

**Why Value Pluralism Does Not Support the State's Enforcement of Liberal
Autonomy: A Reply to Crowder**

NOTE: This is the final unpublished draft. For the published version, see

David Thunder, "Why Value Pluralism Does Not Support the State's Enforcement of Liberal
Autonomy: A Response to Crowder." *Political Theory*, vol. 37, no. 1 (February 2009), pp. 154-160.

Please use published version for citation purposes:

<http://www.jstor.org/stable/20452684>

In "Two Concepts of Liberal Pluralism,"¹ George Crowder pits William Galston's "pro-toleration" liberalism against his own "autonomy-based" liberalism, and argues for the philosophical and moral superiority of the latter. Pro-toleration liberals argue for the maximal political accommodation of group diversity within the constraints of civic unity and public order, even permitting the existence of groups unfriendly to individual autonomy, provided they respect their members' right of exit. Autonomy-based liberals, by contrast, view a "substantial" ideal of autonomy, involving the capacity for critical reflection about one's way of life, as a "central public ideal" to be promoted and safeguarded through state intervention. Crowder's main claim is that the assumptions of tolerationist liberals (in particular, the right of exit and value pluralism), pushed to their logical conclusion, lead to a pro-autonomy position. But since he himself shares these assumptions, he himself is committed to autonomy-based liberalism as a cogent and plausible political theory in its own right.

While I accept that Galston's notion of "expressive liberty" is insufficiently developed, I will argue here that Crowder pushes the argument towards a much more demanding ideal of autonomy than is warranted by Galston's assumptions. Furthermore, Galston's argument aside, I shall argue that the pro-autonomy position favored by Crowder is susceptible to some fatal objections. If my argument goes through, then the most plausible

conception of autonomy, at least as a political norm, is much closer to Galston's "expressive liberty" than to Crowder's "individual autonomy."

Before proceeding further, I should emphasize that the toleration-autonomy debate is not merely a "family dispute" about some fine points of liberal theory. On the contrary, the outcome of this dispute has dramatic implications for societies where deep religious and cultural differences are either well-entrenched (say, the U.S.) or growing at a fast rate (say, France or Germany). If we adopt a tolerationist stance, social groups and social infrastructures (e.g. schools, hospitals, businesses) devoted to tradition-based ways of life involving, say, arranged marriages, intellectual submission to religious authority, some form of patriarchal social structure, and the limited exposure of members to "alternative ways of life," may be permitted to exist and reproduce themselves, albeit against the backdrop of a liberal juridical and economic order that includes freedom of association. If, on the other hand, we adopt a pro-autonomy stance, the State and its agents may be authorized to control, either through legal rules or educational policies or both, the internal practices of associations—and presumably, of families—to ensure that their members develop an adequate capacity for personal autonomy, albeit in a prudent and even-handed manner.²

From the Right of Exit to Autonomy

Crowder attempts to draw pro-autonomy conclusions from Galston's pro-toleration assumptions, specifically the right of exit and the premise of value pluralism. On the right of exit, Galston insists that members of nonliberal association enjoy an "enforceable right of exit" (127),³ meaning in the first place that they are not physically coerced to stay put in any particular association. But freedom of association for Galston is not merely a matter of freedom from physical coercion: he maintains that a group may not legitimately

“disempower” its members from living outside of itself, and that a group may not legitimately keep its members within “a kind of mental and moral prison” (128).⁴ So clearly, Galston is concerned about forms of environmental or cognitive manipulation that effectively disable people’s capacity to choose to leave an association.

Crowder wastes no time in exploiting Galston’s appeal to a seemingly positive ideal of freedom. If group acts that disempower (mental) freedom are a problem, he asks, “doesn’t that mean that to count as genuinely free to exit, one must be empowered to do so—that is, one must have the positive capacity to overcome [informational, economic, and psychological] obstacles to exit?...Crucially,...real freedom of exit seems to involve the capacity to stand back from the group’s norms and to assess them critically—that is, the capacity for autonomous judgement” (128).

Galston seems eager to disavow any commitment to an “Enlightenment” ideal of autonomy, while expressing concern about potential attacks on an agent’s *mental* freedom. Since he elaborates surprisingly little on his own “moderate” conception of autonomy, it is understandable that Crowder assumes that he is secretly smuggling in a more “empowering,” “Enlightenment” ideal, which would naturally include mental freedom and the capacity to reflect on one’s way of life as a whole. But this conclusion is too hasty, for there is a very big jump indeed from not being kept by others in a “a kind of mental and moral prison,” to possessing a fully developed, immediately exercisable capacity to “overcome obstacles to exit.” While Galston’s “moderate autonomy” is insufficiently elaborated, for now I just want to show that the kind of autonomy Galston gestures towards need not be anything as demanding as the kind inferred by Crowder.

