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POLITICAL LIBERALISM VS. LIBERAL PERFECTIONISM



CAN LIBERAL PERFECTIONISM GENERATE
DISTINCTIVE DISTRIBUTIVE PRINCIPLES?

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Can Liberal Perfectionism Generate Distinctive Distributive Principles?

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In his book *Liberalism Without Perfection*, Jonathan Quong challenges liberal perfectionists to show whether their favoured doctrine is capable of generating distinctive distributive principles whilst retaining a valid conception of personal responsibility. In this article I develop this challenge into a dilemma and show that liberal perfectionists can escape by illustrating how arguments for the value of personal autonomy may entail a specific and distinct treatment of choice and responsibility. I develop this claim into a sufficientarian approach to the promotion of autonomy as self-authorship. In doing so I show how differing conceptions of both autonomy and the person employed by liberal perfectionists and political liberals entail different distributive outcomes.

I

Introduction

Within liberal political philosophy two central positions have developed regarding the question of legitimacy and the fundamental purpose of the liberal state. Liberal perfectionists argue that the state can appeal to value claims about what is required to live a flourishing life (a comprehensive justification) to justify the state's promotion of certain valuable ways of life over others (perfectionist state action). Political liberals deny both claims, instead arguing for a form of justificatory neutrality.¹ These two contrasting

¹ See for example Charles Larmore, *Patterns of Moral Complexity* (Cambridge: Cambridge University Press, 1987); John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993); Gerald Gaus, *Justificatory Liberalism* (Oxford: Oxford University Press, 1996); Gerald Gaus, *The Order of Public Reason* (Cambridge: Cambridge University Press, 2011).

views have a rich history and their disagreements have shed a great deal of light on many political problems. However, dialogue between the two positions, particularly on the topic of distributive justice, has been limited. This is in part due to liberal perfectionists' narrow focus on the nature and value of autonomy, which they believe provides the most plausible grounding for liberal principles. This has led them to often neglect some of the more traditional questions of distributive justice.

In his recent book Jonathan Quong has argued that with respect to distributive justice, liberal perfectionists have nothing distinctive to say and consequently their arguments are superfluous to our attempts to answer a number of central questions about justice. Further, the search for distinctive principles is likely to lead liberal perfectionists to embrace an implausible account of personal responsibility. In this paper I respond by developing a plausible and distinctive account of distributive justice that can only be offered by liberal perfectionists.

The argument is structured as follows: In the following section I outline Quong's objections in detail and explain the need for a response. In sections three and four I outline a liberal perfectionist account of distributive justice that develops arguments provided by Joseph Raz, Steven Wall and Ben Colburn. In section five I explain how the suggested position differs from its Rawlsian political anti-perfectionist rival by providing a distinctive outcome (thus escaping the first horn of the dilemma). In section six I assess the plausibility of the perfectionist interpretation of the relationship between personal autonomy and responsibility, illustrating why we should reject the claim that the position suggests an implausible interpretation of responsibility (thus escaping the second horn of the dilemma). Finally I conclude by assessing potential further avenues of research.

II

Why might we require a perfectionist account of distributive justice?

Quong raises his concerns when questioning the legitimacy of a liberal perfectionist state. He argues that Raz's service conception of authority fails at its task in establishing the legitimacy of a perfectionist state.² In exploring

² See for example: "Showing that citizens ought to obey the state's directives about human flourishing does not establish the state as a legitimate authority over this domain." Jonathan

a potential response to this concern, Quong argues that any attempt to appeal to the state's ability to ensure a just distribution to grant legitimacy will require an important further claim; that we should think of social justice in perfectionist terms. If this cannot be proven then we can only establish the legitimacy of non-perfectionist state action, thus fatally undermining the legitimacy of a perfectionist state.

Quong defines a perfectionist account of distributive justice in the following fashion:

Perfectionist Justice: "...the position which claims that each person's fair share of resources or advantages should be determined by reference to how much each person needs to flourish to the appropriate degree, as specified by the correct conception of the good life."³

On this definition, any account of liberal perfectionism that accepts a comprehensive justification⁴ will correspond to this definition, with the perfectionist's favoured account of flourishing acting as the correct conception of the good life. Crucially perfectionist accounts of justice reject the priority of the right over the good required by justificatory neutrality and public justification. Instead the right is thought of in terms of flourishing and the pursuit of the good life: "...though it may be true each person only owes others their fair share of resources or advantages, the idea of fair shares is entirely dependent on our judgements about the good life, and thus any duties associated with achieving this fair distribution should be properly regarded as perfectionist duties, and not simply non-perfectionist duties of justice."⁵ The valid conception of the good life for liberal perfectionists is the life of a sufficiently autonomous individual who is able to develop an authentic life plan and pursue it, thus furthering their own well-being. Autonomy as self-authorship is a thick (and thus controversial) conception of personal autonomy, favoured by liberal perfectionists because of its

Quong, *Liberalism Without Perfection* (Oxford: Oxford University Press, 2011), 120. In response Quong argues for a natural duties account of legitimacy.

³ Ibid., 122.

⁴ This sets aside the question of political perfectionism, which argues for perfectionism negatively (by rejecting public reasoning) rather than positively (by defending the possibility of a comprehensive justification). See Joseph Chan, "Legitimacy, Unanimity and Perfectionism," *Philosophy and Public Affairs* 29 (2000): 5-42; George Sher, *Beyond Neutrality* (Cambridge: Cambridge University Press, 1997).

⁵ J. Quong, *Liberalism Without Perfection*, 122.

global conditions.⁶ This account of autonomy forms the basis of the account of flourishing that liberal perfectionists intend to distribute.

Quong considers two routes to rejecting a perfectionist account of distributive justice. The first is to “deny that flourishing is the right currency of distributive justice.”⁷ However, given the size of the challenge required in arguing against the multiple premises of such a claim, he adopts a simpler approach: “In order for perfectionist justice to practically distinguish itself from non-perfectionist theories of distributive justice, such as Rawls’ or Ronald Dworkin’s theory, it must be the case that the distribution it recommends will differ from the distribution recommended by those non-perfectionist theories.”⁸ I take this challenge for distinctiveness to establish the first horn of the dilemma for liberal perfectionists.

The second horn is developed when Quong assesses the likely explanations from perfectionists for why people require different levels of resources to achieve the same level of flourishing. Quong explores four potential explanations for why this may be the case:⁹

- i) The imprudent behaviour of the agent leading to the loss of resources.
- ii) The existence of some disability (or other personal deficiency that the agent is not responsible for) that makes it more difficult for them to make use of physical resources.

⁶ By global conditions I follow Raz in accepting that the capacity for personal autonomy is determined by the possession of capacities capable of being externally affected and thus dictated by our behaviour against certain background societal (or global) conditions. Selfauthorship has received numerous treatments: Joseph Raz defines it as possessing three conditions: mental abilities, adequacy of options, and independence (Joseph Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), 373.) Steven Wall argues it has four: “(a) the capacity to choose projects and sustain commitments, (b) the independence necessary to chart their own course through life and to develop their own understanding of what is valuable and worth doing, (c) the self-consciousness and vigor to take control of their affairs and (d) an environment that provides them with a wide range of eligible pursuits to choose from” (Steven Wall, *Liberalism, Perfectionism and Restraint* (Cambridge: Cambridge University Press, 1998), 132). Ben Colburn argues that the tradition emphasises individuality and self-governance (Ben Colburn, *Autonomy and Liberalism* (New York: Routledge, 2011), 12-19). At its core, I believe that autonomy as self-authorship has two main conditions: competency and authenticity, where the former is a pre-requisite for the latter.

