .²⁹ Reasons for action are part of practical rationality, and practical rationality guides the action of rational agents. A form of internalism that goes beyond Modest Internalism (§3.3) about reasons for action is compelling: there is an internal—necessary—connection between R 's status as a reason and R 's being acted upon. Let us call this

Standard Internalism: If R is a reason to refrain from act $\$$ it must be the case that, barring overriding reasons, a rational agent who is aware of R will refrain from $\$$ because of R .

Philippa Foot apparently rejects this; as she sees it, “an agent may fail to be moved by a reason, even when he is aware of it.”³⁰ On her view, one can be aware that R is a reason to $\$$, and yet not $\$$. Now of course this can be the case if the agent is characterized by a failure of practical rationality; what is called “weakness of will” can be understood as a failure to act on one’s best reasons.³¹ However, one who fails to be moved by the best reasons for actions of which she is aware always suffers from a defect of rationality: a practically rational person’s

²⁸ I analyze this rough idea of one reason “outweighing” another in “Why All Welfare States (Including *Laissez-Faire* Ones) Are Unreasonable” and “The Limits of *Homo Economicus*.” The rough idea suffices for present purposes.

²⁹ See Donald Davidson, “Actions, Reason and Causes” in his *Essays on Actions and Events* (Oxford: Oxford University Press, 1980).

³⁰ Foot, *Virtues and Vices*, p. 179. See also David Copp, *Morality, Normativity and Society* (New York: Oxford University Press, 1995).

³¹ See S.I. Benn and G.F. Gaus, “Practical Rationality and Commitment,” *American Philosophical Quarterly*, vol. 23 (1986): 255-266.

actions are guided by her reasons. This is not merely asserting the definition that one is practically rational if and only if one is moved by one's reasons. We possess an implicit concept of rational agents,³² and according to this concept someone who asserts that, "Yes, *R* is a reason to $\$$ that applies to me in the present context, but what does that have to do with me actually being moved to $\$$?" does not understand what it means to say that *R* is a reason for action. "Yes, I have a reason not to steal, but what does this have to do with me actually refraining from stealing?" is not to exploit a distinction in our understanding of reasons for action and motivation; it expresses conceptual confusion.³³ (To make it intelligible we might suppose that the speaker is claiming that, though *R* is typically taken as a reason, she is actually denying it.) It is thus mistaken to assert that one may, without inducing conceptual puzzlement, claim that one just happens to be unmoved by one's reasons, say, because one lacks the desire to be rational.³⁴ Once we have established that a person acknowledges that *R* is her best reason, and it is a reason to $\$$, we do not need additional premises to explain her $\$$ -ing. Indeed, her *not* $\$$ -ing is what calls for further explanation: we are apt to invoke a special account of breakdowns of rationality to make not $\$$ -ing intelligible.

3.6 Moral Autonomy as a Property of the Rational Will

We thus arrive at our first conclusion: given a plausible internalist conception of reasons for action, the fundamental liberal principle presupposes that there are reasons for agents to set aside their instrumental reasons and abide by the principle (§§3.1-3.4), and that (when they are the best reasons) rational agents act on these reasons (§3.5). This is to endorse a Kantian—though, of course, not Kant's—conception of moral autonomy.

As in Kant's view, autonomy is analytically connected with practical reason. As Kant understood it, to attribute autonomy to an agent just is to attribute to her the capacity to be moved by a practical principle, endorsed by practical reason, which does not make reference to her needs or interests.³⁵ To be autonomous is to have the capacity for one's will to be determined by moral practical reason.³⁶ Autonomy, then, is a property of the will. Our analysis of the presupposition of claims based on the fundamental liberal principle has led us to conclude that the principle is intelligible only if individuals have the capacity to be guided by practical reasons that do not derive from promoting their goals, ends, etc. Again following

³² See further my *Value and Justification*, pp. 266ff.

³³ See Smith, *The Moral Problem*.

³⁴ For a position along these lines see David A.J. Richards, *A Theory of Reasons for Action* (Oxford: Oxford University Press, 1971).

³⁵ See Henry E. Allison, *Kant's Theory of Freedom* (Cambridge: Cambridge University Press, 1990), p. 98.

³⁶ "The idea that autonomy is responsiveness to reasons is of course not new. A version of this idea is central to Kant's ethical theory...." George Sher, *Beyond Neutrality: Perfectionism and Politics* (Cambridge: Cambridge University Press, 1997), p. 48.

Kant, only because we are cognizant of the demands of morality do we know that we are able to be guided by reasons for action that do not derive from furthering our goals or ends: that is, we possess moral autonomy.³⁷

Susan Wolf seems to pose an objection. She has argued that the ability to act on reason is to be distinguished from a conception of freedom as autonomy.³⁸ As I understand her, she would depict the view endorsed here as a “Reason View,” not an “Autonomy View,” of moral responsibility. Whereas an Autonomy View locates moral freedom and responsibility in one’s option to do or not do one’s moral duty, for the Reason View “[w]hat matters is rather the availability of one very particular option, namely the option to act in accordance with Reason.”³⁹ Certainly my position has much in common with Wolf’s Reason View. And it is certainly true that claims about counter-causal freedom are important in Kant’s thinking about autonomy. The argument presented here is silent about such freedom, so it does not capture all of what Kant meant to include in the concept of “autonomy.” Acknowledging all that, it should be noted that interpretations of Kant, and Kantian conceptions of morality, differ in the ways they relate the will to reason, and the relative priority they assign to one or the other. For example, compared the my account, Christine Korsgaard appears to give a much more central place to the idea of the will; in some ways reason seems secondary to the idea of the will in her interpretation.⁴⁰ The Kantian view defended here, in contrast, takes as central to Kant’s conception of autonomy the idea that an autonomous will is one determined by moral reason, and that we are free when we act rationally in this way. That, in my view, is the central feature of the concept of moral autonomy.

It is worth stressing just how important to Kant’s understanding of autonomy is what we might call the “metaphysics of reasons.” Kant distinguished between, on the one hand, reasons of morality and, on the other, reasons that might be variously described as those of prudence, reasons concerned with one’s subjective interests as a sensuous being, or reasons of self-love.⁴¹ As is commonly observed, Kant conceived of the latter category too narrowly: we need not suppose that the reasons potentially opposed to moral reasons are necessarily selfish or self-centered. A more adequate contrast is between reasons devoted to pursuing that which we see as good, and so endeavor to obtain (valued states of affairs, cherished objects, goals, ends) and those moral reasons that demand we set aside our pursuit of the good or valuable.⁴² In contrast to instrumental reasons, moral reasons do not confront us as

³⁷ See Allison, *Kant’s Theory of Freedom*, p. 98.

