

# *Comparing Liberalisms: John Stuart Mill & Joseph Raz*

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“The specific contribution of the liberal tradition to political morality has always been its insistence on the respect due to individual liberty”. (Raz, 1988, p.2) Joseph Raz’s observation on the central tenet of liberalism prompts the questions ‘what constitutes respect for an individual?’ and ‘how would we design a society that promotes respect?’ Contemporary issues in liberal Western societies such as the problem of the effective control of illicit drug-use or the specific controversy in France over the concept of *laïcité* point to the difficulty of applying liberal theory in practice. In the following discussion I will compare the liberal theory of John Stuart Mill to the perfectionist liberalism of Joseph Raz with reference to these issues facing liberal democracies.

Mill produced perhaps the most famous advocacy for respecting the individual in *On Liberty*. Guided by ‘one very simple principle’ he outlines an argument for a system, which he believed, provided the best possible environment for individual and social progress (Mill, 1991, p.30). Building from his belief in human fallibility and the incompleteness of knowledge he develops an argument for the value of individual choice, which can only be rightfully restricted through the application of the harm principle. However, a potentially unrealistic vision of individual and social development, under the conditions Mill outlines, brings into question the viability of a Millian liberal society.

Writing more than a century later, Raz, in *The Morality of Freedom*, has attempted to address the problems that undermine Mill’s project. Raz outlines a theory that does not rest on a conception of fundamental human fallibility, arguing that individual well-being is integrally interrelated to societal goals and relationships which can be known to be valuable. I conclude that while the Raz introduces elements into

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his theory that address some of the criticisms made of Mill, questions regarding the central value of personal autonomy raise problems for the application of Raz's theory.

#### **Mill's Liberalism**

The harm principle, which Mill outlines early in *On Liberty*, establishes a definition of liberty which he subsequently seeks to defend through his observations on individual well-being and his views of historical events and society. With characteristic passion and clarity Mill describes the principle as follows: "That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others." (1991, p.30) His conviction that the individual should have absolute control in matters that affect only him is substantially influenced by his belief in human fallibility, his conviction in the value of choice as a contributor to well-being, his observations on Victorian society and his interpretation of history.

Mill argues from the premise that humans are fallible. He illustrates this with an historical observation that "ages are no more infallible than individuals; every age having held many opinions which subsequent ages have deemed not only false but absurd." (Mill, 1991, p.38) This argument leads to Mill's position that human knowledge can never be complete; there is always the possibility that even the most fundamental truths may subsequently be proved false. Given this reality, Mill claims that assertions of truth are not only fallacious but that they have insidious effects on individuals and society. Claims of supreme or definitive knowledge and truth, in Mill's view, are often the origin of attempts by one group to coerce the behaviour of individuals or other groups. Not only are coercion and suppression fundamental breaches of individual liberty, but they also lead to the stagnation and intellectual atrophy of humanity. Mill's liberalism attempts to minimise the potential for humanity to fall into these forms of decline.

Building from his conviction of human fallibility Mill develops a vision of potential human progress. The key to progress rests in the provision of the greatest scope for human experience and knowledge to develop. The individual in the Millian liberal society is engaged in 'experiments in living'; attempts to find "new, deeper or merely different sources of happiness in life", uncoerced by the state or fellow individuals. (Ryan, 1991, p.166) This leaves the individual free to choose between a potentially infinite range of options, constrained only personal desires and capacities, and to therefore benefit (or suffer) the consequences of his actions. Through this process, individuals achieve self-realisation, but also an appreciation of, and engage-

ment with, higher pleasures, which Mill believed to be a characteristic of the lives of highly functioning individuals.

The important point here is that as the individual has complete authority in the self-regarding sphere (in other words matters that can be regarded to affect only himself), society has no right to restrict the individual in conduct that is (or potentially may be) self-harming or immoral merely for it being self-harming or immoral. Society must prove that the actions breach the standard of the harm principle to warrant intervention. Mill does not condone all behaviour; indeed he believes that criticism and exhortation from other member of society are important modes of feedback for the individual. This should not however move from exhortation to coercion. Liberty is, therefore, an integral component of well-being; liberty provides the best possible conditions to achieve the “permanent interests of man as a progressive being.” (Mill, 1991, p.31) Mill’s theory places considerable faith in the individual’s ability to both transcend his social situation and, in so doing, develop a life through experience that is worthwhile. Writing during the Victorian age, Mill’s argument is strongly influenced by the conditions of oppression that he witnessed. But his belief in the benefits of all experience and the need to situate the individual outside of social influence will be questioned in the next section.