⁷ J. Quong, *Liberalism Without Perfection*, 122.

⁸ *Ibid.*, 122.

⁹ *Ibid.*, 122-6.

iii) The less efficient conversion of resources into flourishing for an agent because they hold false views about the good life.

iv) The fact that different people may need to pursue different activities in order to flourish, and each set of activities may be exclusive and differ in average cost.

Quong considers the fourth option to be the most plausible before dismissing it. Though he presents the challenge as a single argument, I believe this conclusion establishes a dilemma for the perfectionist. When arguing about distributive justice, liberal perfectionists face a challenge that their doctrine's conclusions will be unable to differentiate themselves from a non-perfectionist (Rawlsian or Dworkinian) scheme of distributive justice. The most likely approach available to differentiate their principles is through adopting a distinctive view regarding personal responsibility, however each of the four potential options that are available to them are (according to Quong) implausible, will fail to produce distinctive outcomes, or will conflict with the importance accorded to personal autonomy within such theories. Thus liberal perfectionists face a dilemma: their distributive principles will either a) be practically indistinguishable from non-perfectionist accounts, or b) rely on a far less plausible treatment of personal responsibility. Distinctiveness thus can only come at the cost of plausibility.

Meeting this challenge is crucial for motivating a broader liberal perfectionist account of political morality. Many perfectionists may be satisfied with generating identical distributive principles to anti-perfectionist accounts of liberalism, but justified according to their favoured metaphysical claims rather than an overlapping consensus of reasonable doctrines. The perfectionist may claim that their argument is a more truthful liberal justification of the shared identical distributive outcomes. Though exploring each contrasting account of the reasoning behind the identical distributive principles may be of academic interest in its own right, this assent will do little to clarify the issue or bridge the divide between the two positions. To further the debate liberal perfectionists must meet the political liberal's challenge of providing *both* a distinctive justification and a distinctive distributive outcome for their position on distributive justice to be considered novel or compelling. If this can be done then the case for the tradition is considerably strengthened.

The challenge is particularly difficult for liberal perfectionists. Non-liberal perfectionists can easily meet this challenge.¹⁰ Yet because liberal perfectionists focus on personal autonomy in their account of flourishing (as opposed to adopting say an Aristotelian account), they restrict the form of flourishing being promoted to a less controversial form. This ensures that the distributive outcomes are much closer to that favoured by liberal anti-perfectionists. The challenge is particularly important because political liberals may argue that the plausibility of principles can only be ensured by public justification. Because perfectionists rely on controversial value claims, in a comparison between perfectionist and non-perfectionist distributive schemes which because generate similar principles, the political liberal may argue that we have a reason to prefer a non-perfectionist scheme (as it is justified in a less controversial fashion). If this is true then the distinctive justification for shared principles offers us little. In response the liberal perfectionist must illustrate why we should prefer their doctrine, even if it requires a controversial justification. This long-term goal cannot be met without first illustrating what is unique or distinctive about the outcome of their view. Beginning this more modest goal is the intention of this article.

I argue that liberal perfectionists who intend to promote a unique currency or *distribuenda* – autonomy as self-authorship – can escape the dilemma and thus prove that a liberal perfectionist account of distributive justice can be both distinctive and plausible. In doing so I will show how the traditional liberal perfectionist argument for the value of personal autonomy may entail a specific and distinct treatment of choice and personal responsibility. Further, differing conceptions of both autonomy and the person employed by each tradition entail different distributive outcomes. Consequently liberal perfectionist principles are committed to promoting a different set of competencies than non-perfectionist principles and will be more likely to intervene to secure a sufficient range of options for citizens.

¹⁰ See for example Richard Arneson, “Welfare Should be the Currency of Justice,” *Canadian Journal of Philosophy* 30 (2000): 497-524; Richard Arneson, “Perfectionism and Politics,” *Ethics* 111 (2000): 37-63.

III

The Possibility of Distinctiveness

As noted above, Quong identifies the most plausible response that liberal perfectionists can give as similar to Tom Hurka's argument that different people may need to pursue different activities in order to flourish, and each set of activities may be exclusive and differ in average cost.¹¹ I believe that this is a misstep by Quong, and in fact the first option he explores (regarding prudent choices) is the most plausible response to the dilemma. The reason Quong dismisses this option appears to be his belief that to differ itself, the perfectionist position must lead the prudent to either always compensate the imprudent, or at least compensate them to an unreasonable degree. If this is the case, then perfectionism derives an implausible conclusion. If this is not the case, then the perfectionist cannot differentiate their position from its anti-perfectionist rivals. His thoughts are summarised as follows:

If perfectionist and non-perfectionist theories recommend different distributions, I do not think it is because perfectionists must be committed to the implausible thesis that justice should be insensitive to considerations of personal responsibility. Moreover, since non-perfectionists can and do disagree amongst themselves regarding the role personal responsibility should play in distributive justice, there is no particular position on this issue which a perfectionist could stake out which would necessarily distinguish perfectionist justice from non-perfectionist theories.¹²

I argue that the last section of the above statement is false. Liberal perfectionists can stake out a particular position on the relationship between responsibility, prudence and distributive justice that is distinct from non-perfectionist positions. The fact that non-perfectionists cannot agree what role responsibility should play within distributive justice does not preclude liberal perfectionists from showing that there is a position that is unique to their doctrine; coherent and plausible only in relation to their theoretical foundations and unique currency.

To see this we need to turn to the work of Ben Colburn. When outlining the distributive obligations of an autonomy-minded liberal state, Colburn describes the efforts a liberal state must go to promote self-authorship. Specifically, Colburn emphasises the roles voluntariness and responsibility may play in such arguments. Colburn explains his position as follows:

¹¹ See Thomas Hurka, "Indirect Perfectionism: Kymlicka on Liberal Neutrality," *Journal of Political Philosophy* 3 (1995): 36-57.

¹² J. Quong, *Liberalism Without Perfection*, 123.

Equal Access to Autonomy: “we should aim for the only inequalities in the actual autonomy of individuals’ lives to be ones for which they themselves are responsible”¹³

The similarities to Dworkin, Arneson and Cohen’s work on luck egalitarianism are obvious and welcomed by Colburn, given that he embraces what Arneson has named *luckism* (that personal responsibility matters intrinsically for social justice), with its source in voluntary choice.¹⁴ On this account voluntarism is a condition of responsibility and helps to ground the permissibility of differences between distributive holdings.

For Colburn, the value of autonomy grounds the liberal state’s requirement to promote self-authorship. There are two limiting factors on such promotion – an independence condition and a responsibility condition.¹⁵ The independence condition mimics Raz’s concern for preventing coercion and manipulation.¹⁶ Both phenomena reduce the authentic nature of our decisions and thus are prohibited as methods of promoting self-authorship. The responsibility condition is suggested as a natural consequence of respecting the autonomous agency of the citizen (and specifically the manner in which Colburn values voluntariness): “...it is not sufficient for autonomy just that an agent’s life goes in accordance with values that she decides upon. She must also be *responsible* for her life going that way...the concept of responsibility I have in mind incorporates both attributability...and substantive responsibility...”¹⁷

Colburn argues that there are four jointly sufficient conditions for holding people substantively responsible for deficits in their autonomy:

1. The deficits in autonomy must come about as a result of voluntary choices.¹⁸

¹³ B. Colburn, *Autonomy and Liberalism*, 84.

¹⁴ Richard Arneson, “Luck Egalitarianism – A Primer”, in C. Knight and Z. Stemplowska (ed.), *Responsibility and Distributive Justice* (Oxford: Oxford University Press, 2011): 24-50, at 36. Arneson contrasts two sources of luckism – choice and desert (only the first is relevant to the promotion of self-authorship).