³⁸ Susan Wolf, *Freedom Within Reason* (Oxford: Oxford University Press, 1990), pp. 67ff.

³⁹ *Ibid.*, p. 68.

⁴⁰ See Christine Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996).

⁴¹ See Sullivan, *Immanuel Kant’s Moral Theory*, chs. 4 and 5; Allison, *Kant’s Theory of Freedom*, ch. 5.

⁴² I have tried to explicate this distinction in detail in *Value and Justification*. See also my “What is Deontology?” Parts 1 and 2, *Journal of Value Inquiry*, vol. 35 (2001): 27-42, 179-193.

hypothetical, because they do not depend on our affirmation of a goal or an end. They confront us as imperitival and categorical.⁴³ Regardless of our ends or goals, they demand that we do the right thing.

I follow Kant in distinguishing heteronomous from autonomous moralities.⁴⁴ Attempts to derive the moral from the rational, where the latter is understood simply in terms of instrumental rationality, are heteronomous.⁴⁵ On such views morality is simply a device for efficient goal pursuit. Such moral theories are ultimately unsuitable; their denial of autonomy renders them at a loss as to how to account for our ability to refrain from pursuing our concerns and values, and our demands that others do so as well. Rational agents approach being psychopathic when their reasons are consumed by their own ends.⁴⁶

3.7 *The Moral Autonomy of the Claimant*

Thus far I have argued that, in appealing to the fundamental liberal principle, Alan necessarily supposes that Betty possess moral autonomy. Can Alan, though, insist that while he supposes that Betty possess moral autonomy, he is simply an instrumental reasoner, and so non-autonomous? No: not only must Alan suppose that Betty is an autonomous agent, he must also suppose that he possesses moral autonomy.

To continue our example, assume that Alan invokes the fundamental liberal principle against Betty. We have seen that he supposes that she possesses moral autonomy, in the sense that she can act on moral reasons rather than on her goal-based ones. The basic liberal principle, though, does not prohibit all interference; it puts the onus of justification on Betty, who would interfere with Alan. Now assume that she meets this burden. Betty offers a justification for interfering with Alan's act " of the form: "Reason *R* justifies a moral prohibition of your act " ; you ought not to " , and if you seek to " , I may legitimately \$, i.e., stop you." What can we say about the nature of this reason?

(i) Well, it could be claimed that for the true liberal there really are no such reasons as *R* purports to be. One might think that the genuinely liberal view is that it is never permissible to interfere with a person's liberty. Call this *the absolutist interpretation of the fundamental liberal principle*: the onus of justification can never be met. On the face of it, the absolutist interpretation appears too strict, as it apparently prevents liberals from endorsing a right to private property, or rights to bodily integrity. It would seem that the liberal would want to

⁴³ See however, Jeremy Waldron's insightful chapter in this volume. I follow Charles Larmore in understanding the contrast between attractive and imperitival moralities as dividing pre-modern and modern ethics. See his *Morals of Modernity* (Cambridge: Cambridge University Press, 1996), ch. 1.

⁴⁴ Immanuel Kant, *Foundations of the Metaphysics of Morals*, Lewis White Beck (trans.) (Indianapolis: Bobbs-Merrill, 1959), pp. 60ff [pp. 442ff of the Prussian Academy edition].

⁴⁵ See Rawls, *Political Liberalism*, pp. 50ff.

⁴⁶ See my *Value and Justification*, pp. 292-330. Compare Rawls, *Political Liberalism*, p. 51.

claim that it is justifiable when I interfere with your liberty by asserting my rights to private property or bodily integrity. If you are using your liberty to hit me on the head, or steal my acorn, it would appear that the liberal must think interference with your liberty is justifiable. Yet, if the absolutist interpretation excludes interference with liberty, it would appear to exclude such liberal rights and their defenses. Some seek to rescue the absolutist interpretation from this criticism, though, by insisting that one's property rights *define* one's liberty rights. As Jan Narveson argues, you own your eyes and that is why they cannot be removed, and because you own your arm, it is up to you to decide whether to lift it or not. To be free to do something is just to be free to use what is yours—your property; so all your freedom rights concern your property. Indeed, Narveson claims, “it is plausible to construe all rights as property rights.”⁴⁷ If so, then a person's liberty is interfered with if and only if his property rights are infringed.

Not only does this absolutist interpretation depend on the identification of liberty with property rights—which, I think, can be shown to be implausible⁴⁸—but, in addition, it requires a claim about the compossibility of property-liberty rights.⁴⁹ If it was possible for my valid property right to *X* to conflict with your valid property right to *Y*, then somebody must interfere with someone else's property right (and, so liberty); but since, on the absolutist interpretation, there are no reasons that could justify an interference, it would follow that someone must do wrong.⁵⁰ I shall not pursue this option further. Unless one can show that all liberty rights are property rights *and* that property rights are compossible (or else accept that in some cases wrongdoing is unavoidable)—and I do not believe these can be shown—the absolutist interpretation it is not compelling.

(ii) Betty might justify a prohibition of Alan's " on paternalistic grounds, claiming that her present interference can be justified because it better promotes Alan's own values, goals, project, etc. That is, Betty might appeal simply to Alan's instrumental reasons. Now if Betty takes this route, and shows that Alan's instrumental reasons endorse the prohibition, she advances a paternalist justification; the justification of the prohibition of " (and/or her

⁴⁷ Jan Narveson, *The Libertarian Idea* (Philadelphia: Temple University Press, 1988), p. 66.

⁴⁸ I have considered this view in more depth in my “Property, Rights and Freedom,” *Social Philosophy & Policy*, vol. 11 (Summer 1994): 209-40.

⁴⁹ This claim is argued for by Hillel Steiner, *An Essay on Rights* (Cambridge, MA: Blackwell, 1994), chs. 2 and 3.

