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NEWER THAN WHAT? OLDER THAN WHAT?

By Alan Ryan

I. Introduction

The body of this essay divides into three roughly equal sections. Section II offers a sketch of the origins of liberalism; it is intended to be perfectly banal, historiographically speaking, but to illustrate the fact that the histories we write are less constrained by the historical facts than by our present-day understanding of what liberalism is—or should be. Nonetheless, history provides some useful embarrassments to over-hasty analyses of liberalism. Section III discusses ways of dividing acceptable forms of liberalism from unacceptable forms: political versus comprehensive, minimalist versus perfectionist, and rights-based versus teleological are the three distinctions focused on here. Section IV argues for an "autonomist" view of liberal freedom and for an open-ended view of what liberalism may eventually turn out to be. I try throughout to leave room for reasonable people to reject liberalism; whatever else liberalism may be, it is not in this essay understood as the political doctrine on which mankind is fated to agree. (With apologies to C. S. Peirce's account of truth as the doctrine on which we are fated to agree.)[1]

II. Was There Liberalism in Antiquity?

Were there liberals in the ancient world? The facile answer is to say that there were not, because the term "liberal" in its modern political sense dates from no earlier than 1800. This is perhaps not a wholly facile answer; words are coined when they are needed, and if the word "liberal"—which had been used for centuries to praise a man's character, to distinguish the liberal professions from the servile trades, and to characterize the education a gentleman ought to receive—was now turned to political uses, it must be because only now was there a felt need for the term.[2] That is, liberalism needed a label only when it came into existence, and we should regard the absence of the label as a near-definitive indicator of the absence

[1] This seems to me to be the danger inherent in contractualist theories such as that of John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971). See C. S. Peirce, "The Fixation of Belief," *Popular Science Monthly* 12 (1877): 1–15.

[2] Its earliest use in English seems to have been in reference to "the liberal arts" in the late fourteenth century; in English politics, the friends of the French Revolution were accused of being liberals in 1801. The conventional dating of self-ascribed liberal politics is 1809 with the rise of Spanish anti-clericalism.

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of the thing labeled: *nullum nomen, nullum nominandum,* as some may be tempted to say. That is not a wholly inept response, but it is surely inadequate. Imagine a country whose people were deeply attached to, say, the right to worship whatever deity they chose within the limits of decency and law, the right to be employed by whomever they chose and to employ whomever they chose, the right to reside wherever they chose, the right to buy and sell property of all kinds, both movable and immovable, the right to be tried before impartial judges and the ancillary rights that this implied, such as being tried only for a known offense according to a clear indictment, and so on. I deliberately omit the right to vote for the moment.

Suppose further that this country chose its rulers on the hereditary principle, that these rulers scrupulously operated on constitutional principles that could be adjusted, although rarely and by a process akin to referendum, and that these "kings" had an immemorial tradition of governing with the assistance of a council of statesmen whose advice was rarely ignored and always with reasons stated when it was. Let us imagine further that there was no word in their language that remotely resembled "liberalism." Now we can ask two questions. Are they liberals? And *must* there be a word in their language that should be translated as "liberalism"? My answers are "probably" and "no." That is, if they were asked about their legal and political system, they might go on at great length about the *mos maiorum*[3] and the peculiar political genius of their *ethnos* that has secured to them the rights of movement, worship, trade, and the rest that none of their neighbors enjoy. If they did so, it would be implausible to suggest that they must have a word equivalent to "liberalism" in their vocabulary, because it would be implausible to insist that they *really* saw all aspects of their social, legal, and political arrangements as flowing from their commitment to anything so abstract as the values of liberalism. They are grateful for their inheritance and determined to secure it.

But is the scenario I have sketched a coherent one? I have said, deliberately, that these people are deeply committed to these rights; and I have, deliberately, cheated by supposing that there is no difficulty about calling them "rights," as distinct from customs, habits, or practices. I could have made life harder for the reader and myself by calling them by these latter names, and interposing the further argument that customs maintained and defended in definably appropriate ways are *rights.* Let us, rather, edge forward by asking why the people in this scenario are so attached to these rights. This is where I justify the answer of "probably" to the question of whether these people are liberals. If we ask in what ways it would

[3] "The custom of our ancestors"—Cicero's great standby in explaining the nature of the republican freedom that Rome had enjoyed in its most successful years. See Cicero, *On Duties,* ed. M. T. Griffin (Cambridge: Cambridge University Press, 1991).