¹⁵ B. Colburn, *Autonomy and Liberalism*, 84-6.

¹⁶ J. Raz, *The Morality of Freedom*, 377-8.

¹⁷ B. Colburn, *Autonomy and Liberalism*, 85. This distinction was made famous in Scanlon’s work on *attributive* and *substantive* responsibility. The former is taken as the basis of moral appraisal, whereas the latter is required when judgements express claims about what people are required to do for each other. See T.M. Scanlon, *What We Owe to Each Other* (Harvard: Belknap Press, 1998), 248.

¹⁸ Colburn employs Serena Olsaretti’s definition but recognises other may be employed, see B. Colburn, *Autonomy and Liberalism*, 32.

2. People's decisions about what is valuable must satisfy Endorsement and Independence conditions.¹⁹

3. People must also make those decisions against a background of information about the differential costs and payoffs of those decisions.

4. Both people's decisions and their lives must take place against a background of institutions designed, so far as possible, to provide equally the minimal conditions (internal and external) for an autonomous life.²⁰

The fourth condition is interesting for two reasons. The first is that it reinforces the need to ensure the competencies of citizens. As Colburn notes: "...the autonomy-minded state will have a double reason to ensure that they have the basic skills and knowledge required to live autonomously. Such provision will both promote autonomy, and also provide the conditions for people being held responsible for such deficits in autonomy as still remain."²¹ Thus an acceptance of luckism helps to strengthen one of the central distributive commitments of self-authorship, ensuring the decision-making competency of citizens.

The second reason for our interest in the condition is the possibility for people to fall below the minimal conditions for autonomy (in a manner compatible with the first three conditions), and so find themselves unable to live an autonomous life without assistance. Colburn argues that such individuals should be held attributively (but not substantively) responsible for their choices under these conditions. Further, the state has a duty of rescue in such conditions. This conclusion rests on the fact that people can, as a result of their own voluntary choices, find themselves less able than otherwise to authentically decide between potential life goals or to pursue their goals autonomously. Colburn summarises this claim as follows:

My point was that it would be impossible to promote people's autonomy in respect of such decisions: a state system which aimed to make them more autonomous by correcting for these sorts of things would fail to do so, precisely because it would undermine their responsibility (and their lives going in accordance with their decisions about what is valuable would not then contribute to their autonomy). This point does not apply, however, to cases where someone no longer has the minimal conditions for living an autonomous life. In such cases, state action which ignores their attributive responsibility for being in that condition cannot threaten their ability to live an

¹⁹ See *Ibid.*, 25-31.

²⁰ *Ibid.*, 87-92.

²¹ *Ibid.*, 89-90.

autonomous life (as it normally would), for *ex hypothesi* we are talking about cases where the chances of living autonomous lives are gone anyway.²²

Here we see a plausible solution to the tension between promoting autonomy and holding people responsible for their choices. On this account of autonomy-minded liberalism the state has a reason to ensure citizens flourish by enjoying the conditions of self-authorship. One of these conditions is that the state must respect the sovereignty of decisions made by those who enjoy the conditions of responsibility entailed by self-authorship. However, if the citizen authentically chooses to act in a way that will reduce their future autonomy under a threshold required for a decision to be considered responsible (and thus autonomous), the state has a duty of rescue toward the citizen once they fall below the threshold. State action to prevent voluntary decisions of autonomous agents that would (without the interference) lead them to fall below the threshold is thus presumptively wrong and requires (perfectionist) justification.

By recognising a link between autonomy and responsibility the argument supports a threshold that results in a distinctly sufficientarian distribution of the competencies required for autonomy. Above the threshold luckism reigns, below the threshold a prioritarian concern for competency required by the responsibility condition of autonomy is in place.

One way to explain the threshold within Colburn's view is to phrase it in response to a problem posed by Carl Knight and Zofia Stemplowska. They assert that the key problem facing responsibility-sensitive accounts of distributive justice is the following:

Under what conditions, if any, could being agent responsible for finding oneself in a situation in which one suffers a disadvantage (or enjoys an advantage) make one consequentially [substantively] responsible for the (dis)advantage as far as distributive justice is concerned?²³

²² B. Colburn, *Autonomy and Liberalism*, 90-1.

²³ Carl Knight and Zofia Stemplowska, "Responsibility and Distributive Justice: An Introduction" in Knight and Stemplowska (ed.), *Responsibility and Distributive Justice*: 1-23, at 15. This problem relies on the introduction of a third conception of personal responsibility—*agent* responsibility: "To attribute agent responsibility for X we need to find both a causal link between the person and X (i.e. attribute causal responsibility) as well as establish, in addition, that X stems appropriately from that person's agency" (*Ibid.*, p. 12). Agent responsibility is a thin conception of personal responsibility that can act as a necessary condition of attributive or substantive responsibility. It merely identifies what it means for an action to belong, in some sense, to some individual's agency (giving no mention of praise or blame, nor who should bare the costs of such a decision).

This problem clearly shows the interrelation between the conceptions of responsibility and how they relate to distributive justice. As a response to this question Colburn's model is structured as follows:

Colburn's Threshold: The conditions under which being agent responsible for personally enjoying/suffering an (dis)advantage in our capacity for autonomy can make us consequentially responsible for that (dis)advantage if we find a) that the decision is made by an individual who possesses capacities above the relevant threshold of those capacities required for self-authorship, and b) that the decision does not reduce those capacities the individual can bring to bear on future decision to a level below the threshold.

I believe Colburn is right to insist that the threshold that results from the responsibility condition is a natural product of thinking about how the relationship between autonomy and responsibility should impact on the autonomy promoting liberal states' activities. In the same fashion that Dworkin's *Sovereign Virtue* applied personal responsibility to liberal egalitarianism, the arguments in Colburn's *Autonomy and Liberalism* apply personal responsibility to liberal perfectionism in a plausible and compelling fashion. Yet while there is nothing necessarily perfectionist about the combination of luck-egalitarianism and sufficientarianism, the combination of the responsibility condition and the distribution of self-authorship is. To provide a way out of the dilemma, Colburn's arguments do not need to be defended as the best or most plausible view of perfectionist justice. All that needs to be shown is that they are perfectionist and distinctive. As I will show, Colburn's threshold can be defined in a distinctively perfectionist manner and thus it may form the central pillar of a response to Quong's dilemma. To show how we might manage this, it would be prudent to first further explore and develop the structure of a sufficientarian promotion of self-authorship.

IV

Developing the View

In defending a threshold view like Colburn's three questions become pertinent: First, we must show why sufficiency is the natural interpretation of promoting autonomy. Why shouldn't it simply be maximised? Why not

favour equality or priority instead? Second, we must consider the fashion in which autonomy should be promoted below the threshold, resolving some of the indeterminacy within Colburn's arguments. Third, we must explain why the responsibility condition of self-authorship is perfectionist. In this section I will take each question in turn with the intention of developing further Colburn's arguments.

First, why does Colburn favour a threshold based view? Originally his argument begins with a defence of an egalitarian range of distribution, on the grounds of a norm of non-discrimination.²⁴ He is sceptical of a positive argument – the search for some characteristic that is equally shared by all and according to which we all deserve an equal distribution of autonomy. Instead Colburn adopts a negative argument, shifting the burden of proof onto those who deny the claim that if we care about anyone's autonomy we should care about everyone's equally. This is supported by the belief that the differences between each of us are irrelevant to the value of living an autonomous life.²⁵ Therefore according to the non-discrimination argument, equality provides the answer to who the good is distributed to.