⁵⁰ This could, I suppose, be interpreted as a sort of moral dilemma produced by impossible oughts. Although not unintelligible, I have argued that such conceptions of deontic logic are by no means compelling. See my essay on “Dirty Hands” in R. G. Frey and Christopher Heath Wellman (eds.), *A Companion to Applied Ethics* (Oxford: Basil Blackwell, 2003), pp.167-179.

interference, \$) is that it advances Alan's goals.⁵¹ This is worthy of note. If we accept (1) a world of purely instrumental reasons along with (2) Modest Internalism, the only justifying reason we could give another for limiting his freedom would be paternalistic. Suppose the convergence thesis held (§3.4): moral principles are justified on the ground that everyone's instrumental reasons support following them. Everyone's goals are advanced by following the principles. Now suppose that Betty seeks to restrict Alan's liberty by appealing to these principles; she wants to claim that he is acting wrongly, and so morality justifies stopping him. Given Modest Internalism, her justification must be that his reason for accepting her interference is that his own ends are advanced by the interference. Thus in a Gauthierish moral world, all justifications meeting the burden of the fundamental liberal principle collapse into paternalistic reasoning. To be sure, it would also be the case that the regulation would advance Betty's goals (*ex hypothesi*, that is why *she* has a reason to \$), but her claim that Alan's action is wrong, and so that *he* has a reason to refrain from " , must be a claim that his reason for not " -ing is that it fails to advance his own goals.

It is certainly an odd account of liberal morality that would collapse all moral justifications into paternalism. Paternalism is, at best, an uncomfortable fit with liberalism.⁵² Only those under the spell of a theory of practical reasoning according to which all reasons are instrumental would even attempt to construe liberal morality in this way. Typically, when one seeks to justify interfering with the liberty of another, it is not being claimed that the action is bad for him, but that even if it is the best thing he can do to advance his own goals, this use of his liberty is wrong, typically because it unjustifiably *harms others*.

(iii) Suppose then that Betty justifies her interference (\$) on the grounds that Alan's act (") frustrates *her* goals, and that is her reason for stepping in. But suppose that, under the sway of the purely instrumental theory of practical reasons, Betty accepts that in a case in which " advances Alan's goals but thwarts hers, he has reason to " , and she has reason to \$, i.e., interfere with his " . Notice that in this case that Betty only justifies an interference with Alan: she does not justify the claim that Alan ought to refrain from " , or that it is wrong to " . So she asserts simply a Hohfeldian liberty to interfere.⁵³ According to Wesley Hohfeld, Betty has a liberty to \$ if and only if Alan has no claim against Betty that she not \$. It also follows that, if Alan has no claim that Betty refrain from \$, then she has no duty to Alan to not \$. For Hohfeld, when we talk about a person having a right to do something, we sometimes mean that she is merely at liberty to do so; she has no duty to refrain. But merely to have a liberty

⁵¹ "Central to understanding paternalism is the conjunction of two factors: an imposition and a particular rationale. *X* acts to diminish *Y*'s freedom, to the end that *Y*'s good is secured." John Kleinig, *Paternalism* (Totowa, NJ: Rowman and Allenheld, 1983), p. 18.

⁵² See my *Social Philosophy*, ch. 11.

⁵³ For Hohfeld's classic analysis, see his "Some Fundamental Legal Conceptions As Applied in Judicial Reasoning," *Yale Law Review*, vol. 23 (1913): 16-59.

to do something does not imply that you have a claim that others not interfere. The classic example is the liberty of two pedestrians to pick up a dollar bill laying on the sidewalk. Neither have a duty to refrain from picking it up, but neither has a claim on the other to stand aside and let her pick it up. Such “naked liberties” often characterize competitions; people have the liberty to win, but no one has a claim to win. So Betty could simply be asserting a moral liberty to \$ (i.e., interfere with Alan’s ”), while also accepting that Alan has a moral liberty to ”.

Could it be the case that all justifying reasons are such permissions? If so, liberal morality would contain simply one moral duty, the duty not to interfere with the actions of another without justification. In specific cases, this moral duty would be met by justifying reasons that give one permission to intervene, though the person interfered with would have permission to resist. This certainly wouldn’t be much of a morality. Every justification of an interference would be a justification of a competition or struggle. But liberals endorse rights to property, and rights to bodily integrity—and these are not plausibly understood as mere permissions, but as claims on others to act or refrain from acting. In contrast to liberties, claim rights imply duties on the part of others not to interfere (or to act); we might call them rights in the strict sense. To have a right in the strict sense is to be able to *demand* that others respect it: they have a duty to respect it, and so are not at liberty to ignore it. One’s rights, then, concern what is owed to you, and so people are not free to decline honoring your claims.

(iv) By far the most compelling view, then, is that liberalism recognizes reasons that (1) justify interference with Alan’s liberty, (2) do not simply appeal to his own instrumental reasons and (3) justify claims on Alan that he has a duty to honor, not mere permissions to interfere. Again, insofar as reasons are practical (§3.5), it follows that fully rational agents will act on these reasons. Thus when invoking the fundamental liberal principle against Betty, Alan not only supposes that as a rational moral agent she possesses moral autonomy, and can act on reasons to set aside her values, but he must also conceive of himself as a morally autonomous agent: one that accepts, and acts upon, reasons for action that Betty may give him that justifies her interference, and this not only in the weak sense that Betty may show that she is at liberty to interfere, but in the stronger sense that she has claims upon Alan that require him to refrain from blocking her interference, or refrain from the use of his liberty to which she objects. The basic liberal principle, then, supposes a relation among morally autonomous agents. Both are capable of setting aside their instrumental reasons and acting on duty.

4 Public Reason, The General Will, and Autonomous Legislation

4.1 Post-Enlightenment Public Reasoning

Kant conceives of moral autonomy as both a property of the will that is presupposed by morality and as a substantive moral principle.⁵⁴ Thus far I have been concerned with autonomy in the former sense; I shall now argue that the fundamental liberal principle also leads to a substantive morality of autonomy.

The fundamental liberal principle requires that interference be justified. We have arrived at the conclusion that such justifications are possible (§3.7, i); they present reasons that do not simply appeal to the goals of the person being interfered with (§3.7, ii); they are not typically merely permissions (§3.7, iii), and so typically constitute claims on the person being interfered with (§3.7, iv). It is on this last category of reasons for interference that I shall now focus. I have also argued that for *R* to be a reason justifying Betty's claim on Alan, it must be the case that a rational Alan would act on *R* (§3.5). So interpreted, the fundamental liberal principle implies that the justification for interfering with Alan must be recognized by a rational Alan *as a reason*. When advancing a moral claim on Alan—that he has a duty not to use his liberty in some way, and so her interference with him is justified—Betty is appealing to Alan as a morally autonomous agent, one who can act on moral reasons even if that requires putting aside his instrumental reasons. In the second stage of the argument, in which Betty is seeking to meet the onus of justification by showing that her interference is justified, she now occupies the role of claimant trying to show that Alan has a duty to her (recall that on Hohfeld's analysis, Betty's claim right on Alan implies a duty of Alan toward Betty). Thus all our conclusions about how Alan must conceive of Betty as an autonomous agent now apply to how Betty must see Alan: both assumes the other as well as him- or herself possess moral autonomy.

