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The aims and legitimacy of education policy in the liberal state

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Απαγορεύεται η αντιγραφή, αποθήκευση και διανομή της παρούσας εργασίας, εξ ολοκλήρου ή τμήματος αυτής, για εμπορικό σκοπό. Επιτρέπεται η ανατύπωση, αποθήκευση και διανομή για σκοπό μη κερδοσκοπικό, εκπαιδευτικής ή ερευνητικής φύσης, υπό την προϋπόθεση να αναφέρεται η πηγή προέλευσης και να διατηρείται το παρόν μήνυμα.

Οι απόψεις και θέσεις που περιέχονται σε αυτήν την εργασία εκφράζουν τον συγγραφέα και δεν πρέπει να ερμηνευθεί ότι αντιπροσωπεύουν τις επίσημες θέσεις του Εθνικού και Καποδιστριακού Πανεπιστημίου Αθηνών.

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Introduction

What principles should govern education policies in a liberal state? Which educational aims are considered legitimate in a democratic and pluralistic society? How should a liberal state respond to parents who do not agree with the basic liberal principles and want to exempt their children from public educational institutions? One cannot adequately answer these questions without inquiring into the proper goals of liberal education policies, and more generally, into the principles that underlie liberal democracy. In other words, to answer these policy questions we must first engage in normative political philosophy.

The focus of this dissertation is on two distinct educational goals, each of which has been thought to justify some degree of state intervention: education for autonomy and civic education. Public education has been defended as an appropriate means for guarding the basic moral interests of children as independent persons with their own lives to lead. Public schools serve not only as a means to separate children from the moral ideals and religious convictions of their parents but as “an antidote to all forms of sectarian indoctrination” (Macedo 2000, 237). Public education is thus seen as a way to secure a child’s right to “an open future”, as Feinberg argues. The main goal of education for autonomy is to teach students to think critically and reflectively about their ethical commitments.

On the contrary, the goal of civic education is to transmit to students the virtues and capacities of the good citizen. According to this view, education is not seen as a process of politicization, an indirect way in which democratic societies transmit political values and codes of conduct to citizens. To answer the question of legitimate state action, we must examine what Amy Gutmann has called “conscious social reproduction”, that is the ways in which citizens are or should be empowered to influence the education that in turn shapes the political values, attitudes and mode of behavior of future citizens (Gutmann 1999, 14). The main argument in favor of civic education is best summarized by Macedo, who argues that: “History suggests that without state provision or regulation of education, children will be taught neither mutual respect among persons nor rational deliberation among ways of life.” (Macedo 2000, 231)

Civic liberalism purports that children should learn that freedom of choice is the cornerstone of a liberal political community. Children should be taught that they are rights holders, worthy of

respect and equal treatment. However, the question arises: “Is there not a danger of our broadly civic ideals becoming a form of comprehensive liberalism?” (Macedo 2000, 239). Does the emphasis on equal liberty, mutual respect and critical thinking commit one to a comprehensive ideal of individuality or autonomy? And if so, how can the liberal state legitimately appeal to the contested value of individual autonomy to justify its use of coercive power? It follows from the above that the main question for each of these goal is whether they can justifiably be adopted as a universal goal of education policy in a liberal state that is committed to respecting the plurality of religious, cultural and other comprehensive doctrines held by its citizens. Before we commit to any of these goals, we must examine what is their normative force and how it should be balanced against other goals or broader liberal values in cases of conflict.

Therefore, the question on the aims and legitimacy of education policy leads us to broader questions about the validity and practical implications of some of our judgments about political principles and liberal theory in general. Indeed, the discussion around the proper aims of educational institutions in the liberal democratic state can illuminate the arguments in favor of state neutrality and liberal perfectionism. As Mill writes “it is in the case of children that misapplied notions of liberty are a real obstacle to the fulfillment by the state of its duties”. All in all, the question is whether the value of autonomy necessarily and unavoidably underpins the principles of a liberal regime, and if so, whether the liberal state has to remain neutral in the controversy about the value of critical reflection on one’s conception of the good. Can the liberal state design public schools based only on civic goals, as political primacists suggest, or should we – in contrast with neutrality – adopt autonomy as a public value in a liberal, pluralist state? As MacMullen (2007) suggests:

“Liberals have been too easily dissuaded from placing the ideal of individual autonomy at the heart of their political philosophy. Rawlsian political liberals wrongly maintain that the claims of liberalism lose none of their normative force when appeals to the value of autonomy are eschewed. The political liberal position relies on two false notions: first, that liberal democratic civic values enjoy priority over all competing claims of value and second that liberal political principles can be detached from claims about the importance of autonomy to individuals seeking to lead a good life.” (MacMullen 2007, 11).

The purpose of this dissertation is to examine the compatibility of civic education and education for autonomy with the neutrality principle. To this end, two prominent theories will be examined: Wall's argument for an autonomy-supporting education, based on moderate perfectionism, and Gutmann's theory for a democratic education, based on political liberalism. The objective is to test our most considered judgments about political principles, and more specifically about the principle of state neutrality, at different levels of generality, seeking a kind of "reflective equilibrium" between abstract questions in liberal theory and more concrete questions in education policy (MacMullen 2007, 5).

In Chapter 1, I begin by examining the main arguments in favor of neutrality and perfectionism. The theories of John Rawls and other prominent political liberals are used to identify the justification of the neutrality principle and to clarify its main elements. Since, according to the political justification of the neutrality principle the main criterion for the legitimacy of state action is whether the arguments on which it is based can be reasonably rejected by citizens, I examine how the reasonable citizen is defined and the impact of such a definition on the notions of toleration and respect. Subsequently, I present the arguments in favor of autonomy-based liberalism, that is a liberal theory that views autonomy as an essential element of the good life. For this, I present the theory of Joseph Raz and his account for toleration and respect. Lastly, I examine the arguments in favor of another kind of perfectionism, the so-called moderate perfectionism, which seeks to address the shortcomings of Raz's theory by insisting on moderate measures of governmental intervention. This theory was developed as an answer to the criticism that perfectionism is coercive and fails to respect its citizens. By presenting these two competing liberal theories, my goal is to provide a comprehensive theoretical framework, that can illuminate the arguments for the legitimacy of public education. Since one objective of this dissertation is to examine how the liberal state can resolve conflicts between public education and individual interests, I put significant weight on the way each of these theories address the notions of respect, coercion and toleration.

In Chapter 2, I present the views of prominent political liberals on educational neutrality. The aim of this chapter is to show that one odd feature of liberal theory is that even neutralists have doubted both the possibility and desirability of applying neutrality constraints to educational institutions. Much of the literature in the political philosophy of education derives from the work of Joseph Raz, and thus presupposed that education cannot be neutral.

In Chapter 3, I present the theory of Steven Wall. Steven Wall seeks to develop a neutrality principle that is broadly compatible with perfectionism and purports that the state ought to be neutral between two equally worthwhile ideas. In addition, Wall presents a perfectionist argument for toleration, his main aim being to prove that there are perfectionist grounds for respecting what we perceive as morally wrong. Wall argues that autonomy has both intrinsic and instrumental value and the state is allowed and sometimes required to create and maintain social conditions that best enable their subjects to lead valuable and worthwhile lives. Wall's argument for education highlights the tensions that arise from a liberal and moderate perfectionist theory: the state is entrusted with two competing tasks, namely to actively promote what is believed to be of value and to respect and tolerate citizens who do not share the state's ideals.

In Chapter 4, I consider the view that the state's legitimate interest and authority over children's education is exhausted by the pursuit of civic educational goals. I do so, by developing Amy Gutmann's theory for a democratic education that aims to foster "conscious social reproduction". Certain elements of Gutmann's theory seem to presuppose the value of autonomy, perceived as the ability to critically reflect on different conceptions of the good. Therefore, I examine the relationship of civic education with the value of autonomy and develop Gutmann's view on the neutrality principle. I address the main argument against such a theory, namely the fact that it is in fact controversial and seeks to impose the ideals of civic humanism on citizens. I conclude that the main shortcoming of civic education is that it assumes that important civic goals and values outweigh all other concerns in policy-making.

In Chapter 5, I develop MacMullen's argument that the normative force of liberal democratic principles presupposes the value of autonomy, and therefore it is incoherent to value the reproduction of the liberal democratic state without taking a stand on the value of autonomy. A distinction is being drawn between the claim that autonomy is intrinsically valuable and the claim that autonomous reflection is instrumentally valuable to citizens seeking to find and lead a good life. Political and civic liberals are right to claim that autonomy's intrinsic value has no place in liberal politics, but fail to see that appeals to its instrumental value are not equally controversial. I argue that we must insist upon the distinction between promoting the substantive content of reasonable comprehensive doctrines and supporting the manner in which such doctrines are best reached and held. Consequently, I argue that adopting autonomy as an educational goal because of its instrumental value can withstand arguments based on

parental rights and the state's obligation to respect traditional ways of life. Lastly, I examine whether the public regulation of education might be inimical to the goal of autonomy and if it can be perceived as coercive by citizens.

A robust liberal political philosophy must include education policies that aim to cultivate the virtues and capacities of both citizenship and autonomy. Properly understood, autonomy has an important instrumental value for individuals that can be demonstrated without appealing to substantive ethical principles. If my argument is correct, there are principled reasons not to allow parents to exempt their children from public educational institutions and the state can support an education for the cultivation of civic values and autonomy without disrespecting parents' comprehensive doctrines or creating second class citizens.

1. The principle of neutrality in liberal theory

1.1 Political Liberalism: Defending liberal neutrality

The principle of state neutrality is widely recognized as a central liberal principle and is best summarized by Dworkin, who argues that: “[P]olitical decisions must be, so far as possible, independent of any particular conception of the good life, or of what gives value to life” (Dworkin 1985, 127). The principle has been the object of inquiry of many political philosophers, which is partly to blame for the ambiguity of the term and the diversity of interpretations found in literature. Neutrality is sometimes understood as doctrine about the intent or aim of legislation or legislators (Waldron 1993, 149ff), the proper functions of the state (Jones 1989, 9), the prohibition of the state to take a stand on certain issues (MacLeod 1997, 532), the prohibition of the state enforcing moral character (Sadurski 1989, 371), or the demand for the state to take the stance of impartiality (Jones 1989, 9). There is also ambiguity on whether the states shall be neutral between conceptions of the good (Barry 1995, 139-45; Dworkin 1985, 191), ways of life (Kymlicka 1989, 886), final ends (Moon 1995, 55), or controversial conceptions of the good (Larmore 1987, 53ff) (Gaus 2003, 138).

The debate on neutrality revolves around certain core issues such as the justification of the principle, its policy implications and more importantly, the actions that fall under the concept of the good and are thus bound by the neutrality constraint (Arneron 2003, 192). For some theorists, the essence of liberal theory lies in the principle of state neutrality. Opposed theorists find the principle to be unattainable or undesirable. A way to select one conception of neutrality amongst others is to choose the interpretation that seems intuitively plausible, in the sense that the principle could be followed by a state that resembles our current liberal governments (Gaus 2003, 138). Indeed, as Sher notes, a good interpretation must accommodate our firm intuitions about neutrality and shall not be too weak to be interesting and or too strong to be practicable (Sher 1997, 22). Although this method can be criticized as conservative, it seems to be the most appropriate for this dissertation, which seeks to follow a “reflective equilibrium” method, namely to test the neutrality principle and our commitments with examples from educational policy and legislation.

What kind of neutrality. Neutrality can be understood as neutrality of effect, neutrality of aim and neutrality of justification. Neutrality of effect requires that the policies pursued by the state should not promote any controversial way of life or conception of the good that is subject to reasonable disagreement. The majority of liberals reject this kind of neutrality as unattainable, since all institutions, policies and laws are bound to conform to some ways of life while failing to conform to others. John Rawls also held this view: “Neutrality of effect or influence is an impracticable aim. The principles of any reasonable political conception must impose restrictions on permissible comprehensive views and the basic institutions those principles enjoin inevitably encourage some ways of life and discourage others, or even exclude them altogether (Rawls 1998, 264; 2005 [1993], 194)¹.”

Steven Wall presents a thorough analysis of the most promising argument in favor of such a principle, which is based on the division between what the state does and “what the state merely allows to happen” (Wall 1998, 32-38). Wall concludes that with both active and inactive permissions, the former consisting in the state permitting some action that was previously legally forbidden and the latter in the state declaring that an action not previously forbidden is permissible, the state is bound to take a normative stance on the action². Wall’s argument is less clear when it comes to weak permissions, that is when the state remains silent about the actions in question, as he uses an argument based on considerations of stability and the role of the state in promoting citizens’ interests. However, as will be shown later, there is some truth in his argument that “once the moral status of an action is called into question, there is pressure for the state either to forbid it, require it or actively or inactively permit it”³⁴.

¹ The same view was held by many influential neutralists such as Charles Larmore, according to whom “[the liberal state’s] neutrality is not meant to be one of outcome, but rather one of procedure. That is, political neutrality consists in a constraint on what factors can be invoked to justify a political decision” (Larmore 1987, p 44). Joseph Raz supports that neutrality should incorporate neutrality of effect, but he is a critic not a supporter of neutrality. See Joseph Raz, “Facing Diversity: The Case of Epistemic Abstinence,” *Philosophy and Public Affairs*, 19 (1), 1990, pp. 3-46.

² Even when the state declares that the action is left to the discretion of individual citizens, this declaration is itself a controversial action (Wall 1998, 34).

³ Wall notes: “This view [that the state respects neutrality by remaining silent] could be rejected if it is true that political authorities have a general duty to protect the interests of their subjects. This duty would imply that when important moral issues are at stake, political authorities have derivative duties to find out which actions should be forbidden or required and which should be permitted. These duties, it could be said, come with the possession of political authority” (Wall 1998, 35).

⁴ Wall concludes “when controversial moral issues are at stake the state cannot realistically avoid controversial political action...this shows that the distinction between what the state does and what is merely allows to happen will not rescue the first principle of restraint” (Wall 1998, 37).

Neutrality of aim, as defined by Rawls, requires that “the state is not to do anything intended to favor or promote any particular comprehensive doctrine rather than another, or to give greater assistance to those who pursue it (Rawls 1988, 262)⁵. The state can, for instance, forbid smoking in public areas to guarantee the health of its citizens but it cannot base the same policy on the argument that smoking is intrinsically bad⁶. This kind of neutrality is closely related to neutrality of justification, which requires that state policies should be justified independently of the alleged superiority of any way of life or conception of the good over others⁷. However, the two principles are distinct since citizens can promote controversial values while basing them in neutral arguments and vice-versa. The governing idea of neutrality of justification is that citizens should not be subject to state coercion, unless there are good reasons for it, which is widely understood as reasons that are convincing to them⁸.

The scope of neutrality: When examining the neutrality principle, we should not that according to Rawls the neutrality constraint should only be applied to governments and legislators and not to individual citizens. Sher also agrees that “if the principles of neutrality applies at the legislative level, it will constrain at least the legislators themselves and probably also the aides and advisors who will most directly influence their reasoning” (1997, 30). Another question is whether we should limit the neutrality principle to “the basic structure of society” (Rawls 1971, 8), or the “constitutional essentials” and “questions of basic justice” (Rawls 2005[1993], 214). Should the state give neutral arguments for the protection of basic rights and freedoms or should political questions that do not concern these fundamental matters also be justified in a neutral way? Quong (2011) argues that neutral reasons should be given for all policy decisions and not only for those decisions concerning the constitutional essentials. Education provides a good example of a case, where it is not absolutely clear if something falls under the scope of “constitutional essentials”. Also, sometimes policy decisions that do not refer to the

⁵ Rawls supports neutrality of aim in Political Liberalism, too. He writes that a political conception of justice “hopes to satisfy neutrality of aim in the sense that basic institutions and public policy are not to be designed to favor any particular comprehensive doctrine” (Rawls 2005[1993], 194).

⁶ Forbidding smoking in favor of public health is considered to be neutral on the basis that it’s a policy that can be supported by all reasonable and rational citizens (Franken 2016, 4) However, the notion of reasonable citizens and the criterion of reasonable rejectability has sparked a lot of arguments and even public health arguments have been characterized as controversial, as will be shown later.

⁷ Sher examines neutrality of justification and raises the question of which kind of justification is relevant and important. He concludes that the crucial question should not be whether any particular argument for a law, policy or institution can satisfy the neutrality constraint but only whether at least one of them can (Sher 1997, 22-27).

⁸ Klosko, G. (2003), Reasonable Rejection and Neutrality of Justification, in S. Wall and G. Klosko, ed., *Perfectionism and Neutrality*. Lanham, Md: Rowman & Littlefield Publishers, p.168.

fundamental rights are interconnected with policies that do, which makes their separation impossible or impractical.

Neutrality constraints apply to comprehensive doctrines. A comprehensive doctrine includes “conceptions of what is of value in human life, as well as ideals of personal virtue and character, that are to inform much of our nonpolitical conduct (Rawls 2005[1993], 175). Rawls further distinguishes between fully and partially comprehensive doctrines. Fully comprehensive doctrines cover all recognized values and virtues within one rather precisely articulated scheme of thought. Partially comprehensive doctrines include certain (but not all) nonpolitical values and virtues and are rather loosely articulated. However, neutralists admit that certain values can be appealed to. Rawls allows that “ideas of the good” can legitimately justify public policy, provided that “they are, or can be, shared by citizens regarded as free and equal; and that they do not presuppose any particular fully (or partially) comprehensive doctrine (Rawls 2005[1993], 176).

According to neutrality of justification the government should not pursue policies that are justifiable only by appeal to *controversial* conceptions of the good. Whether a claim is controversial should be a normative issue, not based on pragmatic considerations. A neutrality principle based on pragmatic considerations was presented by Charles Larmore, who claimed that political neutrality “does not require that the state should be neutral with respect to all conceptions of the good life, but only with respect to those actually disputes in the society”. The neutrality constraint excludes not any policy based on controversial justifications but only those based on controversial conceptions on the good and only when such policies are pursued by the state (Arneron 2003, 206). In this respect, a distinction is required between neutrality of justification and liberal legitimacy. A liberal legitimate government is one that acts towards the citizens in ways that all citizens are expected to reasonably accept. To this end, the constraint of justification is weaker than liberal legitimacy, as a controversial claim on justice is forbidden by the latter but permitted by the former, but anything that is condemned by the neutrality constraint will be condemned by liberal legitimacy (Arneron 2003, 211).

Justifying liberal neutrality: comprehensive and political liberalisms. The main question of this dissertation is whether the liberal state can be strictly neutral. Many authors have claimed that strict neutrality is an unattainable aim and that every policy is based on a core or common morality (Larmore 1987, 54). In this regard, a distinction should be drawn between political and

philosophical neutrality, or internal neutrality and external neutrality as is the term given by Paris. (1987, 911). Internal neutrality refers to the state’s neutral policies (neutrality of principle/political neutrality) and external neutrality refers to the legitimization of such neutral policies (philosophical neutrality). This distinction has been extensively discussed by Jonathan Quong (211, 15) and other authors that try to form a principle of neutrality that can be consistent with and accepted in a liberal state. Thomas Hurka summarizes this distinction as follows:

“State neutrality is an ideal for public policy: it is realized when government officials do not have as their reason for acting a substantive view about the good. Philosophical neutrality, by contrast, concerns the ultimate standards for judging policies, including a policy of state neutrality. It requires the ultimate standards to be neutral about the good (Hurka 1993, 162).”

The distinction between comprehensive and political neutrality and perfectionism made by Quong is summarized in the table below, borrowed by Franken (2016, 9)

Table 1.1 Perfectionism and anti-perfectionism; political and comprehensive liberalism

	Comprehensive	Political
Perfectionism	Comprehensive perfectionism (Raz, Wall)	Political perfectionism (Chan? Sher?)
Anti-perfectionism	Comprehensive anti-perfectionism (Dworkin, Kymlicka)	Political anti-perfectionism or Political Liberalism (Larmore, Rawls)

Liberalism without Perfection by Quong (2011), tab. p. 21, by permission of Oxford University Press

When a liberal political philosophy is based on some particular ideal of what constitutes a valuable life, liberalism is comprehensive. The main proponents of comprehensive perfectionism are Raz and Wall, who base liberalism on a specific conception of autonomy. Dworkin and Kymlicka are two authors that support comprehensive anti-perfectionism, that is they support that the state should remain neutral while basing their claim on an ideal of human flourishing. When this is not the case, then liberalism is political. The main advocates of such a view are Rawls and Larmore. On the other hand, many contemporary authors support the so-called political perfectionism, that is the state may promote certain conceptions of the good while remaining neutral on their justification (Frankel 2016, 9). In this chapter, a comprehensive

review of the attempts made to achieve philosophical neutrality will be presented. For the criticism of such claims, Steven Wall's arguments are mainly used.

The political justification of political liberalism: The work of John Rawls is central for the argument of political justification, which is based in the distinction between comprehensive and political liberalism described above. In *A Theory of Justice*, Rawls provides a neutral argument for the evaluation of policies: the state shall not base its policy on a particular comprehensive doctrine, but the legitimization for policy decisions should always be neutral, that is that all citizens will be able to accept it when they adopt the rational and reasonable viewpoint of the original position. However, this neutral policy is not based on a neutral principle, but on autonomy as a normative value. According to his critics, autonomy in *A Theory of Justice*, is not only seen as a political concept but also as a moral or metaphysical concept⁹ that should ideally be embraced by every citizen: it is always in the individual's interest to choose, to reflect and to pursue one's conception of the good (Franken 2016, 11). This comprehensive or autonomy-based justification for liberalism was extensively criticized by the so-called communitarian philosophers, their criticism revolving around the central place of our capacity for self-determination in Rawls's theory and the importance of the social conditions under which this capacity can be exercised¹⁰. In *Political Liberalism* autonomy is presented as a political value: every citizen should be capable to make autonomous choices or to form, revise and rationally pursue a conception of the good. Whether citizens choose autonomously for a non-autonomous life or for an autonomous one does not matter, as long as citizens can choose (Franken 2016, 14). As Rawls notes "Political liberalism presents, then, a political conception of justice for the main institutions of political and social life, not for the whole life" (Rawls 2005 [1993], 175). Rawls's "freestanding" conception of justice aims to render citizens capable of reaching an "overlapping consensus" about basic principles of justice and "a constitution the essential of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational (Rawls 2005 [1993], 217).

⁹ According to Rawls (1971, 396ff), his *Theory of Justice* is based on a thin theory of the good, that is the idea that all reasonable and rational individuals need some primary goods in order to lead a life according to the values that they endorse. His critics maintain that his theory is based on a full theory of the good, and in particular on the idea that a life in which people make autonomous choices is intrinsically better than a life in which this does not happen.

¹⁰ Michael Sandel (1982) argues that Rawlsian liberalism is based on a wrong conception about the individual: the unencumbered self. This conception is unattainable because each individual is embedded or situated: individuals do not appear in vacuum as autonomous citizens, but they are embedded in a particular society, where some values are preferred above other values (Franken 2016, 9).

This ideal of political legitimacy is adopted by other social contract theorists, such as Brian Barry and Thomas Nagel. Each of them support that the fact of reasonable disagreement excludes principles of justice that presuppose the truth of controversial premises and, for this reason, perfectionist or comprehensive liberal policies are illegitimate as policies that could be reasonably rejected by hypothetical contractors selecting political grounds from a position of equality. However, the main criticism of political legitimacy lies in the core of this argument: if the “burdens of justice” also apply to liberal neutrality as a principle, then the contractual position is self-defeating because it cannot withstand its own epistemic presuppositions. Lecce calls this line of argument the “**reflexivity thesis**” (Lecce 2008, 164). The basic argument is that political liberalism is usually justified by principles that are expected to be accepted by all citizens but, because reasonable citizens could reject the principle of neutrality, the argument is circular and self-defeating. Caney (1995) has advanced the main argument of this view, arguing that it is not only conceptions of the good that can raise reasonable disagreement but also matters of the “right” such as distributive justice and education¹¹.

Wall follows the same line of argument. He starts by examining Rawls’s claim, analyzed more thoroughly later by Gaus, that “justification is addressed to others” and therefore should proceed from what is, or what can be held in common (Rawls 2005 [1993], 100). Wall argues that: “Even if we come to believe that there is no independent order of moral facts and that we must opt for a constructivist procedure, it does not follow that we would have to accept political constructivism [...] then we would have no good reason to prefer political constructivism to first-person constructivism (Wall 1998, 59). As Brian Barry (1990) puts it: “There is no way in which non-liberals can be sold the principle of neutrality without first injecting a large dose of liberalism into their outlook”. Wall focuses on the epistemic restrictions imposed by the political liberals, who usually define the hypothetical contractors in such a way as to exclude the unreasonable and the irrational (Wall 1998, 61).

Defining the reasonable. The weaker the standard of reasonable rejectability, the more demanding is the principle imposed on policies. A principle is weakly rejectable when it can be rejected by people who are being somewhat reasonable but make some mistakes in reasoning. Because of the fact of reasonable pluralism, to accommodate diversity and give normative

¹¹ Caney argues that since intelligent and reflective individuals hold radically dissimilar views about not only conceptions of the good but also about issues of distributive justice, affirmative action, and capital punishment, all of these areas of public policy would be excluded as equally inadmissible (Caney 1995, 248-64, as cited in Lecce 2008, 166).

content to the justificatory agreement, a strategy of exclusion is needed. What is expected by such a strategy, is the definition of a reference group, namely the specification of certain criteria that define the reasonable citizens that can take part in the public discussion and can thus “reasonably reject” certain arguments based on neutrality concerns. For long it has been thought that the correct way to define reasonable is to understand reasonableness as valid argument. According to such a view, only views that satisfy certain stringent epistemic standards are justifiably held and the holders of such views can take part in the hypothetical constitutional convention (Lecce 2008, 172). As Cohen notes, a view is reasonable “in case its adherents are stably disposed to affirm it as they acquire new information and subject it to critical reflection” (Cohen 1993, 280-1). This view adds a crucial element to the basic premise that the protection of deliberative liberties in liberal states results in a plurality of conflicting ethical ideals. Because a subset of the controversial views that liberal institutions make possible satisfy the epistemic criterion identified above, they are also reasonable and permissibly taken by their adherents to be true.

However, this view is criticized for using “reasonable pluralism” as an unnecessarily restrictive basis of toleration. It implies that people who hold ethical beliefs uncritically are, for this reason, necessarily prone to violate the equal rights of others (Lecce 2008, 173). To address such concerns, a second strategy has been developed, which ties reasonableness to moral equality. This strategy derives from a claim about the moral status of agents rather than a thesis about the epistemic adequacy of their beliefs (Lecce 2008, 174). Following this second strategy, we identify what is reasonable by asking what fairly situated contractors would choose as principles of justice. According to Rawls “being reasonable is not an epistemological idea” (though it has epistemological elements). Rather it is part of a political idea of democratic citizenship that includes the idea of public reason. The content of this ideal includes what free and equal citizens as reasonable can require of each other with respect to their reasonable comprehensive views” (Rawls 2005[1993], 62). The central element in this idea of reasonableness is the desire to find principles that others could accept, given that they have the same desire. Wall calls this desire “the agreement disposition” (Wall 1998, 73). According to Scanlon, the moral argument about legitimacy concerns the possibility of agreement among persons who are all moved by the desire for general agreement to the same degree. Scanlon identifies moral motivation with the “desire to be able to justify one’s actions to others on grounds they could not reasonably reject” (Scanlon 1982, 116). However, Wall argues that

Rawls is mistaken to include the burdens of judgment in defining the reasonable, as people who do not accept the burdens of judgment (and are not accepted in the “epistemically charitable”, as Wall names them) but accept the agreement disposition, namely the willingness to cooperate and participate in the society, do not threaten the overlapping consensus. He concludes that this understanding of reasonableness commits one to a political conception of justice and those who deny the political conception will not be tolerated (Wall 1998, 74).

However, Rawls insist that the reference group restriction is not epistemological but moral. The reasonable person has a basic desire to be able to justify [his actions] to others on grounds they could not reasonably reject – reasonably, that is, given the desire to find principles that others similarly motivated could not reasonably reject. Even though epistemology enters the argument for neutrality via procedural limitations on the information that is available to the contractors, moral equality and not epistemology is the premise for this justificatory strategy. The key point is people, not the epistemic status of their beliefs (Lecce 2008, 176). Epistemology explains why people disagree but the appropriate political response to this fact must be specified in relation to moral ideas such as equality. The “reasonableness as valid argument” reverses the argumentative direction between epistemology and political morality. It transforms the epistemic hypothesis of why people disagree into the contractual premise for tolerating diversity. This is what leaves the liberal case vulnerable to the reflexivity thesis.