However the good that citizens are receiving equal access to (autonomy as self-authorship) has a distinctly sufficientarian character due to its threshold structure. This structure results from the responsibility condition which, alongside the independence condition, is an internally generated requirement on Colburn's account of self-authorship. Respect for the sovereignty of autonomous decisions requires the freedom to responsibly decide to diminish our future autonomy. However there is a lower limit to this freedom. Thus a threshold view is required. Alternative schemes of distribution (such as maximisation,²⁶ strict priority, or strict equality) would not allow citizens this freedom and, as a consequence, would fail to respect

²⁴ B. Colburn, *Autonomy and Liberalism*, 78-82.

²⁵ See for example: "A government policy aiming to promote some such value should aim for that property to be shared equally amongst people *unless* it can point to some relevant difference between them...since there is no difference between people which could be relevant to the value of autonomy, the government should show equal concern for everyone's autonomy" (Ibid., 80).

²⁶ For specific arguments against interpreting perfectionist arguments for the value of autonomy as requiring maximisation see: S. Wall, *Liberalism, Perfectionism and Restraint*, 183-9. Wall claims that: "It should occasion no surprise if some do not need to be as autonomous as others to lead a fully good life. Accordingly, holding that all people have reason to be autonomous does not commit one to the view that all people have reason to be autonomous to the same degree...They only have reason to be sufficiently autonomous, where sufficiency is a variable that is not constant across persons" (Ibid., 184-5).

the sovereignty of autonomous decisions. These schemes would compensate unnecessarily, treating autonomous citizens in a similar manner to non-autonomous citizens. A threshold view allows us to differentiate between those who need the state's aid and those who can be held responsible for their decisions. This requirement of the responsibility condition is provided by a sufficientarian distribution. Thus on Colburn's view we require equal access to sufficient autonomy. Sufficiency, therefore, provides the answer to how much of the good each citizen should receive.²⁷

Contrary to being unstable, Colburn offers this combination as the natural interpretation of a responsibility-sensitive distribution of self-authorship. However accepting the egalitarian application of Colburn's threshold principle does not exhaust the questions that face a sufficiency-based approach to the promotion of autonomy.²⁸ Indeed the adoption of the responsibility condition generates an ambiguity. It is unclear exactly what commitments the perfectionist has to those who fall below the threshold. How should the safety net be arranged? At least two possible distributive schemes are viable candidates. Consider the following:

Absolute Priority – Under this scheme the state should design the safety net to focus resources on aiding those who enjoy the least autonomy (the worst off in terms of self-authorship).

Headcount Sufficientarianism – Under this scheme the state should design the safety net to maximise the number of sufficiently autonomous citizens.²⁹

Each option has potential strengths and weaknesses. I take it that the priority claim is favoured by Colburn, given his stated preference for lifelong

²⁷ This claim differs in nature from Gerald Dworkin's claim regarding the nature of a sufficient range of options. See for example: "...that neither the instrumental nor the noninstrumental value of having choices supports the view that more are always preferable to fewer. In the realm of choice, as in all others, we must conclude – enough is enough" (Gerald Dworkin, *The Theory and Practice of Autonomy* (Cambridge: Cambridge University Press, 1988), 81). This type of argument rests on the claim that after a point (tracking the competency of the individual) an increase to the number of options the individual faces is likely to impair their ability to reflect authentically on the choices they face.

²⁸ For more on sufficientarianism as a distributive ideal see: Harry Frankfurt, "Equality as a Moral Ideal," *Ethics* 98 (1987): 21-43. For criticism, see: Paula Casal, "Why Sufficiency is Not Enough," *Ethics* 117 (2007): 296-326.

²⁹ This is a reformulation of the "Headcount Claim" suggested by Liam Shields. See Liam Shields, "The Prospects for Sufficientarianism," *Utilitas* 24 (2012): 101-117, at 103.

support for the disabled.³⁰ One important sense in which an individual can be severely disabled is due to their lack of the capacities required for autonomy.³¹ Prioritising the care for those furthest from the threshold of sufficient capacities is entailed by absolute priority but not headcount sufficientarianism. However, problematically the prioritarian appears committed to the promotion of autonomy for those who may never exceed the threshold. The reverse is true for the headcount view, which a perfectionist may adopt if he or she believes that what is morally important is ensuring the greatest number of sufficiently autonomous citizens. However such a view may be guilty of condemning the very worst off.

Our decision between the two options will depend on the position we take on the relationship between autonomy and well-being. If we believe that the promotion of autonomy promotes an individual's well-being *regardless* of their proximity to the responsibility threshold, then we think the more important it is to benefit someone the worse off they are in absolute terms. Thus we will favour the prioritarian position. If however, the well-being of citizens is only improved by an individual becoming sufficiently autonomous and then pursuing their authentic life goals, then we should favour the headcount view. On such a view, more autonomy does not necessarily lead to more well-being, what matters morally is that individuals reach the level at which they can be held responsible for their authentic choices.

No simple answer offers itself to this puzzle and my intention here is only to highlight it as the sort of question that would benefit from further argument and reflection. Crucially for us, both positions are compatible with the threshold and adopting either position will further inform the distributive scheme suggested by Colburn.

Exploring the implications of the responsibility condition is instrumental in explaining why the condition is perfectionist. The relevant test to see whether this is the case is to ask whether we can derive the outcomes implied by the responsibility-sensitive promotion of self-authorship without relying on comprehensive or controversial arguments. I claim that we cannot, and thus the responsibility condition of self-authorship is necessarily

³⁰ B. Colburn, *Autonomy and Liberalism*, 95-6.

³¹ See for example Leslie P. Francis, "Understanding Autonomy in Light of Intellectual Disability," in K. Brownlee and A. Cureton (ed.), *Disability and Disadvantage* (Oxford: Oxford University Press, 2009): 200-15.

perfectionist. Because of this, it is a valid candidate for responding to the dilemma.

To show this we must understand why, according to Colburn's arguments, the responsibility condition is a necessary condition of autonomy as self-authorship. It is one of two internally generated principled limitations on how we promote autonomy (alongside the independence condition). The independence condition restricts the forms of state intervention, whilst the responsibility condition restricts the scope of intervention to those who lack the competency for responsibility. This generates the threshold. As noted above, Colburn suggest four conditions of responsibility. The fourth—that both people's decisions and their lives must take place against a background of institutions designed, so far as possible, to provide equally the minimal conditions (internal and external) for an autonomous life—is perfectionist *if* the promotion of autonomy as self-authorship is shown to be perfectionist.

This appears to be a simple task. The promotion of self-authorship as a currency of distribution is only suggested by liberal perfectionists, supported by their particular comprehensive justification. The promotion of self-authorship is comprehensive (and thus controversial) because it relies on one of two arguments. Either we promote self-authorship according to a welfare-based argument,³² or we promote it according to a respect for agency argument.³³ However this task is complicated by Colburn's own insistence of generating a demand for autonomy-minded liberalism in an anti-perfectionist manner.³⁴ Briefly, Colburn is sceptical of the coherence and success of arguments for political anti-perfectionism, believing instead that a comprehensive form of liberalism that is perfectionist with regard to autonomy but anti-perfectionist with regard to other values is the most plausible position to take.

³² On this account the claims that promoting autonomy promotes welfare (the nature of flourishing) and that welfare should be the main consideration of distributive justice (the role of flourishing) are controversial.

³³ These accounts will rely on a Kantian interpretation of the person and related arguments regarding respect for persons as autonomous agents. Such claims are considered controversial by Rawls in his transition between *Theory of Justice* and *Political Liberalism*, necessitating the adoption of the political conception of the person.