Betty's assertion that Alan does wrong by ignoring her claim on him presupposes that he has a reason to act on this claim. Betty's justification, then, must be a justification addressed to Alan as a rational moral agent. She is barred from presenting a consideration *C* as a justification of her interference if *C* would not be acknowledged by a rational Alan as providing him with a reason to act. It is not sufficient that *C* is a reason for Betty—that would not in itself show that Alan has a reason, and only if Betty can claim that Alan has a reason to act can she intelligibly claim that he does wrong by ignoring her claim (§3.3).

To be sure, if, as some assert, *R* is a reason for Betty if and only if it is a reason for all rational agents, this is a distinction without importance.⁵⁵ Any consideration that is a reason for Betty necessarily would be a reason for any rational agent, and so for Alan. If Betty knows her own reasons, then she would know his too. Justifying to herself would be equivalent to justifying to him. (Indeed, there would be no “justification *to*,” only

⁵⁴ See Allison, *Kant's Theory of Freedom*, pp. 94-106.

⁵⁵ This view was famously upheld by Thomas Nagel in his *The Possibility of Altruism* (Princeton: Princeton University Press, 1979). Cf. Christine Korsgaard, “The Reasons We Can Share” in her *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), pp. 275-310.

“justification *that*”). Some recent philosophers have sought to uphold this position, or one that approximates it, by appealing to Wittgenstein. Adopting his argument against private language, they seek to show that reasons must be inherently public, and shared.⁵⁶ I cannot examine this Wittgensteinian-inspired argument here⁵⁷ (or the allied arguments of some pragmatists). Suffice it to say for present purposes that even if in some sense all reasons are social, and so there are no entirely private reasons, this would not show that all reasons are shared among all members of society. Languages are public and shared, but within a society people speak different languages and numerous dialects. So even if reasons must be shared with some others, it would still be entirely possible, and indeed, likely, that some fully rational people will not share my reasons. If so, then the distinction between justifying *to Alan* and justifying *to Betty* becomes real and important.

This distinction is brought to the fore by what might be appropriately deemed “the post-Enlightenment insight.” On one plausible view, the European Enlightenment of the seventeenth and eighteenth centuries was based on the supposition that the use of human reason produces, over the long term, convergence on truth in morals as well science.⁵⁸ The free inquiry of scientists was thought to produce agreement because (i) the truth is the same for everyone, (ii) reason is a shared capacity of all human beings, and (iii) the norms of good reasoning are universal. Thus, people reasoning correctly about the world will arrive at the same answer. Any premise p that is true for one person is necessarily true for all others; if the inferential rule “ $(p \ \& \ [p \rightarrow q]) \rightarrow q$ ” is valid for one person, it is necessarily valid for all. The true and valid results of one person’s reasoning are thus necessarily true and valid for all. Now, as Rawls puts it, the post-Enlightenment insight is that it is a “permanent feature of the public culture of a democracy” that the free exercise of human reason leads us to embrace a diversity of reasonable moral and religious views.⁵⁹ The fundamental feature of the political culture of such societies is that not even rational citizens would share all the same reasons.

To be sure, Enlightenment figures such as Kant recognized the ubiquity of disagreement. Despite his belief that the free exercise of human reason could reveal universal moral principles, Kant also believed that on many questions concerning the good and justice, actual people come to divergent conclusions. For Kant, relying on one’s individual judgment about justice characterizes “the state of nature”—“even if men were to be ever so good natured and

⁵⁶ See, e.g., Korsgaard, *The Sources of Normativity*, pp. 136ff; Philip Pettit, *The Common Mind* (Oxford: Oxford University Press, 1993).

⁵⁷ See my *Contemporary Theories of Liberalism: Public Reason as a Post-Enlightenment Project* (London: Sage Publications, 2003), pp. 104-113.

⁵⁸ See *ibid.*, ch. 1. See also my entry on “Public Reason,” *International Encyclopedia of the Social and Behavioural Sciences* (Oxford: Elsevier Scientific Publishers, 2002); John Gray, *Enlightenment’s Wake: Politics and Culture at The Close of the Modern Age* (London; Routledge, 1995), pp. 122ff.

⁵⁹ Rawls, *Political Liberalism*, p. 36.

righteous before a public lawful state of society is established, individual men, nations and states can never be certain they are secure against violence from one another because each will have the right to do what *seems just and good to him*, entirely independently of the opinion of others.”⁶⁰ For Kant, reason tells us that, if we are to avoid such conflict, we must submit to a lawful public authority to adjudicate disputes about justice. It is plausible, though, to understand Kant as insisting merely that politics must come to grips with our failure to be rational; our errors in understanding what reasons we actually have lead to conflicts of private judgment that government must adjudicate. At least on one interpretation of Kant, it would seem, (fully) rational agents would recognize the same reasons for action. Recall, however, the distinction advanced in section 3.5 between a mere definition of a rational agent as one who is moved by the best reasons, and the conceptual claim that, given our understanding of rational agents, they will be moved by their recognition of the best reasons. On this latter view, the idea of a rational agent is not simply derived from a notion of best reasons, but relies on a substantive model of good deliberation, evidence gathering and so on. If the former, definitional, idea is employed, then certainly if (1) *R* is a reason for anyone it is a reason for everyone and (2) fully rational agents (by definition) recognize and act upon the best reasons, then (3) if Alan and Betty disagree whether *R* is a reason at least one of them is not fully rational (though they both might still qualify as “reasonable”). But the idea of being fully rational really does no work here; it follows entirely from the notion of best reasons. We do, though, possess a notion of the rational that is not simply derivative of our understanding of what is the best reason. A rational person takes into account all the relevant available evidence, makes no errors when evaluating it, makes all the correct inferences, and so is not subject to various distortions of deliberation or action (e.g., he is not under the influence of drugs or compulsions), and so on. It is still a demanding ideal, much more demanding than being simply a reasonable person (although it does not require omniscience; rational people do not know all there is to be known). Nevertheless, we can apply it even when we do not know what is the best reason. If a person displays the virtues of rational deliberation and action and none of the vices then, given our understanding of a rational agent, we should conclude he qualifies as such.