The “reasonableness as fairness” argument, however, can only threaten the coherence of liberal neutrality only if we confuse procedural epistemic constraints with the moral propositions that these are designed to model. The crucial distinction between epistemology and moral equality shows that neutrality can be defended without falling victim to **the reflexivity thesis**, described above. The reflexivity thesis overpasses the fact that the hypothetical contract is a heuristic device that is designed to demonstrate to us why we should conform our reasoning about principles of justice to the constraints that moral equality generates. This way, it conflates both the way that epistemology is related to political morality and constraints the strategy for finding the reference group to the first strategy (Lecce 2008, 174-6). Despite the above, Wall turns to the first premise of the argument and notes that Rawls does not raise the question of why citizens should have the basic desire to cooperate, which he named “the agreement disposition”. For Lecce, this does not weaken Rawls’s and Scanlon’s arguments: “it is no objection to Scanlon’s view to point out that people are not primarily so moved because the counterfactual is not advanced as a psychological account of actual

motivation, but rather as a moral claim about what equality requires of us when we disagree with one other” (2008, 175)

The reasonable as an ethical ideal: respect and moral equality. Rawls’s view is that without taking a stand on questions of moral truth, we can see that the factors that lead people to disagree are complicated and deeply rooted in their search for the good (Nussbaum 2011, 16). If we accept the burdens of judgment, we will have reason to ground our political principles on a set of “freestanding” moral ideas that can be accepted by citizens holding a wide range of different views concerning the ultimate source of value. This will not be successful if the citizens follow a method of “avoidance”, refusing to ground political principles in controversial doctrines; instead, they will seek a freestanding ethical justification for the principle that will ultimately form one part of the comprehensive doctrines of all of them (Rawls 2005 [1993], 12). The deeper reason of accepting political liberalism, according to Rawls, is respect. Reasonableness is an ethical reasonableness: respect is for persons, not the doctrines they hold¹². Respect for persons is closely related to the Kantian ideal of treating people as ends. Although the Kantian ideal of autonomy is a comprehensive view, Rawls and other philosophers has stressed the importance of using such a view as a political and not a comprehensive value.

The Kantian argument that connects reasonableness to respect was further explained by Charles Larmore, who argues that “however much we may disagree with others and repudiate what they stand for, we cannot treat them merely as objects of our will” (Larmore 1987, 62). Larmore continues with a distinction between respecting the beliefs of people and respecting people as such. He argues that when we respect the beliefs of other people we recognize that their beliefs are justified given their epistemic situation. We may maintain that they are mistaken, but this is a mistake they are justified in making. All in all, he claims that the moral importance lies on the respect of people not their beliefs, but there is an important connection between respecting people and respecting their beliefs. Equal respect amounts to respect “for the capacity to coherently developing beliefs from within their own perspective” (Larmore 1987, 49).

Rawls’s argument for the burdens of judgment is grounded in the realization that people disagree over comprehensive ideals and matters of value, not simply on account of irrationality,

¹² Charles Larmore has drawn attention to Rawls’s view of respect and the central position of has used this notion in his own political views. See Larmore (2003), “Public Reason”, in *The Cambridge Companion to Rawls*, ed. Samuel Freeman (New York: Cambridge University Press, p.391.

but on account of factors that lead to “reasonable disagreement”. In accepting the burdens of judgment we accept “the many hazards involved in the correct (and conscientious) exercise of our powers of reason and judgment in the ordinary course of political life” (Rawls 2005[1993], 56)¹³. Rawls acknowledges that there are some comprehensive doctrines that cannot be part of the “overlapping consensus” because they do not accept some of its central ideals, such as doctrines that “reject one or more democratic freedoms” (Rawls 2005[1993], 64, n.19). Throughout Political Liberalism, the term “reasonable” is used in an ethical sense¹⁴: reasonable persons are those who are willing to “propose fair terms of cooperation and to abide by them provided others do” and to recognize the burdens of judgment and “accept their consequence for the use of public reason in directing the legitimate course of political power in a constitutional regime” (Ibid., 54).

It follows from the above that Rawls connects the idea of reasonable comprehensive doctrines to the idea of the reasonable citizen: reasonable comprehensive doctrines are “the doctrines that reasonable citizens affirm” (Rawls 2005[1993], 36). However, he also introduces some theoretical criteria in order to define reasonable doctrines. According to Rawls, a reasonable doctrine is “an exercise of theoretical reason that covers the major religious, philosophical and moral aspects of human life in a more or less consistent and coherent manner. It organizes and characterizes recognized values so that they are compatible with one another and expresses an intelligible view of the world. Secondly, a reasonable doctrine is also “an exercise of practical reason” that gives instruction on how to weigh values and what to do when they conflict. Third, such a doctrine, while not necessarily fixed and unchanging, “normally belongs to, or draws upon, a tradition of thought and doctrine” and therefore tends to evolve “slowly in the light of what from its point of view..it sees [as] good and sufficient reasons (Ibid., 58).

However, as Nussbaum suggests, these theoretical criteria introduce more limits in the definition of reasonable doctrines. As a result, many of the doctrines affirmed by reasonable citizens (in the ethical sense, that is citizens that are willing to be part of a well-ordered society while acknowledging the burdens of judgment) will not meet these standards (Nussbaum 2011,

¹³ The sources of the burdens of judgment are: the complexity and difficulty of the relevant evidence; the fact that the evidence by itself does not tell us how to assign weight to different consideration; the indeterminacy of central concepts in hard cases; the fact that assessment and weighting of evidence is shaped by different life experiences; the existence of normative considerations on both sides of an issue; and the need for any social system to select from the full range of human values that might be realized (Rawls 2005[1993], 56-57).

¹⁴ The ethical element in the term “reasonable” is even more emphasized through the distinction between the reasonable and the rational.

25). As Nussbaum stresses, if we examine some of the major religions, we will come to notice that most of them emphasize the importance of departing from the most fundamental axiom of reason. According to Nussbaum, such theoretical criteria introduce a difficulty that pertains not only to doctrines that Rawls aimed to reject as unreasonable, but also doctrines that are central to his purpose (Nussbaum 2011, 28). She also argues that this results in the main argument of this theory, that is the central notion of respect, allowing the public denigration of a group of comprehensive doctrines, which from the point of view of the ethical aims of the political conception are unproblematic. “So long as people are reasonable in the ethical sense, why should the political conception denigrate them because they believe in astrology or the Trinity?” (Ibid, 28). As Burton Dreben suggests:

A reasonable comprehensive doctrine can be irrational – you can be like Tertullian and say, “I believe because it is absurd”. All a comprehensive doctrine has to do to be reasonable is to endorse a liberal political conception. But outside of that it can hold anything it wants (Dreben 2003, 326)

Nussbaum suggest that perhaps Rawls was mistaken in trying to define comprehensive doctrines and maybe he should have used the notion of the reasonable citizen to for that purpose instead: reasonable doctrines are those that reasonable citizens affirm. She remarkably states “reasonable citizens should not be in the business of looking over the shoulders of their fellow citizens to ask whether their doctrines contain an acceptably comprehensive and coherent exercise of theoretical reason. Such scrutiny, besides inciting the tu quoque that the New Ager or the friend of astrology might rightly give to a mainstream Christian, is a kind of invidious interference that has no place in respectful political liberalism” (Nussbaum 2011, 29). According to Nussbaum, we ought to opt for the ethical definition of reasonable¹⁵. A reasonable citizen is one who respects other citizens as equals. A reasonable comprehensive doctrine is one endorsed by such a reasonable citizen, that is, including a serious commitment to the value of equal respect for persons as a political value (Nussbaum 2011, 33).

¹⁵ According to Nussbaum, if Rawls accepted her view, he would probably need to articulate his account of the burdens of judgment as a series of historical or sociological observations about modernity, rather than as a basis for the normative distinction between reasonable and unreasonable doctrines. “That would be a high price for him to pay, in terms of the theoretical ambitions of the program he and Charles Larmore share, because it would drop the pivotal distinction between mere error and more respect-worthy sources of disagreement (Nussbaum 2011, 31).

The importance of epistemic elements: According to Wall (2014), an adequate account for respect must take reference to epistemic elements. Wall also stresses the challenge of imposing a weak interpretation of reasonable, stating that “a loose specification of the reference group will grant more persons rejection rights of the enforcement of justice, thereby increasing the likelihood that the correct or best conception of justice will be excluded” (Wall 2014, 471). He then claims that by imposing a weaker interpretation of reasonable, that is a specification only in the ethical sense that will not contain epistemic elements, means that some citizens can reject a particular conception for bad epistemic reasons. For Wall, political liberals must characterize the reference group as exhibiting both epistemic and ethical reasonableness. His point of view resembles that of Cohen, who thought that the decisive element of a reasonable doctrine is that it can be affirmed after rational scrutiny. For Wall, this view requires that justice is within the limits of practical reason. An appeal to epistemic elements is indispensable. To clarify his argument, Wall imagines a citizen whose comprehensive doctrine prevents him from accepting a proposed conception of justice that all other ethically reasonable citizens reasonably accept. He is fully reasonable in the ethical sense and committed to fairness and to respecting others as equals, but demands that – as he is not imposing his beliefs on others- they should not impose a conception of justice that he can reject. And Wall asks “How should the political liberal respond to this person?” (Wall 2014, 476).

To further his point, Wall refers to Larmore’s view that respect for persons is respect for their rational powers or rational agency. And he insists that “it does not follow that a person is treated with disrespect if he is subject to a conception of justice, the reasonable acceptance of which would require him to revise some of his peripheral commitments” (Wall 2014, 477). Wall names as peripheral commitments the commitments that are not tightly bound up with a person’s sense of identity. He bases this distinction between identity-constituting commitments and peripheral commitments on Nussbaum’s claim that “it is because we respect persons that we think that their comprehensive doctrines deserve space to unfold themselves, and deserve respectful, non derogatory treatment from the government (Nussbaum 2011, 33). Wall finds this conclusion as contradictory to liberal theory, a central element of which is the ability to revise all our commitments. “An account of respect for persons should acknowledge that persons, understood as rational agents, have the rational capacity to revise or abandon any commitment, they have, even if it is very unlikely that they will do so (Wall 2014, 478).

Wall concludes that Nussbaum has rightly spotted an unwanted consequence of Rawls's attempt to explain why people can reasonably disagree, with his view on the burdens of justice and the other theoretical criteria of reasonable comprehensive doctrines. However, according to Wall "This maneuver stands in tension with the key point I have been pressing. Respect for persons must take account of their capacity to respond to reasons, both epistemic and practical. For the state to view citizens as inevitably tied to their comprehensive commitments, irrespective of the reasons they have for these commitments, is to fail to respect them as rational agents." (Wall 2014, 479). For if a person satisfies only minimal criteria of reasonableness in forming and sustaining his beliefs¹⁶, then he may be committed to doctrines that he would not affirm if he exercised his rational powers a little more adequately. Our question is whether respect for this person as a rational agent requires us to view his commitment as something we must respect or rather whether we respect him by respecting his rational capacity to reject it.

Wall stresses that perfectionist liberals propose more demanding accounts of epistemic responsibility and avoid the charge of arbitrarily limiting the demands of epistemic reasonableness in formulating an account of respect for persons. He adds that if liberals accept value pluralism, they will be able to claim that fully reasonable people, in both the ethical and epistemic senses, can pursue rival ideals and pursuits (Wall 2014, 480). The political liberal who maintains that the notion of reasonableness includes both epistemic and ethical elements can accept that those who hold epistemically unreasonable views about the good life are fully entitled to respect in the sense that they should be left free to pursue their way of life so long as they do not seek to disrupt legitimate political order.

Creating second-class citizens. Nussbaum objects that when the state denies that people's comprehensive commitments are reasonable, it subjects them to a kind of subordination, which is illegitimate in a liberal society: "Even if you are tolerated (and it is not too clear from Raz's paper to what extent the major religions would be tolerated), government will state, every day, that a different view, incompatible with yours, is the correct view, and that yours is wrong" (Nussbaum 2011, 35). Nussbaum focuses on the special features of the state that can

¹⁶ This argument should not be confused with Wall's rejection of a Socratic ideal of the self-examined life as a constituent part of the good life. In *Liberalism, Perfectionism and Restraint*, Wall holds that a good life does not have to be a self-examined one. However, the two arguments differ in the degree of rational reflection required by the reasonable agents. Here, Wall seems to require a minimum standard of epistemic criteria to enter Nussbaum's argument and not the ideal of constant critical reflection.

create the problem of “perceived grievances”. As Nussbaum states “the argument for political liberalism depends, in part, on appreciation of the deep and pervasive role of the political in all citizens’ lives” (Nussbaum 2011, 21). When the institutions that pervasively govern your life are built on a view that in all conscience you cannot endorse, that means that you are, in effect, in a position of a second-class citizenship (Ibid, 35). Nussbaum calls this “expressive subordination”, that is being publicly ranked beneath others. She argues that the major shortcoming of Raz and Berlin is their deep conviction that their moral ideal is correct and important and the price they pay for pursuing this ideal is the denigration and expressive subordination of many citizens who are willing to live with others in terms of equality and reciprocity. (Ibid, 38).

However, according to Wall “The liberal state, accordingly, may need to announce that those who do not accept doctrines that support tolerance of other reasonable ways of life are mistaken (Wall 2014, 482). Wall claims that value pluralism nullifies Nussbaum’s argument on expressive subordination. He argues that if the ways of life that rely on the major religious doctrines are deemed worthy of respect, citizens will not experience expressive subordination, even if one thinks that these religions make epistemically unreasonable claims and even if the participants in these ways of life are aware of the fact that the state’s tolerant attitude toward their way of life lies in an endorsement of a theory of value that they do not accept. Lastly, Wall stresses that the fact that some citizens may experience expressive subordination when the government disfavors their doctrines does not follow that the state acts disrespectfully towards them, so long as it treats them with respect and respects their powers as rational agents¹⁷.

To do so, he brings the example of pedophiles, who cannot claim that they are treated disrespectfully when the state criminalizes their activities. For Wall, an unreasonable religious doctrine may not be entitled to respect, even though its adherents may experience expressive subordination when denigrated by the government (Wall 2014, 482). In *Liberalism, Perfectionism and Restraint*, Wall uses Dworkin’s argument to further his view. Dworkin writes that “government must treat people as equals in the following sense. It must impose no sacrifice or constraint on any citizen in virtue of an argument the citizen could not accept without abandoning his sense of his equal worth (Wall 1998, 88). However, for Wall, the

¹⁷ However, he closes his argument by stressing the point that such government activity may indeed have an impact on citizens’ well-being and a perfectionist theory must take into account such considerations, since one of its duties is to promote the well-being of all subject to its authority (Wall 2014, 483).

“mere” experience of being treated unjustly does not itself constitute actually being treated unjustly. For this, he makes a distinction between tangible and symbolic harm. He takes up a case of someone whose sense of self-worth is based on false beliefs. In such a case, the state intervention would not cause tangible harm to but only symbolic harm to him. He concludes by reemphasizing his thesis, that is that reasonably perceived grievances are not ipso facto genuine grievances and “it is simply not plausible to maintain that symbolic harms..always outweighs all other considerations”. It is obvious that Wall falls into the mistake that Nussbaum suggesting, namely he believes that there is a way to objectively know the good.

1.2 Comprehensive Liberalism: Should liberals be perfectionists?

What is perfectionism. Perfectionism is the view that holds that the state should promote valuable conceptions of the good life (Chan 2000, 1). Hurka defines perfectionism as a “teleological morality with an objective theory of the human good” (1993; 1998, 300). In the debate between neutralists and perfectionists, Steven Wall has been one of the strongest advocates of perfectionism, defending a view of perfectionism that can be consistent with basic liberal principles. Wall examines the different ways in which the term has been used¹⁸ and concludes that “perfectionism is committed to the general thesis that political authorities should take an active role in creating and maintaining social conditions that best enable their subjects to lead valuable and worthwhile lives (Wall 1998, 8). Subsequently, he distinguishes four central claims on which a perfectionist political morality is based: a) some ideals of human flourishing are sound and can be known to be sound, b) the state is presumptively justified in favoring these ideals, c) a sound account of political morality will be informed by sound ideals of human flourishing, and d) there is no general moral principle that forbids the state from favoring sound ideals of human flourishing, as well as enforcing conceptions of political morality informed by them, when these ideals are controversial and subject to reasonable disagreement.

¹⁸ Some definitions include the following: (a) Perfectionism is the view that a society "ought to arrange institutions and to define the duties and obligations of individuals so as to maximize the achievement of excellence in art, science or culture." (Rawls 1971, 325), (b) Perfectionism supports "the following standard of political evaluation: The best political act, institution, or government is that which most promotes the perfection of all humans." (Hurka 1993, 147), and (c) Perfectionism is the view that "the state has the responsibility and the right to foster the good, the well-being, flourishing, and excellence, of all its citizens and to discourage them, even coercively, from at least some of the actions and dispositions which would injure, degrade, or despoil them, even some actions and dispositions which as such are 'self-regarding'" (Finnis 1987, 434).

One main objection against perfectionism is based on nihilism about the good, namely the position that an ideal of human flourishing cannot be known to be sound and true. Indeed, this is the reason why, Wall argues, a complete defense of perfectionism must include a theory of value. For Wall, the second premise above is a weak one: even neutralists such as Larmore concede that it is permissible for the state to promote shared ideals of the good life (Wall 1998, 11). Wall distinguishes between conceptions of political morality and ideals of human flourishing. Conceptions of political morality guide political action and consist of rules and norms for evaluating political institutions and public policy, including concepts such as justice, rights, obligation and the common good. Ideals of human flourishing consist of pursuits, ideals, excellences and virtues. They specify the ingredients of a fully good human life. According to Wall, once we make this distinction, based on the distinction between the right and the good, two questions follow: a) does a sound conception of political morality require the political promotion of some ideals of human flourishing and b) can an adequate account of such concepts like justice and rights be given without appeal to some ideal of human flourishing? (Wall 1998, 12). Perfectionism rejects any attempt to exclude ideals of human flourishing from conceptions of political morality. Wall insists that even neutralists do not completely exclude all ideals but only controversial ones, based on the tradition of social contract and the criterion of reasonable rejectability. Following this, and as the fourth claim suggests, perfectionists reject the idea that there is a general moral principle that forbids political authorities from promoting controversial, reasonably disputed ideals of human flourishing.

Autonomy-based liberalism: Perfectionist liberalism is defined by Larmore as a family of views that base political principles on “ideals claiming to shape our overall conception of the good life, and not just our role as citizens”. He adds that these views involve controversial ideals of the good life, or views about the “ultimate nature of the human good” (1996, 122, 132). It is a view that falls within the category of comprehensive liberalisms, namely liberalisms that base political principles on some comprehensive doctrine about human life that covers not only the political domain but the domain of human conduct in general (Nussbaum 2011, 5)¹⁹.

¹⁹ At this point, it should be stressed again that comprehensive perfectionists differ from comprehensive anti-perfectionists. Nussbaum (2011, 5) refers to Dworkin’s view to give an example of a comprehensive anti-perfectionist theory, as “its ideal of state neutrality, though explicitly defended as a comprehensive and not a political form of liberalism, deliberately refrains from advocating any specific doctrine of the good life. See: Ronald Dworkin (2000), *Sovereign Virtue*, Cambridge, Mass.: Harvard University Press, pp.154-5.

In *Two Concepts of Multiculturalism*, Yael Tamir makes a distinction between rights-based liberalism and autonomy-based liberalism. The former “takes the right of individuals to be paramount without conceiving of those rights as grounded in autonomy-entitlement and choice prerogatives” (1995, 169). By contrast, autonomy-based liberalism also stresses the importance of individual rights but only because we should have at least the possibility “to lead our life from the inside”, and “to question those beliefs about what gives value to life” (Kymlicka 1995, 169). Autonomy-based liberalism can be based either on the strong (comprehensive) claim that autonomy is essential for any good life or the weaker claim that autonomy is a valuable tool for living well. In this regard, Mason (1990, 445) makes a distinction between “a conception of the good and a way of acquiring a conception of the good”: within autonomy-based liberalism, the state may be neutral towards different conceptions of the good life, but it should not be neutral towards choice itself. Following Brian Barry (1995, 129), we can say that autonomy is a second order conception of the good that creates a certain space for diverse first order conceptions of the good.

However, autonomy remains a controversial ideal. Under the social contract tradition and the influence of the arguments in favor of the neutrality principle, conceptions of political morality that rest on claims of autonomy’s intrinsic value are uncommon nowadays, but not irrelevant. To examine autonomy-based liberalism, I will examine the theory developed by Raz and his followers, including Steven Wall.

Comprehensive Perfectionism. Joseph Raz: Raz argues that autonomous reflection adds value to human life, and thus autonomy is viewed as a constituent of the good life. He argues that “those whose lives are not guided by such freely chosen conceptions of the good are diminished and that those who are so guided are better off for being so guided, even if their particular conceptions of the good are mistaken”. For Raz, because comprehensive goals are pursued for reasons, and reasons are conditional upon value, valueless goals or projects are, by definition, unreasonable and their satisfaction cannot contribute to personal well-being (Lecce 2008, 100). “A person’s well-being depends on the value of his goals and pursuits. A person who spends all his time gambling has, other things being equal, less successful a life, even if he is a successful gambler, than a live stock farmer busily minding his farm” (Raz 1986, 299). This is the most controversial of Raz’s claims on well-being, which -as presented by Lecce (2008, 101-2), are the following:

1. Condition 1: Success and failure in the pursuit of non-biologically determined or comprehensive goals is the major determinant of our well-being,
2. Condition 2: Our well-being is increased only through success in intrinsically valuable activities,
3. Condition 3: Our well-being depends primarily on our success in following action reasons because of their connection to comprehensive goals
4. Condition 4: Our well-being depends to a considerable extent on our success in socially defined and determined pursuits and activities.

The main argument against such claims emerges from considerations on coercion, paternalism and free will. Since perfectionist governments are duty-bound to promote valid conceptions of the good and discourage empty ones, how can free people be in a state that allows them to engage only in valuable activities and how can a liberal government be consistent with perfectionist ideals? For Raz, the answer lies in the notion of autonomy, which he views as a partial character ideal. Raz's notion of personal autonomy is a character ideal because it links well-being to self-creation. Autonomous individuals shape their characters in accordance with their own perception of what is valuable; the ideal of personal autonomy is the vision of people controlling, to some degree, their own destiny, fashioning it through successive decisions throughout their lives (Lecce 2008, 104). Raz argues that "[t]he capacity to be free, to decide freely the course of their own lives, is what makes a person. [...] On this view, respect for people consists in respecting their interest to enjoy personal autonomy" (1986, 190). Autonomy is thus not one option among others, but it is a constitutive and essential part of the good life.

For a person to be autonomous, both internal capacities and external conditions are presupposed. If a person is to make autonomous choices, then she must possess certain cognitive skills, a certain competence at practical reasoning that enables her to conceive of alternative options for choice. Additionally, she must be free of coercion and manipulation. Coercion invades autonomy by subjecting the will of the coerced whereas manipulation perverts the way a person reaches decisions, forms preferences or adopts goals. The final precondition of autonomy is an adequate range of options for choice. Because choices are guided by reasons, the options available for an autonomous individual must differ enough to rationally affect choice. All in all, Raz's view of personal autonomy links well-being to choice, and well-being is increased only through success in intrinsically valuable activities.

Because people may choose not to lead a good life, autonomy is a necessary, but not a sufficient condition for a valuable life. Only when autonomy is exercised in the right way is it valuable, and for that reason, the liberal government cannot and should not be neutral, but it should have an active role in creating and maintaining the accessibility to a wide range of valuable options to choose from (Franken 2016, 23). Because autonomy is valuable only when spent in the pursuit of valuable options, state intervention is not only permitted, but sometimes required: “the autonomy principle permits and even requires governments to create morally valuable opportunities, and to eliminate repugnant ones” (Raz 1986, 417). The government should not only guarantee our negative freedom and the development of our mental capacities but also “positive freedom which is understood as the capacity for autonomy, consisting of the availability of an adequate range of options, and of the mental abilities necessary for an autonomous life” (Raz 1986, 425). Also, it should actively promote personal autonomy through the creation and sustenance of a social, cultural and economic environment conducive to that ideal rather than simply protect against violations of it (Lecce 2008, 115). The autonomous life does not only depend on the availability of one option or freedom of choice; it also depends on the general character of one’s environment and culture²⁰.

Raz’s account for toleration: Because autonomy is exercised through choice, and choice requires a plurality of reasons for action, it follows that there exists a plurality of values other than autonomy to yield such reasons (Sher 1997, 57)²¹. For Raz “valuing autonomy leads to an endorsement of moral pluralism” (1986, 399). Raz’s argument on moral pluralism involves a conceptual claim about the relative commensurability of plural and conflicting values. He considers two values to be incommensurable if a) it is not true that one is more valuable than the other or they are of equal value and b) there is or could be a third one more valuable than one but not the other. Raz maintains that because values are incommensurable, reason often underdetermines which commitments, goals and relationships people ought to choose. Value pluralism has a critical effect upon all conditions of well-being, namely if intrinsic values cannot be ranked, then obviously the lives of people embracing such values cannot be ranked. This way, moral pluralism is viewed as an ethical ideal.

²⁰ Both Raz and Wall use this argument to justify some limitation in the availability of options: Because it is the general environment that matter and not the particular options, the state may justifiably eliminate particular options and replace them with others.

²¹ Sher argues: “Because one cannot respond to a reason unless there is some value that gives rise to that reason, it is inconsistent to hold that autonomy is responsiveness to reasons and that autonomy is the only this with value”

“Moral pluralism is the view that there are various forms and styles of life which exemplify different virtues and which are incomparable. Forms or styles of life are incompatible if, given reasonable assumptions about human nature, they cannot normally be exemplified in the same life. There is nothing to stop a person from being both an ideal teacher and an ideal family person. But a person cannot normally lead the life both of action and of contemplation, to use one of the traditionally recognized contrasts, not can one person possess all the virtues of a nun and a mother” (Raz 1986, 395).

This means that no matter what the choice of life of a particular individual, there will be always other virtues that elude her because they are available only to those pursuing an alternative life plan. Moral pluralism leads to Raz’s defense of toleration: because autonomy requires the availability of a plurality of intrinsically valuable options, and their pursuit presupposes in turn the possession of competitive virtues, respect for autonomy also establishes the necessity of toleration (Lecce 2008, 113). The autonomy-based principle of toleration is the view that pluralism about value is true, and that people should believe in the truth of pluralism so that they happily extend autonomy to others, even though they pursue ends that the persons herself does not value. Raz thinks that it is not only permissible but also urgently required for governments to promote toleration by building principles based on the truth of pluralism.

Consequently, Raz espouses a two-part ideal: he defends a controversial doctrine of autonomy as the key to what makes lives valuable and makes a further perfectionist move when he argues that liberal societies, in order to support autonomy, must accept a doctrine of pluralism (Nussbaum 2011, 11). Raz’s pluralism needs to be distinguished from Berlin’s pluralism, which was the target of Larmore’s critique and Rawls’s reformulation of that critique: for Berlin, pluralism is the denial of monism about the ultimate sources of value (Nussbaum 2011, 8). Monism is the doctrine that there is just one true answer and one only to questions about the ultimate sources of value whereas pluralism is the view “that there are many different ends that men may seek and still be fully rational, fully men, capable of understanding each other”. For Berlin, pluralism is a necessary precondition for the liberal doctrine of toleration and noninterference.

What concerns both Berlin and Raz is the incompatibility among overall doctrines of life, the impossibility of living as both a Christian and a Nietzschean. For Berlin, if people don’t think that

their neighbor's view of life is objectively true, they will always want to interfere with them and convince them of the validity of their own view. Raz argues something different: autonomy requires toleration because it requires the state to provide an adequate range of options and an adequate range is an extensive range only because pluralism is true (Nussbaum 2011, 13). Berlin, looking at historical examples of coercion and tyranny, suggests that we have reason to believe that Rousseau was right in claiming that so long people think that their neighbors are fundamentally in error, there will be no end to their attempts at repression and coercion. Therefore, Berlin's account for toleration is moved primarily by psychological considerations. On the contrary, Raz argues that pluralism is not merely a view on how to motivate people to be tolerant; he maintains that the objective truth of plural options is necessary both to the justification of state policies making an extensive range of options available and to the justification of toleration. Thus Raz, like Berlin, espouses the ideal of autonomy but, unlike Berlin, he deploys this principle in the service of an equally controversial comprehensive doctrine, that of autonomy (Nussbaum 2011, 14).