³⁴ See Ben Colburn, "Forbidden Ways of Life," *The Philosophical Quarterly* 58 (2008): 618-629; Ben Colburn, "Autonomy and Anti-Perfectionisms," *Analysis* 70 (2010): 247-256; B. Colburn, *Autonomy and Liberalism*, especially chapters 2 and 3.

This specific claim has been subject to criticism.³⁵ However, even if Colburn can successfully prove the coherence of his own claims regarding autonomy and anti-perfectionism, his position will still face a larger challenge posed by Quong who argues that comprehensive liberalism is tied inexorably to some form of perfectionism through its reliance on a controversial justification:

Once liberalism is tied to some specific views about the good life, the liberal state will unavoidably be acting for perfectionist reasons: it will be making decisions about what should be legal and illegal, what is just and what is unjust, based on a particular thesis about what adds inherent or intrinsic value to a human life.³⁶

By this argument, the controversial foundations of the comprehensive liberal state are inseparable from controversial (perfectionist) state action. There is no separation between the two, even if the value appealed to (and promoted) is autonomy:

Appealing to the comprehensive value of autonomy may be a sound way to make the case as to why the state should not, on the whole, engage in coercive paternalism. But liberals should be clear that this sort of argument is itself a form of perfectionism: it is only a sound argument if the value of living autonomously (or the importance of promoting autonomy more widely) outweighs the disvalue of whatever activity is under scrutiny.³⁷

Quong's argument poses a troubling thought for comprehensive anti-perfectionists. On this view comprehensive anti-perfectionists are guilty of confusing the prevention of coercive paternalism as a form of anti-perfectionism. Instead what comprehensive anti-perfectionists establish is a minimal form of perfectionism that prevents coercion for controversial reasons. To see this consider what an appeal to autonomy achieves:

Even if autonomy is of great value, this does not preclude the state from acting for other perfectionist reasons provided it can do so without undermining the autonomy of citizens. Thus, if liberalism is defined by its commitment to the comprehensive value of autonomy, there need be nothing illiberal about certain kinds of perfectionism in politics.³⁸

I believe this observation regarding the tensions inherent to comprehensive anti-perfectionism is convincing. Consequently I suggest that we set aside Colburn's claim that we can generate a commitment to

³⁵ See for example Thomas Porter, "Colburn on Anti-Perfectionism and Autonomy", *Journal of Ethics and Social Philosophy* (2011).

³⁶ J. Quong, *Liberalism Without Perfection*, 25.

³⁷ *Ibid.*, 24-5.

³⁸ *Ibid.*, 25.

promoting self-authorship in an anti-perfectionist manner and progress to explore the distinctiveness of self-authorship and the conception of the individual as self-author.

V

Escaping the Dilemma: The First Horn

So far I have claimed that a distinctive set of liberal perfectionist distributive principles can be conceived of in the form of choice-based responsibility-sensitive sufficientarianism, distributing access to a substantive conception of autonomy. But why are such principles distinctive? It is to this question that I will now turn. The first part of Quong's challenge (that I interpret as the first horn of a dilemma) challenges liberal perfectionists to show that their distributive outcomes are distinct from those suggested by anti-perfectionists.³⁹ I argue that we have good reasons to believe that liberal perfectionism's efforts to distribute self-authorship can achieve this.

There are two major differences that can form the basis of liberal perfectionism's distinctiveness claim. The first difference is the contrasting competency conditions that the perfectionist and non-perfectionist states intend to promote. This is dictated by the different conception of the person that each employs in their distributive model. The second difference is the perfectionist state's willingness to promote some ways of life over others to ensure an adequate range of options for citizens to choose between.⁴⁰ At the root of these differences is the account of flourishing employed as a unique currency of distribution and the perfectionist rejection of the priority of the right over the good required to support such a currency.

³⁹ I take this challenge to imply a contrast with political liberalism. It is true that the contrast between perfectionist and anti-perfectionist principles is less obvious when we shift to consider to Ronald Dworkin's equality of resources. However if we accept Quong's claim that Dworkin's comprehensive anti-perfectionism is really a weak form of perfectionism then the similarities between Colburn and Dworkin do not trouble the distinctiveness claim I defend. It is Rawls's political conception of the person as a free and equal fully cooperating member of society that offers thresholds that differ in *both* character and strength to those proposed by liberal perfectionism. Quong's arguments explain the reason for this – Rawls is an anti-perfectionist, Dworkin is not.

⁴⁰ It is this second difference that invites the second horn of the dilemma (as such promotion may be seen to clash with holding autonomous citizens responsible for their personal choices). Consequently this difference will be discussed in the next section.

The argument for escaping the first horn of the dilemma begins with recognising that liberal perfectionists are distributing a currency different to other distributive principles. This fact relies on employing a distinctive conception of the person, justified by an unrestricted range of moral reasons. Both considerations imply the promotion of a unique set of competencies, resulting in a distinctive resource allocation. This claim may be contested by political liberals who may argue either that non-perfectionist distributive schemes are able to promote autonomy in a similar fashion or that the resulting distribution of resources will not significantly differ. Is this the case?

Rawls conceives of the citizen as a fully cooperating member of society in accordance with the *political* conception of the person as free and equal (due to their possession of the two moral powers).⁴¹ This contrasts with the conception of the autonomous self-author⁴² that liberal perfectionists employ. Rawls lists the basic elements of reason and rationality⁴³ required to be a fully cooperating member of society as follows:

- 1) the two moral powers,
- 2) the necessary intellectual powers of judgement, thought and inference required to make use of these powers,
- 3) a determinate conception of the good interpreted in the light of a (reasonable) comprehensive view,
- 4) the requisite capacities and abilities to be normal and cooperating members of society over a complete life.

The competencies required to be a self-author differ with each of those required to be a fully cooperating member of society as follows:

⁴¹ Briefly the two moral powers are the capacity for a sense of justice and for a conception of the good (J. Rawls, *Political Liberalism*, 19). Rawls employs the political conception of the person as a fully cooperating member of society to simplify the background to his theory and focus on the key questions of political liberalism: “Since we begin from the idea of society as a fair system of cooperation, we assume that persons as citizens have all the capacities that enable them to be cooperating members of society. This is done to achieve a clear and uncluttered view of what, for us, is the fundamental question of political justice: namely, what is the most appropriate conception of justice for specifying the terms of social cooperation between citizens regarded as free and equal, and as normal and fully cooperating members of society over a complete life?” (Ibid., 20). Rawls explicitly sets aside issues regarding: (i) Health Care (including both temporary and permanent disabilities/mental disorders), (ii) Duties to future generations, (iii) Global duties (the so called law of peoples).

⁴² J. Raz, *The Morality of Freedom*, 370.

⁴³ J. Rawls, *Political Liberalism*, 81.

First, because the right is no longer prior to the good (but at least partly constituted by it) liberal perfectionism will require the second moral power to be given primary importance. By making decisions about distributive justice dependent on an account of flourishing based on the ability to autonomously conceive of and pursue our conceptions of the good, the sense of justice that the first moral power relates to will be constituted by our capacity for autonomy (the second moral power). The citizens' capacity to understand, to apply, and to act from "...the principles of political justice that specify the fair terms of social cooperation"⁴⁴ will change to reflect the fact that principles of perfectionist justice calculate the idea of fair shares in a fashion "...entirely dependant on our judgements about the good life."⁴⁵ Accordingly the first moral power is reformulated to reference a form of flourishing related to the second moral power.

Second, due to the importance of personal autonomy, the required intellectual powers will differ because of the greater focus placed on the pursuit of an authentically selected conception of the good. Due to the rejection of the priority of the right over the good, the required powers of judgement, thought and inference may possess a more controversial character in line with the move towards flourishing.