On this understanding of rational agency, even if we accept premise (1) in the previous paragraph, it does not follow that if Alan and Betty disagree on whether *R* is a reason, at least one of them must have experienced a failure of rationality, i.e., not be fully rational. Even if there is a truth to the matter, fully rational people can arrive at differing conclusions. If so, then even if there is a truth to the matter, Betty cannot advance her conclusion *C* as a justification to Alan on the grounds that, if it is a justifying reason for her, it must, *ipso facto*, be a reason any fully rational Alan would be moved by. Given this, Betty must present

⁶⁰ Kant, *Metaphysical Elements of Justice*, Lewis White Beck, trans. (Indianapolis: Bobbs-Merrill, 1959), p. 76 (§44).

justifications that are addressed *to others*, i.e., she must seek to show that her interference is justified by reasons that rational others would recognize (§3.5).

Insofar as liberalism is to function as a public morality regulating life among diverse strangers, justifications of interferences must be addressed to all members of the relevant public, as morally autonomous agents: all have moral reasons to accept this limitation on the pursuit of their goals. And that, we have seen, implies the claim that if they were fully rational—displayed the excellences of evidence gathering, deliberation and action that constitute our concept of practical rationality—they would all recognize such reasons and act on them. The liberal principle, together with what I have called the post-Enlightenment insight, thus imply a non-trivial commitment to principles of social morality that are justified through reasons we share as rational agents—public reasons.⁶¹

4.2 *Universal Laws and Moral Autonomy*

In explaining a morality based on autonomy Kant writes that:

If we now look back upon all previous attempts which have ever been undertaken to discover the principle of morality, it is not to be wondered that they all had to fail. Man is seen to be bound to laws by his duty, but it was not seen that he is subject only to his own, yet universal, legislation, and that he is only bound to act in accordance with his own will....For if one thought of him as a subject only to a law (whatever it may be), this necessarily implied some interest as a stimulus or compulsion to obedience because the law did not arise from his will.⁶²

Kant goes on to insist that all moralities moved by “some interest as a stimulus or compulsion to obedience” are heteronomous. An autonomous morality, in contrast, conceives “each rational being as a being that must regard itself as giving universal law through the maxims of its will.”⁶³

As I have depicted it, under a social morality justified through public reason, each rational autonomous individual has (an internal) reason to act on that morality. And not because of “some interest as a stimulus or compulsion to obedience because the law did not arise from his will” as in an heteronomous morality, but because the reason to accept and act on the moral principle is one to which the agent qua rational is committed (and this in the non-trivial sense). As rational, then, the agent wills the moral principle and the acts it requires, even though it requires a limitation on the pursuit of his goals. Thus it is the case that under public reason, moral principles are willed by all rational agents in the relevant public, and only moral principles so willed are justified under public reason. We can see,

⁶¹ “Non-trivial” because even on the view according to which all must share all the same reasons, it is trivially true that only justifications that provide everyone with reasons justify moral impositions.

⁶² Kant, *Foundations of The Metaphysics of Morals*, p. 51 (pp. 434-433 of the Prussian Academy edn.).

⁶³ *Ibid.*

then, how an autonomous morality both limits freedom and is itself an expression of freedom. Insofar as it limits the ways in which we can pursue our ends and goals and opens us to moral claims by others that we must do as they insist, it is a restraint on freedom (and that is why moral regulation must be justified under the fundamental liberal principle); but because these demands do not confront us simply as external requirements but are confirmed by our own reasons to act, they are freely willed by all. No conception of morality that does not account for this Janus-headed nature of morality—as both a restriction and expression of our freedom—can be adequate.

We can now interpret the link between Kantian autonomy, contractualism, and the idea of the general will. Recall that for Kant the “test of the rightfulness of every public law” is the “idea of reason” that there is “an *original contract* by means of which a civil and thus a completely lawful constitution and commonwealth alone can be established.”⁶⁴ An original contract, Kant tells us, is “based on a coalition of all the private wills in a nation to form a common, public will, for the purposes of rightful legislation.”⁶⁵ Contractualism, understood as a justificatory device, requires that justified principles be those that all rational individuals would accept. The hypothetical or counterfactual nature of this claim has led some critics to object that such contracts cannot bind.⁶⁶ This, though, misses the justificatory role of the contractual device given a commitment to a (non trivial) concept of public reasoning. Only principles that could be accepted by all rational, morally autonomous, persons can identify the reasons we share. If *R* could not be accepted by each and every rational, morally autonomous, agent it could be a moral reason that each wills, and so could not qualify as part of an autonomous public morality.

Kant believed that the very idea of an original contract has the “practical reality” of obliging “every legislator to frame his laws in such a way that they could have been produced by the united will of a whole nation, and to regard each subject, in so far as he can claim citizenship, as if he had consented within the general will.”⁶⁷ Thus conceived *the idea of the general will is not only fully consistent with liberalism, but is implied by the fundamental liberal principle*. Although in the hands of Hegelians such as Bernard Bosanquet, the notion of the general will implies a collectivistic, and at least arguably, an illiberal understanding of the state, interpreted as an ideal according to which all just laws are rationally willed by all

⁶⁴ Immanuel Kant, “On the Common Saying: ‘This May be True in Theory, but it does not Apply in Practice,’” in Hans Reiss (ed.), *Kant’s Political Writings* (Cambridge: Cambridge University Press, 1970), p. 79. Emphasis in original.

⁶⁵ Ibid.

⁶⁶ I consider this objection more fully in my *Social Philosophy*, ch. 5.

⁶⁷ Kant, “Theory and Practice,” p. 79.

citizens, it expresses the fundamental liberal principle that interferences must be justified, conjoined with the ideal of public reason—that they must be justified to all.⁶⁸

5 Personal Autonomy

Thus far my concern has been the place of moral autonomy with liberalism. Section 3 argued that the fundamental liberal principle presupposes that agents are morally autonomous. Section 4 then maintained that this conception of moral autonomy, relying on an internalist conception of moral reasons, leads us to an ideal of public reasoning and, together, these endorse a substantively Kantian (though, again, not Kant's own) autonomous morality, according to which the justified principles of social morality must be such as to be rationally willed by all, and we saw how this gives rise to the ideal of legislation that expresses the general will.⁶⁹ I now turn to the implications of this analysis for placing personal autonomy within liberalism.