make a difference to talk only of habits, we see the difference between being a liberal and simply taking a laissez-faire attitude toward each other's religious beliefs. People who took a laissez-faire attitude would do out of habit what ("true," "real," "proper") liberals do out of conviction. They would leave their neighbors to worship as they chose, but would not wonder what they were entitled to do should they decide that they disliked their neighbors' religious practices. This would be true if their habits were so engrained that it never occurred to them that they might feel intolerant, or if divergent practices had never given anyone any anxiety. Only if they wanted to restrict their neighbors' liberty, but sought a reason for not doing so, would they need a synonym for "right" to indicate what their neighbors possessed that they must not violate, or a synonym for "tolerant" or "liberal" to indicate what trait of character in themselves ought to inhibit any inclination to interfere.[4]

If we have good reason to describe these de facto immunities as rights, we should also describe these people as liberals without the word; if there is no pressure to describe their immunities as rights, then we should not describe them as liberals. Turning our attention back to the ancients, there are several points to be made swiftly. The first is that within the Greek world, there are many writers who exhibit a wry acceptance of the sheer variousness of humanity that the political philosopher Isaiah Berlin would have us believe is one of the basic ingredients of liberalism. Herodotus, for instance, reports with pleasure on the famous encounter between Greeks and Indians at the court of the Persian king Darius. Darius asks the Greeks how much they would have to be paid to eat their dead grandparents; they are aghast. He asks the Indians how much they would have to be paid to burn their dead grandparents; they are aghast. The Greeks know they must cremate the dead, and the Indians know they must eat their ancestors. Does this suggest that Herodotus could have made sense of the thought that Greeks and Indians had the right to act as they did? Almost certainly not. What he evinces is skepticism about there being a single right answer to the question of how best to dispose of the dead; and he evinces a conservative and not wholly skeptical commitment to a metaethical—or perhaps an ethical—principle, which is that whatever our own mores are is best for us. "If anyone, no matter who, were given the opportunity of choosing from amongst all the nations in the world the set of beliefs which he thought best, he would inevitably—after careful considerations of their relative merits—choose that of his own country." It is not a skeptical position, because Herodotus regards

[4] Robin Lane Fox, *Pagans and Christians* (London: Penguin Books, 1988), suggests that pagan belief was untheological, and therefore provided no basis for principled intolerance; but because cities and states feared to provoke the anger of the local gods by slighting their rituals, there was a great deal of antipathy to Jews and Christians who refused to accept those rituals.

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the fact that all of us do in practice think our own mores best as a reason for regarding them as genuinely best—for us.[5]

The set-piece around which the discussion of Greek liberalism appropriately takes place is Pericles' funeral speech.[6] It says many things that modern liberals find deeply attractive. Liberals would like to live in a country that could, with some justification, describe itself as the school of Hellas; they would like to live in a country that believed it was possible to maintain social discipline without everyone interfering with their neighbors' business. Pericles was not engaging in sociology but making a funeral speech, and given the identity of the opponents in the Peloponnesian War, it is not surprising that he praises Athens for qualities that form the mirror image of the Spartans' oppressive, superstitious, and old-fashioned way of life. Nonetheless, even if we think that it would have been more agreeable to live in Athens than in Sparta, we are no nearer an answer to the question of whether Athens was a liberal society. It seems clear that it was not, and that the concept of "classical liberalism"—not the liberalism of Adam Smith and the classical economists, but "classical" in the sense of "ancient"—is almost a contradiction in terms.

The existence of slavery in Athens is not the decisive consideration; one might value the liberal freedoms and do so for liberal reasons—whose nature is yet to be set out—but conclude that the price of anyone enjoying those freedoms was that others must work as slaves. This is not an incoherent view, but it is somewhat unstable, since it forces us to ask difficult questions about who is to be a slave and on what basis they are to be assigned to that status. Aristotle's anxiety over whether slavery is just according to "nature" must cause acute problems for anyone writing in a more liberal perspective than Aristotle's;[7] John Stuart Mill's view that ancient slavery was a condition of political and intellectual progress does not help to defuse such anxieties, because it assumes that a slave-owning society is not a liberal society, but at best a step on the road to such a society; and G. W. F. Hegel's uncomfortable thought that slavery belonged to a time when absolute wrong had a relative rightness is Mill's thought, expressed in a more tortured fashion.[8] There is an implicit universalism in (almost all) liberal accounts of liberal values that makes it difficult to imagine slavery as a long-term feature of a liberal society. It is not absolutely impossible, because there are many ways of defeating universalism: the claim that slavery reflects racial inferiority is the most obvious,

[5] Herodotus, *The Histories,* book 3, chap. 38, trans. Aubrey de Selincourt (London: Penguin, 1972), 257–58.