Third, the reference to reasonable conceptions of the good will be redundant. This is because whether a way of life actively fosters (or does not actively restrict) the account of flourishing will replace reasonableness as the test of acceptability for a conception of the good.

Fourth, the reasonable moral psychology required to be a normal and cooperating member of society will also be more demanding, given that self-authorship aims at more than just full cooperation.⁴⁶

⁴⁴ John Rawls, *Justice as Fairness: A Restatement* (Harvard: Belknap, 2001), 19.

⁴⁵ J. Quong, *Liberalism Without Perfection*, 122.

⁴⁶ To be more specific on this last point, the second form of principle-dependent desires outlined by Rawls: those that regulate how a plurality of agents are to conduct themselves in their relations with one another (J. Rawls, *Political Liberalism*, 83) will differ, moving away

In each of these four categories the more demanding view (entailed by perfectionism's promotion of a controversial form of flourishing) differs from those outlined by Rawls. This is due to the stark contrast between how the state conceives of the citizen under either doctrine. For the political liberal, the citizen is free and equal in their possession of the two moral powers. The result of this is that they are free to act as a fully cooperating member of society and pursue a reasonable conception of the good. They can do so while enjoying a just distribution of the primary goods, distributed by the basic structure according to the Rawlsian principles of justice. Under this scheme political liberals treat citizens as if they possess 'full autonomy.'⁴⁷ This is valuable for its role in allowing an individual to be a fully cooperating member of society. However autonomy is meant in a *political*, not *ethical* sense for members of a well-ordered society: "...full autonomy is realised by citizens when they act from principles of justice that specify the fair terms of cooperation they would give to themselves when fairly represented as free and equal persons."⁴⁸ Rawls explicitly contrasts this conception of autonomy with autonomy as an ethical value in the traditional Kantian or Millian sense of the word: "Justice as fairness emphasizes this contrast: it affirms political for all but leaves the weight of ethical autonomy to be decided by citizens severally in light of their comprehensive doctrines."⁴⁹

The liberal perfectionist state rejects this latter option, promoting ethical autonomy to a sufficient level to ensure citizens are capable of flourishing. This differing view of the person prevents the political liberal from promoting a substantive conception of autonomy in the same manner as a liberal perfectionist. Due to these contrasting conceptions of the person and accounts of autonomy, each doctrine requires a different set of capacities to be ensured for citizens. This in turn will entail differing distributions of resources.

from Rawls' focus on fairness and justice subject to a publicity constraint. Its content will not solely be drawn from the democratic ideal, public culture and shared historical traditions (Ibid., 85). The favoured conception of self-authorship will also play a role in working out what rules of agent conduct are acceptable, and where the former conflict with the latter, the liberal perfectionist is committed to prioritising their account of autonomy.

⁴⁷ Ibid., 77-81.

⁴⁸ Ibid., 77.

⁴⁹ Ibid., 78.

Taking liberal perfectionism first, each account will fill out the required competencies in a different fashion and debate amongst perfectionists is certainly worthwhile to this end. However given the substantive nature of each account of flourishing, any liberal perfectionist account of distributive justice is certain to generate a different set of competencies to a Rawlsian account. To illustrate this claim consider what is entailed by the accounts of Raz, Wall and Colburn:

On the Razian account of self-authorship a person's life goes well if they are successful in their pursuit of valuable goals in an autonomous fashion. Due to the social forms of western societies, citizens will fare badly in their lives if their choices are coerced, if they have no choices to make, or if they passively drift through life.⁵⁰ Citizens must possess "...minimum rationality, the ability to comprehend the means required to realise his goals, the mental faculties necessary to plan actions, etc."⁵¹ Alongside this, citizens should enjoy an adequate range of options.⁵² Our decisions should be independent, and thus the state will protect citizens from unjustified coercive and manipulative influences.⁵³ Finally citizens are subject to a range of autonomy-based duties towards one another,⁵⁴ which help to create and sustain an adequate range of options and foster a range of inner capacities required for the conduct of an autonomous life.⁵⁵ Of the latter Raz suggests the following: basic cognitive capacities, emotional and imaginative make-up, health and physical abilities and skills, and the character traits necessary for living a life of autonomy (stability, loyalty and the ability to form personal attachments and maintain intimate relationships).⁵⁶

Steven Wall suggests four basic elements required to promote self-authorship. The first is the general capacities necessary for pursuing commitments, relationships and goals. These consist of the capacity to conceive of alternative projects, to form complex intentions, to plan ahead, and to evaluate the likelihood of success in different courses of action. Further the citizen should be psychologically healthy and various virtues may be fostered (including mental resolve and the strength of character to

⁵⁰ J. Raz, *The Morality of Freedom*, 371.

⁵¹ *Ibid.*, 373

⁵² *Ibid.*, 373-6.

⁵³ *Ibid.*, 377-8.

⁵⁴ *Ibid.*, 407-9.

⁵⁵ *Ibid.*, 408.

⁵⁶ *Ibid.*, 408.

commit to decisions).⁵⁷ The second element is independence from others. This entails freedom from coercion and manipulation, alongside a virtue that Wall names independent mindedness.⁵⁸ The third element is the self-consciousness and vigour to take control of our own affairs. For this we must satisfy two basic awareness conditions. For vigour Wall argues that the absence of certain afflictions will suffice. These include "...world-weariness, emotional distress, depression, laziness and perhaps a growing sense of the meaninglessness of the world and one's place in it."⁵⁹ The fourth element is an option requirement that, like Raz, can be satisfied to varying degrees.⁶⁰

Finally Ben Colburn's suggested conditions for autonomy differ somewhat from those suggested by Raz and Wall.⁶¹ Colburn divides his suggestions into *internal* and *external* conditions. For internal conditions Colburn offers a number of competency conditions including a requirement that citizens are well-informed and knowledgeable about their options and own strengths and weaknesses, that they should possess various cognitive skills, that they should have access to various sources of inspiration, and that they should have the ability to recognise and resist dangers to their independence. Colburn intends for these conditions (and others) to be provided by a comprehensive education system (both child and adult orientated), but acknowledges that this may require a controversial position of upbringing.⁶² Alongside this, his external conditions are a blend of independence, sufficient range of options and equality of opportunity conditions.⁶³

Political liberals, in comparison, may claim that capacities similar to those required for self-authorship could be met under an expansive reading of the primary social goods, under either: a) the basic rights and liberties, because such rights and liberties "...are essential institutional conditions required for the adequate development and full and informed exercise of the two moral powers..."⁶⁴, and the second moral power is the pursuit of our conception of the good; or b) the social bases of self-respect "...understood as those aspects of basic institutions normally essential if citizens are to have a lively

⁵⁷ Wall, *Liberalism, Perfectionism and Restraint*, 132-33.

⁵⁸ *Ibid.*, 133-8.

⁵⁹ *Ibid.*, 139.

⁶⁰ *Ibid.*, 143.

⁶¹ B. Colburn, *Autonomy and Liberalism*, 94-101.

⁶² *Ibid.*, 98.

⁶³ *Ibid.*, 98-101.

⁶⁴ J. Rawls, *Justice as Fairness: A Restatement*, 58.

sense of their worth as persons and to be able to advance their ends with self-confidence.”⁶⁵ A suitably thick account of self-respect or the right to exercise the second moral power may generate the required treatment of autonomy.