5.1 Ultra-Minimal Personal Autonomy

The fundamental liberal principle supposes *an ultra-minimal conception of personal autonomy*. Thus far I have not sought to justify the fundamental liberal principle. Of the justifications that have been advanced, though, the most compelling maintains that *self-directed agents* (who are *in addition* morally autonomous persons in a world of morally autonomous persons) will necessarily be led to endorse it. Consider again Benn's story of Alan on the beach. Suppose that Betty continues to frustrate his actions, in the sense that every time he seeks to act, she seeks to interfere, by handcuffing him, taking the pebbles from the beach, or whatever. Why would Alan object? Basic to any plausible answer is that Alan conceives of himself as an agent whose deliberations about what he should do normally determine his own actions. It is not, as it were, morally neutral to him whether he or Betty decides what he is to do; *the moral default is that he decides what he is to do, and some special case needs to be made for letting another's deliberations determine his actions*. It seems impossible that Alan could conceive of himself as a self-directed agent (who is also morally autonomous) without claiming this basic moral default. Suppose that he renounces this default—as a utilitarian acquaintance of mine purports to. When such an agent decides to " , he entertains no moral presumption that he should " rather than, say, \$, which is what another has decided he is to do. Should he be made to \$ without justification it would be inappropriate for him to experience resentment, indignation, blame—none would be called

⁶⁸ See Bernard Bosanquet, *The Philosophical Theory of the State* in Gerald Gaus and William Sweet (eds.), *The Philosophical Theory of the State and Related Essays* (Indianapolis: St. Augustine Press, 2001). Cf. John W. Chapman, *Rousseau—Totalitarian or Liberal?* (New York: Columbia University Press, 1956).

⁶⁹ I consider the relation between legislation, public reason and Rousseau's theory of the general will in "Does Democracy Reveal the Will of the People? Four Takes on Rousseau," *Australasian Journal of Philosophy*, vol. 75 (June 1997): 141-162.

for, since he really has no claim to " rather than \$.⁷⁰ They are both competing judgments about he should do, neither having any intrinsic moral privilege. That he has decided that he should " in itself provides no more guidance about what he should than that another has decided that he should \$.

The dissent of my utilitarian acquaintance notwithstanding, such a denial undermines one's sense of one's own agency as a self-directed person. Crucial to one's own self-conception is that one's practical reason is just that: one reasons about what to do because it has the practical consequence of determining what one does. This seems not to be the case with schizoid personalities, who apparently see others as controlling their activities, and so conceive of the deliberating self as alienated from the acting self.⁷¹ If the deliberating self is not to be similarly alienated from its activities, it must suppose that, in lieu of special considerations, its deliberations guide its activity.

Underlying this argument for the fundamental liberal principle (which I have only sketched here) is the supposition that we are indeed self-directing agents in this sense. As I said, this supposes that we are not schizoid; it also supposes that we are not "role-directed" personalities, for whom all actions are required by social scripts, and the proper performance of these scripts is determined by the audience, not each of us qua actors.⁷² Imagine we were such people (as Clifford Geertz suggests the traditional Balinese might be).⁷³ I need not advance a moral claim to act as I have decided, for as I would conceive of myself, there is nothing special about my deliberations in deciding what I should do. The script, and the audience's reaction, is what counts. The fundamental liberal principle would be as alien to such people as many philosophers would have us believe it is to us.

My claim, then, is that the fundamental liberal principle only gets its grip on those who are self-directed in the minimal sense I have been discussing. This can be understood as the ultra-minimal conception of personal autonomy on which liberalism is founded. It is not in itself a notion of moral autonomy. Although to advance liberalism's basic moral claim the agent must be morally autonomous, before he is even interested in such a claim he must possess the non-moral characteristic of conceiving of himself as self-directed or what Benn calls a "natural person":

The use of expressions such as "decision making," "making a choice," "forming an intention," suggest a kind of creativity in personal causation, in which the relation between agent and process is initiated by his decision is more like that between a potter

⁷⁰ On the appropriateness of emotions, see my *Value and Justification*, ch. II. See also Wolf, *Freedom Within Reason*, esp. ch. 1

⁷¹ See further my *Value and Justification*, p. 388.

⁷² See *ibid*, pp. 385-386.

⁷³ See Clifford Geertz, "Person, Time, and Conduct in Bali" his *The Interpretation of Cultures* (New York: Basic Books, 1973).

and his pot or an architect and his plan, than like the relation between a skidding car and the resulting accident....

...It is this consciousness of one's own thought as the prolegomenon to intended action that underlies a person's conviction that he *makes* decisions—that, unlike skids or lightning strikes, they do not just happen to him.⁷⁴

In this ultra-minimal sense, liberalism supposes that people are “self-ruled”—they are in charge of themselves.

5.2 *The Ultra-Minimal View Contrasted to Personal Autonomy as Self-Authorship*

The case I have sketched for the fundamental liberal principle is grounded on an ultra-minimal conception of personal autonomy, and is to be distinguished from accounts of liberalism that accord primacy to a thicker conception of personal autonomy.⁷⁵ Ultra-minimal personal autonomy is consistent with many of the character traits that proponents of personal autonomy deem heteronomous. A self-directed person may be guided by superstitious beliefs, be totally unreflective about his commitments, have conflicting desires and inconsistent beliefs, or live according to traditional rules simply because he has been brought up to. All these traits are consistent with being an agent who sees his actions as following from his own deliberations (based, to be sure, on unreflective, traditional or superstitious considerations).

Steven Wall advances a “perfectionist” conception of “personal autonomy” according to which it is an “ideal of people charting their own course through life, fashioning their character by self-consciously choosing projects and taking up commitments from a wide range of eligible alternatives, and making something out of their lives according to their own understanding of what is valuable and worth doing.”⁷⁶ In a similar vein, Joseph Raz maintains that “[t]he autonomous person is one who makes his own life,” while Robert Young tells us that “[t]he fundamental idea in autonomy is that of authoring one's own world.”⁷⁷ Although these formulations are by no means identical, all identify autonomy with being the author of one's life. An autonomous life is chosen by the agent rather than, say,

⁷⁴ Benn, *A Theory of Freedom*, p. 91.

⁷⁵ They are often run together. In the above quote from Benn, in which he is explicating self-direction, he likens a person's relation to his life as that between a pot and a potter, thus moving to self-authorship. Sharon Hayes argues that Benn's liberalism ultimately is based on a robust conception of (personal) autonomy. See her *Autonomy and Rights in S.I. Benn's A Theory of Freedom*, Ph.D. thesis, School of Humanities, Queensland University of Technology, 2000.