But if moral pluralism is true, then the principle of toleration cannot rely on moral pluralism for its content because ethical disagreement arising from differing but equally reasonable perceptions of what is of value is the very problem that tolerance seeks to remedy. In addition, the political promotion of autonomy leads to intolerance because the cultivation and perfection of virtues attendant to certain intrinsically valuable activities also tends to produce in their possessors hostility towards deficiencies that are largely inevitable by-products of other people's differing perfections. For Raz, moral pluralism is both an explanation of the genesis of intolerance in autonomy-supportive environments and also a putative remedy for it (Lecce 2008, 125-6). However, Raz's perfectionist theory falls victim to its main argument against the neutrality principle: the citizens of the liberal perfectionist state must be reflective moral pluralists, namely they must endorse Raz's philosophical account of value before his theory can provide them a reason to tolerate other people's limitations. Therefore, if citizens are not appreciative of the plurality and incommensurability of intrinsic values, then moral pluralism cannot serve as a foundation for justifying tolerance because it has not effect upon the beliefs of those people that matter, that is those tempted to persecute others for their beliefs. This is the reason why perfectionism cannot consistently form an argument for toleration: it presupposes the truth or validity of the very propositions that give rise to ethically based political dispute and make tolerance necessary in the first place.

Democratic toleration: Steven Wall has also presented an argument for toleration that tries to address these concerns. Wall bases his argument on perfectionist premises and criticizes Rawls's democratic idea of toleration (Rawls 2005[1993], 58). In *Political Liberalism*, Rawls re-emphasizes the connection between justice as fairness and democratic citizenship. This was also his view in *A Theory of Justice*, where he claimed that the traditional theory of social contract "best approximates our considered judgments of justice and constitutes the most appropriate moral basis for a democratic society" (Rawls 1971, viii). For Rawls, the reason for this lies in the fact of pervasive disagreement about moral religious and philosophical ideals which is inevitable and permanent in a democratic society. The basic liberties, such as the freedom of speech and assembly, the liberty of conscience and the freedom of thought, both protect and foster pluralism and for Rawls, a commitment to public reasoning which is implicit in the social contract tradition, is the most appropriate response (Lecce 2008, 190). The fact of pluralism and the fact of coercion, indicate that perfectionist policies will presuppose exactly what we cannot be sure to have – an uncontroversial, antecedently correct and independent standard of ethical rightness or truth.

As seen above, moral equality can be a solid foundation of contractualism. Ethical disagreement requires giving each citizen an equal share in the collective power of the political community and thus political morality must begin with adjudicative principles and procedures and not substantive claims of rightness. Because ethical pluralism rules out substantive unanimity on what gets decided politically, democratic equality requires unanimity of another kind – unanimity in connection with the constitutional framework that sets out how such decisions are to be made (Lecce 2008, 194). Contractualism is the best political morality for a pluralistic society precisely because it answers the question of how legislation and public policy can be framed consistently with democratic equality while remaining as silent as possible on the question of what the specific content of that legislation and public policy should be.

One manifestation of the distinction between moral and democratic equality is the transformation of the idea of the person as having moral personality in *A Theory of Justice* to that of the citizen in *Political Liberalism*. In *A Theory of Justice*, the basis of equality lies in the two moral powers. We are entitled to equal justice by virtue of our capacity for practical reasoning. In *Political Liberalism*, primary goods specify what we require as free and equal citizens of a constitutional democracy: we are legitimately entitled to them as a matter of basic justice; not as moral agents in every sphere of life no matter what we do, but in our more

restricted role as citizens, a role that is specified by a political conception of justice and the public political culture of a democratic society. Each citizen of a stable constitutional democracy, has two points of view: the political conception of justice that she shares with her fellow citizens and that she appeals to in settling disputes about constitutional essentials and matters of basic justice and the particular comprehensive doctrine that organizes her other substantive values and ends.

A main counter-argument is that a perfectionist-inspired legislation would entail the imposition of a lifestyle by dominant groups on others. However, Raz insists that such claims ignore the dependency thesis to the overall argument, namely the fact that state should act on dependent reasons, reasons that apply to their subjects anyway. The fact that the state or the dominant class considers something to be valuable does not provide a reason for action; only its being valuable is such a reason. Raz thinks that state perfectionism is compatible with individual liberty because a) it is limited to legislation and policy measures with nearly unanimous support, b) it is primarily non-coercive, c) it is authoritative only when reasonable, d) it leaves a multiplicity of valuable options intact for people to choose from, and e) it tolerates some morally repugnant but autonomous choices. Premises 3 and 4 are ethical while 1, 2 and 5 are more political or pragmatic ones (Lecce 2008, 117-9).

Concerning the first argument, one may question the conditions under which unanimity obtains. To be more precise, we can ask whether unanimity is the result of informed and reasoned deliberation or simply the product of coercion and manipulation. Secondly, the unanimity requirement inverts one of the oldest insights of the liberal morality, namely the fact that the most vulnerable groups are in need of protection. The second claim about the non-coercive character of perfectionist measures – at least primarily – has been much discussed and has sparked a new debate on “moderate perfectionism”. Raz proposes measures such as subsidies and taxes, which influence citizens primarily by altering the opportunity costs of the activities in question. However, such policies are problematic in light of Raz’s own definitions of manipulation in *The Morality of Freedom*²². As explained above, Raz believes that manipulation violates autonomy because it perverts the way a person reaches decisions, forms preferences or adopts goals. However, in the absence of a more detailed account of manipulation, this is exactly what perfectionist taxes and subsidies would do.

²² Raz explains that manipulation violates autonomy because it “perverts the way [a] person reaches decisions, forms preferences or adopts goals” (Raz 1986, 377-8).

Political moderate perfectionism: The distinction between moderate and extreme forms is a function both of the content of the state's goals and of the ways it seeks to promote them (Metz 2001, 419). Political perfectionism was developed by Joseph Chan (2000) as a political and not a comprehensive theory. According to Chan, the state can follow a moderate perfectionist policy and it can defend this policy on political grounds. The state can base its policies on neutral arguments, such as Rawls's principle of liberal legitimacy, Gutmann's democratic majority principle, or Nagel's contractual principle of higher order unanimity (Franken 2016, 29). Chan bases his theory on the fact of pluralism and the arguments on reasonable rejectability and defends a neutral legitimization for non-neutral policies. Chan bases his arguments on the distinction between philosophical and political perfectionism²³, described in the beginning of the chapter. Political perfectionism is the view that it is permissible for the state to design its political arrangement or policies with the aim of promoting what the state thinks are worthwhile goods and ways of life. Philosophical perfectionism states that the good arguments justifying the legitimacy of the perfectionist state cannot be neutral about the good life. Political perfectionism can be defended by arguments that are neutral towards the goods, such as arguments drawing on democratic principle (Chan 2000, 35). If one uses a philosophically neutral approach as democracy or higher order unanimity to justify state policies, then one can claim that the real basis or justification of those policies lies in the legitimacy of majority rule or unanimity as decision-making procedure, and not in the substantive view that those policies serve to promote a certain good. Moderate perfectionism can therefore be compatible with philosophical neutrality.

For Chan, a mild form of state perfectionism is "desirable, legitimate and unavoidable" (2000, 42). In the case of social justice, the state should be morally responsible not only for what it does or decides to do, but also for what it does not. Nagel writes:

²³ Kymlicka rejects philosophical neutrality: "Kymlicka rejects philosophical neutrality: "Each person's ultimate interest is in living a life that meets objective standards of goodness, and this interest also provides the criterion for evaluating governments. The function of government is to promote citizens' ultimate interests, and the best government is, roughly, the one under which citizens lead the objectively most valuable lives" (Hurka 1995, 38). He distinguishes between philosophical and political neutrality, in order to prove that are not necessarily interconnected: "Imagine a political philosophy that is at its most fundamental level democratic: any state action is legitimate that has been approved in the appropriate way by a democratic majority. This view satisfies philosophical neutrality, since its ultimate principles do not claim any one way of life is better than others. But it does not endorse state neutrality. It allows government funding of art or of amateur sport so long as this funding has the right legislative approval..Philosophical neutrality is therefore not sufficient to justify state neutrality and it is also not logically necessary" (Hurka 1995, 37).

“[T]he pursuit of equality requires abandonment of the idea that there is a morally fundamental distinction, in regard to the socioeconomic framework which controls people’s life prospects, between what the state does and what it merely allows.. [W]ith regard to income, wealth, social position, health, education, and perhaps other things, it is essential that the society should be regarded by its members as responsible for how things are, if different feasible policies and institutions would result in their being different. And if the society is responsible, they are responsible through the state, for it is their agent” (Nagel 1991, 99-100)

This argument is addressed to libertarians and is based on the view that when the state chooses a laissez-faire system, the permissions that go with it are equivalent to choosing or opting for that system; the state’s permission implies a choice, which requires justification. In short, the state does not only have positive responsibility but also negative responsibility for what it could have done. For Chan, this proves that the state cannot avoid taking a stand on questions of the good.

In order for a state to be liberal, state policies must be non-coercive, mixed and multi-centered. Examples of non-coercive measures are taxes, subsidies and education. Perfectionism must also be mixed, namely the good life shall not be the only value that the state supports but it should also take into account other values such as peace, equality and efficiency.

“Perfectionists need not be radicals. They may allow the pursuit of the good life to be tempered by other values. Perfectionists insist only that the pursuit of the good life is one important, legitimate task of the state” (Chan 2000, 15).

Also, perfectionism should be multi-centered in the sense that the state is not to decide independently from the civil society which social practices are of value: “civil society needs the state to remedy its defects, and the state in turn requires a strong civil society to counterbalance and constrain its enormous power” (Chan 2000, 30). Chan also argues that a condition for the legitimacy of state policies is that the decision procedure is “as open and fair as possible”. This openness can be guaranteed by democratically elected commissions responsible for subsidies and policy decisions; the result is that “most, if not all, major responsible specific conceptions of goods would have a fair chance to be heard and supported by state funding in the long run”. For Chan, the transparency and openness of the perfectionist

state provides a sufficient answer to the “problem of disadvantaged dissenters”, or those that according to Nussbaum may be subject to expressive subordination. (Chan 2000, 33-4).

Chan has developed a theory of what constitutes a conception of the good life, which for him comprises of agency goods, prudential goods and “a way of life”²⁴. Agency goods are virtues and dispositions that constitute the good life, such as reason, courage, justice and others. Prudential goods are goods or values that contribute to a person’s good life, such as experience, human relationships and knowledge. Lastly, a way of life is a person’s pattern of living, which embodies a particular ranking of agency and prudential goods and a particular way of realizing them (Chan 2000, 11). His theory resembles Gaus’s point that what creates the conflict between different doctrines is not the acknowledgment that something has value but the ranking of values:

“The crucial problem is the rankings of values..our main disagreements about the good are not about what is of value, but the relative importance of values. After all what is a ranking of values but “a conception of the good”? Liberal neutrality requires justification by impartial reasons, and reasons that presuppose a controversial value ranking do not qualify” (Gaus 2003, 157)

According to Chan, agency and prudential goods do not usually create controversies as they are widely shared²⁵. However, a way of life involves a comprehensive ranking of the goods. For Chan, this is what Rawls meant with his definition of what constitutes a comprehensive doctrine.

However, our inability to conclude to a comprehensive ranking of values does not imply that we are equally unable to make local comparative judgments, that is concrete judgments on two ways of life presented to us (Chan 2000, 13). Based on the above, Chan concludes that moderate perfectionism is a type of perfectionism that appeals to specific judgments on agency and prudential goods and local comparative judgments on particular ways of life. Extreme perfectionism is comprehensive in its ranking of goods and ways of life, coercive in its means of

²⁴ The distinction between agency good and prudential good is adapted from Aristotle, who uses the term “external good” instead of “prudential good.” For Aristotle, any good that does not belong to the good of human virtue or capability of the agent is classified as external good. See *Nicomachean Ethics* 1099b 1-8 (Chan 2000, 11 n. 11).

²⁵ He notes that value subjectivism is in contrast with such a view. However, most liberals such as Rawls, Nagel and Dworkin reject subjectivism and skepticism. Indeed, skepticism would render the liberal theory vague, since liberalism is based on substantive values such as personal autonomy, respect for persons, equality and reasonableness.

pursuit, pure in its exclusive concern for the good life and state-centered in its principles preference for the state as the direct and primary agent of the promotion of the good life. For Chan, moderate perfectionism is more respectful of personal autonomy, as it does not reduce the individual's capacity for making choices but rather enhances it by providing more opportunities for people to experience valuable options and to make choices on that basis (Chan, 2000 17).

Mang's qualified judgments: Mang also defends a moderate version of perfectionism, which holds that with a more nuanced understanding of coercion, legitimacy and value judgments, the state may promote the good life by using moderate measures (Mang 2013, 298). He defends Chan's and Caney's arguments on agency and prudential goods and argues that such perfectionist judgments do not propose a particular ranking of values, as Gaus suggests. He also distinguishes between directly coercive and indirectly coercive measures²⁶.

More importantly, he argues that, in contrast with some perfectionists that have tried to show the objective value of some goods (Hurka 1993, Sher 1997), these remain controversial among philosophers and citizens and thus state perfectionism, as a political principle, should not appeal to such claims. He thinks that the answer to criticisms based on second-class citizenship or respect is a more moderate wording of judgments. According to Mang "we do not have to give up perfectionism just because there might be some exceptions to each judgment about the good life" (Mang 2013, 302). He then proposes the use what he calls "qualified judgments", which may include judgments such as "courage constitutes the good life of most, if not all, people". With this, he tries to overcome the difficulties of the contractualist argument of reasonable rejectability and avoid making any judgment on value objectivism or subjectivism. According to Mang, such judgments "epistemically [they] should be accepted beyond reasonable doubt and they do not rely on any comprehensive doctrine". Based on this, he concludes that the state's appeal to them "can meet the neutral justification principle, since all rational and reflective people are expected to accept them" (Mang 2013, 303).

Mang believes that the state may promote a wide variety of perfectionist policies (which he calls pluralistic perfection) and that we should follow a holistic approach²⁷ when we consider

²⁶ in this regard, it should be pointed out that he classifies compulsory education as a coercive measure.

²⁷ According to Mang: "On the atomistic view, we consider the legitimacy of perfectionism by examining each perfectionist policy separately. For example, in considering whether it is legitimate for the state to promote art, we look at this policy on its own, without considering the fact that it is just one among many other perfectionist

the legitimacy of perfectionism. He argues that each way of life is constituted by a particular range of goods and, if the state supports a sufficiently wide variety of goods, then all ways of life will be supported. This is in line with the moderate means that political perfectionism uses, such as taxes and subsidies. Replying to Gaus's argument on the ranking of values, Mang supports that even in the cases where we can distinguish two competitive (or rival) values, the state need not appeal to any controversial ranking. For this, he uses again a more moderate wording such as "human relationships are of considerable value for most citizens; solitude, thought it may be important for some people, does not have such a high value for so many citizens".

He then addresses the issue of second-class citizens, stating that if the state promotes a conception of the good whose truth or value is an object of serious disagreement (such as Christianity or Islam), then people may reasonably reject that conception (Mang 2013, 307). However, if the state promotes goods that are widely shared and valued by citizens, then the fact that some people may disagree cannot lead to the conclusion that the state treats them unfairly. And if the government cannot avoid treating some people unfairly, then there is a strong reason to give them a tax cut or any other form of benefit or compensation. The immediate answer may be that even with some kind of compensation, these citizens will be coerced and thus perfectionism is not legitimate. Mang answers that, taking the holistic view of perfectionism even if the promotion of a specific value causes some unfairness to the "disadvantaged dissenters", it can be compensated through pluralistic promotion, as they will benefit from the promotion of other goods (Mang 2013, 307-8).

Nevertheless, even if this is true, Mang understands that he needs to address the issue of coercion: if someone does not believe in the value of human relationships, the state should not coerce her to support relevant policies, even if she is compensated by other perfectionist policies. He admits that taxes are more coercive than other indirect perfectionist measures, but tries to defend such policies by focusing on collective welfare. According to Mang, the indirect coercion involved in moderate perfectionism is justified when: a) the perfectionist state uses tax money to promote the welfare of every citizen in a reasonably fair way and b) when each type of perfectionist policy has considerable and undeniable importance from the perspective

policies that the state could pursue. On the holistic view, we consider the legitimacy of perfectionism in light of the fact that the state may pursue a wide variety of perfectionist policies" (Mang 2013, 304).

of public welfare (Mang 2013, 309)²⁸. The main question here is why should a citizen accept indirect coercion by taking into account other citizens' welfare? His answer is that "any citizen ought not to judge the acceptability of any policy only by considering whether it can benefit himself or not [...] he should think that since art is of considerable importance for most people this is a strong agent-neutral reason for the state's promotion of it and hence the state has good reason to use tax money, which includes a small part of his tax money, to support art" (Mang 2013, 310).

However, by arguing this, Mang makes a mistake that has been heavily criticized with regards to other theories such as utilitarianism, namely his theory is too strict and asks too much from the citizens. This is why one of the most concrete elements of Rawls's theory is that we should look at people as being ethically neutral, and not altruists. This is not to be confused with Gaus's statement that moral arguments are arguments that are directed to others, since this is the basis of public reason. Mang knows this distinction and argues that "I do not mean that we should subsume ourselves to the calculations of public welfare and give up our basic rights. My idea, rather is that the state ought to be concerned with both the basic rights of individual citizens and with all citizens' welfare." (Mang 2013, 310)

Respect and perfectionism. However, both Chan and Mang may have gone too far in calling moderate perfectionism non-coercive. A moderate perfectionist state would most probably have a criminal law requiring the fulfillment of tax obligations, which – according to Chan's theory- would be used to promote certain kinds of goods. Hence, even in moderately perfectionist state, citizens would be forced to contribute to the promotion of certain values (Metz 2001, 421). However, to respond to Chan's claim, a liberal should not refer to the degree of the coercion or its results. If this is the case, then the moderate perfectionist state could take into account such consideration and accordingly adjust its pursuit of goods. On the contrary, a liberal should focus on the why and when the state uses coercion (Metz 2001, 423). According to Metz, in the liberal state, people are coerced only when they have interfered with others' ability to choose their own way of life. Choice is purposefully restricted *only for the sake of choice*. The main problem with perfectionism is that choice is restricted for the sake of something other than choice: a non-liberal state uses coercion to promote a conception of the

²⁸ He believes that moderate perfectionism satisfies these criteria since it promotes agency and prudential goods which are elements of most ways of life and supports all ways of life by pluralistic promotion.

good and that treats a conception of the good as more important than people's ability to choose a conception of the good (Metz 2001, 425).

Coercion. Gaus's radical neutrality: Gerald Gaus addresses the issue of coercion and suggests a minimal neutrality, basing his arguments on claims about the nature of moral reasoning. Gaus starts by analyzing the way we reason and from this he tries to construct a principle of neutrality²⁹. Gaus's starting point is what Feinberg calls "the presumption in favor of liberty", that is liberty should be the norm and coercion should always need special justification. He identifies moral agents as those who possess "a minimal ability to direct their actions according to moral requirements" (Gaus 2003, 140). Gaus claims that "one ought not to engage in coercion or force if one does not have an adequate moral justification for it" (Gaus 2003, 141). He stresses that it is important that each agent performs the right action for the right reasons and calls this "the practical nature of morality"; morality is about what one is to do and one's reasons for doing it. To be fully rational a moral agent is to be guided by moral reasons in one's practice³⁰.

The most important element of Gaus's theory is his view about moral justification. A moral justification for an action, he claims, requires impartial reasons: a moral reason is not simply a reason from your point of view, but from a shared or impartial point of view (Gaus 2003, 143). He states that one may not coerce or force another unless the former has an impartial reason justifying the coercion, a reason that as a fully rational moral agent (the latter) would accept as justifying the coercion. He admits that a natural counter argument could be that some people may not accept a reason, even if it is impartial, because of some failure in the deliberative process, a cognitive flaw. This argument would presuppose that impartiality is not what moral agents would accept but impartiality amounts to what is true or correct, even if such a truth is not available to all fully rational agents. However, for Gaus, such a view is deeply mistaken and his claim specifies a minimally anti-elitist conception of moral impartiality. Impartiality speaks to all rational moral agents and constitutes a common evaluative perspective.

He continues by stressing the fact that government actions are coercive. Therefore, governments and their agents ought not to act unless they have impartial justifactory reasons.

²⁹ He opposes that to "presenting an independently intuitively plausible conception of neutrality and then seeking to defend it" (Gaus 2003, 138).

³⁰ He opposes his view to Sidgwick's esoteric conception of morality, according to which only the elite is guided by good moral reasons while the many are best guided by bad reasons that lead them to correct action (Gaus 2003, 142).

He then addresses Sher's (1997, 34-37) argument, that is that governments might offer rewards or pursue certain economic policies to promote certain aims and in general there are less and more coercive measures. However, for Gaus, this is not relevant at this point of the discussion: if the concern is the strength of justifications required for legitimacy, then a distinction between stronger and milder forms of coercion may be relevant. But what Gaus wants to address is the set of actions that require such a justification.

To be a rational believer and agent is not simply to be someone who has rationally justified beliefs; it is to be a producer of such beliefs. If one important warrant for a person believing X and not Y is the result of her own deliberations, then there is a real barrier to the state justifying its actions by showing that there exists a reason R that all fully rational moral agents will acknowledge (Gaus 2003, 153). From that, Gaus concludes that "a) Reasons that presuppose values, claims about the good life, or about human perfection rarely if ever can justify coercion by the state and b) Reasons that presuppose basic rules of justice can justify coercion by the state". According to Gaus, the important point is that reasons that rational moral agents or citizens can reject as justifiable are excluded. In another work, he notes:

"How can we assume moral authority over others [and by extension political authority over others] without simply giving way to the authoritarian stance? The only good ground we have is confidence that our social morality conforms to the requirements of the Basic Principle of Public Justification [and by extension that our political arrangements conform to the requirements of the Political Public Justification Principle" (Gaus 2010, 264)

Gaus then addresses the perfectionist counterargument, by using the "well-grounded perfectionist theories" of Sher and Raz. He stresses the argument made by Wall about political primacy, namely that a theory of restraint, that is a theory that accepts the neutrality principle, restrains the citizens from relying on their best reasons and in this way privileges civility (not imposing reasons on others) over content (the best reasons). While it may be plausible for civility to sometimes override content, Wall notes, it is not plausible to say that it always overrides it. For Gaus, Wall makes an important mistake in his line of thinking. If a reason is not impartial, it is not a moral reason. Morality requires that we use reasons addressed to all. Gaus points out that we should not be concerned with whether a reason has to do with conceptions of the good but on whether it can be accepted as justifiable by all rational citizens. To

elaborate his point, he uses the example of autonomy, which he believes is implied by the ideal of morality (Gaus 2003, 154).

Gaus then turns to the well-known by now reflexivity thesis. He starts by the classic liberal argument the total absence of a coercive state is impartially and demonstrably worse than a limited state that endorses personal and property rights. The counterargument to this contractualist argument is that, even though it shows that some limited states are better than anarchy, it cannot show that everyone has a decisive reason to embrace the same regime. For Gaus, neutrality is radical; this is because, although it may be easy to find shared values that can be part of a public culture, the real issue in most debates is not that something has value but the ranking of values. Liberal neutrality requires justification by impartial reasons and reasons that presuppose a controversial value ranking do not qualify. This is also the case if some value is presupposed by all conceptions of the good, in the sense that all conceptions of the good require that value for their realization. This is commonly the case of the autonomy-based comprehensive liberal doctrines, which claim that autonomy is the basis for a meaningful life.

A suggestion to avoid the apparent radical implications of neutrality is for some, to limit the scope of neutrality to constitutional essentials. For Gaus, however, neutrality cannot be restricted to a certain level if the basic claim is a general one applying to all coercive acts.

Public justification and moral authoritarianism: For Wall, the most important element of Gaus's justificatory liberalism, which he includes in a range of theories that give the ideal of public justification pride of place for political morality including Rawls's theory, is that he presents arguments directed at those who remain skeptical of the ideal of public justification. Justificatory liberalism sets down general conditions for the justified exercise of coercive political power, which are derived from a commitment to public justification. He applauds Gaus's reverse line of thinking, namely the fact that instead of starting with contested moral claims, he begins with claims about the nature of moral justification and then proceeds to show how these claims support some political positions over others (Wall 2010, 125). However, he questions the basic argument of Gaus, which he calls the fundamental liberal principle³¹. Freedom from interference is seen as the basic liberal commitment. The deep appeal of public

³¹ Freedom to live one's own life as one chooses is the benchmark or presumption; departures from that condition – where you demand that another live her life according to your judgments – require additional justification" (Gaus 1996, 165).

reason liberalism, for Gaus, is that it fully respects the moral equality of citizens. “Among free and equal persons, claims to political authority require justification..The denial that others have equal standing to interpret the demands of political morality, and more generally the demands of social morality, is moral authoritarianism” (Wall 2012, 163).

However, for Wall, even Gaus’s theory is vulnerable the reflexivity test. He argues that, “each political subject must have *sufficient reason to accept* a test of public justification, if that test is to be relied upon in specifying the conditions under which the publicity condition is satisfied with respect to the justification of the set of political arrangements to which it applies” (Wall 2012, 164). Gaus, on the other hand, claims that there is nothing incoherent about proposing a test for public justification that is not itself publicly justified. Consequently, a test of public justification could be justified by an argument that appeals to the proponent’s own first-person convictions about how public justification is supposed to work, even if these convictions can be rationally rejected by others. For Wall, this is a mistake, because it leads to a distinction between advocacy for tests of public justification and the activity of publicly justifying political arrangements. However, an essential part of the public justification of a political arrangement is an account of the conditions that establish that the arrangement is publicly justified (Wall 2012, 165).

For Wall, the main mistake of Gaus’s theory is that it puts the burden of proof on the coercer and requires justification only for acts and not for omissions. Instead of this, he proposes what he calls “the symmetry thesis”: he argues that there is no special presumption against interference as such. Interfering acts, as well as failures to intervene, equally stand in need of justification. “Applied to the state, the symmetry thesis holds that coercive law and policy and the failure to enact coercive law and policy, when it is possible to do so, equally stand in need of justification” (Wall 2010, 129). He clarifies that the symmetry thesis does not require that all possible failures to act be justified. It merely claims that every failure to act, just as every act, is subject, in principle, to a justificatory demand. “But the proponent of the fundamental liberal principle insists that, unlike coercive interventions, omissions do not give rise to a justificatory demand – unless a prior justificatory burden has been discharged. That is what it means to hold that liberty is the moral status quo. But if one accepts that morality is pervasive it is far from obvious why liberty should enjoy this privileged position. To support his claim he quotes Nagel: “Non-interference requires justification as much as interference does: Every arrangement has to be justified by comparison with every other real possibility” (Nagel 1991, 100). For Wall, the

distinction between doing and allowing is less compelling when we move from personal conduct to state action: “Even if the doing/allowing distinction could ground a general asymmetry between coercive interventions and omissions at the level of personal conduct, it is doubtful that it can do so at the level of state action” (Wall 2010, 131). Wall understands the appeal of the liberal principle in favor of freedom:

“[I]f one is committed to the idea that persons have a wide domain of autonomy..it is natural to view coercive interventions as especially inimical to autonomy and failures to intervene coercively as rarely, if ever, inimical to it. Thus, one might be led to conclude that coercive interventions require justification in a way that failures to intervene coercively do not. But while a commitment to autonomy can explain the appeal of this principle, it does not vindicate the principle. For, in reality, [the fundamental liberal principle]is a clumsy way to express a commitment to autonomy” (Wall 2010, 132).

Wall also criticizes Gaus’s view on moral reasoning. According to Wall, Gaus affirms internalism about moral reasons, that permits a split between personal and public justification. If public justification requires impartial or shared reasons, and if one holds that moral reasons necessarily are impartial or shared reasons, then one must hold that it is not possible for a person to be personally justified but not publicly justified, Wall notes. Wall notes that someone can have moral reasons, but if her reasons do not pass the test of impartiality, then it would be wrong to enforce them on others. From that, Wall concludes that we should distinguish between moral reasons per se and moral reasons that justify coercion (Wall 2010, 127). However, this argument is presupposed in Gaus’s theory, who begins his article by questioning how one can be legitimately coerced. Thus, he speaks of the former kind of reasons, which are the ones that are relevant to political morality.