However the plausible justification of either substantive option is likely to reference flourishing rather than the more minimal thresholds required for reasonable cooperation. Thus, it is difficult to see how either could achieve the required outcome whilst remaining anti-perfectionist. The less-demanding nature of these thresholds is determined, in part, by the priority of the right over the good. Because of this political liberals are restricted in how they treat differences between citizens. Rawls intends that citizens who differ in their moral and intellectual capacities below a threshold required to be a fully cooperating member of society should be brought back up over the threshold by a combination of fair equality of opportunity and the difference principle.⁶⁶ Those variations that do exist under a just distribution are expected to be above the threshold and thus irrelevant to the principles of distributive justice because they do not prohibit the citizen from being a fully cooperating member of society. This is not the case for the liberal perfectionist, who ties the threshold for acceptable variations much higher and in a range of different capacities. This is because the thresholds are determined by a more substantive account of flourishing or self-authorship.

In a comparison between the conditions a citizen faces under these schemes, the contrast becomes clear. Consider Alice, an individual who has the choice to live in two possible worlds – one governed by Rawlsian principles and one governed by either of the three liberal perfectionist schemes outlined above. Regardless of which choice would be better for Alice, we must recognise that the choice that Alice faces is a *genuine* choice between different alternatives. The duties that she will be subject to as a fully cooperating member of a well-ordered society will differ to those under a Razian scheme. Many of the virtues and psychological conditions that Wall suggests will be beyond the scope of a Rawlsian scheme of distribution. Even Colburn’s information requirement (depending on its demandingness) may be too onerous for a political liberal state.

The possible perfectionist and anti-perfectionist worlds that Alice faces will necessarily distribute their resources in a different fashion. In the

⁶⁵ J. Quong, *Liberalism Without Perfection*, 59.

⁶⁶ See J. Rawls, *Political Liberalism*, 184.

perfectionist society, resources will be expended allowing citizens to flourish and pursue their authentic ends (compatible with the harm principle). In the anti-perfectionist society, resources will be expended allowing fully cooperating, free and equal citizens to employ their just share of primary goods as they wish. The reason these scenarios may appear similar is that both systems are liberal, protecting similar rights and so on. However differences do exist.

It is possible, for example, for Alice to pursue activities that will lead her to slip below the threshold required for self-authorship (and thus require compensation in a perfectionist society) but not below the threshold required for a fully cooperating member of society (and thus not require compensation in a political liberal society). Such activities may include recreational drug use and membership of groups that (although externally reasonable) have strictly enforced internal norms that preclude Alice from a number of important life choices. These choices, though minor, are the source of traditional disagreements between liberal perfectionists and political liberals.

Further, even if Alice finds herself above the threshold required for responsibility-sensitivity, inequalities between herself and other similarly situated citizens may exist on (autonomy-based) grounds that would be impermissible in a Rawlsian society. To see this consider Alice's neighbour Brian. Although Alice is sufficiently autonomous but relatively resource poor,⁶⁷ Brian is far wealthier in terms of resources but lacks the ability to authentically decided how to employ them in the pursuit of his own good. If the disparities grow large enough, we may see compensatory packages of resources flow in opposite directions under either doctrine to benefit either Alice (who is poor in terms of resources) or Brian (who is poor in terms of flourishing). At the societal level, perfectionists may be happier to allow increased inequality of opportunity or resources if doing so secured sufficient autonomy for a wider range of citizens.

The differences between the doctrines are particularly important when we consider the treatment of children. In his treatment of the demands of a liberal education and the educational opportunities children should face, Harry Brighouse distinguishes between an autonomy-facilitating and autonomy-promoting education. A facilitating education is designed to

⁶⁷ It is worth noting that sufficient autonomy requires that many of our basic needs are met to prevent them from undermining our decision-making ability (see J. Raz, *The Morality of Freedom*, 376).

provide the toolset for critical reflection without encouraging an autonomous way of life over others.⁶⁸ Although motivated by scepticism regarding autonomy's relationship to well-being rather than a desire for justificatory neutrality, Brighouse concludes through an instrumental argument (denying intrinsic value claims) that an autonomy-facilitating education scheme is all that is compatible with political liberalism.⁶⁹

Pressure can be pushed on the coherence of Brighouse's distinction between autonomy-facilitating and promoting educations.⁷⁰ Yet regardless of this, his claims illustrate that liberal perfectionism is committed to both controversial intrinsic value claims and the provision of an autonomy-promoting education.⁷¹ A political liberal educational policy is committed to educating students to be fully cooperating reasonable citizens, capable of understanding reasonable pluralism, being able to make use of their moral powers, and capable of treating others as free and equal. Further citizens should not be prevented from pursuing their reasonable ends (in line with Brighouse's autonomy-facilitating education, if proven to be coherent). This contrasts with an autonomy-promoting educational policy, which is committed to ensuring that children develop to be fully able to pursue a sufficiently wide range of valuable options. This requires they possess a wider range of rational faculties and a working knowledge of valuable ways of life, alongside a wider range of opportunities to employ these valuable aspects in order to flourish.⁷²

⁶⁸ Harry Brighouse, *School Choice and Social Justice* (Oxford: Oxford University Press, 2000), 80.

⁶⁹ *Ibid.*, 103-4.

⁷⁰ See for example Randall Curren et al., "Book Symposium: Harry Brighouse, *School Choice and Social Justice*," *Studies in Philosophy and Education* 20 (2001): 387-421. For a stronger challenge to the distinction between comprehensive and political education see Eamonn Callan, *Creating Citizens* (Oxford: Oxford University Press, 2004), especially chapters 1-3.

⁷¹ For more on autonomy and educational policy see Eamonn Callan, *Autonomy and Schooling* (Montréal: McGill-Queen's University Press, 1988), especially chapters 1-2; Donald Kerr, "Teaching Autonomy: The Obligations of Liberal Education in Plural Societies," *Studies in Philosophy and Education* 25 (2006): 425-456; Michael Hand, "Against Autonomy as an Educational Aim," *Oxford Review of Education* 32 (2006): 535-550; Aharon Aviram and Avi Assor, "In Defence of Personal Autonomy as a Fundamental Educational Aim in Liberal Democracies: a Response to Hand," *Oxford Review of Education* 36 (2010): 111-126.

⁷² Important differences will also exist in the scope of parental authority over a child's upbringing under either doctrine. For doubts that neutrality applies to children see H. Brighouse, *School Choice and Social Justice*, 103. For a strict interpretation of justificatory neutrality applied to childhood see Matthew Clayton, *Justice and Legitimacy in Upbringing* (Oxford: Oxford University Press, 2006), especially chapter 3.

The different treatments of both adults and children are clear to see. The above differences in the allocation of resources are a result of the different currencies and related thresholds. The potential Rawlsian response suffers from the fact that the only readings of the primary goods that may capture some of these conditions will be too substantive to be publically justifiable. Further the Rawlsian scheme is only committed to ensuring that individuals are able to pursue reasonable conceptions of the good life with full autonomy in the political, but not ethical sense. Restricted from ensuring citizens can fully flourish autonomously, the political liberal must cede ground to the perfectionist that their principles can evade the first horn of Quong's dilemma. Can it respond to the second as well?

VI

Escaping the Dilemma: The Second Horn

In the previous section I suggested a number of avenues available to liberal perfectionists who want to differentiate their distributive principles from those suggested by political liberals. Achieving this whilst still escaping the latter half of Quong's challenge (that liberal perfectionist principles may be implausible on personal responsibility grounds) remains a challenge. The reason for this is that a responsibility-sensitive account of liberal perfectionism may appear to contain an inherent tension. Critics could argue that to hold someone personally responsible for their choices should be thought to entail substantive responsibility to the extent of holding the individual liable for the full range of costs attached to their decisions. This is clearly at odds with a position that is committed to promoting some ways of life over others, as the state's action to subsidise the costs of certain options may be seen to prevent the individual from being held "fully" responsible for their choice. If we consider responsibility-sensitivity in this fashion, then liberal perfectionism cannot be responsibility-sensitive because holding people responsible will be at odds with the perfectionist aim of promoting certain ways of life.