[6] Thucydides, *The Peloponnesian War,* book 2, chaps. 34–46, ed. and trans. Steven Lattimore (Indianapolis, IN: Hackett, 1998), 90–97.

[7] Aristotle, *Politics,* ed. Stephen Everson (Cambridge: Cambridge University Press, 1996), book I, chaps. 3–7.

[8] G. W. F. Hegel, *Philosophy of Right,* ed. Allen Wood (Cambridge: Cambridge University Press, 1991), addition to section 57; John Stuart Mill, *Considerations on Representative Government* (1861; reprint, Amherst, NY: Prometheus Books, 1991), chap. 18.

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reached for by Aristotle on more than one occasion. That is a fact with an obvious bearing on the question of whether the United States before the Emancipation Proclamation was a liberal society that practiced slavery, or not a liberal society precisely because it practiced slavery. Somewhat hesitantly, I think the former: there were liberals who thought that economic necessity demanded slavery, and others who thought liberalism could be practiced only by white men. Greek attitudes in the classical period evince no such discomfort. Slavery was treated as a fact of life, along with the fact that prisoners from the losing side in battle could expect to be butchered if they were unlucky and sold into servitude if they were more fortunate. Humanitarian universalism has to be dug for in infertile soil until at least the rise of Stoicism in the third century B.C.E.; and it is notoriously the case that Stoicism's cosmopolitanism is not liberalism's outgoing, progressive, optimistic cosmopolitanism but a self-centered emphasis on the possibility of self-determination in an oppressive world.

In the first century B.C.E., Cicero attached Stoicism to a rather conventional classical republicanism, and a glance at that combination will serve not only to remind us of the political and intellectual allegiances of our eighteenth-century predecessors, but to sharpen our sense of the varieties of liberalism before us. It is arguable that the political analysis that Cicero developed from an eclectic mixture of Stoic, Platonic, and Polybian resources offers the modern world more than liberalism does. Polybius's account of a mixed constitution with characteristics not unlike those of the U.S. Constitution, set within Cicero's account of the good life for a decently educated and prosperous gentleman, can with some tweaking for modern tastes look very attractive. The tweaking required is too obvious to belabor, but includes the abolition of slavery, the equality of the sexes, and a less restrictive version of *la carrière ouverte aux talents*[9] than Cicero imagined possible. What Benjamin Constant described as "modern liberty,"[10] both in its laissez-faire and its "do your own thing" aspects, gets short shrift as moral theory but reappears in practice as a result of the tolerant acceptance of each other's foibles that persons of liberal sentiments find natural to them.

What this historical sketch is intended to suggest is that any liberalism worth arguing about is essentially modern. Much of what liberals value is not distinctively modern because it is what is valued by almost anyone. It is the worldview into which liberalism fits, and the considerations adduced to explain why liberals value what they do, that are modern. My view, for which I only sketch some arguments here, is that liberalism is

[9] "Career open to talent"—or meritocracy.

[10] Constant's "The Liberty of the Moderns Compared with That of the Ancients" is the sacred text, and "modern liberty," which is to say the liberty of the individual as distinct from that of the citizen, may come in many varieties. See Benjamin Constant, *Political Writings*, ed. Biancamaria Fontana (Cambridge: Cambridge University Press, 1988), 309–28.

intelligible only as the offspring of the Protestant Reformation, on the one hand, and the collapse of Aristotelian natural science, on the other. The Protestant contribution is the claim that as individuals every one of us is under an obligation to consider our place in the world, and our relationship to God, and to be ready at every moment to give an account of ourselves and our deeds to the Creator. Because we are obliged to render an honest account, we must think for ourselves and say plainly what we think; this yields what the English political philosopher William Godwin termed "the unspeakably beautiful doctrine" of the right of private judgment and therefore a genuine moral individualism.[11] The other aspect is the destruction of the teleological conception of the universe. It did what Shakespeare feared it might, which was to undermine the naturalness of rank and order. No longer could a hereditary and hierarchical system of ranks gain validity by claiming to be inscribed in the natural order. The death of Aristotle casts us adrift, and the political results are unpredictable. Liberalism is by no means the only option; a more probable outcome is a will-based politics such as that of Thomas Hobbes's *Leviathan* (1651) or divine-right absolutisms based on divine fiat. Liberalism emerged as a historical matter only awkwardly and incompletely from a search for alternative bases of social hierarchy and political authority.