⁷⁶ Wall, *Liberalism, Perfectionism and Restraint*, p. 203. Cf. Dworkin: “What makes an individual the particular person he is is his life plan, his projects. In pursuing autonomy, one shapes one's life, one constructs its meaning. The autonomous person gives meaning to his life.” *The Theory and Practice of Autonomy*, p. 31

⁷⁷ Raz, *The Morality of Freedom*, p. 375; Robert Young, *Personal Autonomy: Beyond Negative and Positive Liberty* (London: Croom-Helm, 1986) p. 19

dictated by tradition; most articulations of this ideal require a wide range of choices through which “one makes something” out of one’s life.

Personal autonomy as self-authorship is a controversial ideal that is difficult to publicly justify. The self-authorship metaphor points to an aesthetic view of life in which one’s life is a creation and the agent the artist. The metaphor is not misleading; such conceptions of autonomy are offered by “perfectionist liberals.”⁷⁸ The very idea of perfection indicates a quasi-artistic attitude towards one’s life, as a work to be perfected. It hardly seems that all agents have reason to adopt such a view. Consider one whose goals are entirely focused on bringing about states of affairs that do not include the perfection of human beings, but say, the protection of nature or scientific discovery. The latter may involve the perfection of human nature (the former may well call for thwarting it), but the point is that these goals are not about human nature and its excellences; they concern the production of certain states of affairs that do not make necessary reference to the flourishing of humans.⁷⁹ If these states of affairs can be brought about without perfecting human nature, or without a life of self-authorship, that in no way detracts from their value. Agents pursuing such states of affairs are not self-focused; they do not take up an attitude of creative authorship to their lives, but possess practical reasons to investigate and change the world in a variety of ways. As such, they are not committed to personal autonomy as self-authorship or perfectionism.

To be sure, the perfectionist can argue that they *should* be: he can insist that there is a reason for them to care, and they should see it. I am not seeking to refute such arguments, but to show that they are controversial, and certainly make claims that go far beyond ultra-minimal autonomy. Our environmentalist or scientist, I have argued, is committed to seeing himself as an agent with reasons to act, so he must conceive of himself as a self-directed agent; many do not—and as far as I can see, rationally so—conceive of themselves as authors or creators of their own lives, seeking to make something out of them through their chosen modes of self-authorship.

Still, it might be thought that all self-directed agents must possess personal (or what Frost in Chapter 10 calls “ethical”) autonomy in the sense that they have and exercise the capacity to, as Waldron says, “defy desires and inclinations” that are alien to their conception of the good (Chapter 13 in this volume). And certainly achieving some minimal degree of integration and consistency is necessary for self-direction; it must be the case that one has enough of a self for one to be able to make decisions, as opposed to merely giving into one inclination after another. But a self-directed person may not be one who affirms a way of life, or who sees himself as following personal imperatives about what is to be done. Self-directed

⁷⁸ Raz and Wall, for example.

⁷⁹ On the tension between this conception of autonomy and environmental ethics, see my “Respect for Persons and Environmental Values” in Jane Kneller and Sidney Axin (eds.) *Autonomy and Community: Readings in Contemporary Kantian Social Philosophy* (Albany, NY: SUNY Press, 1998), pp. 239-264.

agents may fall well short of fully integrated personalities.⁸⁰ They may possess nothing so grand as a conception of the good life, much less an examined life: the much-derided beer drinking⁸¹ football fan whose week is, unreflectively, centered around Sunday's Buffalo Bills game possesses ultra-minimal personal autonomy.

5.3 Personal and Moral Autonomy

If I am right about this, the fundamental liberal principle does not rest on a commitment to a “perfectionist” conception of “personal autonomy.” It would, however, be wrong to conclude that conceptions of personal autonomy more demanding than the ultra-minimal notion have no place within liberal morality and politics. We have seen that the appeal to the fundamental liberal principle presupposes that both the person appealing to the principle, and the person to whom the appeal is directed, possess moral autonomy (§3). That is, both are supposed to possess the ability to distinguish her own specific wants and aims from the requirements of public morality. Now this moral capacity is bound up with fairly sophisticated cognitive skills. As the work of Lawrence Kohlberg and others have shown, to be able to distinguish what you want or prefer, or your goals and aspirations, from what can be universalized and, so, accepted by rational others, requires a cognitive ability to take up the perspectives of others.⁸² One must be able to put oneself in their place, consider what reasons they have, and so whether they have reasons to act in certain ways. Moreover, because the fundamental liberal principle is open-ended insofar as it only requires that justifications be provided but does not provide a canonical list of those justifications, liberal citizens have an ongoing commitment to examine proposed justifications and enter into justificatory argument.

The skills required by moral autonomy overlap with those that are often identified with personal autonomy.⁸³ Unless a citizen is self-reflective about her own reasons to act, and so understands whether her reasons stem from personal commitments or can be shared from a public perspective, she will be unable to determine what is required by a publicly justified morality. A person who is unable to distinguish her goals and personal commitments from moral reasons will not be able to grasp the idea that moral reasons may require her to put aside her goals, for she will insist that her beliefs and values are a seamless web. It is no defense to say that of such people that the basic premises of their moral thinking lie in their

⁸⁰ Benn, *A Theory of Freedom*, ch. 10.

⁸¹ The implication, perhaps obvious to most academics, is that a wine-drinking fan would achieve an altogether higher level of autonomy.

⁸² See, e.g., Lawrence Kohlberg, *The Philosophy of Moral Development* (New York: Harper and Row, 1981). Bärbel Inhelder and Jean Piaget, “The Growth of Logical Thinking from Childhood to Adolescence” in Howard E. Gruber and J. Jacques Vonèche (eds.), *The Essential Piaget* (London: Routledge & Kegan Paul, 1977), 403-444 at 440-41. I discuss other literature in *Value and Justification*, p. 260.

⁸³ Interestingly, Wall distances his perfectionist conception of autonomy from his autonomy as self-reflection. See *Liberalism, Perfectionism and Restraint*, pp. 128-129.

personal—say, religious convictions—and so they are, understandably, unable to contemplate the possibility that the demands of public secular morality can be distinguished from, much less override, their religious convictions.⁸⁴ Because they are insufficiently reflective about the nature of their reasons, and have an insufficiently developed capacity to see things from the perspectives of others, they are apt to press morally unjustified demands, and fail to recognize the requirements of public morality.