A strength of the threshold view is that it effectively includes a commitment to choice-based responsibility-sensitivity as a fundamental condition of self-authorship. However even the threshold view faces a form of the responsibility challenge. Are we really holding people responsible for their choices if we provide them with a safety net below the threshold? As

noted above, Colburn argues that we are. The state only intervenes once an individual falls below a threshold and they no longer enjoy the status of an autonomous (and thus responsible) agent. Influencing their life choices appears justifiable on these grounds.

However what of those above the threshold? What of those who possess the relevant capacities to be considered autonomous? Is it incoherent to incentivise certain ways of life and thus affect those who should be considered capable of bearing the costs of their choices? In such circumstances the tension appears to bite. However it is not clear that this tension is so problematic as to prevent liberal perfectionists from escaping the dilemma.

One reason for this is that not all distinctive perfectionist interventions are designed to promote some valid ways of life over others, and thus potentially restrict the substantive responsibility of citizens. Interventions intended to ensure the independence of citizens ensure that individuals can be held responsible for their choices, because the fulfilment of these conditions ensures that citizens' decisions are indeed authentic. For example, by restricting manipulative advertising, the perfectionist state does not reduce the costs born by the citizen for their decisions. The state is ensuring that citizens are making decisions true to themselves and thus worthy of generating responsibility-sensitive obligations. Therefore we can conceive of a sub-section of perfectionist interventions that evade the responsibility challenge.

Yet regardless of how important these activities are to liberal perfectionism, they are not the main class of state actions that we commonly associate with the tradition. More controversial are those activities that promote certain ways of life over others under the auspices of ensuring an adequate range of options. Given the perfectionist nature of promoting self-authorship, liberal perfectionists cannot be fair to all reasonable conceptions of the good, favouring non over each other within that privileged group.⁷³ Nor would perfectionists desire to be. Every perfectionist state will intervene to promote some ways of life over others.⁷⁴ Perfectionist state action will favour those ways of life that coincide with the values and related

⁷³ Indeed Rawls doubts whether political liberalism's intention to be fair in this fashion is possible when it comes to considering the requirements of upbringing (J. Rawls, *Political Liberalism*, 200).

⁷⁴ Consider Raz's reformulation of the Harm Principle (J. Raz, *The Morality of Freedom*, chapter 15).

conceptions of the good required to flourish. Can these activities avoid the responsibility challenge?

The answer to this question depends on clarifying the nature of the challenge. Clearly the liberal perfectionist state cannot (even on a threshold view) allow individuals to bear the *full* costs of their decisions. The state's intention to incentivise some valuable ways of life over others is incompatible with citizens' liability to the full range of costs. However it would be undesirable for any state to hold people responsible to this degree for independent reasons (e.g. such a view will provide little welfare provision at all). This takes luckism too far.

Thus what must be further clarified is the extent to which holding people responsible for their decisions is plausible. The challenge relies on this thought for its grounding, and Quong is right to point out that liberal perfectionism and political liberalism will treat responsibility differently. But if neither doctrine's treatment is implausible or incoherent, then decisions between either treatment may be difficult. I suggest that a complete answer to this question will depend on the success of related claims (e.g. explaining how the view under consideration affects the opportunity costs of various decisions). Following Raz, liberal perfectionists are committed to avoiding coercive and manipulative methods of promoting autonomy and well-being. But even through the use of incentive schemes, the liberal perfectionist state is often criticised as paternalistic or manipulative. The most affective response to these charges will be to explain how an autonomy-promoting state will alter how people decide, and thus the responsibility they bear for their decisions.

On Colburn's view, by recognising a commitment to responsible voluntary choice at the foundational level, both the method (non-coercive/manipulative) and the scope (below the threshold) of autonomy promotion is determined by the theory's commitments. So long as the opportunity costs attached to the decisions made by those who find themselves above the threshold are not significantly restricted, then the conclusion reached appears a valid response to this horn of the dilemma. Coburn's view doesn't require us to drastically alter these costs. His focus is on those below the threshold. The only decisions of those above the threshold that may be affected by state policy are those that run contrary to flourishing in line with self-authorship (e.g. setting up an autonomy denying faith school). If the responsibility challenge is aimed at this claim then it cannot do the work that Quong requires it to because the challenge is

incomplete. For the responsibility challenge to play its proper role it must be supported by a claim doubting the plausibility of tying the costs born of personal decisions to an account of flourishing. If the perfectionist's treatment of responsibility is less plausible than the political liberal it must be because it is tied to an account of self-authorship, and it is something about this connection that makes it a less plausible treatment of responsibility than non-perfectionist accounts. Thus the success of the challenge requires further argument to show that flourishing is a poor currency of distribution. But Quong employs the argument in a shortcut to avoid engaging with exactly this much larger question. Though the treatment of responsibility is likely be a valid consideration for that larger puzzle, the second horn of Quong's dilemma cannot effectively challenge the perfectionist without further clarification and support.

Therefore, though the second horn is compelling in its ability to highlight a potential tension within liberal perfectionism (to what extent can the autonomy-promoting state hold individual's responsible for their decisions), a threshold view like Colburn's appears to provide a credible answer. If citizens voluntarily (and in full possession of the facts and necessary competencies) decide to pursue an act that is likely to diminish their future autonomy the state must provide a safety net for these citizens. Thus the position holds citizens above the threshold substantively responsible by respecting the sovereignty of their decisions. Even if state incentives are shown to restrict a person's ability to take responsibility for their choices, threshold views naturally build in a suitable restriction on what forms of perfectionism can be implemented above the threshold. Yet it is unclear whether such state activity really does reduce responsibility in this fashion. Thus the sufficiency view appears to provide a way through the dilemma by incorporating responsibility and voluntarism at the foundational level of their view. To show that it does not would require further argument from political liberals.

VII

Conclusion

In this article I have developed Quong's challenge against liberal perfectionism into a dilemma and shown how, by adopting the sufficientarian approach to promoting self-authorship suggested by Colburn,

the tradition can prove itself distinctive from non-perfectionist accounts of distributive justice whilst still maintaining a coherent position on personal responsibility. The difficulties encountered reflect the fact that the dilemma is a real one for perfectionists. To the extent that I have answered it, I hope my arguments provide insight to a plausible response based on an understanding of perfectionist arguments regarding autonomy and responsibility. However, my arguments are in part only meant to sketch out a position on the under discussed issue of liberal perfectionism and distributive justice. Much more remains to be said on the relationship between autonomy, flourishing and distribution, and in particular on the link between substantive accounts of autonomy and substantive responsibility. To that end I invite discussion and debate on these topics.

If the argument suggested here is found to be plausible it raises a problem for Quong's critique of liberal perfectionism. Quong originally suggested the challenge as a route to rejecting liberal perfectionist distributive principles that is simpler than denying that flourishing is the correct currency of distributive justice.⁷⁵ If my arguments are successful then political liberals will need to work harder to explain why their view is preferable to liberal perfectionism, and the task Quong originally avoided appears to be the best method of doing so.⁷⁶

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⁷⁵ J. Quong, *Liberalism Without Perfection*, 122.

⁷⁶ My thanks to Jonathan Quong, Liam Shields and two anonymous referees for their thorough comments on an earlier draft of this argument. Thanks also to the audiences at Brave New World 2012 and the Autonomy workshop at the MANCEPT Workshops in Political Theory 2012.