III. Modern Liberalisms

The question of *what* emerged awkwardly and incompletely can no longer be evaded. What follows is intended to carry only as much conviction as is needed to launch the final section of this essay. John Rawls elaborated over a period of forty years what he termed a "political" conception of liberalism; this was founded on a conception of the person that he described as "political not metaphysical," and the kind of liberalism this conception supported was contrasted with "comprehensive" liberalisms. "Comprehensive" liberalism is a moral doctrine, equipped with a conception of human nature and its needs, and therefore controversial in its commitments; Mill's *On Liberty* (1859) sets out a comprehensive liberalism, for instance. Rawls's liberalism provides something closer to a principled defense of the terms of social and political peace of post-Reformation society. What motivated these distinctions was explained somewhat late in the day in the preface to the second edition of Rawls's *Political Liberalism* (1996), and the explanation is, interestingly, one that makes Rawls's version of political liberalism more distinctive and in many respects more exposed than ever to political theorist John Gray's defense of *modus vivendi* liberalism against all contenders.[12]

[11] William Godwin, *Political Justice* (London: C&J Robinson, 1798), 182.

[12] John Rawls, *Political Liberalism,* 2d ed. (New York: Columbia University Press, 1996); John Gray, *Two Faces of Liberalism* (Cambridge: Polity Press, 2000).

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Rawls rooted his defense of political liberalism within the history of the religious wars that followed the European Reformation of the sixteenth century. Like many other writers, Rawls thought that the virtues of liberalism had become easier to see after a century of faith-based bloodletting. Certainly, some notable English thinkers, of whom John Locke was one, were converted to a belief in religious toleration after traveling on the Continent and discovering the peace and prosperity that toleration brought in its wake. Two small points need to be made, however. The first is a matter of history. The agreement that *cuius regio, eius religio*—the doctrine that a head of state was entitled to establish in his realm whatever variety of Christianity he chose—put an end to European wars of religion; yet it was not itself a liberal doctrine. It gave each nation-state immunity against religiously motivated attacks by other states, but it did not give the individual freedom to practice his own faith by his own lights. Some states became tolerant when they felt secure, some did not. The second point to be made is that the natural outcome of a war fought to the point of universal exhaustion, in which all sides come to think that the costs of imposing their own brand of Christianity on their neighbors are too high, is what John Gray terms "*modus vivendi* liberalism." We do not respect our neighbor's faith, nor do we regard his religious convictions as a matter of deep importance to him and therefore as something to be treated with concern by ourselves. We simply think that the way to get along with each other is to ignore each other's deepest convictions. We might continue to wish that we could make our neighbors see the light. But "live and let live" is better than the only alternative: "proselytize and die."

Rawls wanted something more than a *modus vivendi,* and his explanation of what he wanted let in a flood of light on otherwise obscure parts of his theory. He wanted the "overlapping consensus" within which we could practice a rational politics to be a consensus on deep principle. The ultimate grounds on which we based political principles might be anchored in any number of different comprehensive worldviews, but what was anchored was not an agreement to live and let live, but a concern for the moral value of the individual.

Rawls's concern was with the way in which different religious—or secular but comprehensive—conceptions of the individual could all sustain a respect for moral personality, and thus provide principled support for the system of rights, opportunities, and immunities that constitute the liberal political order. This concern left Rawls dependent on contestable assumptions about the way in which *modern* faiths would, as a matter of fact, incorporate respect for moral individuality; but the idea that a variety of religious and other "comprehensive" convictions can underpin an agreed-upon, nonmetaphysical view of the entitlements of citizens in modern society is itself attractive. There is much to be said about the ways in which different faiths have acquired that conception of the citizen's

rights and duties from having to adapt to life in a modern liberal democracy; all we need note is Rawls's claim that political liberalism need not rest on comprehensive liberalism, and that political liberalism is neither comprehensive nor *modus vivendi.*