Conclusion: The aim of this chapter was to examine the stance of two competing liberal theories with regards to the neutrality principle. A distinction was drawn between philosophical and political neutrality and the main argument in favor of philosophical neutrality, namely the political justification of the neutrality principle, was presented. The main argument against this kind of justification is the reflexivity thesis, according to which political liberalism is inconsistent, because the fact of reasonable pluralism can be applied to the main premises of the theory. The constraints posed by the neutrality principle will inevitably be dependent on

how we define the reasonable and thus how weak the demand of reasonable rejectability will be. In this regard, those who propose the inclusion of epistemic elements in the definition of reasonable citizens argue that a liberal definition of reasonableness must respect the rational agency of citizens and cannot view persons as inevitably tied to and unable to revise their conceptions or values. However, they overpass the deep and pervasive role of the state in citizens' lives and thus, such a theory may lead to the creation of "second-class citizens". The alternative view proposes a moral definition of reasonableness, based on the disposition of citizens to find common ground with and respect their fellow citizens. This discussion reveals the interchange between the neutrality principle and the definition of reasonableness with the demand for respect and toleration. Both the reflexivity thesis and the discussion on the reasonable ultimately try to answer the following question: how should the liberal state treat the citizens that may reject its fundamental premises?

To examine the arguments against the ideal of neutrality, the theory of Joseph Raz was presented. Raz proposes an autonomy-supporting perfectionism, which views autonomy as both intrinsically and instrumentally valuable. The criticism that Raz's theory presupposes that the truth or validity of autonomy as value and thus fails to respect citizens, led to the development of more "moderate" types of perfectionism. The advocates of these theories focus on two claims: firstly, that perfectionism is unavoidable and neutrality is an unattainable aim, and secondly that their type of perfectionism is not vulnerable to arguments based on respect and toleration. Even for them, the main criticism against perfectionism is that it leads to coercion. The arguments of Gaus and Wall present two opposing views of coercion and reveal the deep divide between political liberals and liberal perfectionists. Gaus supports an ideal of public justification and demands that all coercive actions be justified by impartial moral reasons. On the contrary, Wall's answer to Gaus is based on the basic perfectionist claim that the state is allowed and sometimes required to intervene and define people's good. Wall's symmetry thesis reaffirms this premise and the state is considered responsible both for action and omissions.

The aim of the next chapters is to examine what the advocates of these two competing theories propose with regards to education, and more specifically how the aims and legitimacy of educational policies will be justified under political and comprehensive liberalism. Following the above, the liberal perfectionist must prove that an autonomy-supporting education does not lead to the denigration of citizens or communities that reject autonomy as a value. On the

contrary, the political liberal will have to present a theory that renders the neutrality principle compatible with a public policy such as education, which by definition seeks to shape children's values.

2. The Liberal Account for Education:

In theory, for the state education system to be legitimate, the principle of neutrality must apply to educational institutions. In a society marked by reasonable disagreement, educational policy must be neutral towards the competing values, otherwise citizens will be able to reasonably reject them. However, neutrality in education has received widespread criticism in the relevant literature. What is even more surprising is that even liberal neutralists reject the principle of neutrality in education. They view educational neutrality either as impossible or, even if possible, as undesirable. Brian Barry contends that:

“Decisions about what the publicly run schools are going to teach must obviously involve a view about the value of learning some things rather than others. It would be absurd to suggest that there is some way of determining a curriculum that is neutral between all conceptions of the good, and it is significant that those who support legislative (as against constitutional) neutrality have never attempted to lay down a neutral curriculum. (Barry 1995, 161)

According to this view, educational practices cannot but favor certain comprehensive doctrines over others. Reich also claims that educational practice must presuppose certain values, arguing that: “Teachers cannot help transmitting certain values to students, the most obvious of which is an emphasis on learning. The range of these values vary... but assuredly no teacher can remain neutral both in aim and effect to conceptions of the good life” (Reich 2002, 40). The same is pointed out by Brezinka (1994, 121), who claims that: “Education is always directed towards something valuable and no one can educate without valuing”. The main argument in such claims is that neutrality in education is incompatible with the fact that education is by definition a value-laden endeavor.

Liberal neutralists who reject educational neutrality as undesirable contend that it is incompatible with well-justified educational aims and practices. Amy Gutmann argues that:

“Liberal neutrality supports the educational method of “values clarification” which enjoys widespread use in schools throughout the United States. Proponents of values clarification identify two major purposes of moral education within schools. The first is to help students understand their own values. The second is to teach them to respect the values of others. The problem with value clarification is not that it is value-laden, but that it is laden with the wrong values. Treating every moral

opinion as equally worthy encourages children in the false subjectivism that “I have my opinion and you have yours and who’s to say who’s right”.. The toleration and mutual respect that values clarification teaches is too indiscriminate..” (Gutmann 1999, 55).

Gutmann’s argument is based on the worry that neutrality in education will lead to children cherishing value subjectivism. An advocate of neutrality could argue, however, that while the principle of neutrality means that a wide range of comprehensive doctrines must be presented to students, this will not lead to values subjectivism as educational neutrality also includes presenting them the opposing arguments, so that children will be able to critically reflect on and choose one. This idea lies close to the argument of Steven Wall that will be presented later. Besides the criticism on values subjectivism, Gutmann rejects educational neutrality as being incompatible with more plausible forms of moral education:

“We value, for example, the moral sensibility that enables us to discriminate between good and bad lives, and the character that inclines us to choose good rather than bad lives. Why prevent teachers from cultivating moral character by biasing the choices of children toward good lives and, if necessary, by constraining the range of lives that children are capable of choosing when they mature?” (Gutmann 1999, 37)

This argument is the core of Gutmann’s proposal, that is that education should promote certain virtues that all citizens ought to have in order to participate in the political community.

The position of John Rawls on educational neutrality is ambiguous. Discussing the educational problem posed by minority groups, he argues that “we try to answer the question of children’s education entirely within the political conception” (Rawls 2005[1993], 200). He continues by claiming that “justice as fairness does not seek to cultivate the distinctive virtues and values of liberalism of autonomy and individuality, or indeed of any comprehensive doctrine”. However, in a later part of his work he includes educational institutions in the background culture and thus rejects the concept of neutrality in education: “The background culture includes, then, the culture of churches and associations of all kinds, and institutions of learning at all levels, especially universities and professional school, scientific and other societies” (Rawls 2005[1993], 443).

We should then examine if neutrality in education conflicts with Rawls's argument on neutrality constraints. According to Rawls, neutrality applies to the political domain, since the membership in it is non-voluntary, the institutions are coercive and affect profoundly the course of citizen's lives. However, we cannot lightheartedly contend that the membership in education is non-voluntary. Rawls explains that a political society is a "structure of basic institutions we enter only by birth and exit only by death". Despite the fact that many countries impose compulsory attendance laws that require students to participate, this obligation does not reach the extent of the non-voluntary political membership in Rawls's argument. That is that people are born as members of a community, outside of which they cannot lead their lives. Rawls also argues that political institutions are coercive because "political power is coercive power backed by the government's use of sanctions, for government alone has the authority to use force in upholding its laws (Rawls 1993, 136). Despite the fact that education involves some kind of coercion, as children are required to comply with the authority of teachers or – in the case of home schooling – the authority of parents, it is not obvious that this kind of coercion lies within the definition given by Rawls (Waldren 2012).

The element of coercion is prominent in Nagel's argument for neutrality: "I suggest that the element of coercion imposes an especially stringent requirement of objectivity in justification" (Nagel 1987, 223). Neutrality of justification lies on the assumption that a person will reject a coercive action if it is based on impartial reasons. Turning to education, one could argue that while reasonable adults demand a neutral justification of state actions, children do not do so. This is the argument of Levinson: "Children have not developed conceptions of the good. Thus, neutrality seems not to apply to the relationship between the state and children, except insofar as the state's involvement with children affects parents' abilities to pursue their own conceptions of the good" (Levinson 1999, 50). This argument proposes a state of families, as is the term used by Amy Gutmann. The same argument is put forward by Brighouse (1998) and Barry (2001). However, this argument seems unconvincing from a liberal point of view and if we take the requirements of neutrality constraints seriously. This is because a certain educational system will guide children to accept certain doctrines instead of others. If a state is not able to provide neutral reasons for such an outcome, the state's neutrality would be compromised (Waldren 2012).

A more liberal argument was put forward by Milton Friedman who proposed a voucher system for education. In such a system, the state can fund education by providing parents with

vouchers to pay for education at the school of their choice. However, we can see also in this view the prevalence of the state of families, as the main argument supports the parents' right to choose an education for their children. Friedman, then, argues:

“Governments could require a minimum level of school financing by giving parents vouchers redeemable for a specific maximum sum per child per year if spent on “approved” educational services. Parents would then be free to spend this sum and an additional sum they themselves provide on purchasing educational services from “approved” institutions of their own choice...The role of government would be limited to ensuring that the schools met certain minimum standards.” (Friedman 2002, 89).

This argument stands in opposition with the liberal accounts on education that stress the aim of political participation. Such claims point out the role of an educational system in preparing children for future citizenship. Gutmann is the main advocate of this approach. Rawls also argues that children should receive an education that will “prepare them to be fully cooperative members of society and enable them to be self-supporting; it will also encourage the political virtues so that they want to honor the fair terms of social cooperation in their relations with the rest of society” (Rawls 2005[1993], 199). This kind of voucher system would most probably be endorsed by those philosophers that propose a minimal state. However, the main advocates of such a view have not provided specific arguments on the educational consequences of their philosophy and the relationship between their views and educational aims. In addition, the main counter-argument for such a view lies in the phrase “accredited schools”. For a state to be neutral, it would have to base the regulation of these schools on neutral grounds. As Friedman suggests, the state still has a role in setting certain thresholds and standards, which would require a neutral justification.

Another major criticism of neutrality in education is that educational neutrality does not explain the inclusion in the curriculum of humanistic disciplines such as literature, music, art and drama. Intuitively, the inclusion of such disciplines in the curriculum is based on perfectionist grounds and does not serve vocational ends. This view was best summarized by Kraus:

“If the principle of neutrality was taken to heart and widely accepted.. it would become difficult to justify public support for non vocational education. Public schools at all levels, from primary schools to state universities, use tax money to

support classes in drama, music, literature, science and history. Were we to accept the principle of neutrality, we could not justify these expenditures by saying that the state should promote certain constituents of the good life, and that the liberal arts are among those constituents.” (Kraut 1999, 322)

The argument seems at least logical. These disciplines seem to presuppose the superiority of certain comprehensive doctrines and thus are incompatible with the neutrality principle. If this assumption holds, then a neutral education would be limited to a purely vocational training or should justify humanities with an instrumental argument. An instrumental justification of humanities would involve the argument that humanistic disciplines are crucial in exposing children to different doctrines. Kraut argues that such a view would mean that “subjects such as music, drama, sciences, and history give future citizens the means they need in order to achieve whatever ends they will have in the future” (Kraut 1999, 322). Nevertheless it should be noted that to expose children to different doctrines, which is the main argument of the advocates of autonomy being the main aim of education, does not mean only to provide them the means to choose among different doctrines as Kraut suggest but also the means to be reflective in their decision on how to lead their lives.

As will be pointed out later, a neutral educational system should not attempt to *shape* the children’s ends but can – and should- legitimately *guide* students in choosing between different doctrines. Such an approach would be consistent with the fact of moral pluralism and education can be viewed as a way of tolerating and solving the controversies. However, even this view raises some questions about its consistency with neutrality. This is because the relevant authorities of the state will have to make a decision on which work to be taught and this decision must be based on neutral grounds. Neutralists must find a way to narrow down the curriculum without violating the constraints of neutrality. For example, the decision of a philosophy teacher to include Kant in the curriculum and not Bentham because Kant’s views are seen as superior would violate the constraints of neutrality. The choice must be justified on neutral grounds, that is if the work of Kant or Bentham is viewed as a prime example of a certain philosophical point of view.

This kind of instrumental justification of education seems to be the less problematic. States are called to help children become functional adults. As Gutmann suggest societies have an interest in “conscious social reproduction” (Gutmann 199, 14) and individuals have an interest in

achieving their ends; and for this, they need to acquire certain capacities that are necessary to form and pursue their ends. Surprisingly, this underlying thought is evident in the two contradicting views that will be examined: the argument for a democratic education proposed by Gutmann and the argument for a liberal education based on moderate perfectionism proposed by Wall. This is because this argument seems to not rely on fully comprehensive doctrines. Schools are supposed to help individuals choose their aims while the objective of achieving one's end seems to be important for all individuals regardless of their comprehensive doctrines. Thus, such views seem to be in line with the constraints of neutrality. A comprehensive view of an educational system based on these premises is developed by Barry. Such an education is:

Designed to ensure, as far as possible, that its recipients will grow able to make a living by working at some legally permissible occupation, engage in commercial transactions without being exploited as a result of ignorance and incompetence, deal effectively with public officials, know enough about the law to be able to stay within it (if they so choose) and possess (or have the means of gaining) enough knowledge of hygiene and public health to be able to practice effective contraception and to raise children properly. (Barry 2001, 272)

Some of these aims are indeed consistent with the principle of neutrality. When it comes to social, legal and economic norms, teaching the laws of the society seems to be consistent with the constraints of neutrality. However, if we consider the need to teach social norms, a more extensive justification is needed. Due to the plurality of comprehensive doctrines, teaching children even the basic norms of respect and tolerance may pose some problems for a strict interpretation of neutrality and requires further specification. Even the argument on economic transactions, that is to teach children not to be exploited, requires the advancement of critical thinking, which also may raise some problems for neutrality. The most plausible claim seems to be the one regarding political participation. As noted by Rawls, we enter institutions by birth and exit by death and political institutions have a profound effect on people's lives. Hence, individuals must have the ability to participate in the political process.

3. Steven Wall: Autonomy-Supporting Education

3.1. Liberal Perfectionism, Neutrality and Respect

Steven Wall's work is based on liberal perfectionism, a view that accepts that it is permissible and indeed fitting for the state to promote, actively and intentionally the good of its members (Raz 1986, Hurka 1993, Sher 1997, Wall 1998, Arneson 2000). Proponents of liberal perfectionism accept the ideal of personal autonomy as a key constituent of the good life and thus view autonomy as perfection. This distinguishes liberal perfectionism from views that view personal autonomy as a condition for moral action or as a moral right.

As developed in the previous chapter, Steven Wall advocates in favor of perfectionism, by arguing that: "political authorities should take an active role in creating and maintaining social conditions that best enable their subjects to lead valuable and worthwhile lives (Wall 1998, 8). However, Steven Wall supports a moderate, or weak as it is called in his works, account of perfectionism based on four claims. These are:

(1) that some ideals of human flourishing are sound and can be known to be sound; (2) that the state is presumptively justified in favoring these ideals; (3) that a sound account of political morality will be informed by sound ideals of human flourishing; and (4) that there is no general moral principle that forbids the state from favoring sound ideals of human flourishing, as well as enforcing conceptions of political morality informed by them, when these ideals are controversial and subject to reasonable disagreement. (Wall 1998, 8).

For the debate on the legitimacy of educational policies we should first and foremost address the second claim, which maintains that the state is presumptively justified in favoring sound ideals of human flourishing. Steven Wall interprets the state broadly, so as to include the political constitution of a society, its political institutions and the policies of governments. He then argues that there is no general moral principle that forbids the state from favoring sound ideals of human flourishing, as well as enforcing conceptions of political morality informed by them, even when these ideals are controversial or subject to reasonable disagreement. However, Wall urges to clarify that he supports a moderate account of perfectionism. He does so by affirming that the second claim:

“does not hold that if an ideal of human flourishing could be shown to be sound, then ipso facto the state would be justified in promoting it through political action. It holds, more weakly, that there would be a presumptive case for such action. This leaves open the possibility that under some circumstances such action would not be wise. Nor does the second claim imply that if an ideal of human flourishing could be shown to be sound, then it would always be morally permissible for the state to promote it in whatever way it thought best” (Wall 1998, 11).

Therefore, Wall accepts that there are moral limits to perfectionist political action, even when it serves ideals of human flourishing fully worthy of support. In this way, Wall answers to arguments that draw a distinction between perfectionist and anti-perfectionist liberalism based on the limits on government action. Clayton, for instance, argues that: “Perfectionism is the view that there are no principled limits to the extent to which government may appeal to the intrinsic merits of alternative comprehensive doctrines. In contrast, anti-perfectionists claim that there are sound reasons of political morality that justify drawing a limit to the extent to which government may appeal to such information. In their view, even if government may appeal to some truth about non-political value, it may not appeal to the whole truth.” (Clayton 2006, 26).

Wall also clarifies that the fact that an ideal of human flourishing is controversial may provide a reason in some contexts for not promoting it through political action, even if the ideal is sound. He stresses that his weak perfectionism could be accepted by defenders of the doctrine of state neutrality. For this, a distinction is needed between neutralists, such as Larmore, who concede that it is permissible for the state to promote shared ideals of the good life, and “pure neutralists” who insist that it is never morally permissible for the state to favor some ideals of human flourishing (Wall 1998, 11)

Restricted state neutrality. Wall’s effort to put forward a type of perfectionism that will respect the constraints of neutrality and public reasoning is evident from the first chapter of *Liberalism, Perfectionism and Restraint*. He states: “No one believes that the state should actively promote every element of a fully good life. Some ideals cannot be effectively promoted through political action. Nonetheless, there remains a wide range of ideals and excellences that could plausibly be thought to be relevant to politics.” (1998, 13) According to Wall, this is what distinguishes

perfectionists and neutralists. Perfectionists object to the idea that there is a general rule which excludes the political promotion of such ideals.

However, as noted earlier, Wall also wishes to develop a perfectionist theory that will be compatible with the constraints of neutrality and the fact of value pluralism. He does so by invoking the principle of what he calls “a restricted state neutrality” (Wall 2010b). Wall tries to develop a principle of state neutrality that is broadly compatible with a perfectionist approach to politics. At this point, it should be reminded that the distinct element of a perfectionist approach is that the state is allowed to promote, not only shared ideas of the good, but also controversial. His main argument is that perfectionism and state neutrality are consistent as long as the state neutrality in question is restricted to ideals that are of equal or incommensurable value. Perfectionists believe that the state ought to promote good ideals and discourage bad ones. But perfectionists also hold that the state should be neutral among ideals of equal value. Neutrality is owed to ideals of the good that have adherents in a particular society and are equally worthwhile. He calls this neutrality principle, the restricted neutrality principle. With this, he tries to solve the conflict arising in situations where groups of individuals confront choices as to which goods, if any, should be promoted by political action.

The main issue for a pluralistic perfectionist, that is the perfectionist who is also committed to value pluralism, is the question of which eligible human good should the state support or promote over others in the political society. Assuming that value pluralism will inevitably lead to a choice between conflicting goods in some situations (a choice that will not be rationally determined), Wall compares the principle of restricted state neutrality with the liberal principle of state neutrality. The principle reads as follows:

“If two or more ideals of a good human life are eligible for those who live in a particular political society, and if these ideals have adherents in that political society, and if these ideals cannot be ranked by reason as better or worse than one other, then the state, to the extent that it aims to promote the good in its political society, should be neutral between these ideals in its support of them.” (Wall 2010b, 238)

The main difference with the liberal principle of neutrality is that the liberal principle of neutrality is broader: it includes all conceptions of a good human life that are eligible in modern societies, or at least all such conceptions that are compatible with the requirements of justice.

The main goal for state officials is to recognize a general constraint on the kinds of considerations that can be invoked to justify political decisions and controversial ideals of the good are to be excluded from political argumentation (Wall 2010b, 239). On the contrary, Wall's restricted neutrality principle allows the state to favor some permissible ideals, that is ideals that are consistent with the requirements of justice, over others. In the case that several ideals are equally worthwhile, the state must remain neutral. On the contrary, in the case of an ideal that is permissible but not worthwhile, the two theories diverge. Liberal neutrality requires state officials to refrain from discouraging ideals of the good, even when they judge correctly that these ideals are not worthy of pursuit.

The next challenge would be the choice between two conflicting but equally worthwhile ideals. If we accept that it is illegitimate for the state to arbitrarily favor some ideals of the good over others, then the restricted neutrality principle offers no solution. One solution could be to choose between two ideals randomly; however, this would raise questions about the fairness of the procedure. A possible alternative could be to account for the number of supporters, that is the state should opt for a weighted randomization procedure. Wall proposes a combination of the two: he argues for a decision procedure that will be designed to be sensitive to both fairness claims and to the aggregate goodness of the outcomes it yields. He concludes that when the restricted neutrality principle cannot conciliate the perfectionist state aim in promoting the good and the claim against discrimination, a proper balance of interests seems as the most plausible solution (Wall 2010b, 242-4).

However, it should be noted that this argument holds for goods that are divisible and thus not mutually exclusive. Wall uses the example of baseball and opera and proposes that the state supports both, the apportion of its support being decided by the amount of opera and baseball lovers in the society. That is because the support of the one does not foreclose the support of the other. The argument changes when Wall considers the ideal of individual autonomy: for the promotion of the ideal of autonomy, a state that sustains a certain social environment is necessary. However, a state sustaining autonomy-supporting environment is not neutral with regard to all ways of life, as it contains practices and institutions that favor individual choices and are inhospitable to some ways of life that may be fully good. When it comes to groups that lead lives that are fully good but non-autonomous, the state would not be neutral among the autonomous and non-autonomous valuable ways of life. Wall's argument in this part reflects a

sense of pragmatism: he states that since the state can sustain only one social environment, it should sustain an autonomy-supporting social environment:

“When the state provides support for divisible goods, it can apportion its support to the number of people who pursue the goods. However, as we have seen, much perfectionist political action is not concerned with the provision of divisible goods, but with sustaining a valuable social environment. Here, the strategy of apportioning support for different goods according to the numbers is not an option. Still it does not follow from this fact that the state should not intend to sustain a valuable social environment. It is reasonable and non-arbitrary for it to take into account the number of its members who pursue different valuable ideals. If a substantial majority of its members would benefit from perfectionist political action that sustains a certain social environment, then it is appropriate for it to undertake it.” (Wall 2010, 246).

Assuming that people who live in modern societies need to be autonomous in order to lead successful lives, Wall contends that the state cannot be neutral with respect to the social environment that it sustains. Only by promoting an autonomy-supporting environment the state will be able to advance the welfare of the vast majority of those subject to its power. With this argument, Wall answers to objections such as those of Evan Charney against those who support autonomy as intrinsically valuable. According to Charney, autonomy liberals are being inconsistent by refusing to extend value pluralism to include the manner in which persons come to have those ends and forms of life (Charney 2000, 36). Autonomy perceived as valuable for its own sake would have to be judged a sectarian goal, not suitable as a consensual basis for public policy (Arneron and Shapiro 1996, 399). The main challenge for every liberal is that liberals must attach special value to individual autonomy to justify the insistence on liberal rights and freedoms, but in doing so they must not fail to respect the reasonable views of those who attach no intrinsic value to an autonomous life (MacMullen 2007, 93).

Wall’s answer is a radical one: liberal perfectionists have no concern in promoting non autonomous ways of life. If the state can promote only one social environment, this environment should be an autonomy-supporting one.

The structure of perfectionist toleration. Nevertheless, one could argue that such a policy will have detrimental effects to certain subgroups in modern societies whose way of life is

unreceptive to autonomy. The social forms of modern western society do not only shape the conditions of well-being of those who accept the dominant culture, but also of those which strive to sustain non-autonomous ways of life. For Wall, this reveals that modern societies cannot “shelter” non-autonomous ways of life. They may take measures for the survival of them but they cannot create an environment for them in which they can flourish (Wall 1998, 179). In this, Wall follows Raz’s argument that “For those who live in an autonomy-supporting environment there is no choice but to be autonomous; there is no other way to prosper in such a society” (Raz 1986, 391). For Wall, if we do not have any compelling reason to change the general character of these social forms, we must take them for granted and when we do so, we will only come to the conclusion that the best way to promote the well-being of people is to promote autonomy. Therefore, assuming that there is no reason to change the general environment, “those who would do better in a non-autonomy supporting environment cannot plausibly claim that the social forms of their society should be transformed at great cost to everyone else so that they could live in an environments that better suits them” (Wall 1998, 180). Given the circumstances of modern society, the vast majority of people will be benefited if autonomy is promoted and this facts gives to autonomy’s value a special standing.

Consequently, autonomy-based liberalism seems to contain no commitment to the value of diversity itself. It values only those diverse ways of life that value autonomy and thus makes toleration a mere pragmatic device³². But the point is that Wall’s theory – and Raz’s theory for that matter - never intended to have such a broad understanding of toleration. Wall argues that:

“on an autonomy-based account of political morality diversity is valuable to the extent that it contributes to human flourishing. On this account there is no good reason to preserve ways of life that impede human flourishing simply because their continued existence would contribute to a more diverse world” (Wall 1996, 181)

Of course, toleration can be necessary if the costs of repression or interference may exceed the costs of toleration. This is the case in which people’s well-being is intertwined with a non-autonomous way of life. Even if their life is not fully good, continued participation in it may be the best option open to them.

³² This argument first appeared in Mendus, S. (1989). Toleration and the limits of liberalism.

According to Wall, the main difficulty with the notion of toleration is that the object of toleration is an object that is disliked or disapproved of. Consequently, the tolerant person is one who is disposed not to interfere with an object that he disesteems, this disposition being a moral disposition and not contingent on the efficiency or expected results of such a behavior. The recognition of value pluralism may reduce the number and range of objects that it is reasonable for a person to disesteem. However, there is still place for toleration and the need for this disposition will resurface when someone is confronted with what he considers as invaluable acts or ways of life (Wall 2003, 232-3).

For Wall, toleration has independent value, namely it is valuable irrespectively of the consequences it brings about. According to his view, toleration is valuable since it is a way of respecting the good. He starts by examining an autonomy-derived toleration, close to that formed by Raz. According to such a view, by tolerating the behaviors of others, we respect their autonomy. Here, a distinction must be made: **respecting someone's autonomy does not necessarily mean furthering their autonomy.** To be more precise, we can value the autonomy of persons when we do not tolerate wrongful or invaluable choices. Valuing autonomy does not commit one to autonomy-derived toleration. This is because autonomy can be understood either as an ideal to be promoted or as a right (or set of rights) to be respected. A proponent of autonomy-derived toleration would insist that the rights-based understanding of autonomy always takes precedence over the ideal-based understanding (Wall 2003, 235-6).

Wall's perfectionist account for toleration relates judgments of toleration to judgments of objective value. He distinguishes between a basic and an extended argument. The basic argument holds that:

1. We have reasons to respect (ie., to not hinder, suppress, or destroy) practices or ways of life that are on balance valuable.
2. A practice or way of life is on balance valuable if its valuable features or properties are evaluatively more important than any disvaluable features or properties it may have.
3. Some on-balance valuable practices or ways of life are inseparably intertwined with features or properties that are rightly disesteemed.
4. Therefore we have reason to respect features or properties that are rightly disesteemed if they are inseparably intertwined with practices or ways of life that are on balance valuable.

Wall acknowledges that such a view of toleration is vulnerable to certain counter-arguments. Firstly, this argument suggests that there must exist a balancing of properties and thus that

properties can be quantitatively measured. More importantly, the premise that some invaluable properties are inseparably intertwined with valuable ways of life can be questioned. Some critics may suggest that the invaluable properties may be separated from the valuable way of life without destroying it, even if this is extremely difficult. However, even if this is true, this would be a long and gradual process and, in the meantime, those who wish to preserve its valuable properties would need to respect its invaluable properties. The main point to be remembered from the basic argument is that tolerating the invaluable properties has independent value, for this disposition manifests respect for the on-balance valuable way of life of which the invaluable property is but one constituent element (Wall 2003, 241). However, the basic argument is subject to two more objections: such an argument suggests that people should not respect ways of life that do not possess any valuable properties and ways of life who have more invaluable properties than valuable ones. And more importantly, one may raise the fact that, in the circumstances of social diversity, there is no common or shared evaluative standpoint for assessing the value of objects of toleration³³.