### **Raz’s Liberalism**

Raz differs from Mill in that he argues from a value pluralist perspective that there is not an infinite range of good lives, i.e. that there may be many varied and incommensurately valuable lives, but some lifestyles can be said to not lead to human well-being. Contrary to Mill, Raz argues that we can be certain about the value (or absence of value) resulting from certain actions or lifestyles. While Mill struggles to reconcile the tension between his desire for diversity and his hope that individuals will converge through reason and argument to agreement on the value of the pursuit of the higher pleasures, Raz creates a more situated version of the individual where agreement and knowledge of the constituents of well-being can be derived not from the individual but from his situation within a culture, history and society.

Raz makes the simple yet compelling argument that if the state can prohibit murder, with virtually universal agreement, the state can act for moral reasons. To resist this conclusion would be to suggest that there is a sharp contrast between a theory of the good and a theory of the right. (Dworkin, 1988) From this he reasons that the state therefore does act to promote an ideal of the good. Indeed the state is active in creating the conditions for the individual which enable the pursuit of meaningful lives. Raz states that “[g]overnments should promote the moral quality of

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the life of those whose lives and actions they can affect.' (1988, p.415) This clearly differs from Mill's position, and contradicts a central tenet in many liberal theories, *viz.* that the state must be neutral between its citizens. Raz's acknowledgement of the certainty with which some lifestyles can be judged as valueless envisages a more active role for the state and community in relation to individual well-being. State action for Raz is not coercive in the sense that it harms the individual. Through taxation, regulation and support for certain ways of life, but not others, Raz believes the individual will develop preferences which are in general accordance with the values of society and, therein, the ability to live a good life.

Raz's conception of individual autonomy is thus based on choosing between moral ends. As he explains, an "[a]utonomous life is valuable only if it is spent in the pursuit of acceptable and valuable projects and relationships." (1988, p.417) The importance of a liberal society rests not in individual choice, as for Mill, but in the individual being able to choose between varieties of valuable alternatives, determined and supported by the society that the individual lives in. As Mulhall and Swift observe:

For Raz, a person's well-being does not depend upon her living the life that she believes to be of value, it depends upon her living a life that is valuable for reasons independent of her belief in its value. (1996, p.313)

The practical implications of this point can be illustrated by the issue of an individual's use of narcotics. Mill's assertion of the priority of individual liberty in self-regarding conduct creates difficulties where individuals may, and very frequently do suffer great harm through substance abuse. It is highly unlikely that the majority of individuals will benefit from, or in many cases alter course from, a life adversely influenced by drugs. In this example, Mill's belief in the benefits that accrue from 'experiments in living' does not result from all cases. Raz on the other hand argues that the life of a drug addict is clearly inferior in terms of value, both to the individual and to society, and that restricting the substance does not restrict the individual's liberty in any meaningful way. Given the experience of many Western societies with the harms that do accrue from certain types of drug use, the position of Raz seems more reasonable than Mill's.

From this perspective drug use can be viewed as an obstacle to the individual fulfilling a valuable life and therefore restrictions on narcotics can be seen as promoting autonomy, not detracting from it. In Raz's liberalism the "autonomous person is a (part) author of his own life." (1988, p.369)

### **The Laïcité example**

The example of drugs provides support to Raz's argument that seeking to restrict certain lifestyles is not harmful to the individual's well-being. However the issue of laïcité - the French principle of secularism and recent conflict over its effect on minority communities in France points to some problematic issues. Laïcité was originally adopted to provide very clear distinction between church and state in France after a long period of instability associated with religious interference in public issues and has become an integral component of the French conception of the modern liberal state. In Raz's liberalism this would seem to accord with the state determining that certain social conduct is counter to the promotion of autonomy. As religious interference in the public domain was seen as promoting social instability and consequently as detrimental to wider collective autonomy, it can be argued that it therefore may rightly be restricted.

While laïcité has been successful in achieving its original aim, recent developments have sparked controversy through its effect on the minority Muslim community in France. Some Muslim women who have sought to wear veils at French state schools, in accordance with an understanding of an obligation from the Koran, have been prevented from doing so under the principle of laïcité. Although legislation to bolster laïcité's authority on this issue is claimed to have the support of over 70% of French citizens (Smith, 2004), these incidents have led to protests and claims of discrimination by the Muslim community. The difficulty that this example raises for Raz is that there are different conceptions of what constitutes autonomy. One version would support laïcité as a reasonable position of the state based on the experience of undue religious influence that reduces autonomy, while another argument can be raised that the autonomy of Muslim women is being restricted and therefore laïcité should be amended.