I shall argue for the impossibility of resting a liberal politics on anything other than comprehensive liberalism below. The first problem for Rawlsians, however, is that *modus vivendi* liberalism is a much more natural operating commitment of citizens of diverse faiths than is political liberalism. The former wears its attractions as a peace treaty on its face. It is equally plausible that any advance beyond *modus vivendi* that was equally impressed with the demands of peaceful coexistence would get no further than the liberal pluralism to which political philosopher William Galston is committed. This is a *modus vivendi* liberalism of communities in which the emancipation of individuals takes second place to a politics that respects collective attachments to ways of life, moral outlooks, ritual practices, and the like, and allows communities a great deal of unofficial authority over their members.[13] Again, the fact that political liberalism is intended to rest upon an "overlapping consensus" of principles founded on different comprehensive doctrines renders it vulnerable to John Gray's critique of liberalism, precisely because Gray presses so hard the question of what kinds of politics we can practice without a moral consensus. *Modus vivendi* is surely what Hobbesians and everyone impressed by human destructiveness would settle for; and not all *modi vivendi* will be liberal ones. *Pace* Gray himself, the millet system of the Ottoman Empire, which allowed a degree of autonomy to recognized religious minorities, was less a form of liberal pluralism than pluralism *simpliciter.*[14] It rested on Islamic principles for the treatment of non-Muslims, not on the rights of the minority. Thus, if the question is what a thought-experiment reveals about the terms of social cooperation between either individuals or communities with dramatically different worldviews who have to get along with each other, Gray seems to have the better of the argument. That is not to say that Gray either establishes or attempts to establish the *moral* superiority of *modus vivendi* to a consensus on "political" liberalism. In a normative sense, the ambitiousness of Rawls's construction makes it very attractive as well as very vulnerable. However, I wish to attack Rawls's account of political liberalism from the opposite direction to that from which Gray does so. I shall argue that, on the one hand, Rawls was not ambitious enough, and that, on the other hand, he was overly optimistic about the prospects for political liberalism without a strong commitment to comprehensive liberalism on the part of at least a substantial minority of the politically active members of society.

[13] William Galston, *Liberal Pluralism* (Cambridge: Cambridge University Press, 2002).
[14] Gray, *Two Faces,* 47.

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Accepting Rawls's claim that modern forms of the major world religions find room for a conception of the rights of personality that is adequate to sustain political liberalism, we should ask ourselves two questions: whence did this conception come, and what happens when there is a tension between the demands of the underlying faith and those of political liberalism? Rawls thought the right of women to seek an abortion without facing criminal sanctions was an element in liberalism; but Catholic teaching is that abortion is murder, and the Catholic Church has always tried to ensure that abortion is criminalized. It is an open question whether one can derive abortion rights from all forms of comprehensive liberalism—as distinct from more broadly utilitarian premises—but setting that to one side, it seems implausible that there *cannot* be a tension between the demands of political liberalism and the demands of modern Catholicism. What goes for that tension goes for much of Judaism, Islam, and so on; one only has to think of issues around the rights of husbands and wives in a marriage. A liberal state cannot accept the Orthodox Jewish view that a woman is not lawfully divorced until her husband has given her a *get*, nor Sharia law's view that a woman's testimony in court is worthless when contradicted by a man's. The tension is obvious enough: either the liberal state subcontracts its authority to nonliberal religious minorities or these minorities relate to the state on *modus vivendi* terms.

The versions of the major faiths that are at ease with the liberal political order are, I would argue, those that have been adjusted to the demands of comprehensive liberalism. That is, their views of their own religious commitments have been adjusted to a politics that insists that *we have no right* to have the assistance of the state in promoting our faith, that the religious convictions of others are *none of our business*, and that what we may demand of each other is only the right to practice our faith with others of the same persuasion on terms that persons of all faiths and none could assent to. Even then, there may be tensions at the margins. For instance, the Amish are an introspective, unaggressive, unproselytizing sect, who ask little more than to be allowed to continue their traditional way of life in rural America. Yet even they have come into conflict with the American state where their conception of what they owe their children has been at odds with the state's view of the duties of parents. (The Amish have, of course, come into mild conflict with the state over such matters as the lights to be carried by their horse-drawn carts, but for the liberal political theorist, it is only when the right of parents to practice their faith comes into conflict with the state's wish to promote the autonomy of their children that interesting issues arise.) *Wisconsin v. Yoder* was the landmark 1972 Supreme Court decision in which a divided and anxious Court decided that the Yoder family's right to religious freedom overrode Wisconsin's right to require its young people to attend high

school.[15] The Court decided, plausibly enough, that the young Yoder at the center of the case would not be unemployable and a drain on Wisconsin's resources; this evaded the question that only Justice William O. Douglas raised: whether the young man himself had an interest in growing up fully informed about all that the modern world could offer him.