Wall constructs an extended version of his argument to address these concerns. His extended argument holds that, in the circumstances of social diversity, the best way to respect the good is to support certain habits of thought and dispositions of conduct that could be accepted by those who disagree over the content of the good. The argument holds that members of a society have reason to promote and sustain a societal ethic of restraint toward objects that are disesteemed (henceforth to be referred to simply as the “optimal societal ethic”). The optimal societal ethic is an ethic that, if generally observed in the circumstances for which it is proposed, will result in the good being respected as much as it can be in such circumstances. Adherence to this ethic will sometimes require members of a society to respect objects that they rightly disesteem when there is no other reason for them to do so. Therefore, members of a society can have reasons to show respect for objects that they rightly disesteem, which are derived entirely from the need to promote and sustain the optimal societal ethic (Wall 2003, 242-3).

For Wall, if the argument is valid, it will establish a claim for toleration for citizens living under circumstances of social diversity. According to his argument, this ethic of toleration, if

³³ In general, Wall holds the view that the evaluation of ways of life must be grasped by a first-person standpoint. However, Wall acknowledges that toleration is not just like all the other virtues, as its dominant feature has to do with what we do as a community. (Wall 2003, 242)

internalized by a substantial majority of the members of a given society, would result in the good being respected in that society better than it could be respected if any other societal ethic of toleration was internalized. A societal ethic of toleration does not require that all citizens have the same beliefs about the good but on the contrary, it prescribes a code of conduct for exactly those that disagree about the good. If such an ethic does not exist, the members of a society may share a commitment to certain political and legal institutions but, according to Wall, this may not be the optimal result, as an ethic of toleration would ensure the peaceful coexistence of citizens without requiring that they affirm the same evaluative beliefs. A potential objection could be that such an ethic of toleration may be internalized for the wrong reasons, namely the citizens may not accept that this ethic has independent value but they would base their decision on instrumental considerations. For Wall, “given the diversity of assessments of value in such a society, the ethic will be more stable and more likely to function well if it is valued for its own sake”³⁴ (Wall 2003, 246).

All in all, both the basic and the extended argument rely on the premise that respecting the bad may be a necessary condition for respecting the good. The second argument compliments the first, which is necessary in order to identify the social practices and ways of life that are proper objects of toleration. The second argument adds the fact of social diversity and views toleration as a social practice that is particularly relevant to societies marked by significant social diversity.

Respect: Wall’s perfectionist account for toleration provides a convincing argument on how tolerating disvaluable actions or traits can be part of a perfectionist theory that. Perfectionists should tolerate the bad as a way of promoting the good. However, even if we accept Wall’s argument for toleration, we are still left without an answer for the detrimental effects that a perfectionist policy can have to the sense of self worth of some citizens. According to Rawls, the sense of self-worth comprises of two elements: a person’s conviction that his projects and ideals are worth pursuing and a person’s confidence in his ability to successfully pursue or realized his projects and ideals (Rawls 1971, 440). A person’s sense of self-worth is a function of his membership in various groups to which he belongs and identifies with and can be damaged if he becomes ashamed of who he is. The state cannot guarantee that all of its members will enjoy a sense of self-worth but it can establish social conditions that affirm the self-worth of its

³⁴ To answer this objection, Wall distinguishes between the perfectionist account for toleration and the social contract or contractualist accounts. (Wall 2003, 247). The social contract account of toleration is circumcised by the criterion of what can be reasonably rejected by the citizens of a society.

citizens and can refrain from actions that could possibly damage it. In this element that Wall disagrees with Rawls:

“Those who pursue pointless ways of life, such as Rawls’s infamous grass counter, or those who pursue worthless ideals or engage in degrading projects do not have a claim on others to have the value of their pursuits publicly affirmed. In short, self-respect is valuable, but only conditionally. It is valuable on the condition that it is merited, and to merit self-respect a person must pursue a way of life that is worthy of pursuit” (Wall 2010b, 249).

He calls this idea of merited self-worth “a fitting sense of self-worth”. However, Wall stresses the importance of the expressive meaning of state action: the state expresses a message when supporting a certain good. If citizens judge with warrant that state action is offensive to them because it expresses the message that their way of life is not worthwhile, then the consequence might be that their sense of self-worth will be damaged. The expressive meaning of perfectionist state action and its potential damage to self-worth of some citizens may be a compelling reason for not going forward with some perfectionist policies that are otherwise sound. Of course, in the case of a citizen whose sense of self-worth is bound up by its membership to a racist hate group, the state should not be concerned if this citizen’s sense of self-worth is damaged. However, it should be noted that such a case is an extreme case: not all pursuits are equally worthless and more importantly, sometimes people engage in degrading pursuits but may nonetheless lead on-balance valuable lives.

Here a distinction is needed between the lives who contain some worthless elements and those who are deemed to be inferior to others as a whole. To my understanding, in the first case we must apply Wall’s account for toleration and in the latter his arguments on the restricted neutrality principle. Wall’s account for toleration refers to why the state should tolerate worthless elements of on-balance valuable ways of life. His principle on restricted state neutrality comes to answer to a much more difficult question: even if some forms of life are deemed to be superior and are thus promoted by the state, this will have an immediate effect on the lives of citizens who live on-balance good lives and which were deemed to be inferior. And it may be true that for some persons it may be better to continue pursuing ways of life that

involve some inferior goods than affirming the conception of life supported by the state³⁵. These people, nonetheless, may have a legitimate interest in not having their state express the view that their interests are inferior. The state can legitimately promote the good in non-sectarian ways but in the social context of modern societies marked by religious and cultural diversity, it will likely be seen by its members to be a sectarian state. Wall provided a convincing argument on why the state may legitimately promote worthy ideals of the good but remains silent on the issue of how to guarantee the sense of self-respect of citizens who do not conform with the dominant way of life.

A solution may be provided by Nagel and the argument of Higher-Order Unanimity. Nagel considers the case of national defense: everyone can recognize that some unified policy is absolutely necessary for national defense and thus, people can accept authoritative decisions on such a policy despite the fact that they may have reasonable disagreements on those decisions. The argument is that people are not degraded to second-rank citizens because, despite the fact that they disagree with a particular state policy, at a higher level there is agreement on the need for a unified policy in that area. Therefore, the principle of higher-order unanimity purports that in situations where reasonable people have disagreements on how a problem should be resolved but nonetheless agree, or would agree, that the state should adopt a policy, the state may legitimately make policy decisions dealing with the problem. The criterion put forth by Nagel is practical necessity. However, Nagel stresses that the principle does not hold for decisions on how to lead one's life:

“In some cases, such as national defense, a common standpoint can be found despite extreme disagreement, because everyone recognizes that some unified policy is absolutely necessary...But this is not true of religion and other basic choices regarding what life is about and how is to be led. There the argument of necessity does not supply a common standpoint capable of containing the centrifugal force of diametrically opposed values, and legitimacy requires that individuals be left free, consistent with the equal freedom of others, to follow their path.” (Nagel 1991, 165).

³⁵ This argument will be explained later in detail. In short, it is based on the argument that some people's lives have been shaped by their participation in inferior ways of life and they may be better off by continuing to pursuing such lives rather following autonomy-based liberalism.

However, as Joseph Chan suggests, Nagel's criterion is too strict to obtain and thus traditional pursuits of the state such as education will inevitably be deemed illegitimate (Chan 2000, 24). Chan supports that if unanimity is required only in policies that are necessary for the survival of society, the principle becomes so strict that even national defense may be rendered illegitimate. On the other part, if we support a weaker approach of Nagel's principle, then (moderate) perfectionism may be well justified. Nagel has presented such a weaker approach with respect to the promotion of aesthetic values:

“That there are good things in themselves, however, seems to me a position on which reasonable persons can be expected to agree, even if they do not agree what those things are. And acceptance of that position is enough to justify ordinary tax support for a society's effort to identify and promote such goods, if it can effectively do so – provided it does not engage in repression or intolerance” (1991, 134).

It follows that state action in this case is legitimate not because it is necessary for the survival of the society but because everyone has a reason to promote whatever is deemed intrinsically valuable and because society as a collective is a better instrument to promote it. This argument could explain state action on education. Not all educational policies are agreeable to everyone. However, the state is a better instrument to promote education than individual effort taken separately. Therefore, if we consider Wall's argument on the intrinsic value of autonomy to be valid, the state may legitimately promote autonomy as an educational aim.

3.2. The value of autonomy

Wall's account for autonomy. Autonomy as understood by Wall is achieved when a person leads his life on its own terms, that is when he fashions his own life by choosing goals and projects, assuming commitments and taking on responsibilities from among a wide range of eligible options. The autonomous person strives to achieve a good life in his own way and according to his own understanding of what is valuable and worth doing. (Wall 2016, 177).

He follows Raz in viewing autonomy as a character ideal. It is the ideal of people charting their own course through life and fashioning their character. To this end, people should self-consciously choose projects and take up commitments from a wide range of eligible alternatives and make something out of their lives according to their own understanding of what is valuable and worth doing. Those who realize this ideal take charge of their affairs. They

discover, or at least try to discover, what they are cut out for and what will bring them fulfillment and satisfaction. They neither drift through life, aimlessly moving from one object of desire to another, nor adopt projects and pursuits wholesale from others. In short, autonomous people have a strong sense of their own identity and actively participate in the determination of their own lives. (Wall 1998, 128)

Wall wants to endorse an ideal of autonomy that will not be too demanding. For this, he distinguishes his account for autonomy from people with an overarching plan of life that covers each decision: "Such people fully realize the ideal of the rationally planned life; but this ideal, whatever its merits, is not the ideal of personal autonomy" (Wall 1998, 129). He also distinguishes his theory from the Socratic ideal of a self-examined life. According to Wall, self-reflective people are often autonomous, but autonomous people are not marked by their inclination to engage in critical self-examination. Of course, autonomy requires the presence of an independent mind, one capable of altering its convictions and commitments; but such a mind, need not be a particularly reflective one. His notion of autonomy also does not presuppose a kind of "eccentricity", as Mill suggests: people are independent-minded even if they do not turn their lives into "experiments in living". (Wall 1998, 129).

The constituent elements of autonomy: In order for people to be able to be autonomous, certain conditions must be met: people should have the necessary mental capacities (the capacity to form and pursue plans and goals effectively and to endorse or identify with the plans and goals that they have adopted), physical powers (basic health), specific character traits (self-awareness and the vigor necessary to take control of one's affairs as well as the steadiness needed to sustain commitments to the plans and goals that one adopts), access to options (access to a wide range of options to choose from), independence (people must not be subject to undue coercion) and a suitable environment (one that is supportive of autonomous lives). In the liberal perfectionist view, the state ought to promote the good of its members and thus can play a role in not only securing but also in promoting each of these conditions. However, according to Wall autonomy is perceived as just one of the elements of the good life. And since it is just one element of a good human life, it may on occasion need to be subordinated to other goods. Wall stresses that "to believe that autonomy is perfection one does not need to believe that it is a perfection that takes priority over all other perfections" (Wall 2016, 178).

The intrinsic value of autonomy. According to Wall autonomy has both intrinsic and instrumental value. He argues for the intrinsic value of autonomy by using the concept of coercion. His argument lies in the premise that it is intrinsically good for people to make their own choices about how to lead their lives (Wall 2016, 180). It is intrinsically good for them to adopt and pursue projects, not because others have tricked or coerced them into adopting or pursuing them or because they have no other worthwhile options to choose from; but because, according to their own lights, the pursuits are worth adopting and pursuing. He defines coercion as any action that obstructs the coerced person's ability to pursue his projects. Manipulation occurs when an agent bypasses or distorts another's rational decision-making facilities in order to get her to do what the manipulator wants. Coercion alters a person's option set. Manipulation, by contrast, operates on the very wants and desires of the victim. (Wall 1998, 133-136). Autonomous people must be independent – minded, in the sense that they form their own judgments and act for reasons of their own.

Wall connects the notions of coercion and manipulation with the intrinsic value of autonomy, by attempting to answer the following question: wouldn't it be reasonable to decide to let a much wiser person than me – a person that also knows my talents and abilities and what types of projects would suit my nature – make the important decisions of my life? If one is autonomous only when making decisions for her own life, can we defer our decision-making powers to others that are more well-suited to take the decisions, and be autonomous at the same time? To answer this question Wall relies upon what he calls a **normative conception of oneself**, that is an evaluative stance that guides him or her in this selection and pursuit of goals. For Wall, some deference to authority is compatible with autonomous agency, but total deference is not. (Wall 2016, 180). This is in line with our intuition, since most people would intrinsically answer that the person should not let the wiser agent take on her decision making.

Wall draws from the notion of self-development of Mill and contends that if the judgments of the authority conflict too much with my judgments, then I would not be the one taking the decisions governing my life and I would thus be alienated from my life. In addition, Wall argues, even if the other person making the decisions respects the evaluative stance of the individual, it is still important for someone's autonomy to control the major decisions of one's life. People tend to think that it is intrinsically good for people to make their own choices, even though it would be more reasonable in some circumstances if a wiser person took that responsibility. In trying to answer how being autonomous will not lead to people being unreasonable, Wall

defends the intrinsic value of autonomy: “autonomy is not only a matter of a person living a life congruent with his understanding of what is valuable and worth doing, but also a matter of him actually making choices about how to lead his life.” He distinguishes between decisions that are trivial (such as the decision on what medicine to take or how to fill your tax form) and decisions that are central to our efforts to lead our lives on our own terms, decisions that are closer to the core of our evaluative stance. Deference to others with respect to the former does not violate our autonomy, while deference to the latter may make us non-autonomous (Wall 2016, p 182).

A person’s evaluative stance, the goals and concerns that are of importance to him, develop over time as one makes decisions about how to live one’s life. These decisions are self-constituting in the sense that they make us into one kind of person rather than another. We need to make these decisions ourselves in order to have our evaluative stances in the first place. Normative self-creation is a complex process that involves an interplay between one’s decisions about how to lead one’s life and the development of an evaluative stance that guides one in making those decisions. For this position, he follows Raz:

“In embracing goals and commitments, in coming to care about one thing or another, one progressively gives shape to one’s life, determines what would count as a successful life and what would be a failure...In [this] way a person’s life is (in part) of his own making. It is a normative creation, a creation of new values and reasons” (Raz 1986, 387).

In construing a normative conception of oneself, one needs to do more than balance the different options; one must actually make choices. For Wall, this suggests that it is intrinsically good for people to make their own choices and proves that autonomy is valuable for its own sake (Wall 1998, 145-150; Wall 2016, 179-184).

However, if an agent’s normative self-creation is valuable, it is only conditionally valuable. This is the part of Wall’s theory that allows for coercive governmental measures, paternalistic and moralistic, that are meant to prevent or dissuade people from pursuing bad options or engaging in worthless activities. If normative self-creation is only conditionally valuable, it follows that there is an autonomy-based objection to interfering with people’s efforts to create valuable lives for themselves, but not lives centered on worthless pursuits. “Governmental measures that close off or raise the cost of pursuing invaluable options while they may set back the autonomy

of those interfered with, do not set back the kind of autonomous agency that adds to the value of perfection of a human life” (Wall 2016, 187).

The instrumental value of autonomy: In addition to being intrinsically valuable, the realization of autonomy has instrumental value, as it contributes significantly to the achievement of the ideal of self-development. Those who achieve self-development fully realize their talents and potentialities. Wall argues that autonomy facilitates but is not an indispensable condition for the achievement of self-development. Autonomy and self-development are not conceptually linked; it is possible to realize one without realizing the other. However, autonomous people, people that form their own judgments and act for reasons of their own are, other things being equal, better able to develop their talents than those who “drift passively through life”. People need to take up a range of pursuits in order to develop their talents and capacities. In this sense, “the independence and vigor that mark the autonomous person will be instrumentally valuable to the achievement of self-development” (Wall 1998, 153).

The value of autonomy for the enjoyment of a full life is further demonstrated through Raz’s notion of social forms. Social forms refer to the forms of behavior which are widely practiced in a society. Valuable ideals are not independent of the social forms that exist in a particular society. Therefore, if we accept that human flourishing is bound with the engagement in our environment, it follows that the social forms of a society will determine the possibilities for human flourishing within it. “Once we come to an understanding of the social forms that predominate in modern western societies, we will see that personal autonomy is not just one ideal among many for people who live in these societies, but one that is intimately bound up with a fully good life (Raz 1986, 394). Modern societies, in Raz's words "call for an ability to cope with changing technological, economic and social conditions, for an ability to adjust, to acquire new skills, to move from one subculture to another, to come to terms with new scientific and moral views”. Consequently, to flourish in societies marked by these features people need to realize the ideal of personal autonomy at least to some substantial degree.

There is a double link between pluralism and autonomy: on the one hand, autonomy presupposes pluralism because the environment must be such so that it provides its members with a rich and varied range of options for them to chart their own course through life. But, on the other hand, the existence of a plurality of incompatible ways of life demands that people define themselves and decide how to lead their lives without relying on shared authority.

Autonomy presupposes pluralism, but pluralism puts pressure on people to be autonomous. The social mobility, pluralism, secularization and respect for human rights that mark modern western societies are all constitutive parts of the social forms of these societies and they all contribute to making autonomy an ideal of special importance in them. In societies which do not have all of the general features of modern western societies autonomy may be less central to flourishing. One objection to such a view could be raised with respect to people who choose to live non-autonomous lives in modern societies. For Wall, the fact that these people make a self-conscious decision to limit their autonomy is not incompatible with this ideal. The self-conscious decision to become a nun or join the army may not maximize their autonomy, but Wall did not endorse a maximization argument for his notion of autonomy; an argument stating that people should be as autonomous as possible.

The endorsement thesis: Wall rejects the endorsement thesis because, according to him, it is based on two mistaken premises: firstly, that value and belief in value are the one and same thing. And secondly, the endorsement thesis moves from the consideration of the conditions of value of particular types of pursuits to a thesis about the nature of value in general. The endorsement thesis holds that a person's life is improved only if she leads it from the inside and according to her own beliefs about what is worthwhile. If the endorsement thesis is true, then autonomous engagement is a necessary condition for any pursuit to contribute to a person's life.

Wall distinguishes between two interpretations of the thesis: The strong interpretation contends that in order for a pursuit to add value to a person's life, the person must actively endorse the pursuit on the belief that is valuable. On the contrary, according to the weak interpretation, in order for a pursuit to add value to a person's life, the person must at least passively endorse the pursuit. The two adverbs distinguishing the two interpretations mark the difference between self-conscious engagement and mere willing engagement. According to Wall, to get an argument for the value of autonomy, the strong interpretation is needed, but the strong interpretation is not plausible. The strong interpretation is needed because the weak interpretation rules out only coercion and manipulation. However, one may believe that coercion and manipulation are bad for people, even if one does not believe that autonomy is valuable (Wall 1998, 192).

According to Wall, even the weak interpretation cannot provide an argument supportive of autonomy. For his argument, he employs an example put forward by Dworkin: a child is forced to practice music but the child never comes to agree that being forced to play music made his life better. Wall believes that in such a case our decision to endorse or not endorse a pursuit, is irrelevant. It is irrelevant because the question “Did this pursuit add value to my life?” is not one that aims to find out if we have in fact endorsed such a pursuit but rather if we should endorse it (Wall 1998, 194). And we must take into account that people may be mistaken in believing that a pursuit that they were forced to engage in added no value to their lives. This is the argument that supports his premise that the rejection of the endorsement thesis follows from the belief that value and belief in value can come apart. Of course, there are certain pursuits for which endorsement is indispensable and are indeed rendered invaluable if the person does not believe in their value. This is the case of religious practice. However, according to Wall, not all pursuits have the peculiarity of religious practice and thus the endorsement thesis makes an implausible move from the characteristics of certain practices to a general judgment about the value in general (Wall 1998, 196-7).

Coercion and Paternalism: To develop his view on coercion and paternalism, Wall begins from the notion of normative-self creation. As said above, normative self-creation is a complex process that involves the interplay between one’s decisions about how to lead one’s life and the development of an evaluative stance that guides her in making those decisions. This leaves us with three possibilities when an agent may feel that her autonomy has been violated by a coercive action. Firstly, if the agent pursues something that is bad for her under the self-conscious acknowledgment that it is bad for her, and if we understand autonomy as perfection, then the agent must be unreasonable. If autonomy is perfection and if autonomy involves normative self-creation, then normative self-creation and the choices and decisions that constitute it, are good and as such can be a source of reasons (Wall 2016, 186). Therefore, we must allow agents to create reasons but the mere fact that an agent chooses to pursue a project or an end does not turn a worthless pursuit into one that the agent has reason to pursue. For Wall, if the agent insists in pursuing a goal that is worthless on grounds of her autonomy, then the agent must be practically unreasonable.

This leads us to the second scenario where the agent regards his decisions as reasonable when in fact they are not. The agent is mistaken, she misunderstands what is reasonable to do. In such a case, the agent could agree that her normative self-creation is not valuable if it is based

on mistaken beliefs about its value (Wall 2016, 186). From this, it follows that if normative self-creation is valuable, is only conditionally valuable. And this conclusion opens the floor for coercive governmental measures – paternalistic and moralistic – that are designed to prevent or dissuade people from pursuing bad options or engaging in worthless activities. “Governmental measures that close off, or raise the costs of pursuing, disvaluable options, while they may set back the autonomy of those interfered with, do not set back the kind of autonomous agency that adds to the value or perfection of a human life” (Wall 2016, 187).

This view is in contrast not only with political liberalism but also the views of some perfectionists such as Thomas Hurka who contends that “any restrictions on autonomy are prima facie objectionable” (Hurka 1993, 148). For Wall, even though it is necessary for people to have access to a sufficiently wide range of options to achieve autonomy, beyond a sufficiency threshold there is little reason to think that additional options augment one’s autonomy. Wall bases his argument on Raz’s view on coercion:

“The natural fact that coercion and manipulation reduce options or distort normal processes of decision and the formation of preferences has become the bias of social convention loading them with meaning regardless of their actual consequences. They have acquired a symbolic meaning expressing disregard or even contempt for the coerced or manipulated people” (Raz 1986, 378).

Wall reminds us that according to his view, autonomy does not require access to a maximal set of options, but only a sufficient one (Wall 1998, 189)³⁶. He argues that for any agent there are options the presence or absence of which do not affect his autonomous agency, the options he calls “dispensable”. He also distinguishes between actions who are mere impediments, in the sense that they are limiting our options but do not feel as coercive, and coercive actions. The distinctive feature of coercion, for Wall, is that it targets the will of the victim. The coercer adjusts his own actions to the actions of the victim, in order to get her to do, or forbear from doing, what the coercer wants her to do. On the contrary, impersonal impediments that arise from nature or from the uncoordinated activities of others impede, but they do not track or target the will of the impeded agent in this way (Wall 2016, 189). At this point, he comes back

³⁶ “These claims establish that people have a compelling interest in having access to a wide range of options. But from this one cannot infer the further claim that people have an important interest in having access to their maximally best option set..If autonomy is only one component of a fully good life, then there is not reason to think that people have a particularly strong interest in having access to a maximally best option set, particularly if some other good or value could be significantly promoted by restricting their options”. (Wall 1998, 189)

to the expressive aspect of governmental actions and the symbolic harm they may cause to citizens. Being the victim of expressed disregard, especially from one's government, could undermine the sense of self that is necessary for an autonomous life. To address such concerns, one must evaluate both the value of autonomy and the expressive concerns in question.

His first argument is that symbolic harm is belief-dependent. One experiences the symbolic harm with respect to beliefs that she holds, and these beliefs are subject to rational scrutiny. Therefore, we can ask if the beliefs in question are reasonable or appropriate. All coercive interventions invade autonomy, but these coercive measures need not express any contempt or disregard to those who are coerced. A liberal state will need to employ coercion in its efforts to secure the conditions of autonomy for all its members. However, these coercive measures don't necessarily express any contempt or disregard to those who are coerced. Consider, for example, state run public education, Wall argues. This will require government coercion both to fund the schools and demand that parents send their children to them. But if some parents object to this coercion, and claim that it expresses disregard for them as autonomous agents, then the reply should be that they misrepresent the meaning of the government action in question. Properly interpreted, it expresses no contempt (Wall 2016, 191).

All people have a fundamental interest to live a valuable autonomous life, not an autonomous life as such, because autonomy understood as a perfection, is only conditionally valuable. Its presence in life does not necessarily improve it. Autonomy contributes to the goodness of human life only when it is realized through the engagement with worthwhile endeavors. If one was to object to a paternalistic restriction that dissuades him of pursuing an invaluable option on the grounds that it expresses disregards or contempt to her, then a possible reply is that she misinterprets the meaning of the governmental action.

If the symbolic harm *rests on mistaken beliefs* about the justifiability of the government action in question, then we should downgrade its moral import, since we should not hold otherwise justified governmental action hostage to the mistaken beliefs of those who oppose it (Wall 2016, 192). However, if one thinks that a governmental action is unjustified in virtue of its symbolic harm alone, that is if the people who objected would agree that without the symbolic harm the government action would be justified, then this symbolic harm would be enough to render the policies unjustified (2016, 192). To elaborate, Wall imagines a state that can impose paternalistic restrictions selectively and it does so only to those who would make poor options

if the restricted options were open to them. Such paternalistic intervention could be ideal since it would only limit the liberty of those who would benefit from the restriction. However, such a policy could be rejected on the grounds that it singles out and stigmatizes a group of people. From this, Wall draws that the state should in fact impose paternalistic restrictions but not in a way that is objectionably discriminatory (Wall 2016, 192).

3.3. Autonomy as an educational goal.

In discussing education and autonomy, Wall makes the distinction between promoting autonomy and respecting autonomy. To respect the autonomy of others one must not illegitimately interfere with their decisions. This entails that people will have adequate space and a sufficient range of options to lead their own lives and to pursue their projects. This imposes a general constraint on justified political action: political power must be exercised in ways that do not illegitimately interfere with the self-determination of those subject to it. Promoting autonomy, in contrast, requires more. It calls for positive efforts to help others develop the capacities and skills needed to realize the ideal of autonomy as well as positive efforts to ensure that their environment gives them access to a rich and varied range of options (Wall 1998, 205-6). Governments have duties to sustain a legal framework that facilitates the autonomous development of their subjects. These duties extend beyond the negative requirements entailed by respect for autonomy and encompass positive efforts to promote it. This has the consequence that in some contexts political authorities should actively favor some ways of life over others.

The scenario for education unfolds as follows: a religious community in a modern western society refuses to send its children to state-accredited schools because they wish to teach their children the skills necessary for their way of life and they want to insulate them from the outside world. The religious community is peaceful and it poses no threat to the larger social order. It simply asks that the government does not intervene in such a matter. But if its request is granted, then its younger members will not receive a liberal education and they will not be taught some of the skills necessary for an autonomous life. The scenario presented by Wall is based on concerns about the rights of Amish in the USA, following the case *Wisconsin v. Yoder et al.*, 406 US 205 (1972).

This example illustrates the main difference between political liberalism and liberal perfectionism: the former aiming at respecting autonomy and the latter aiming at promoting

autonomy. According to Wall, the society acts correctly if it requires this religious community to send its children to state-accredited schools. Wall adds that such a position is also best justified by direct appeal to the value of autonomy: the government acts correctly because it has a general duty to promote the autonomy of all children subject to its authority (Wall 1998, 207). Against this view of autonomy and legitimate government action, the most intuitive counter-argument relies on the notions of pluralism and diversity. To address this argument, Wall examines the role of the family and the state in educating future citizens. In practice, his arguments lies close to Gutmann's arguments about a shared educational authority between parents, the state and independent experts. However, Wall seeks to demonstrate that his underlying rationale, that is the value of autonomy for human flourishing, provides better grounds for the justification of educational policies.

For Wall, if the children's education is left to their parents' discretion, they will receive an education that prepares them for only one way of life and they will definitely not develop the skills and capacities necessary for an autonomous life. One must not forget that Wall has developed a theory in which autonomy, for both intrinsic and instrumental reasons, is a value of special importance and is considered as a central component of a fully good life. Of course, Wall affirms the educational authority of parents: "The institution of the private family gives parents the opportunity to shape the values and ideals of their children" (Wall 1998, 208). However, their power is not unlimited. Numerous restrictions on parental control are compatible with respect for the private family, such as restrictions on physical abuse. The requirement to send their children to a state-accredited school is one further restriction. In addition, even if parents are required to send their children to state-accredited schools, they will still have significant opportunities to promote their own comprehensive doctrine. Their interest is still substantially respected. Therefore, according to Wall, parents' rights cannot serve as a plausible objection to the state accredited schools.