This points to the error of hyper-ecumenical versions of “political liberalism.” Political liberalism seeks to identify liberal principles endorsed by public reason. Yet many versions have been especially accommodating to religious reasoning, often including versions of fundamentalism. The idea has been that, insofar as we seek truly public reasoning, these religious reasoners must be brought into public justification. To be sure, political liberals insist on limits: to qualify as “reasonable” citizens must tolerate the competing views of others, and be willing to seek and abide by fair terms of social cooperation with them. But toleration of others is not sufficient to exercise moral autonomy. Consider a fundamentalist religion that is internally committed—committed simply in virtue of its own tenets—to tolerating other religions and embracing a fair scheme of cooperation with others. If this is the sole source of these commitments, when contemplating objections from others that some policy was not tolerant, or not fair, members of this religion would still appeal to their religious convictions in deciding what constitutes toleration and fairness. They would not concern themselves with providing other citizens with public reasons in support of their interpretations; they fail to exercise moral autonomy. Only if they have developed the cognitive ability to distinguish what is a reason to them from what is a reason for others can they justify a substantively autonomous morality and laws that express the general will.

We can now understand the ambivalent stance towards religious reasoning which, I think, has characterized most modern liberal thinking. On the one hand, liberals insist that people be free to pursue religious convictions as a matter of personal liberty. Yet because they are not public reasons, and further because many religions insist on the superiority of religious to public shared reasoning (in terms of the force of their respective reasons for actions), liberals (perhaps especially outside of America) are typically wary of appeals to religion in public life. Moreover, insofar as some religious communities are totalistic, seeking to provide a pervasive religious structure for every member’s personal and intellectual life, liberals object that such communities undermine citizens’ moral autonomy. This is especially troubling if communities seek to raise their young in ways that undermine their children’s personal autonomy by thwarting development of their skills of self-reflection and role-taking. We might say, then, that moral autonomy requires *minimal personal autonomy*: the *ability* to

⁸⁴ See Christopher Eberle, *Religious Convictions in Liberal Politics* (Cambridge: Cambridge University Press, 2002).

reflect on the adequacy of one's own moral reasons, and to distinguish one's own reasons from the reasons of others.

It might be objected that this analysis endorses intolerance towards religious groups such as the Protestant fundamentalists, some types of devout Catholics or the Amish. Such objections are based on a common but nevertheless erroneous simple inference from general philosophical principles to public policies. Public policy is the realm of complex and competing considerations, including problems of abuse of power, incentives of government agents and legislators, epistemic limits of government, difficulty of framing adequate legislation and safeguards, undesirable side-effects, and so on. Nothing directly follows about what laws ought to be enacted from a general philosophical conclusion. It does follow from this analysis, though, that ways of life that seek to undermine minimal personal autonomy, and so ultimately the moral autonomy of their members, are illiberal. How a liberal state should deal with illiberal ways of life is a complex and difficult issue, but little headway can be made without recognizing that they are indeed illiberal in the sense that are based on practices and beliefs that are hostile to the very capacities and dispositions that render liberal public morality possible.

While the capacity for, and exercise of, critical self-reflection is required for a liberal moral order, the conception of personal autonomy is still minimalist insofar as it is not part of the justified conception that citizens reflect on their own plans and projects, except insofar as they distinguish these from public morality. Thus the commitment to personal autonomy necessary for a liberal moral order does not require that all be self-reflective about their goals, aims or projects. The requisite personal autonomy can be fully achieved by those who embrace traditional, customary or religious ways of life, not out of explicit choice, but because they have been reared in them. However, the traditionalist cannot be so immersed in traditional culture that he is unable to distinguish the reasons it provides him from the moral reasons that apply to all.

To many this seems a precarious compromise: liberal morality allows one to be an unreflective traditionalist in many aspects of one's life, but not to become so immersed in one's traditions that one confuses them with public reason. While indeed precarious, this is precisely the line that liberal political culture walks. It can admit traditionalism, and need not seek to turn all citizens into liberal-Millian individualists—up to a point. The point is that citizens must be sufficiently liberal to reflect on their traditions and observe that they do not form the basis of public reasoning, and so they must be prepared to also live in a public world which, because religious reasons are not reasons for all citizens, must be a secular world. More than that, they must understand that these public reasons will often override their important goals.

6 Conclusion: Walking the Liberal Tightrope

My aim has been to show, first, that the most plausible understanding of the fundamental liberal principle presupposes a Kantian conception of moral autonomy. Showing this required

inquiry into the nature of practical reasons and morality. It is fashionable nowadays to claim that one can engage in political philosophy without such investigations, that we can have a purely political theory of liberalism. It is impossible to see how this can be done; if liberal principles are to be practical, they must provide us with practical reasons. But then we need to know what practical reasons are, and how they relate to liberal principles. Whether or not we need a metaphysics of liberalism, we certainly require a metaethics of it. When we do develop such a metaethics, I argued in section 3, we are led to a Kantian conception of moral autonomy.

Section 4 linked this conception of moral autonomy to universal laws, freedom, public reason, and the general will. Kant's basic intuition, that our capacity for moral autonomy leads to a substantive universalistic morality was, in its essence, vindicated, though not, of course, simply reiterated.

Having argued in favor of a Kantian understanding of moral autonomy, I then turned in Section 5 to consider the relation of liberalism to conceptions of personal autonomy. The results were not quite so neat. Although an ultra-minimal conception of personal autonomy underlies the basic liberal principle, autonomy understood as self-authorship does not; indeed it seems a controversial and rationally rejectable view. However, I have just argued that the very commitment of liberalism to moral autonomy itself leads to a public commitment to minimal personal autonomy as a capacity the exercise of which is necessary to a moral order based on the fundamental liberal principle. A liberal moral and political order, I have claimed, walks a tightrope. On one side is immersion into traditional cultures and religions, which insist that their reason is the reason of all; on the other is the public proclamation of the liberal ideal of individuality as part of the public morality, and so the illegitimacy of most traditional and religious ways of life. Only societies composed of citizens who are sufficiently self-reflective to recognize the distinction between their personal (or subcultural) and public reasons, and who embrace diverse communities while recognizing their non-public character, can walk the liberal tightrope.⁸⁵ Happily, our modern liberal societies seem reasonably adept at this particular balancing act.

⁸⁵ I thus concur with Steven Macedo: "Liberal citizens should be committed to honoring the public demands of liberal justice in all departments of their lives. They should be alert to the possibility that religious imperatives, or even inherited notions of what it means to be a good parent, spouse, or lover, might in fact run afoul of equal freedom. A basic aim of liberal education should be to impart to all children the ability to reflect critically on their personal and public commitments for the sake of honoring our shared principles of liberal justice and equal rights for all." And Macedo is clear that "[t]he point is not to promote a comprehensive philosophical doctrine of autonomy or individuality." *Diversity and Distrust* (Cambridge, MA: Harvard University Press, 2000), pp. 238-239..