I have argued that Rawls was too optimistic in thinking that all "modern" faiths would provide principled support from within their "comprehensive" worldviews for the political liberalism that Rawls defended in *Political Liberalism.* If we ask once again what principles lie behind the liberal state's refusal to accord any special privilege to faith, we find ourselves once more in the company of Thomas Hobbes, David Hume, and John Gray: the evident undesirability of religious warfare tells us that in a religiously divided society, the best *modus vivendi* is to allow free exercise of religion to all and special privileges to none. The alternative must be to appeal to the liberal principle that we are entitled to pursue our own conception of the good life in our own way, so long as we do not get in the way of others doing the same thing, and so long as we perform those minimal social duties—paying taxes, serving on juries, performing military service when required—that are required to keep society operating efficiently. It is that overarching principle, together with whatever sociological, historical, and psychological considerations come with it, that constitutes (a substantial part of) comprehensive liberalism. If, as I suspect, the liberal allegiances of what Rawls regarded as modern forms of religion result from the impact on them of liberal political systems and liberal secular thought, this suggests that a sufficient number of citizens must base their political liberalism on comprehensive liberalism for there to be an attachment to the search for the principled resolution of conflict, and solid support for a liberal constitutional order.

If we are to be comprehensive liberals—and I reiterate that for anything I say here, rational people may choose not to be—the remaining questions concern where the advantage lies between perfectionist and minimalist liberalisms, and similarly between teleological and rights-based liberalisms. On the face of it, a person who espouses a rights-based liberalism must be committed to a minimalist liberalism; but there is more than one thought here. Someone who thinks that the task of liberalism is to establish what rights we possess, and what rights a state should protect us in, may also think that this is an essentially political question. The comprehensive liberal answers the political question by first answering the moral question: What rights do we possess as members of the kingdom of ends rather than as citizens of earthly states? I evade the issue of the status of the right that both Kant and Rawls took very seriously, which is to say the right of a people to constitute itself as a people and establish a state. That

[15] *Wisconsin v. Yoder,* 406 U.S. 205 (1972).

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right must certainly be prelegal and extralegal, even if it becomes embedded in such documents as the United Nations Charter.[16] However, it is not exactly a moral right in the sense in which I am using the term.

Here I shall proceed on the basis that a rights-based liberalism affirms the moral right of all individuals—of full age and sound mind—to conduct their lives in their own way, subject to their respecting the same right in others. This provides a minimalist and negative liberalism, and implies nothing about the ends individuals should pursue. The grounding of that right, however, is bound to affirm something about us. Thus, on the libertarian view, each of us is "self-owning," and free to dispose of her or his life, capacities, and resources in the same manner as any other freehold owner of resources, while, on the bleaker and more agonistic view, each of us is thrown into the world as the director of this one life, not so much the owner of a life as the bearer of existential burdens. What theory of the human condition is best adapted to liberalism is another question evaded here, but one reason for accepting that a rational person may choose not to be a liberal of any sort is that when we seek the foundations of a comprehensive liberalism, the Lockean view that we are sent into the world about God's business and should attend to it with care becomes increasingly attractive as the kind of moral framework we need.[17] And the belief in Locke's God is not a dictate of reason.

The right to pursue our own good in our own way on the condition that we do not impede others in their pursuit will provide for a minimalist liberalism by prescinding from questions about what that good may be. Let us turn to the alternative of a teleological and perfectionist liberalism. This is currently unpopular, but perhaps wrongly; and just as nonliberal but tolerant societies may be hard to distinguish from committedly liberal and tolerant societies, so we should expect more convergence in the practical commitments of different varieties of liberal than in their foundational convictions. Once again, we must make distinctions within distinctions, and in particular between one and another sort of perfectionism. Mill's essay *On Liberty* is sometimes said to be antiperfectionist because it permits the state and public opinion to coerce us only to prevent damage to other people, and not to make us better people.