The second objection comes from the community's interest to self-reproduction. As with parents' rights, though, the community's interest in self-reproduction is not unlimited. For such an interest to be plausible, a community must not promote a degrading way of life, it must be morally decent and – more importantly for our dilemma – to be sustainable by the free decisions of its members (Wall 1998, 209). Wall justifies the last condition by arguing that, given that such a community would exist in a larger environment that is constituted by social practices that favor individual choice, such a community can only prosper if it is sustained by

the free choices of its members. For Wall, this means that if a community is not sustainable by the free decisions of its members, then the larger society has no duty to take steps to ensure its survival. Therefore, either the community will survive because the majority of the children will endorse this way of life and return to the community having completed their education; or this will not be the case and the community will not survive because too many of its younger members will freely choose to pursue other ways of life. (Wall 1998, 209-10).

However, children are not likely to choose the Amish way of living if they are exposed to liberal education in a modern western society. This could restrict the authority of parents over their children even more. This point was made by Reich:

“People who exhibit an autonomous character, precisely because they have an autonomous character and not just a toolbox of skills they can deploy, will be predisposed to endorse ways of life in which they can exercise their autonomy. The upshot is that while it is intelligible to say that a person can autonomously choose to lead a non-autonomous life, as a sociological matter it is highly unlikely that autonomous persons will endorse such a life with great frequency.” (Reich 2002, 104).

The main point of this argument is that if individuals become minimally autonomous, they will probably not choose to belong to groups that will not allow them to exercise their autonomy, a fact that might threaten the existence of some minority groups. However, according to Wall, if this occurs, then the community is not sustainable by the free choices of its members and it loses its claim to self-reproduction. Here, Wall makes an important distinction between children and adults who live in such communities. Earlier in his book (1998), Wall has noted that some who live in non-autonomous sub-communities may be better off if they continue pursuing a non-autonomous way of life. This is because, having spent most of their lives in these communities, the conditions of their well-being are tied up with this way of life. However, the same is not true for children, Wall notes. The conditions of their well-being are still indeterminate and the community shall take action to ensure they grow up to be autonomous.

The last argument of Wall focuses on theories that support state-accredited educational institutions without invoking the value of autonomy. The most prominent of these theories are those that justify similar educational policies with appeal to the values of democratic citizenship. The basic argument of these theories, which will be presented in more detail in the

next chapter, is based on the premise that if modern societies are to function well, then all their citizens must possess a set of basic civic virtues. And for all citizens to possess civic virtues, state-accredited institutions shall be entrusted with the responsibility of teaching them. We can thus justify the legitimacy of state-accredited schools by maintaining that the demands of common citizenship take precedence over the interest of sub-communities to protect and preserve their ways of life.

In order to prove the superiority of his argument, Wall questions the first premise of the advocates of political participation. He argues “it is not true that for a modern society to function well all of its citizens must possess a set of basic civic virtues” (Wall 1998, 211). It is more plausible that for modern societies to function well, a majority of their citizens must possess a set of basic virtues. And if we accept this premise instead of the one requiring *all citizens* to receive a civic education, then the demand that Amish children attend state-accredited schools does not hold. For Wall, the main disadvantage of the civic education argument is that it fails to show that all children must receive a democratic education. A counter-argument could follow the republican tradition, by claiming that participation in the political life is a necessary element of the good life. But such an argument would include perfectionist claims and would not respect the liberal principle of neutrality.

Conclusion. Wall has developed a coherent theory based on the fundamental premise that autonomy, both intrinsically and instrumentally, is necessary to live a good life. However, his defense of autonomy contradicts with his desire to develop a weak perfectionist theory that respects neutrality. Wall explicitly and repeatedly notes that the acknowledgment that an ideal is sound does not necessarily mean that the state should pursue such an ideal. When autonomy contrasts with other values, the state may choose not to promote this ideal. The most plausible objection and value that could be stressed in that sense is the primary good of self-respect. Wall advances a convincing argument for tolerating non-autonomous or invaluable ways of life in a perfectionist, autonomy-supporting environment, but fails to do so for the argument of respect. His restricted neutrality principle does not provide a way to choose between two equally worthy, competing values. To this end, Nagel’s higher-order unanimity argument could be employed for educational policies. But if we broaden Nagel’s argument enough to include education, this would mean that there will be no actual controversial policies in a state, since all people would agree that a policy must be decided in a higher level and would not feel harmed by governmental actions. However, intuitively, we believe that this is not the case.

On the other hand, his arguments on self-respect are consistent with his theory: he contends that self-respect must be “fitting” and that people living invaluable lives cannot demand our respect. He also claims that symbolic harm is based on the beliefs of the person and thus if the beliefs are mistaken, the state is not to blame. It seems that the case for education would fall within this category. Parents are mistaken in believing that their children will be better-off by not attending state-accredited schools, since autonomy is a necessary component of a fully good life in the social environment of modern western societies. Thus, their symbolic harm does not count. However, both in his argument for a weak version of perfectionism and in his argument on symbolic harm, Wall leaves space for deviation but does not expand on it. He contends that if people acknowledge that a governmental action is needed but still feel harmed, then maybe for the sake of symbolic harm itself, the government may not pursue such action. Therefore, if parent acknowledged that autonomy is necessary for their children’s education but claimed that the requirement of state-accredited schools is still harmful because the state expresses a discontent with their way of life, then the state should refrain from such a policy.

4. Civic Education

4.1 Education as a public good

When the state undertakes to provide free primary and secondary schooling, it is not simply offering a private benefit to children and their parents. Similarly, the state does not regulate private schools merely to ensure that children and their parents should be able to satisfy their interests. The more libertarian treatment of schools, such as the one suggested by Friedman (1955, 1962), neglects the civic function of schooling by assuming that education is rightly understood as being merely a private good, the distribution of which is responsive only to the preferences of individual consumers, that is the parents and perhaps the children. This analysis either overlooks or denies the legitimacy of the idea that the political community has its own collective goals to pursue through the education system and seeks to defend, propagate, and reproduce its institutions (MacMullen 2007, 16).

The question is: how can the pursuit of these collective goals justifiably be imposed on children and their parents in liberal democratic states, grounded as such states are in respect for individual rights and freedoms?

Education as a public good. According to Rawls, all citizens should at least be able to form, revise and pursue their conception of the good. To this end, it is necessary that the state guarantees several primary goods. Because all citizens need these goods, the liberal state is neutral when it actively supports them. In order to guarantee primary goods for all citizens, sometimes the state will be required to actively support several public goods. Public goods are in the common interest or to everyone's advantage: they guarantee the primary goods for all citizens and these primary goods are necessary for the realization of their conception of the good. Public goods are thus characterized by their "publicness" (Franken 2016, 54). In addition, some public goods are characterized by indivisibility, the possibility of free riding and non-excludability or externality. Rawls notes:

"It follows that arranging for and financing public goods must be taken over by the state and some binding rule requiring payment must be enforced [...] Assuming that the public good is to everyone's advantage, and one that all would agree to arrange for, the use of coercion is perfectly rational from each man's point of view [...] it is evident, then that the indivisibility and publicness of certain essential goods, and

the externalities and temptations to which they give rise, necessitate collective agreements organized and enforced by the state” (Rawls 1971, 267-268).

Education enables citizens to charter their own lives independently, to participate in the society and in the labor market, to exercise their liberty, and to think in a critical way. In line with this argument, Rawls (1971, 87; 275) and Dworkin (1985, 209) argued that the liberal state has an active role in guaranteeing good and accessible education in order to assure equal opportunities. “Education is a public and primary good that benefits both the individual and society. Therefore, it is argued, in a liberal democratic society the state should fund schools for compulsory education” (De Jong and Snik 2002, 573). Therefore, civic education is justified by reference to the vital interests of citizens and is necessary for the reproduction and improvement of the liberal democratic state. (MacMullen 2007, 16)

Rawls contends that the issue of children’s education falls entirely within the political conception. He is a strong advocate of the view that the principal aim of education is to prepare individuals for political participation. He argues that:

“Society’s concern with education lies in their role as future citizens, and so in such essential things as acquiring the capacity to understand the public culture and to participate in its institutions, in their being economically independent and self-serving members of society over a complete life and in their developing the political virtues, all within a political point of view.” (Rawls 2005[1993], 200)

Rawls believes that political education should include: “knowledge of...constitutional and civil rights.. and should also encourage the *political virtues* so that they [the citizens] want to honor the fair terms of social cooperation” (Rawls 1995, 199). Rawls’s argument implies that the civic goals of liberal democratic education policy do not consist merely in securing the conditions necessary for ongoing peaceful cooperation, including widespread law-abidingness among citizens. As Aristotle rightly observed, the civic goals of education are relative to the nature of the regime. Liberal democratic regimes need a particular type of civic education. When Amy Gutmann (1999) describes the primary goal of education in democratic states as securing the conditions for “social conscious reproduction”, she draws our attention to the important idea that the way in which a regime perpetuates itself is partly constitutive of the nature of the regime. If social reproduction is to be conscious and the regime we create is to count as a democracy, we must not “undermine the intellectual foundations of future democratic

deliberations by implementing educational policies that either repress unpopular (but rational) ways of thinking or exclude some future citizens from an education adequate for participating in democratic politics” (1999, p 14).

The distinctive feature of several recent influential theories of education in the liberal democratic state is the claim that these civic goals are the only legitimate goals of public education policy (Rawls, 2005[1993]; Macedo, 2000). What is meant by this claim is that the state may not pursue non-civic goals through its education policy because liberal democratic states cannot justify imposing an educational goal by appealing to conceptions of the good life about which there is reasonable disagreement. Those who accept that citizens ought to support only those exercises of state power that can be justified by appeal to reasons that are accessible to all will reject the idea that schools might be required to cultivate in children values whose justification lies in controversial conceptions of the good.

Amy Gutmann offers an argument that is different from, but nonetheless importantly related to, the view of Macedo and Rawls. She argues that the pursuit of civic goals is the primary, and the only indispensable function of education in a liberal democratic state. Therefore, liberal democracies *may* legitimately limit themselves to the pursuit of civic goals, although Gutmann does not defend or *require* such a limit.

4.2. Amy Gutmann: The argument for a conscious social reproduction.

Amy Gutmann argues that the main justification for education should be political participation. However, Gutmann supports that even though political participation should be the primary aim of education, there may be other subordinate aims that justify educational policy: “we can conclude that “political education” – the cultivation of the virtues, knowledge and skills necessary for political participation – has moral primacy over other purposes of public education in a democratic society” (Gutmann 1999, 287). According to Gutmann children must be taught enough to participate intelligently as adults in the political processes that shape their society. The good to all citizens of living in a liberal democratic state is sufficiently great that we should assign priority to measures necessary to reproduce that good. As Rawls notes “the values that conflict with the political conception of justice and its sustaining virtues may be normally outweighed because they come into conflict with the very conditions that make fair social cooperation possible on a footing of mutual respect (Rawls 2005[1993], 157). This argument has been called the principle of political primacy (MacMullen 2007, 42)

Gutmann focuses on the issue of authority over children and contends that all other existing theories neglect this challenge. She rejects utilitarianism, which assumes that the purpose of education is to make the mind “as far as possible, an operative cause of happiness” for its indeterminate standard of happiness. She also criticizes rights theories, which, despite the fact that prepare children for the choice between competing conceptions of the good life, do not account for the difference between quality and quantity (Gutmann 1999, 7). However, she is mainly concerned with the liberal theories of education, which aim at developing individual autonomy, and rejects them as not being philosophical enough. The argument is that liberal theories of education may guide individuals in formulating their educational aims but do not provide specific criteria on how educational policies should be formulated. She bases her argument on the fact of reasonable pluralism: people disagree over what forms of freedom are worth cultivating, and therefore people will disagree over what constitutes the best education. She argues that “liberal theories, in their more political version are profoundly undemocratic: they answer the question by suggesting that we need a philosopher-king to impose the correct educational policies, which support individual autonomy, on all misguided parent and citizens” (Gutmann 1999, 11). Therefore her main argument against liberal theories on education is that they are paternalistic.

Wall’s views on education and non-autonomous sub-groups seem to affirm her criticism: despite the fact that education in a liberal perfectionist state aims in cultivating autonomy, the (intrinsic and instrumental) value of autonomy is presupposed, and the claims of parents grounded in their autonomy or the rejection of autonomy as a value give way to the interest of children in autonomy. According to Gutmann, a democratic theory of education solves the issue of reasonable disagreement by defining who should have the authority to make decisions about education and what the moral boundaries of that authority are. For that to happen, we should not translate our moral ideals into policy, as this would lead to an educational tyranny; the enforcement of any moral ideal of education, regardless of its plausibility, without the consent of citizens impoverishes democracy.

To defend her argument for a democratic education, Gutmann examines the most prominent competing views: the family state, the state of families and the state of individuals. The defining feature of a family state is that it claims exclusive educational authority as a means of establishing a harmony between the individual and social good. The purpose of the family state is to cultivate that unity by teaching all educable children what the good life is for them. The

state is portrayed as the “political parent of all its citizens”. The main critique of Gutmann revolves around the argument that a good life must be one that a person recognizes as such, lived from the inside, according to one’s own best lights:

“The objectively good life, defined as the life that is best for people who are rightly educated by birth, need not be the good life, or even the closest approximation of the good life, for people who have been wrongly educated. Could my personal identity be sustained were someone to succeed in imposing upon me (perhaps through brainwashing) the consciousness and life suitable to the contemporary equivalent of a Platonic guardian?” (Gutmann 1999, 26).

Her criticism of the family state seems to incorporate some elements of autonomy, viewed as a value. Gutmann’s argument that a life must be lived from the inside and should not be externally imposed resembles the argument Wall used in order to prove the intrinsic value of autonomy. This draws our attention to the relationship between autonomy and civic education, which will be analyzed in the next chapter at some length.

On the opposite site lies the state of families, which places educational authority exclusively in the hands of parents and permits parents to predispose their children to choose a way of life consistent with the familial heritage. Proponents of this view claim that if the state is committed to the freedom of individuals, then the state must cede educational authority to parents whose freedom includes the right to pass their own way of life to their children. Gutmann, however, stresses the fact that “it is one thing to recognize the authority of parents to educate their children as members of a family, and quite another to claim that parental authority may serve as a shield against exposing children to ways of life of thinking that offend their parents.” (Gutmann 1999, 29). Therefore, Gutmann’s argument against the state of families is that, as is the case for a centralized state, parents do not have a right of exclusive authority over the education of their children:

“The state of families mistakenly conflates the welfare of children with the freedom of parents when it assumes that the welfare of children is best defined or secured by the freedom of parents. But the state of families, rightly recognizes, as the family state does not, the value of parental freedom, at least to the extent that such freedom does not interfere with the interests of children in becoming mutually respectful citizens of a society that sustains family life.” (Gutmann 1999, 32).

According to Gutmann, because children are members of both families and states, the educational authority of parents and polities has to be partial to be justified. Just as a substantial realm of parental authority is essential to both the freedom of adults and the welfare of children as members of families, so is a substantial realm of political authority essential to both the future freedom of children and their welfare as citizens.

For the purposes of this chapter, the focus falls on Gutmann's criticism of the state of individuals: the state of individuals enforces only those laws and professes only those doctrines that are neutral among conceptions of the good life. The state's neutrality aims to maximize the freedom of individuals to pursue diverse conceptions of the good. The state of individuals responds to the weaknesses of both the family state and the state of families by pursuing the dual goal of opportunity for choice and neutrality among conceptions of the good life. However, Gutmann stresses that for education "liberal neutrality is an unlivable ideal". She notes that if we focus our critical attention to the detrimental effects of parental and political prejudices, we are likely to overlook the limitations of the neutrality ideal. Most proponents of the state of individuals base their arguments on a false dichotomy:

"Either we must educate children so that they are free to choose among the widest range of lives (given the constraints of cultural coherence) because freedom of choice is the paramount good, or we must educate children so that they will choose the life that we believe it best because leading a virtuous life is the paramount good. Let children define their own identity or define it for them. Give children liberty or give them virtue." (Gutmann 1999, 36).

Gutmann supports that both educational ends – virtue and freedom – are controversial and neither is inclusive. To establish a privileged place for freedom as the aim of education, liberals must demonstrate that freedom is the singular social good, a demonstration that cannot succeed, according to Gutmann, in a society where citizens sometimes value virtue above freedom. Assuming that some citizens value virtues other than freedom, and the two aims do not support identical pedagogical practices, the liberal aim cannot claim such a privileged position.

Gutmann's account for autonomy. We disagree over the relative value of freedom and virtue, Gutmann contends, the nature of the good life and the elements of moral character. But our desire to search for a more inclusive ground presupposes a common commitment that is,

broadly speaking, political. We are committed to collectively re-create the society that we share and to arrive at an agreement on our educational aims. This is what Gutmann calls conscious social reproduction. If social reproduction is to be conscious, then we should pay attention to the way in which the democratic regime perpetuates itself. And if civic education aims at reproducing a liberal democratic state, it will seek to ensure that each new generation of citizens is committed to respecting the individual rights and freedoms. The key idea is that liberal democratic states can only achieve their goal of self-reproduction through the education of the great majority of children (MacMullen 2007, 17). Laws and constitutions are not self-enforcing, liberal democratic institutions and minority protections are not self-sustaining in the face of widespread public opposition and no set of formal mechanisms, checks and balances can safeguard liberal democratic principles to which citizens attach insufficient value. "Democratic institutions do not work by default. Their operations require a citizenry with particular habits of mind and particular commitments (Fullinwider 1996, 16). The educational system must be one that one citizens consciously approve.

Gutmann starts with this premise to stress the need of an education that will educate all children to be capable of participating in collectively shaping their society. The central civic virtues are toleration, mutual respect and a commitment to reciprocity. The intellectual capacities required of citizens are primarily those necessary for them to participate in the process of political deliberation and decision making. Deliberative competence entails the ability to identify irrational and unreasonable arguments in the public debate (MacMullen 2007, 18). As Gutmann observes, a virtuous character and the capacity for rational deliberation are individually necessary and only jointly sufficient for good democratic citizenship (1999, 51). Once we recognize the truth that liberal democracy depends upon citizens' virtues and capacities, we must not take for granted that citizens will develop the requisite abilities and commitments outside of the institutions of formal schooling. "There is no reason to think that the dispositions that characterize good liberal citizens come about naturally: good citizens are not simply born that way, they must be educated by schools and a variety of other social and political institutions (Macedo 2000, 16). (faith 17-21).

However, Gutmann stresses that the ideal of democracy is not to be viewed as a process of collective self-determination. It would be dangerous to assume that the democratic state constitutes the collective self of a society and that its policies in turn define the best interests of the individual members. According to Gutmann we shall not make such metaphorical

assumptions. Society does not define the interest of the citizens: “There remain independent standards for defining the best interest of individuals and reasons for thinking that individuals, rather than collectivities are often the best judges of their own interests” (Gutmann 1989, 289). In line with this argument, the essence of Gutmann’s theory seems to be that the state can limit its educational goals to creating a system that secures the conditions of conscious social reproduction.

Yet there are passages in her work that might seem indistinguishable from an endorsement of the autonomy goal for education policy in all liberal democratic states. She argues “The same principle that requires the state to grant adults personal and political freedom also commits it to assuring children an education that makes those freedoms...meaningful in the future..by equipping children with the intellectual skills necessary to evaluate ways of life different from that of that of their parents (1999, 30). This resembles Macedo’s “liberal freedom to choose” who claims that “all children should have an education that provides them with the ability to make informed and independent decisions about how to lead their lives in the modern world. Liberal freedom to choose is the birthright of every child (2000, 207). However, both authors claim that civic objectives are the only goals of public educational policy. To understand their insistence that they are not permitting states to promote the value of autonomy, one must understand these conditions to be minimal – no more that it is require to make the concept of free choice intelligible. Therefore, one may argue that this thin theory of the good embedded in the minimal freedom to choose is sufficiently uncontroversial to belong to the overlapping consensus of reasonable comprehensive doctrines (MacMullen 2007, 25).

Therefore, when Gutmann argues for children’s interest in autonomy, she is not proposing that the liberal democratic state must impose the autonomy goal in all schools. If this reading is right, Gutmann can evade Barry’s charge that she smuggles the autonomy goal into civic education by presenting it, implausibly, as a precondition for democratic citizenship (Barry 2001, 224). When she supports education for autonomy, Gutmann is offering examples of the kind of arguments that should animate deliberative democracies, but she does not wish to bypass democratic institutions by establishing any principles beyond the reach of review and repeal by citizens, unless these principles are fundamental to democracy (MacMullen 2007, 26). According to Gutmann, the only principles that schools must respect are non-repression and non-discrimination, because these are the only principles that are justified in the name of democracy itself, as necessary conditions of conscious social reproduction. Gutmann may believe or hope

that educators will cultivate children's autonomy, but she cannot argue that the satisfaction of children's interests in autonomy must be recognized as a goal of public educational policy.

4.3. Is civic education neutral?

As noted above, Gutmann sets two limitations to the authority of the state: non-repression and non-discrimination. Non repression is not viewed as a principle of negative freedom. It secures freedom from interference to the extent that it forbids using education to restrict rational deliberation or consideration of different ways of life. According to Gutmann, this interpretation means that non-repression is compatible with the use of education to inculcate character traits such as honesty, mutual respect and toleration that serve as foundations for rational deliberation. Again, some questions on neutrality could be raised. Gutmann, indeed, admits that non-repression is not neutral among all ways of life:

“Rational deliberation remains the form of freedom most suitable to a democratic society in which adults must be free to deliberate and disagree but constrained to secure the intellectual grounds for deliberation and disagreement among children...Although non repression constitutes a limit on democratic authority, its defense thus derives from the primary value of democratic education. Because conscious social reproduction is the primary ideal of democratic education, communities must be prevented from using education to stifle rational deliberation of competing conceptions of the good life and the good society” (Gutmann 1999, 45).

The second principle is that of non-discrimination, which prevents the state, and all groups within it, from denying anyone an educational good on grounds irrelevant to the legitimate social purpose of that good. Non-discrimination applied to education becomes a principle of non-exclusion. No educable child may be excluded from an education adequate to participate in democratic politics. It follows from the above that the principle of non-repression and non-discrimination support, in the view of Gutmann, deliberative freedom. These limitations are accepted as valid mainly because of their democratic character: all citizens must be educated so as to have a chance to share in self-consciously shaping the structure of their society.

Like the family state, a democratic state secures a degree of parental authority over education. Within the family, parents are free to foster in children deep convictions to particular ways of

life. But by educating children also as future citizens, the democratic state resists the view that parents are the ultimate authorities of their children's education and that they can invoke their parental rights to prevent schools from exposing their children to ways of life that challenge their personal commitment. The democratic state resembles the state of individuals in that it defends a degree of professional authority over education. However, although a democratic state permits adults to live unexamined lives as well as examined ones, it does not support an education that is neutral between these two options nor does it claim that the two ways of life are equally good. Democratic education cannot be neutral between the two options and still educate citizens who are capable of exercising good political judgment. Gutmann concludes:

“Democratic education is not neutral among conceptions of the good life, nor does its defense depend on a claim to neutrality. Democratic education is bound to restrict pursuit, although not conscious consideration, of ways of life dependent on the suppression of politically relevant knowledge. Democratic education supports choice among those ways of life that are compatible with conscious social reproduction.” (Gutmann 1999, 46).

According to Gutmann, any desirable political understanding of education depends on some conception of a good society, and every conception worth defending threatens some conception of a good life. The claim of liberals that the state should teach only certain facts but not values or virtues to future citizens seems insufficient. Mill supported such an education, arguing that the state should limit its educational authority to public examinations “confined to facts and positive sciences exclusively”. However, one cannot support that such an educational system is more desirable because knowing facts is more crucial to a good life or good citizenship than being virtuous. Nor can it be because facts are neutral while values are not. Gutmann argues that there is no defensible political understanding of education that is not tied to some conception of a good society and there is no conception that is not controversial. Liberals seem to be committed only to the virtue of rational inquiry and mutual respect, but this logic of liberal neutrality does not support a commitment to politics. “The content of public schooling cannot be neutral among conceptions of the good life. And if it could, we would not and should not care to support it”.

To those who challenge conscious social reproduction as an educational aim because the teaching of civic values conflicts with their values, Gutmann replies: “The values we are teaching

are the product of a collective decision to which you were party. Insofar as that decision deprives no one of the opportunity to participate in future decisions, its outcome is legitimate, even if it is not correct” (Gutmann 1999, 39). Democratic citizens are persons partially constituted by sub-communities, yet free to choose a way of life compatible with their larger communal identity because no single sub-community commands absolute authority over education and because the larger community has equipped them for deliberating in the democratic processes by which choices among good lives and the chance to pursue them are politically construed.

A policy cannot be rejected as repressive simply because it prevents parents from teaching their sincerely held beliefs or requires the teaching of views inimical to, or undermining of, those beliefs within publicly funded schools. Non-repression requires the prevention of repressive practices, that is, practices that stifle rational understanding and inquiry. Democratic professionalism authorizes teachers, and at the same time obligates them, to cultivate in future citizens the capacity for critical reflection on their culture. This responsibility mirrors the responsibility of teachers to uphold the principle of non-repression by fostering the knowledge, skills and habits of democratic deliberation.

Civic Humanism. Turning to the question of who should hold the educational authority, the democratic state recognizes that educational authority must be shared among parents, citizens and professional educators. According to Gutmann, this broad distribution of educational authority supports the core value of democracy, that is the conscious social reproduction of its more inclusive form. She explains that:

“Unlike a family state, a democratic state recognizes the value of parental education in perpetuating particular conceptions of the good life. Unlike a state of families, a democratic state recognizes the value of professional authority in enabling children to appreciate and to evaluate ways of life other than those favored by their families. Unlike a state of individuals, a democratic state recognizes the value of political education in predisposing children to accept those ways of life that are consistent with sharing the right and responsibilities of citizenship in a democratic society.” (Gutmann 1999, 42).

It follows from the above that educational authority is allocated in such a way as to provide the members of a democratic state with an education adequate to participate in democratic

politics, to choose among a limited range of good lives and to share in the several sub-communities, such as families, that impart identity to the lives of its citizens.

Gutmann proposes two main reasons for citizens' education to support the democratic state, one democratic one and one that has some perfectionist premises. Firstly, a reason for supporting the democratic state of education is that the good of children includes not just freedom of choice, but also identification with and participation in the good of their family and the politics of their society: "to focus exclusively on the value of freedom neglects the value that parents and citizens may legitimately place on partially prejudicing the choices of children by their familial and political heritages" (Gutmann 1999, 43). The second one focuses on the value of moral freedom, that is the value of enabling children to discern the difference between good and bad ways of life; an education that strives for neutrality among ways of life cannot achieve such an aim. This is the main argument of Gutmann against liberal neutrality: "Children are not taught that bigotry is bad, for example, by offering it as one among many competing conceptions of the good life, and then subjecting it to criticism on grounds that bigots do not admit that other people's conceptions of the good are equally good. Children first become the kind of people who are repelled by bigotry and then they feel the force of reasons for their repulsion" (Gutmann 1999, 43). The liberal reasons to reject bigotry seem insufficient for Gutmann, since they do not offer a compelling argument to people who feel no need to treat other people as equals.

The main argument against Gutmann's claim is that it is also controversial. Gutmann seems to be aware of this limitation and argues that "democracy makes no claim of being a non controversial standard". To elaborate, It might be objected that the civic goals of education necessarily include cultivating in students a conception of the good life as engaged citizenship in the polity. Such a view would resemble Callan's argument that civic education must aim to create "liberal patriots" – it must move us to identify with our political community in a way that "makes the flourishing of the community a constituent of our own good (Callan 1997, 175). This would contradict the premise that civic education does not aim at promoting a particular conception of the good. If citizens are being taught to partially identify their own good with the good of the state, then surely education for citizenship does after all aim both to shape citizens' conception of the good and to promote the good of those who hold such a conception (MacMullen 2007, 28).

However, Callan's view obscures the fact that civic goals do not extend beyond the maintenance of a fair scheme of social cooperation. Citizens may endorse the goal of perpetuating and improving the liberal democratic state of which they are a member, but they may not regard this political goal as a duty that potentially constraints their pursuit of the good life. Rather, the success of the liberal democratic enterprise is integrated into their conception of the good. The civic goals of education therefore include the transformation of ways of life that have unreasonable elements. But such an account does not take a position on the nature of the good life for an individual, it just restates the demands that liberal justice makes on citizens (MacMullen 2007, 28). As Rawls puts it, one can teach civic virtue without teaching **civic humanism**: the view that man is a social, even a political animal whose essential nature is most fully realized in a democratic society in which there is widespread and vigorous participation in public life. (Rawls 2005[1993], 206). Gutmann makes the same argument when she insists that civic education does not require that children be taught to identify with as "republican patriots", since this is only one among many reasonable ways in which to be a good citizen. Since the ideals connected with political virtues are tied to the principles of political justice and to the forms of judgment and conduct essential to sustain fair social cooperation over time, those ideals and virtues are compatible with political liberalism (Rawls 2005[1993], 194) because they are not drawn from a particular comprehensive doctrine.