This issue also serves to illustrate the potential for the development of a 'tyranny of the majority' – the disregarding of minority interests by a dominant social group. (Mill, 1991, pp.25-26) Mill was particularly concerned with this prospect and its potential to restrict human progress, and believed that his liberalism would prevent it. Conversely, Raz's liberalism does not preclude majority dominance; lifestyles that are unsupported will fail to survive in Raz's system. If this is accomplished through emphasising morally worthy alternatives, as Raz argues the state is right to do, then a moralistic position, supported by the majority would clearly predominate over a minority. One of the underlying issues of the laïcité example is the definition of the oppression of women. The majority appear to support the belief that the veil is a symbol of oppression, while the minority argue that it represents humility and a

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relationship with God as determined by their religious belief. This is a moral issue to which there is perhaps no clear answer. State support for the majority position could in this case be viewed as a form of moralism inflicted on a minority.

Despite the central role that autonomy plays in Raz's theory he qualifies this by suggesting that "[f]or those who live in autonomy-supporting environments there is no choice but to be autonomous: there is no other way to prosper in such a society." (1988, p.391) In the laïcité example many Muslims who are seeking to assert their right to religious expression are doing so in response to their situation in an autonomy-supporting environment. This is, at least in part, because many Muslims are not 'prospering' and have sought expression and identity in non-autonomous lives. As John Gray observes, "Raz's argument takes for granted that immigrant communities whose ways of life do not honour liberal values are bound in time to assimilate to the liberal majority cultures of their host societies." (2000, p.97) This is clearly not always the case.

### **Conclusion**

In this essay I have pointed to the central role that knowledge plays in both Mill's and Raz's conception of liberalism. Mill's liberalism relies heavily on the argument that knowledge is never complete and therefore, actions that derive from this knowledge can always be questioned. Given this fallibility, the state should not privilege any one conception of truth or morality, but let the individual determine their conception of the good life. I have argued that Mill's advocacy of this form of liberty was considerably influenced by the situation that prevailed in Victorian England – that of a highly restrictive, sometimes oppressive and moralistic society. Set against these conditions Mill's argument clearly would be advantageous in preventing the environment of social 'tyranny' that he ardently opposed.

However, his belief in the ability of the individual to transcend society, and the benefits that he believed would follow from this situation appear more problematic. I have pointed to the example of drug addiction as an example that, I argue, contradicts Mill's view that certain lifestyles cannot ever be absolutely known to be wrong and therefore not worth pursuing. In contrast to Mill I have outlined Raz's theory which yields a different notion of the constituents of a good life. Raz starts from an alternative conception of knowledge. While we may not be able to compare in value all conceptions of the good life, it is possible and in fact desirable to acknowledge through experience that certain lifestyles are not valuable. Furthermore, individuals can only establish the constituents of a good life through what is valued by the culture that they live in. There are many attractive aspects to this position, not

least the ability to acknowledge a more realistic perspective of harm and its more psychologically compelling vision of the individual as situated within a community. Nonetheless, Raz's argument for the central role of autonomy does lead to some difficult issues. Value pluralism's critique of the incommensurability of competing concepts of the components of utility or the constituents of justice must surely also apply to autonomy.

### **Bibliography**

- Dworkin, G. (1988) "Review of the Morality of Freedom". *Ethics* Vol.98, No.4 pp. 850 – 852.
- Gray, J. (1995a) *Enlightenment's Wake*. London: Routledge.
- Gray, J. (1995b) *Liberalism*. 2nd ed. Buckingham: Open University Press.
- Gray, J. (2000) *Two Faces of Liberalism*. Cambridge: Polity Press.
- Mill, J.S. (1991) "On Liberty" *J.S. Mill - On Liberty in Focus*. (eds.) Gray J. & G.W. Smith. London: Routledge.
- Mulhall, S. and Swift, A. (1996) *Liberals and Communitarians*. 2nd ed. Oxford: Blackwell.
- Raz, J. (1988) *The Morality of Freedom*. Oxford: Clarendon.
- Riley, J. (1998) *Mill on Liberty*. London: Routledge.
- Ryan, A. "John Stuart Mill's Art of Living", *J.S. Mill - On Liberty in Focus*. (eds.) Gray J. & G.W. Smith. London: Routledge.
- Smith, A.D. (2004) "France divided as headscarf ban is set to become law", *The Observer*, January 1 2004. <<http://observer.guardian.co.uk/international/story/0,6903,1136434,00.html>> [Accessed 16 December 2005]