This is obviously right. However, the sense in which Mill's version of liberalism is perfectionist is that its focus is on an ideal of *individuality;* and this is a perfectionist principle because it is not the doctrine of "do your own thing" but the doctrine of "discover what is the best you have within you, and make it your own by doing it." The point of experiments in living is to discover what that best may be. We are not to interfere

[16] John Rawls, "The Law of Peoples," in Rawls, *Collected Papers,* ed. Samuel Freeman (Cambridge, MA: Harvard University Press, 1999), 529–64.

[17] Jeremy Waldron, *God, Locke, and Equality* (Cambridge: Cambridge University Press, 2002).

coercively with other people except in self-defense; but the point of that self-abnegating principle is to provide room for the search for individual excellence. Thus, one reason why one might hanker after Locke's confidence that God has put us in the world to go about His business is that such a vision of what we are called on to do answers the question *why* we have to engage in perfecting ourselves to the extent it is possible here below, and gives us guidance on where we should look for standards of excellence.

Just as we must separate one kind of perfectionism from another to become clearer about the ways in which liberalism is and is not perfectionist, so we must distinguish varieties of teleology. There are at least three distinct ideas to be kept in mind. One is very close to perfectionism: it is that human beings have an end or ends toward which they are naturally drawn and whose realization brings happiness and perfects their lives: *finis coronat opus*.[18] Mill officially disbelieved in that Aristotelian vision, but in practice subscribed to it. His official disbelief was the empiricist's disbelief in final causes. His practical acceptance of the view was a matter of acknowledging the fact that individuals find themselves drawn toward thinking in Aristotelian terms about their goals and their ideals. This was the point that Mill made against Bentham in the 1830s and never retreated from. Secondly, and simpler to describe, Mill subscribed to a teleological, goal-directed moral theory when he refused to appeal to a doctrine of right as a thing independent of utility. Rights must rest on utility, which is to say that rights are grounded on teleological considerations. This is the standard contrast. Thirdly, Mill also believed that the particular rights that liberals defended were warranted by their tendency to bring about a particular sort of progress. Teleology is not simply a matter of an instrumental theory of rights, but a distinctive view of what they are instrumental to. Many of Mill's critics have thought that he also subscribed to a historical teleology, almost as though he were an empiricist Hegel. This must be wrong, unless Mill did not know his own mind, given the number of occasions on which he insisted that decay and retrogression were the natural order of things, and that progress was achieved by fighting an uphill battle against human failings.

IV. One (Only One) Form of Comprehensive Liberalism

There are innumerable good lives; and there are innumerable ways of living *a* good life, and perhaps of living *the* good life. Liberalism offers a vision of *some parts of* the good life, but even at its most comprehensive, liberalism cannot offer a view of all sorts of value. There is no liberal theory of stamp collecting, for instance, although there is certainly a liberal view of the reasons for not interfering with people who wish to

[18] "The conclusion crowns the work."

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engage in philately—unless they steal the stamps from someone else. There is, by the same token, no conservative theory of stamp collecting, although there could be conservative reasons for approving of people having harmless hobbies; and there is no Marxist theory of stamp collecting, although there might be Marxist accounts of the role of hobbies in distracting the proletariat from a proper understanding of its oppressed condition. Arguments for the virtues of philately are best made by stamp collectors who can point out the particular interest that stamps provide to their collectors and the particular pleasure people derive from completing their holdings of one or another kind of stamp or from hunting down rarities. Liberalism is not obliged to take sides on the value of philately in a full and rich human life, only on the value of the full and rich human life itself.

Having thus far insisted that a rational person might be no sort of a liberal, and that a rational liberal might be doubtful about espousing comprehensive liberalism, and that someone who espoused comprehensive liberalism might well settle for a minimalist and rights-based liberalism, I now change tack. I have no conclusive argument that a perfectionist, teleological, comprehensive liberalism is more plausible than any alternative; but I do wish to lay out what I would want to defend, were there space to do it at the length it needs.[19] It is, unsurprisingly, difficult to describe such a liberalism because—as is true of most forms of liberalism—much of it is couched in negatives; and it is difficult to describe because much of it must be shaded, qualified, and nuanced in ways that can easily seem to be shifty. With those hesitations in place, my view is this: *Pace* Locke, human beings are not born free, nor are they born equal. They are manifestly born into subjection to their parents and their parents in turn to an existing state. As for equality, they vary greatly in intelligence, strength, health, and much else; and, crucially, they vary in their tastes and passions. They can become free, and they can learn to treat each other as equals in crucial respects, summed up in the Kantian demand to treat one another as ends and never as means only. The liberal will find this demand easier because he or she will be deeply conscious of the fact that the world looks very different from different perspectives and that each of us sees the world only through one set of eyes. This is the "autonomist" view. The question is then what the autonomy at which individuals can aim looks like. This is where shiftiness threatens. If the ideal of autonomy is construed as the requirement that we always start from scratch, so that every belief and every value is held only after deep scrutiny, we shall never believe or value anything at all, not least because we shall become neurotic about the status of the logic on the basis of which we make inferences and about the data from which we make them.