Political primacy. Two main arguments can be raised on these concluding remarks. As presented above, one of the main arguments of Gutmann is that all citizens must be educated so as to have a chance to share in self-consciously shaping the structure of their society. Since societies have an interest in reproducing themselves, political participation ought to be the primary aim of education. However, the primacy of political participation does not evidently follow from this interest. Indeed, political participation may be one among many other aims of educational policies, as many liberals have proposed. Such a weaker claim about political participation answers to a basic concern: political participation often plays only a small role in most citizens' lives. This is not to say that there is no value in political participation; indeed, one could argue that citizens should be more involved in politics than they currently are. Nonetheless, even for citizens that participate in politics, political participation may still be less important than other goals in life. Given the lack of primacy of political participation in many citizen's lives, it is difficult to see why political participation should be given priority over all other educational aims (Waldren 2012, 90).

Secondly, one can plausibly question the validity of Gutmann's basic assumption; while states have an interest in reproducing themselves, this reproduction may not be in citizen's interests. Barry notes that "children can be indoctrinated in schools...and they can imbued with beliefs about the uniquely wonderful political system that they live under..Non-democratic regimes in countries developed enough to have centrally controlled mass education systems are the most virulent exponents.. But the same phenomenon, albeit in a more tempered form, is not unknown to democratic countries" (Barry 2001, 230). The argument is that if political participation is made the central aim of education, governments can use education as a way of illegitimately steering children toward accepting the validity of the state.

Supporters of the primacy of civic educational goals sometimes sound as if they are proposing an absolute priority, without exception. However, the stance of Macedo and Gutmann is best described as permitting only occasional exception to education policies that further important civic goals. Their view can be contrasted with its opposite, to be found in a certain school of thought in American constitutional law, namely that only a compelling state interest can justify restricting parents' educational options (Dent, 1998). According to such views, the legitimate civic goals are exhausted once we have secured the conditions necessary for the regime to survive and reproduce in a recognizable form. By contrast, Macedo and Gutmann uphold the legitimacy of pursuing through education a vision of the flourishing liberal democracy that goes well beyond mere survival.

However, there are degrees of flourishing of the liberal democratic state (MacMullen 2007, 43). In this spirit, Gutmann (1996, 161) proposes : "By teaching the skills and virtues of deliberation, schools can contribute to bringing a democracy closer to its ideal". There are several ways to assess the success of the education system in securing the conditions for conscious social reproduction. We could examine how strong is the citizenry in its commitment to political reciprocity and its capacity for democratic deliberation. We could also look to see what is the proportion of citizens that is equipped by the educational system to participate in liberal democratic public life at a decent level. Lastly, we might examine if the schools produce significant disparities among citizens in their capacity for political participation. The main point is that the education system can succeed to a greater or lesser extent along each of these dimensions (MacMullen 2007, 43).

Gutmann sometimes suggests (1999, 13;46) that the second dimension is really an either/or criterion – conscious social reproduction requires all educable children be given adequate preparation for citizenship – although she allows for some exceptions by permitting the operation of private schools (1999, 119-200). However this may seem excessive. Macedo and Gutmann rightly hold that the educational system should seek to establish a flourishing liberal democracy rather than one that barely survives and this translates in a legitimate goal of public policy but they fail to see that it is a goal that may sometimes have to be sacrificed where it conflicts with other values. In this respect, Galston may be right when he suggests that “political goods do not enjoy a comprehensive priority over others in every circumstance (2002, 38). According to Galston, civic values do not enjoy primacy and therefore they do not dictate the rules from which only occasional exceptions can be granted.

The political liberal state will encounter conflicting educational goals because common schools, although preferable for civic purposes, inevitably tend to foster in children a kind of autonomy that many religious parents consider to be harmful. A robust and successful civic education will teach children the capacity to rational and reasonable deliberation and will instill in them the commitment to engage in this type of deliberation about matters of policy concern. If parents regard this development of autonomy as inimical to their individual and familial good, the political liberal state has no choice but to accept this judgment. The liberal democratic state’s obligation to take seriously the implications of its action for adherents of different conceptions of the good is especially stringent in the case of education policy (MacMullen 2007, 46). In *Democratic Education*, Gutmann argues: “Citizens value primary education for more than its moral and political purposes. They also value it for helping children learn how to live a good life in the non-moral sense”. If this is the case, and the liberal state is to respect parents’ legitimate interest in shaping the ethical development of their children while remaining agnostic on the value of autonomy for ethical development, then the state has a reason to provide access to schools that do not encourage autonomy for the children of parents who have ethical grounds to prefer such schools.

Conclusion. Gutmann’s theory is an example of political perfectionism, or “democratic perfectionism”. Gutmann explicitly states that democratic education does not aim at neutrality and is not neutral among all conceptions of the good: civic education supports the ways of life that are compatible with conscious social reproduction. Gutmann’s view is that schools do and should promote certain values and explicitly criticizes the kind of liberal education that aims

only at neutrality. However, it should be noted that if we accept that the values taught are a restatement of what justice requires, then the argument in favor of civic education seems to respect the principle of neutrality and is within the limits of political liberalism. In any case, Gutmann's theory is compatible with philosophical neutrality, as the choice of the policies proposed are based on neutral arguments, namely the principle of democratic majority.

However, Gutmann does not provide a sufficient answer to whether the state should take into account the symbolic harm caused to parents that oppose to civic education and to how the state should balance these competing claims. In the respective passages, Gutmann supports public schools in restating the principle of democratic majority: parents cannot oppose to education policies focusing on civic virtues, because these policies were chosen by a society of which they are part. However, this highlights the tension between the two basic aims of the liberal democratic state: promoting critical and rational reflection and respecting diversity. Gutmann insists that if we aim at conscious social reproduction, then the majority of children should attend state accredited schools. However, as noted earlier, she does not offer a sufficient answer neither to why this is and how do we decide the proportion of children required to attend such schools, nor to how the state is to treat citizens who do not share the ideals of the democratic liberal state.

As Gutmann notes, to answer the question of how to respect and successfully engage in the society those citizens that question the basis of the liberal democratic state, or to put it different of how we balance virtue and freedom, an argument is needed in favor of autonomy. In several passages, Gutmann's theory seems to presuppose the value of autonomy and critical inquiry, but she explicitly reject an autonomy-supporting education. The aim of the next chapter is to defend the instrumental value of autonomy. The objective is to provide an answer to the shortcomings of the arguments in favor of civic education, by demonstrating that autonomy understood instrumentally respects the neutrality principle and provides a more coherent answer to parents who oppose civic education without disrespecting them.

To this end, it must be noted that Gutmann has claimed in other parts of her work that political participation can also be seen as one educational aim amongst others. Gutmann argues:

“Taken together, inculcating character and teaching moral reasoning do not exhaust the legitimate ends of primary education in a democracy. Citizens value primary education for more than its moral and political purposes. They also value primary

education for helping children learn how to live a good life in the non-moral sense, by teaching them knowledge and appreciation of (among other things) literature, sciences, history, and sports. These subjects are properly valued not primarily for the sake of imparting cultural coherence to a child's life, but for their place in cultivating a non-morally good life for children." (1999, 51).

5. Autonomy Revisited: Civic Education and Autonomy

5.1 Civic Education and Autonomy

Questioning political primacy. The political liberal's argument against parents who oppose civic education because it cultivates children's autonomy, invokes the principle of political primacy. However, as was presented in Chapter 1, respect and toleration form a big part of the liberal theory and the liberal state has an obligation to take seriously the impact of its policies on citizens' ability to live in accordance with their values.

Some authors believe that the principle of political primacy can be retained if it is restricted to cases where public funding is at stake. However, the proposal of Gutmann and Macedo that the liberal state constrains public funds to civic schools while allowing other schools as an exception does not guarantee the balance between civic and non-civic goals. The argument based on the distinction between funding and permitting is even weaker in cases where, as for education, there is no costless opt-out from the publicly funded policy and/or the justification for the public funding of the policy lies in its function as a primary good. Therefore, the argument of parents against civic education may be legitimate if it is shown that the potential value of education as a primary good outweighs its potential civic value in particular circumstances. As Walzer suggests (1983), we should distribute the good of civic education in accordance with the meaning of the good, its significance to individuals and the states. Such a balancing attempt is unrelated to the issue of public funding; such an argument ignores the balance of civic and non-civic values in a particular case and substitutes as the decisive feature a criterion – the availability of private funds of families – that is entirely unrelated to the merits of the case (MacMullen 2007, 50).

Gutmann also appeals to the distinction between funding and permitting, in her attempt to answer to the argument that liberal democracy can achieve a high degree of flourishing even if a limited number of schools are permitted to provide an education at odds with the civic goal of conscious social reproduction. She argues against all public funding for religious schools but argues that private schools must be permitted as a concession to “the most strongly committed parents”. However, poor parents may be strongly religious but unable to afford private schooling for their child, as rich parents with a far weaker faith may choose to send their children to private schools. Secondly, such a theory does not explain how the state can curtail parental freedoms, when their exercise imposes unacceptable costs on society by undermining

the future of the regime. In this matter, Barry is right when he argues that “what goes on in private schools not in receipt of public funding is just as much a matter of legitimate public concern as what goes on in those that are” (2001, 205). Therefore, a view that does not presuppose the principle of political primacy should neither assume that civic values take priority when public funding is at state nor that civic values are overridden by citizens’ interests when public money are not spent.

However, such a view of liberalism must depart significantly from the idea of public reason as it is commonly understood. Public reason is a reasonable requirement for political deliberation because, given the fact of reasonable pluralism, arguments grounded in controversial comprehensive doctrines cannot justify coercive impositions on fellow citizens. Nevertheless, a distinction must be made at this point between “defensive” public claims and “offensive” public claims. This distinction is proposed by Galston. Defensive are the claims that are made by citizens who want to escape the burdens imposed by laws grounded in civic concerns and offensive are the claims of those who wish to use political power to impose their comprehensive doctrines on others (Galston 2002, 115-7). Therefore, one could argue that these parents are not trying coercively to impose their values on others; they just don’t want their private pursuit of such values to be burdened by a policy that exclusively funds secular schools (Galston 1995, 520). According to Galston’s argument, the requirement of public reason should apply only to those making offensive claims. Rawls also seems to acknowledge a similar distinction, as in one passage he suggests that citizens be allowed to invoke religious reasons in support of their claims for publicly funded religious schools precisely in order to demonstrate to fellow citizens that these claims are defensive in nature (Rawls 2005[1993], 248-9).

Nevertheless, even defensive claims entail coercive imposition to fellow citizens in the case of publicly funded religious schools. The taxes that fellow citizens are required to pay are coercively extracted from them to finance an education whose basic values they do not, and cannot be expected to endorse. Secondly, citizens could argue that the mere fact that the state permits religious schools, implies the approval of such schools by the political community, of which they are members (MacMullen 2007, 53). The answer to these objections may lie in the understanding of schooling as a primary good supplied by the liberal state. Public funding of schools is justified not only by our shared civic purposes but also by our shared commitment to provide citizens with the means to pursue their conception of the good life, whatever that may be. Public funding of religious schools that are inferior in securing our share civic goals will be

justified in those cases where the state's obligation to help parents and families pursue their private values outweighs its obligation to pursue civic goals (MacMullen 2007, 53).

The theories of Rawls and Macedo do not provide the means to make meaningful comparisons between civic and non-civic values. Raz also notes that Rawls's political conception of justice rules out the possibility of principled adjudication of the competing demands of political and private values: "Since a strongly autonomous political theory prevents us from considering its political values in the comprehensive context of a complete moral theory, it cannot yield practical conclusions. It can neither assure us that conflicts do not arise nor adjudicate when they do arise." (Raz 1990, 62).

Civic education and autonomy. A major objection against civic education is that secular schools inevitably encourage children to think autonomously. If Gutmann is right and "many if not all the capacities for choice among good lives are also necessary for choice among good societies" (1999, 40), it may be difficult to distinguish between civic education and education for autonomy. But if we accept that the liberal democratic state should take no position on the good life, including the value of autonomy, this connection between autonomy and citizenship may confirm the criticism of liberalism based on the reflexivity thesis that were developed in the first chapter: civic education is important for the liberal democratic state, but its implicit support for autonomy inevitably burdens citizens who are opposed to such a value.

For Eamonn Callan (1996, 1997) the view of autonomy as an unfortunate by-product of civic education is mistaken. It is normatively inconsistent to view the development of autonomy as an unintended and unwanted effect of civic education, because the conception of the good citizen presupposes personal autonomy, despite the contrary declarations of political liberals (MacMullen 2007, 55). Even in the weaker definition of the reasonable citizen, what Nussbaum called the moral definition, the good citizen must accept the burdens of judgment. However, Callan argues, one cannot really accept the burdens of judgment without questioning one's own beliefs and values and thus the virtue of reasonableness is conceptually inseparable from the quality of personal autonomy (1996, 21). By acknowledging that other people's doctrines are equally reasonable and rational, the good citizen must distinguish between the values and beliefs that are merely personally justified and those that meet the test of public justification and are thus guides of political action (Gaus, 1996; Nagel, 1987). But to do so, and do so sincerely, is precisely to adopt the mindset of an autonomous person.

The Rawlsian response to this argument is to point out that citizens are only required to think about politics in this way but are free to revert to less critical and reflective patterns of belief in their private lives (MacMullen 2007, 56). As Callan (1996, 12) observes, whether or not this is a psychological possibility, it may prove to be an unattractive picture of the relationship between citizens' public and private identities because it requires people "to oscillate between contradictory beliefs about the rational status of their ethical beliefs. To retain a lively understanding of the burdens of judgment in political contexts while suppressing it everywhere else would require a feat of gross personal deception that cannot be squared with personal integrity". Therefore, what follows from Callan's theory, is that it is incoherent to say that the liberal democratic state aims to educate good citizens but regards the development of autonomy as a regrettable by-product of that education: to be a good citizen is to be, among other things, an autonomous person. Unless citizens recognize that their doctrine is just one among other equally rational and reasonable doctrines, they will lack the necessary commitment to reciprocity that distinguishes the liberal democratic state; but citizens cannot view their beliefs in this way, without accepting the principle that beliefs can and should be assessed and revised by the standards of critical reason (MacMullen 2007, 56-7).

Macedo seems to accept this point, as he argues "All citizens should be capable of thinking critically about their private beliefs for the sake of honoring the demands of liberal justice" (2000, 240). However, he seems to think that it is both possible and normatively acceptable for people to restrict the use of this capacity to their behavior as citizens. The political liberal who defends the value of autonomy on the grounds that the good citizen is by definition an autonomous person, will not support autonomy as a constituent of the good life but as a political virtue. Callan summarizes this view when he argues: "Rawls might be read as offering a distinctive and powerful argument for a partially comprehensive doctrine of ethical autonomy that derives not from speculative metaphysics or contestable intuitions about the good but from a principle of reciprocity and a shared recognition to the limits of reason we must employ with each other when we try to live by that principle." (Callan 1996, 23). This argument seems to solve the debate, but in fact it does not because it does not provide new justificatory resources. The argument of political liberals already presented important civic reasons for supporting an education that promotes autonomy, and these reasons gain no more power by altering the way we view autonomy, namely from an unwanted by-product to a political value (MacMullen 2007, 57).

Callan rightly says that we need to take a position on the relationship between autonomy and the good life if we are to vindicate the objections against civic educational goals grounded in opposition to autonomy; but liberals need not demonstrate that autonomy is either a necessary ingredient or a useful means to a good life. There is already a positive argument in favor of autonomy, namely its value for the civic education, and “all that needs to be shown is that autonomy does not make our lives bad” (1996, 24). What needs to be shown is that children will not be worse-off with a high level of ethical autonomy than if they have received an alternative education and did not develop the capacity to think critically. Callan himself argues that all children have an interest in developing their autonomy beyond “a primitive level of agency”, which he calls “ethical servility”, because of “the prospective interest in personal sovereignty our children have (1997, 152) and because “to be made servile is effectively to forfeit one’s sovereignty to another (1997, 156). Therefore “to be reared in a manner that instills ethical servility.. is to be denied one of the developmental preconditions of adult rights” (1997, 155).

However, Callan’s argument defends only a minimal degree of autonomy and not the higher level of critical reflection that civic education entails. Secondly, Callan does not answer sufficiently his own question, namely he does not provide a way to weigh the possible private costs of an education for autonomy against its civic value (MacMullen 2007, 59). However, Callan’s theory addressed the critical issue: liberal democrats need a politically acceptable argument for the non-civic value of autonomy.

First and foremost, what needs to be understood, is that maybe the mere fact of reasonable disagreement is inadequate to justify the distinctive protections afforded to individuals by a liberal constitution. Rawls seems to deduct the principle of political reciprocity, which protects citizens from state coercion and each other, directly from the burdens of judgment the fact of reasonable pluralism. However, what may be needed for the normative conclusion that citizens may not force others to live according to their conception of the good is a principle “that coercion always stands exposed to a potential demand for justification” (Galston, 1999). Some authors base the respect due to individuals because of their capacity to hold and pursue a determinate conception of their good. However, as Kymlicka observes, it is far from clear that we capture the essence of liberal freedom if we characterize the duty to respect others as the duty to respect their pursuit of their existing conception of the good: “Much of what is

distinctive to a liberal state concerns the forming and revising of people's conception of the good, rather than the pursuit of those conceptions once chosen" (Kymlicka 1995, 82).

Levinson (1999, 18-21) also argues that Rawls himself is committed to the non-civic value of individual autonomy because he attributes a second moral power to all persons under the political conception of justice, namely "the capacity for a conception of the good". The capacity for a conception of the good extends the notion of a personal pursuit and "is the capacity to form, to revise and rationally to pursue a conception of one's rational advantage or good" (Rawls 2005[1993], 19). Rawls himself offers reason to believe that "the full and informed exercise of this capacity " is "a means to a person's good" or even "an essential part of a determinate conception of the good" (Rawls 2005[1993], 313-5). Therefore, civic education seems to encompass education for autonomy as good citizens who endorse the principle of reciprocity actively accept the burdens of judgment in a way that amounts to ethical autonomy. Secondly, the principled grounds for supporting the goal of conscious social reproduction rest upon an endorsement of the value of autonomy for individual lives. Consequently, if arguments for a liberal democratic civic education depend on arguments for the non-civic value of individual autonomy, we should question what is its value and if it is appropriate for public recognition in a multicultural liberal democratic society.

The instrumental value of autonomy. The instrumental value of autonomy lies in its being a means for living a successful life but not necessarily a part of that success (Feinberg 1980, 143-4). Brighouse also supports the instrumental value of autonomy: "Without autonomy-related skills we are easily lost in the moral (and economic) complexity of modernity..in the absence of fortunate guesses and well-informed parents, children will be significantly more able to live well if they are rationally able to compare different ways of life" (Brighouse 1998, 738-9).

Rawls introduces the idea of "deliberative rationality", that is the proposition that the best life for oneself is the one that would be chosen as the outcome of a process of rational deliberation under hypothetical idealized knowledge conditions: "With great luck and good fortune some men might by nature happen to hit upon the way of living that they would adopt with deliberative rationality. For the most part, though, we are not so blessed, and without taking thought and seeing ourselves as one person with a life over time, we shall almost certainly regret our course of action" (Rawls 1971, 372).

Therefore, as Brighthouse notes “children will be significantly more able to live well if they are able rationally to compare different ways of life” because “the basic methods of rational evaluation are identifiably somewhat reliable aids to uncovering how to live well” (1998, 729). If a children are to live a life “lived from the inside”, the assurance of their parents that their way of life happens to be the best doctrine for their children seems inadequate. First and foremost, “the child’s traits and evaluative dispositions might be significantly different from the parents”(Arneson and Shapiro 1996, 402). Mill also supports the idea of the instrumental value of autonomy in defining the best life for oneself, when he argues that “If a person possesses any tolerable amount of common sense and experience, his own mode of laying out his existence is the best, not because it is the best in itself but because it is his own mode (1859/1989, 67). As noted earlier, even in Rawls Political liberalism, a work that is devoted in no small part in arguing against the idea that liberals should endorse the value of autonomy, we can find traces of the instrumental value of autonomy in his second moral power, namely the capacity for a conception of the good. Rawls develops the idea by explaining that the value to individuals is instrumental (Rawls 2005[1993], 313) but avoids the use of the word autonomy (MacMullen 2007, 98).

Rational reflection serves as a means to find one’s conception of the good because it is more likely to expose false beliefs. As Arneson and Shapiro note “people do not merely wish to live a valuable and worthy life according to their current beliefs about what constitutes such a life. They want to lead a life that truly is valuable and worthy” (1996, 399) It should be noted here that reasonable pluralism does not commit us to the conception of the good that we may currently hold. If we are committed to the idea of the burdens of judgment, it is natural to assume that most people’s conceptions of the good rest in some part on beliefs and assumptions that could be, in principle, shown to be false. We typically regard as irrational the people who refuse to be convinced by important evidence against their beliefs on the grounds that an ideal of proof has not yet be met. Rational reflection on one’s epistemological commitments is proven to be a good, even if imperfect, method for uncovering false beliefs. As Kymlicka argues:

“Since we can wrong about the worth or value of what we are currently doing, and since no one wants to lead a life based on false beliefs about its worth, it is of fundamental importance that we be able rationally to assess our conceptions of the

good in the light of new information and experiences, and to revise them if they are not worthy of our continued allegiance” (1995, 81).

The ethically autonomous person is committed to scrutinizing her deepest life purposes and values with a view to imposing an order on her life rather than merely drifting in the direction on which she has started by her parents or community. Therefore, the exercise of autonomy helps people find and lead better lives by detecting false beliefs and inconsistent values and principles (MacMullen 2007, 101-2). To this it could be added, that the capacity of rational reflection is also an important safeguard against exploitation and/or manipulation by others. People who are accustomed to trusting non-rational forms of moral authority are peculiarly vulnerable to exploitation by persuasive others. Lastly, Raz introduced us to the idea that the capacity for autonomous reflection and rational deliberation is a prerequisite for successful functioning in the social conditions of modern liberal democracies. He notes that “since we live in a society whose social forms are to a considerable extent based on individual choice, and since our options are limited by what is available in our society, we can prosper in it only if we can be successfully autonomous” (1986, 394).

Autonomy and the neutrality principle. Regardless of the arguments in favor of the instrumental value of autonomy, what political liberalism has taught us is that we cannot be certain that our reasons are justifiable enough to impose one way of life on others. For this reason, Macedo (2000, 166) insists that the liberal state cannot endorse autonomy as a means for the good life any more legitimately than it can endorse the intrinsic superiority of the autonomous life. Macedo bases his argument on the fact that an education for autonomy will weaken the beliefs and values that parents might seek to inculcate in their children (2000, 238) but his argument can be formed into a more general wording: how is the instrumental value of autonomy more admissible into liberal democratic politics than all the other conceptions of the good and ways of life?

The arguments for the intrinsic and instrumental value of autonomy are both controversial, but a distinction may be made between the types of controversy involved in each case. Brighouse makes this claim when he argues that the instrumental argument for autonomy “invokes not a moral claim but a true epistemological claim: that rational evaluation is more reliable than other methods for discovering the good” (1998, 738). Therefore, there is still controversy, but it concerns epistemology not morality: “Neutrality does not prohibit sincere appeal to

controversial empirical premises; it prohibits only appeal to controversial moral claims”, argues Brighouse (1998, 738). The main idea is that by teaching children to be autonomous agents, the liberal state is not taking a stand on the worth of the parents’ conception of the good but instead declares a position on the issue of how children can best determine their own conception of the good. Educational policy in a pluralist liberal state should equip children with the best means to identify their good, and liberal states are not obliged to stay silent on that matter (MacMullen 2007, 104) .

If Brighouse is right, then the argument for the instrumental value of autonomy escapes Gilles’s criticism (1996, 976) that “to appeal to the capacity for critical deliberation is to make a controversial judgments about the extent to which we should rely on reason to govern our lives”. The liberal state would rightly insist upon the superiority of rational methods for assessing evidence and arguments, even against the objections of some parents and other citizens. If we were to compare teaching for autonomy and teaching “the three Rs” (reading, writing and arithmetic), we could come to the conclusion that, as the state permits the teaching of the latter because they are considered indispensable for civic participation, the same could be said about the idea that schools should urge the children to adopt rational reflection as an approach to ethical issues. As not being taught the three Rs could be a severe barrier to effective civic participation, Callan has shown that good citizens in the liberal polity must practice autonomy. As literacy and numeracy which equip people to learn and make their own judgments about any substantive ethical view, autonomous persons are equipped to identify and pursue a life for themselves, whatever that life may be. In both cases there is sufficient justification that is neutral in the sense that it appeals only to instrumental value and imposes no substantive constraints on the ethical positions one may accept as a result of reflection, reading, writing or quantitative reasoning (MacMullen 2007, 106).

Liberal states shall not make ethical judgments but it is different to say that they cannot make judgments about the best methods individuals use in making their own ethical judgments. This arguments is based on the assumption that epistemological principles are in some sense separable from beliefs about the good life, and that only the latter are properly considered as part of an individual’s conception of the good, upon which the liberal state can make no judgment. Barry makes this distinction when he argues that :

“Autonomous people can have any substantive beliefs they like. What we mean by saying that people are autonomous is simply that whatever beliefs they do have will have been subject to reflection: their beliefs will not merely be those that were drummed into them by their parents, community and schools.” (2001, 123)

However, it may be argued that even if the instrumental value of autonomy respects the neutrality principle, it fails to respect the sincere judgments of parents on how their children are to be educated. To this, the liberal must respond that it is not parents, but children, that are required to receive the education: it would have been unacceptably paternalistic of the liberal state to impose the ideal of ethical autonomy on adult parents, but there is no such objection for children. Paternalism is and must be the essence of all educational requirements that aim to advance the private good of children. Most liberals accept this view of education, but leave this kind of paternalistic judgments to parents who are thought to be better placed than the state to understand the best interest of their children.

To avoid such a contradictory conclusion, we need what Gaus (1996, 3) calls a “normative theory of justification” – a theory that allows us to claim that some set of principles is publicly justified, even given the fact that are contested by some”. The key to such a theory is the concept of “open justification”: a person is openly justified in holding a particular belief if and only if that belief could survive perfect rational reflection in the light of full information, and similarly a principle is openly justifiable to a person who currently rejects it if that person would be committed to endorsing the principle with full rationality and perfect knowledge (1996, 31-32). Gaus’s theory of public justification entails that if citizens dissent from a law only because of a failure in their rationality, this dissent is insufficient to show that the law is illegitimate. If we do not accept this type of justification, liberal politics would be a hopeless project because “people can withhold their assent because of obstinacy, selfishness, laziness, perversity, or confusion.” (1996, 131).

It may be argued that Gaus’s theory begs the question: it is not surprising that a theory of public justification containing normative standards of rationality and inference will license an educational policy that seeks to teach people to live by those exact same standards (MacMullen 2007, 109). Parents who object to the requirement that their children be educated for ethical autonomy are asking the liberal state to respect their preference for non-rational methods. Similarly, citizens and parents who deny that rational reflection is an important means to

determining the nature of the good life may equally deny that rationality is always a good standard by which to assess public policies. All in all, the argument rests upon the question of whether the liberal state can insist upon the normative standard of rationality or whether it is obliged to accommodate and respect the opposing views of parents who reject this standard.

Jean Hampton in *The Authority of Reason* (1998) insists on the normative force of propositions that take the form of imperatives of rationality. To say that I should perform the action if I am rational is not like saying that I should perform it if I like vanilla ice cream (Hampton 1998, 127-142). Imperatives of rationality have “direct authority over us” (1998, 49) and this authority cannot be escaped by denying that one is rational. Therefore, to the question of whether the liberal state shall limit its legitimate policies by the need to respect pluralism and disagreement among citizens, Gaus and Hampton emphasize the need to look beyond the actual agreement and disagreement and to inquire into the rational adequacy of citizens’ views. The premise that underlies both theories is that the liberal state respects its citizens not by accepting their prejudices and legislating their misconceptions but rather by defending and advancing their rational interests.

Stability. Galston observes that rational reflection and deliberation may be insufficient to generate and sustain a robust allegiance to principles of liberal justice (1989, 91). Therefore, the liberal state might undermine its own foundations by educating citizens for autonomy: if children are taught to think critically, it must be expected that they will apply this capacity not only to their ethical doctrines but also to the principles and norms of the liberal democratic polity in which they live. However, as Brighouse argues, it is a risk that liberal democracies must be willing to take for the sake of their own legitimacy (1998, 720). Support for the liberal democratic state is legitimate only if it is a free and considered choice and not the outcome of government propaganda. Both Macedo (2000, 279) and Gutmann (1999, 15) endorse this idea that liberal democratic education must involve developing the capacity of critical reflection not only within the political sphere but also about the nature and rules of the political sphere. Otherwise, the government will become “a kind of political perpetual-motion machine, legitimizing its long-term policies through the world view and public opinion it creates” (Arons 1983, 203).

As Callan notes (1997, 11) autonomous reflection does not necessarily lead everyone to a way of life in which civic engagement has an impressively prominent place”. However, the tension

between civic education and education for autonomy must be accepted. The stability of liberal democratic regimes cannot be guaranteed precisely because the continued consent of autonomous individuals can never be taken for granted. The fact that education for autonomy might undermine support for the liberal state is not a reason to oppose education for autonomy, but a reminder that the health of our political order can never be assured.

5.2. Are secular schools coercive?

Civic education and secular humanism. The main objection against secular education is that secular schools actually support the doctrine of “secular humanism” and try to indoctrinate children into a substantive ethical doctrine, which is therefore vulnerable to the same autonomy-based criticisms that were developed above against religious schools. However, secular schools properly conceived, do not promote an atheistic religion; rather, they equip and encourage children to make their own reflective ethical choices among options that include traditional religious doctrines.

If secular humanism means only a commitment to the value of critical and rational inquiry in all domains of human knowledge, including religious doctrines, then it is just another name for autonomy, and the criticism points out to the fact that some people deny the value of autonomy, as was developed above. However, if secular humanism means something more, and more specifically if it encourages a form of substantive ethical commitment that is fundamentally at odds with religious beliefs, then their argument must be examined. As Callan (1997, 38) has pointed out, religious faith is not incompatible with autonomy, although the faith of an autonomous person is a more self-conscious and intellectually sophisticated matter than the “faith of innocence”. Of course, some religious doctrines may be discarded because they are manifestly contradictory to empirical evidence. However, ethical autonomy does not rule out religious faith in general. Autonomous reflection might result in certain persons discarding particular religious doctrines that were nonetheless capable of surviving such a reflection, and other persons may well adopt those very same religious beliefs through the exercise of autonomy. This is only to be expected given the burdens of judgment.

In addition, critics of secular schools point out that ethical neutrality is unattainable, if it means equal time and consideration to the study of all ethical doctrines or even those with a significant number of adherents in the society. Any school’s curriculum will inevitably exhibit a certain bias in favor of particular substantive ethical doctrines and against others. However, as

Raz has pointed out (1986, 410), autonomy does not require that all valuable options be equally available for choice. What is required is that secular schools expose children to a significant diversity of ethical doctrines, extending well beyond the particular religious or other ethical commitments of their parents, and this exposure must be managed by an institution that teaches and encourages open-minded, critical-rational engagement with this diversity (MacMullen 2007, 145). Of course, there will always be controversy about the composition of the curriculum, but the key point is that education for autonomy does not require complete neutrality and equality of exposure. Secular schools can promote children's autonomy without meeting the chimerical requirement of giving equal time to the study of every ethical and religious doctrine.

Lastly, some critics worry that a school's policy of remaining neutral on questions of ethical issues will have the inevitable and undesirable effect of encouraging students to believe in ethical relativism. This criticism is based on the assumption that neutrality in schools is, or appears to be, underpinned by a meta-ethical commitment to ethical relativism. Ethical relativism refers to the idea that there is and can be no truth in ethics that is universal. In this sense, it has some common ground with autonomy, which purports that there is no single best way to live that can be shown to apply to all persons. However, ethical relativism implies also that there is no progress to be made in ethics through dialogue. If secular schools do indeed give children the impression that ethics is simply the domain of subjective caprice and therefore that serious rational deliberation is a waste of time, the argument must be examined.

This argument is the opposite of the argument on secular humanism: the problem with secular schools is not that they will encourage a particular substantive doctrine but that they take no concrete position on ethical questions and thereby set a bad example for the students. Callan expresses this concern (1997, 196): "Dialogue that merely gives expression to divergent moral views might encourage among children or adolescents a sense of the futility of deliberation about the good and the right or engender a feckless skepticism or relativism in the face of apparently intractable differences". However, secular schools do promote meaningful standards for evaluating ethical positions, such as consistency among one's beliefs and values at various levels of abstraction, claims supported by reasons and evidence etc. Therefore, as Reich argues, proper liberal education does not promote "non-judgmental relativism", but tries to shape ethical deliberation by encouraging "a slowness to judge or an interpretive generosity

that precludes knee-jerk assessment of other cultures, cultural practices, or cultural products from one's point of view" (Reich 2002 184).

Authority and autonomy. Mill argued the democratic control of schools is a kind of tyranny of the (local) majority that serves to transmit to the next generation the orthodox beliefs and values of the present generation, in violation of the principle that children should be learning to think critically and for themselves.

"A general state education is a mere contrivance for molding people to be exactly like one another: and as the mould in which it casts them is that which pleases the predominant power in the government, whether this be a monarch, a priesthood, an aristocracy, or the majority of the existing generation, in proportion as it is efficient and successful, it establishes a despotism over the mind" (Mill 1859/1989, 106).

In a democratic state, the fear is that secular public schools that are managed or extensively regulated by the government simply transmit majority opinion to students. According to Mill (1859/1989, 73) all forms of education tend to promote conformity and assimilation "because education brings people under common influences and gives them access to the general stock of facts and sentiments".

However, exclusive parental control of education is at least as great a threat to children's autonomy as is public control. We have to accept that realistically, some schools will always transmit ethical values without giving students sufficient opportunity and encouragement to engage in critical reflection. But although the theoretical ideal may be unattainable, some schools will approximate it far more closely than others. The answer to Mill, is therefore, that this fact should not lead to despair but vigilance: we must be aware that even secular schools in a liberal democratic state can all too easily fall from their mission to cultivate autonomy (MacMullen 2007, 151). For this, Gutmann proposes that a significant share of educational authority be vested in independent educational professionals, who can serve as a third force against both parents and democratic majorities.

Ivan Illich makes a more radical claim: compulsory school attendance, regardless of who controls the schools and whether they can teach religious doctrines, is at odds with the liberal goal of encouraging autonomy. The problem lies in the institutional form of schools, which

“requires an authoritarian presence to define for the participants the starting point of their discussion (Illich 1971, 20). He contends that compulsory learning cannot be a liberal enterprise, because there is incompatibility between the educational goal of autonomy and “the fundamental approach common to all schools – the idea that one person’s judgment should determine what and when another person must learn” (1971, 42). If Illich is right, the development of children’s autonomy is violated not only by religious schools or home schooling but also by secular schools, so the state cannot invoke the autonomy goals to justify the preference of the latter over the former. For Illich, society must be “deschooled”: it is no more acceptable that governments require children’s attendance for ten years in an accredited school than it would be for governments to make church attendance mandatory.

If we endorse Illich’s point that the school’s role in ethical education will always amount to ethical indoctrination, we must either abandon compulsory schooling altogether or resign ourselves to the thought that public education policy cannot meaningfully cultivate children’s autonomy as a goal, in which case any autonomy-based case in favor of civic education would collapse. Illich is right in observing that inequalities of status and power exist in schools. But the crucial point is that children in schools are not yet autonomous, and so the exercise of paternalistic authority over them in the name of their own future autonomy is not obviously contradictory or incoherent. There is a compelling argument that education for autonomy can and maybe should rely on a degree of paternalistic authority and even coercion that could not justifiably be directed to most adults. As Joan Feinberg notes “Respect for the child’s future autonomy, as an adult, often requires preventing his free choice now” (Feinberg 1980, 127),.

In the same line of argument, Coons and Sugarman propose that a teenager should be allowed to choose his secondary school (Coons and Sugarman 1999, 85-6). This belief probably derives from a misconception of autonomy as the freedom to make choices without being constrained by others. However, as Dearden notes freedom is a necessary condition for the *exercise* of autonomy, but it is neither a necessary nor sufficient condition for the *development* of autonomy, which requires learning both a set of intellectual capabilities and a certain self-discipline that cannot be expected to arise spontaneously in children who are granted the freedom to chart their own educational course (Dearden 1975, 11-14). “Nurturing the capacity for and exercise of autonomy must come before we respect it” (Reich 2002, 108).

5.3. The intolerance of educating for tolerance – Civic education and the rights of minority groups

Two court cases highlight the tension between civic education and the doctrines of minority groups. In both *Wisconsin v. Yoder* (1972) and *Mozert v. Hawkins* (1987), parents belonging to minority groups requested educational exemptions for their children:

Wisconsin v. Yoder: Wisconsin state law at the time required compulsory school attendance until the age of 16. A group of Amish parents wanted to withdraw their children from school at age 14 (after 8th grade) on the grounds that: “compulsory school attendance to age 16.. carries with it a very real threat of undermining the Amish community and religious practices as they exist today” (Yoder, 218). The school did not grant their request and the parents went to court. The case ended up at the Supreme Court that ruled unanimously in favor of the parents.

Mozert v. Hawkins: Conservative Christian parents in Hawkins County Tennessee opposed a reader series used by the school that exposed their children to views that parents found objectionable. The parents asked that their children be exempted from class when the reader was in use and that they be tutored in a separate room using a less objectionable reader. The school did not grant their request and they sued. A local court initially found in favor of the parents. The school board appealed, however, and the regional circuit court overturned the initial ruling. The parents; subsequent appeal to the Supreme Court failed.

The objections of parents in these two cases went to the heart of civic education in a liberal polity. The main question unfold as follows: can respectful exposure to diverse doctrines interfere with the free exercise of religious beliefs and other comprehensive doctrines? And if so, do state officials have the authority to condition a benefit such as free public schooling on the willingness of parents to have their children exposed to diversity, or does doing so violate their fundamental rights? Secondly, can an education in which too much emphasis is placed on tolerance for other doctrines be an education with too little room for developing particular ways of life that make social diversity rich and give individuals distinctive sources of meaning and direction? (Macedo 2000, 246).

Parental rights: The argument for civic education focuses on children's rights; however, unless we admit that children's rights are the only and determinant factor for such a policy, parents' objections must be addressed. Charles Fried develops a strong account of parents' rights over their children. He argues that "the right to form one's child's values is an extension of the basic right not to be interfered with in doing these things oneself" and argues that "the child is regarded as an extension of the self" (Fried 1978, 152). He bases his argument on the claim that parenthood is the closest many of us come to overcoming the fact of mortality. As Lomasky puts it:

"Having children is often an integral component of persons' projects... Few people can expect to produce a literary or artistic monument, redirect the life of a nation, garner honor and glory that lives after them. But it is open to almost everyone to stake a claim to long-term significance through having an raising a child" (Lomasky 1987, 167).

However, for liberals, such a theory resembles an ownership claim and threatens to neglect the moral identity of children. Even if we read Fried's theory as a claim for the acknowledgment of parents' shared right to educate their children, his theory is not in tension with an education aimed at cultivating autonomy. Ethical autonomy does not require a radical choice; it is not incompatible with a parental prerogative to shape the child's earliest ethical beliefs provided that the child subsequently develops and utilizes the capacity to reflectively evaluate these beliefs (MacMullen 2007, 115).

A theory that denies completely the right of the state to override parental judgments about the best interests of the child was developed by Chandran Kukathas. His primary concern is to defend the sovereignty of minority cultural groups within a multicultural, liberal state. Kukathas believe that groups should be free to form the education of their children without abiding to any external rule; the basis of his claim is the superiority of freedom of association, which he views as the foundational freedom. But as Barry notices (2001, 239) the right of exit that is associated with the freedom of association cannot be exercised by young children, so children in Kukatha's theory enjoy no rights against the community, at least where their education is concerned. If Amish parents were to decide, in accordance with their religious and/or cultural beliefs, not to provide any formal education for their children, this decision would have to be respected.

If we follow Kukatha's theory, we must accept that adult individuals can protect themselves by exercising an almost unqualified freedom of association but their children, who one day will enjoy the same freedom as adults but at present lack the all-important right of exit, are to be protected only against minimal limits derived from "norms forbidding slavery and physical abuse" and "prohibitions on cruel, inhuman, and degrading treatment" (Kukathas 1992, 128). It is reasonable to maintain that children and adults enjoy somewhat different moral rights, and it is necessary to establish legally a conventional age above which persons assume the rights of adults, but a moral theory should give more than minimal normative weight to the identity of children as persons distinct from their parents (MacMullen 2007, 116). Otherwise, in the words of Macedo, "the parental freedom to control the education of children can itself be a form of tyranny – especially if such control extends to a view of the child as parents' property" (Macedo 2000, 101). Therefore, if children have an interest in cultivating their autonomy, this interest must be protected by a third party if it is not advanced by their parents. "Children are not legally capable of defending their own future interests against present infringement by their parents, so that task must be performed for them, usually by the state in its role of *parens patriae*" (Feinberg 1980, 128). The justification for some measure of public authority lies in the fact that children are not simply creatures of their parents, but are independent persons with their own lives to lead (Macedo 2000, 243).

Consequently, if we conclude that parents must take account of their children's best interest at any case, to defend a claim in favor of parents' right we need an acceptable theory of parental rights according to which parents' interests prevail in cases of conflict with the interests of their children. Galston argues that parents have a legitimate "expressive interest in raising their children in a manner consistent with their understanding of what give meaning and value to life" (2002, 94), even if this upbringing is not in the best interests of the children. According to this view, parents will be unable to live and express their deepest convictions in their role as parents if doing so imposes even the slightest burden on their children and thus adequate freedom to raise their children in the way they see fit must be given to them. As Bridges observes (1984, 59) "the potential for joy in parenthood..does seem to depend on parents being able in general to raise their children as they see proper, perhaps to extend through them what they see as good in life, and on their being able to establish a particularly intimate network of relationship and influence". This line of argument was evident in the Yoder case. According to the courts: "They object to high school and higher education generally, because

the values they teach are in marked variance with Amish values and the Amish way of life” (Yoder, 210-11). For example: “high school tends to emphasize intellectual and scientific accomplishment, self-distinction, competitiveness, worldly success, and social life with other students. Amish society emphasizes informal learning-through-doing; a community welfare, rather than competition; and separation from, rather than integration with, contemporary worldly society” (Yoder 211).

Callan develops a convincing case, where the parental rights may prevail over the interests of their children. He imagines a case where the most suitable music lessons for a child take place on Sunday morning, far away from the family’s church. The children show no interest in attending church but parents insist. According to Callan, the parents are not morally required to sacrifice their own interests and their vision of Sunday morning family life for the sake of their child, even if it is admirable if they did. Parents are people too and they should not be reduced to “a state of bondage” (1997, 146) by their commitment to raising a child. But to say that parents are people too with their own legitimate interests at stake, is not to say that parental interests always trump those of children. It is another thing to say that it is sometimes justifiable for parents to act against their children’s interests, and another to decided whether we should recognize as legitimate such parental discretion in the particular case of parents wishing not to send their children to formal educational institutions (MacMullen 2007, 122-3).

As Wall argued, liberal states recognize that parents should have very considerable freedom to raise their children as they see fit. Outside the sphere of formal education, parents should be left free within very broad limits to exercise power over their children. This freedom is granted partly because it is good for the children to be raised in the culture and values of their family and because, as Callan notes (1997, 145-6), we should not let the state intrude in domestic life except in the clearest cases of child abuse. But, given the substantial discretion that parents must be granted at home, liberal states should take a different approach to their regulation of formal schooling that children are required to receive. Parents cannot be forced to advance the cause of their child’s autonomy at home, but they should not be permitted to frustrate the satisfaction of such an important interest in every sphere of the child’s life. In line with Kukatha’s argument, children’s interests are taken into account and balanced with the parental prerogatives at home through public educational policy.

As Gutmann argues, there is no “right of parents to insulate their children from exposure to ways of life or thinking that conflict with their own” (1999, 29), even if parents enjoy substantial discretion over the environment in which their children are raised. However, in contrast with Gutmann’s argument, the argument developed here is based on the value of individual autonomy: the reproduction of the liberal democratic state is a good that depends upon the level of civic skills and virtues of the citizenry as a whole, whereas the development of a person’s autonomy is a private good for the individual. Hence, the educational balance between parental authority and civic concerns should be struck over the domain of all children, whereas the balance between parental authority and children’s independent interests must be struck separately and fairly for every child. (MacMullen 2007, 124).

Traditional ways of life: Another objection to mandatory education for autonomy revolves around the survival of traditional ways of life. If such a policy is successful, the argument goes, it will necessarily extinguish certain traditional and religious ways of life that are partly defined by elements of character that are incompatible with personal autonomy. In both *Wisconsin v. Yoder* (1972) and in the *Mozert v Hawkins* (1987), parents claimed the rights to withdraw their children, wholly or partially, from public schools on the grounds that these schools would corrupt their children by exposing them to ideas and practices not found in their culture. In the *Mozert* case, parents argued at length that the development and practice of critical thinking about ethical issues are expressly forbidden by their fundamentalist Christian beliefs. If children were implicitly encouraged to think autonomously, schools would be teaching a value directly at odds with the parents’ comprehensive doctrine.

To educate children for personal autonomy is to indoctrinate them into pluralism, to teach that “the significance of the Bible is a matter of opinion” and therefore that fundamentalism is “just one among many belief systems from which an individual might choose (Stolzenberg 1993, 627). The moment that children will be used to think critically about their values and religious authority, they are already estranged from their parents’ way of life, no matter what decision they ultimately make about social and ethical issues.

Even if the children adhere to their parents’ beliefs, they do so knowing that those beliefs are matters of opinion, which transforms the meaning of remaining (or in the case of the children, becoming) attached to them. It is one thing for beliefs to be transmitted from one generation

to another. It is another thing to hold beliefs, knowing that those beliefs are transmitted, that they vary, and that their truth is contested (Stolzenberg 1993,633).

Stolzenberg views this case as exemplifying the paradox of liberal neutrality: liberals want both to promote autonomy and not “to judge or to undermine diverse ways of life” (1993, 660) but Mozert brings these two goals into direct conflict. For Kukathas, our duty to respect different ways of life extends to our obligation to respect different judgments on the value of autonomy or the lack thereof. We cannot sincerely claim to be respecting the fundamentalist parents and their way of life while overriding their sincere objection to having “different visions of ultimate truth..laid out before their young children as equally valid alternatives” (Bates 1994, 309). If this is the case, then the education that recognizes the instrumental value of autonomy falls victim to the same criticism developed for political primacy: the acknowledgment of the costs entailed by such an education for families will amount to no more than crocodile tears with no substance.

However, the ways of lives themselves have no survival rights. We do care about people and parents’ rights but ways of lives are valued only insofar they enhance the lives of individual people. More importantly, there is no contradiction involved in a policy whose promotion of autonomy removes a particular way of life from the set of options available to a person (MacMullen 2007, 127-8). As noted above, Raz addresses this point, when he argues that autonomy depends upon the availability of a diverse range of valuable options but it does not require that all valuable option be available and even less that all options be sustained. The main response to the objection based on traditional cultures, is to argue that despite the fact that the “innocence” or “unreflective faith” that characterizes certain ways of life cannot be chosen by an autonomous agent, the substantive beliefs and values of that way of life are still available to those who have been educated for autonomy. As Barry notes (2001, 123) liberals can draw a distinction between the substantive beliefs that constitute a conception of the good and the attitudes toward autonomy that are partially constitutive of certain ways of life: the state must respect the former but not the latter.

Liberal concerns on paternalism rule out policies that coerce adults into practicing autonomy, but these concerns for not prohibit the state to pursue the best interest of children by teaching them autonomy against parental objections: the upbringing of children is by definition a paternalistic endeavor, and parents do not and should not have exclusive authority to

determine the form of that upbringing (MacMullen 2007, 128). This argument may not be convincing to those liberals like Kukathas that are committed in preserving the liberty of adult citizens by accommodating cultural diversity. The liberal state should not take sides in the reasonable disagreement about substantive ethical values in a pluralist society where citizens affirm many diverse conceptions of the good, but the state should assert the value to all individuals of being able to this rationally for themselves about which of these conceptions to affirm. But this line of argument is sufficient to solve Solzenberg's paradox of liberal tolerance, which supposedly arises when the twin liberal goals of respecting diversity and promoting autonomy conflict with each other. The resolution lies in defending that liberals do not value cultures for their own sake, but rather for their significance in enabling individuals to find and live good lives. Adults who have committed their lives to a particular ethical part should not be coerced into reflecting on alternative paths, but children should have the opportunity to find their best path in life autonomously.

It is worth taking a moment to explain and justify the difference between the treatment of children and its conduct towards adults. The answer lies in the liberal state's strong opposition to paternalistic coercion of adults. The civic education that acknowledges the instrumental value of autonomy aims to help citizens find the conception of the good and encourages autonomous reflection as the means to this end. However, the value of living a good life and the freedom to live as one prefers may contradict when one's conception of the good contains false beliefs. In its treatment of adults who prefer not to live autonomously, the liberal state prioritizes the freedom to live as one prefers over coercive measure that would increase one's chances of finding and leaving a better life. Children, however, are regarded neither as having settled ethical convictions nor as being sufficiently mature agents to have their life preferences respected when doing so would weaken the development of their autonomy and thereby diminish their chances of finding the way of life that suits their beliefs. Regardless of the practical issue of where to draw the line, there should be no serious disagreement with the proposition that there exists a category of "young" children for whom paternalism is appropriate. Both the parents and the state have paternalistic and non-paternalistic reasons to influence children's education. A comprehensive theory of education will have to balance the paternalistic and non-paternalistic claims of both the state and parents to determine the justified division of educational authority.

Conclusion

Questions about public funding and regulation of educational institutions remain prominent in the political agenda and there are strong emotions and powerful arguments in play on all sides of the debate. I hope to have shown that questions on education policy require a deep inquiry into the principles that govern the liberal democratic states. Given the fact of reasonable disagreement, we need a normative account for the aims of education that can justifiably be adopted by the state and imposed on all families. The goals of public education – cultivation of children’s capacities for autonomy and good citizenship – can be developed by social scientists, but theoretical and conceptual analysis can help us clarify the types of educational institutions that are more likely to foster good citizenship and autonomy.

The debate on education policy led us to two major questions in contemporary liberal thought, that is the relationship between autonomy and liberal politics and the balance between civic goals and values with the private interests of citizens. The objective of this dissertation was to show that liberalism can accept the value of autonomy without becoming a perfectionist political theory. The liberal state must not participate in arguments about the nature of the good life. Of course, this does not entail that the state shall remain agnostic on controversial matters, but rather that when the matter at stake concerns the nature of the good life it is neither desirable nor permitted for the state to take a position.

In this regard, liberal perfectionism seems to be a contradictory term. By developing the theory of Steven Wall, I argued that even a well-grounded and coherent perfectionist theory that aims at promoting autonomy’s intrinsic value cannot escape this contradiction. Despite Wall’s efforts to develop a perfectionist theory that tolerates what is deemed as an unworthy way of life and remains neutral between equally worthy lives, his theory remains hostage of the basic criticism against perfectionism: the unquestioned confidence of the validity and truth of the ideal that the state chooses to promote. Therefore, when the state’s goal to promote autonomy contravenes with individual interests, the argument in favor of state policy is solved by restating the intrinsic value of autonomy. Citizens who disagree are seen as holding mistaken beliefs and Wall’s theory does not provide an adequate answer to Nussbaum’s criticism that a perfectionist state creates second-class citizens. To address Nussbaum worries, we must again distinguish between the aim of respecting and promoting autonomy. A state that aims at promoting a specific comprehensive doctrine, can only respond to citizens who disagree that

their beliefs are mistaken and that their sense of self-respect must be “fitting”: therefore, if they feel harmed by state action and this harm is based on mistaken beliefs, the claim that the state disrespects them is not plausible.

The argument for civic education highlights the role of the liberal state in protecting liberal democracy: the civic virtues of mutual respect and toleration must be cultivated and cherished. Despite the fact that Gutmann purports that civic education is not meant to be neutral and aims to promote the kind of education that will achieve that aim, civic education respects political neutrality if the constraints posed are seen as a restatement of what justice requires. In addition, civic education respects philosophical neutrality, since the justification for neutral policies lies in a neutral argument, namely the democratic rule. Therefore, the worries of political liberals developed in Chapter 2, that education cannot and should not be neutral do not hold at this level of abstraction. Of course, questions of compatibility with the neutrality principle can arise when the theory is applied, for example on the structure of the curriculum or the impartiality of the teachers, but in principle civic education should be able to respect the restraints of neutrality.

However, I have argued that the main shortcoming of this theory is the assumption of political primacy, according to which legitimate civic goals presumptively outweigh all competing claims of value. The civic values defended by liberal democratic states are important, but they must nonetheless be balanced against reasonable concerns of individuals and families that would be burdened by state policies. Once we accept that the existence of a liberal democratic regime is a matter of degree, there is no reason to accept that civic concerns always take precedence over other dimensions of value. In addition, both Gutmann and Macedo seem to incorporate in their theories arguments in favor of non-civic values but reject that autonomy is a legitimate goal.

I have tried to argue that accepting the instrumental value of autonomy can help us overcome this two inconsistencies of the theory for a democratic education. The requirements of public justification do not prevent the state from appealing to non-civic values but these values should be explicit and transparent and should not be smuggled into a hazy conception of the civic good. We should reject the austere libertarian position that the state must only enforce contracts and protect citizens from harm by others. Non-libertarian liberals support the view that the state has a legitimate and important role in ensuring that citizens possess the necessary

means to a good life. If autonomy is conceptualized simply as ongoing rational scrutiny of oneself and one's ethical commitments, then it is nothing more than a bare method or procedure. Autonomy has instrumental value because of its epistemological utility and committing to the instrumental value of autonomy does not constitute acceptance of a substantive ethical value. Of course, the acceptance of any instrumentally valuable good will inevitably affect the substantive ethical values of certain individuals. But neutrality of effect is a futile goal.

If we accept that the instrumental value of autonomy respects the neutrality principle, we may have a procedure to balance civic values with individual interests. Sending children to public educational institutions is a way to respect their autonomy and their interests as independent citizens. To balance civic and non-civic values, the criterion and goal of the liberal state should be to ensure that children can be taught to critically endorse their ethical commitments. Therefore, the liberal state can permit the operation of – public and private – religious schools, if they can teach children the skills of ethical reasoning and fairly-minded expose them to a variety of ethical doctrines other than the religious tradition with which the school is affiliated. If religious schools fail to meet this requirement, they should be prohibited. More importantly, this conclusion does not aim to answer only to the worries of religious parents but mainly aims to ensure that religious schools can provide the necessary means for children to develop their own conception of the good. Contrary to autonomy-supporting education, civic education that accepts the instrumental value of autonomy does not aim neither at creating autonomous citizens nor at convincing parents that autonomy is the ultimate value. The only aim of public schools is to give children the opportunity to define what is of value to them. Therefore, in line with the liberal principles, choice is restricted only for the sake of choice.

By not taking a stance on substantive ethical issues, the state can avoid criticisms based on the symbolic harm of parents: the state does not claim to hold the truth of what is of value in life but only takes a position on how citizens should come to hold their conception of the good. Since both civic education and instrumental autonomy respect the neutrality principle, Gaus's requirement of public justification is also respected and thus such an education policy will not coerce citizens. In addition, if we accept Rawls's definition of self-respect as the conviction that one's projects and ideals are worth pursuing and confidence in one's ability to successfully pursue or realize such projects and ideals, a civic education that accepts the instrumental value of autonomy seems to respect both these elements. Contrary to a perfectionist state, the

liberal state does not claim to support only the autonomous ways of life but takes a position only in the way citizens should endorse an ethical or religious doctrine. Citizens are not seen as unreasonable and the only requirement of reasonableness is the acceptance of the basic premises of moral equality. Contrary to the political primacist's view, the state does not claim that children should be sent to public schools only for the sake of liberal democracy. Children should attend state-accredited schools in order to be able to define their conception of the good. Therefore, when civic values and personal interests contravene, the argument is solved by the criterion of children's best interests. If children are not seen as the mere extension of their parents but as individuals with their own interests and values, parental claims based on their ability to transmit their values seem implausible.

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