[19] Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton University Press, 2005), makes the kind of case that is needed.

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For the purposes of liberal theory, "autonomy" means, as it literally does, being one's own master, or setting the rules by which we live for ourselves. We will always find ourselves with all manner of beliefs and wishes that at any particular moment constitute us as the persons we are, with the history we happen to have. Autonomy here means having the capacity to endorse and reject those beliefs and wishes without undue anxiety or difficulty. The negativity involved is that the key value in question is the *absence of fear,* not in the Stoic sense that we have so controlled our emotions that nothing can seriously perturb us, but in a much simpler sense; we must be able to contemplate the idea that the world may be quite other than we think, and that it should be quite other than we have hitherto thought, without panicking. Some people seem to have much of this enviable fearlessness almost as a natural gift; but almost anyone can acquire it, with the right education and imagination and practice. I believe that this ability to revise our sense of who we are, and of what we want out of life and from ourselves, is at the core of the liberal conception of the self, although this idea needs more argument than it will receive here. It makes for an open-ended and almost existentialist perfectionism. It may be rooted in an appreciation of straightforward utilitarian values, but it plainly goes beyond them in its conception of an ideal way of life. Mill's attempt to root this ideal in the utility of man as a progressive being has never carried very much conviction with Mill's critics.

This obviously rests on a modern conception of the individual as in some sense and to some degree self-creating. Mill's account of individuality in *On Liberty* is justly famous; but when John Dewey said that he wished he had said more about the individual's ability to be his own creator, and apologized for exaggerating the social quality of individual personality, it was Mill's vision of individuality that he was espousing.[20] Indeed, Dewey's pragmatism is in many ways a more congenial philosophical partner to such a vision than Mill's simpler naturalism. Mill's empiricist naturalism emphasizes the natural endowment of humanity, as though the greater part of what we become in later life is determined by this original endowment; and yet it cannot be, since he emphasizes so strongly our powers of self-creation. It is a familiar difficulty, and one that Mill had struggled with as a young man wrestling to render free will compatible with the psychological determinism he had been brought up to believe in. Dewey, in contrast, dismissed the idea of a fixed human nature as needlessly constraining; "growth" was the underlying principle of his educational theory and his social and political philosophy. If we now ask what is new about new liberalism, one answer is that it is self-consciously rooted in this open-ended, self-creating conception of the

[20] John Dewey, "I Believe," in Dewey, *Collected Works, Later Works,* vol. 14, ed. Jo Ann Boydston (Carbondale: Southern Illinois University Press, 1991), 90.

individual. As that suggests, it is more interested in the self than older forms of liberalism were.

A liberalism founded on a contentious view of human nature and embracing a far-reaching ideal of life plainly meets Rawls's conditions for "comprehensive" status. Does that mean it is inimical to Rawls's "political" liberalism? Plainly not, even in terms of Rawls's own theoretical construction. If "political" liberalism can be defended in terms of an overlapping consensus, then one contributor to that consensus is certainly comprehensive liberalism, along with the various religious worldviews that Rawls mentions. The argument of this essay has been that comprehensive liberalism is the *best* of these supports. Someone who begins with the comprehensive view so lightly sketched here will not wish to interfere with the freedoms of his or her fellow-citizens, or if he or she so wishes, will not wish to have that wish acted on. To put it more simply, he or she will think of everyone as possessing *as rights* just those immunities and powers that all liberal theories of politics converge on. What the comprehensive view will not do in the economic arena is side decisively with a libertarianism that sees all rights as possessions whose nature is modeled on freehold property. The role of property rights as usually understood in promoting the larger liberal goals that a comprehensive liberalism aims at is an empirical question of great difficulty, not a matter of principle. But the last sentence of a short essay is not the place to recapitulate the intellectual history of the last two centuries, except to say that if the question had been simple, we would surely by now have agreed on the answer.

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