I think the most charitable interpretation of Galston's opposition to "mental and moral prison[s]" is that he has in mind a form of heteronomy with two features: first, it is caused by identifiable agents other than the person herself, whether individual or collective (people are "kept" in mental and moral prisons), and thus involves a tangible injustice that the State may legitimately take steps to prevent or remedy. Second, it must involve more than constricting the information flow, censoring media availability, or immersing the agent selectively in a fairly self-contained religious or philosophical tradition. For these are all quite typical of many associations in the modern world, including the Amish, whose political legitimacy Galston accepts. So what can Galston have in mind in opposing groups that "[keep] people within a kind of mental and moral prison"? My best guess is that he has in mind certain forms of egregious psychological manipulation, "programming," or systematic deception that clearly rob agents of any capacity to realistically assess their options. The corresponding positive conception of autonomy might be the capacity to make meaningful choices unimpeded by pervasive psychological manipulation or systematic deception. Such a capacity need not presuppose the ability to "stand back" and assess one's way of life as a whole, or, as I shall argue shortly, to abandon one's current way of life.

But I do not wish to hang too much on the details of my interpretation of Galston's conception of autonomy. The more important point is that the capacity for choice unimpeded by mental imprisonment by others is in no way equivalent to Crowder's "positive capacity to overcome [informational, economic, and psychological] obstacles to exit" (128). More importantly perhaps, we have independent reasons for rejecting the latter as a condition for genuine autonomy. Consider the case described by Kukathas of a Muslim wife of a Malay fisherman who "has no desire to leave her village community, since her identity is closely

defined by her roles as wife, mother, and Muslim” (127).⁵ The mere fact of “acquiescence” in her lifestyle, Crowder suggests, is not sufficient to underpin a right of exit: “The fact that no one is forcing Fatima to stay is consistent with her having no realistic prospect of leaving because of obstacles other than simple coercion. These include the costs that are often attached to exit, including economic and psychological costs, the risks of failure in the society into which one is exiting, lack of economic resources with which to make exit possible if one has decided in that direction, and...the kind of social conditioning that makes exit unimaginable in the first place” (127).

But this conception of autonomy, however empowering, seems an implausibly stringent requirement: first, it fails to distinguish between morally unacceptable restrictions that are deliberately imposed by agents or groups, such as pervasive deception or obvious forms of psychological damage; and restrictions that are imposed as reasonable trade-offs to secure associational goals (e.g. a censoring of media and lifestyle exposure to protect religious values). Second, it is far from clear that it is the business of the state to intervene anytime economic and social structures impose high costs on exit from some particular association. For example, during a downturn in the economy, some people may be unwilling to renounce their membership of a particular association because their skill set is not in demand elsewhere. Does this mean that the State ought to intervene to subsidize the cost of exit? Would Crowder’s view entail the extensive management by the State of the psychological and economic costs of movement between associations, even when those costs are imposed by impersonal forces such as economic fluctuations and social trends? This disquieting scenario should give us pause to reconsider the feasibility of Crowder’s conception of autonomy as a guide to government policy.

Third, Crowder implausibly assumes that the right of exit is not really available to someone for whom exit imposes an unacceptable psychological cost. But surely this cannot be right: to say that someone has a right to exit her association is not by any means to say that for her, the costs of exit are acceptable or psychologically feasible. It is one thing to grant someone an opportunity, quite another to say that the corresponding outcome is subjectively affordable to her, given her unique history, attachments, and psychological profile. Setting aside perhaps certain extreme cases of “mental imprisonment” (following Galston), which might call for corrective action by the State, it is hardly the business of the State to make exit from associations *psychologically feasible* for group members. Citizens are entitled to participate in forms of association that engage their minds and hearts so deeply that exit is “unthinkable” to them. For example, a religious believer is legally free to dissociate from her church, but that does not mean that she will be psychologically disposed, or even *capable*, of doing so. Such is the nature of many human commitments, and I see no reason to think that such commitments are therefore insidious, wicked, or inconsistent with human freedom. It is only if we accept an implausibly demanding ideal of autonomy, which unshackles humans from deep, life-changing, or psychologically compelling commitments, that Crowder’s view of autonomy gains plausibility.

From value pluralism to autonomy

Finally, let us consider Crowder’s attempt to make a case for autonomy-based liberalism based on the doctrine of value pluralism. According to value pluralism, “there are many objective and intrinsic goods—that is, goods that are valuable for their own sake as components of human well-being” (132), and these goods have two features: first, they are

incommensurable in the sense that they cannot be reduced to a single rational scale or measure; and second, given differences in temperament, intellect, character, culture, and circumstance, there is no uniquely or universally optimal way of combining goods within a human life. Finally, value pluralists assume that a good society will afford its members real opportunities for personal flourishing, and will value their “expressive liberty,” viz. their ability to “[lead] their lives as they see fit, within a broad range of legitimate variation, in accordance with their own understanding of what gives life meaning and value” (124).⁶ With these premises in place, Galston extends the principle of toleration to nonliberal ways of life, arguing that “from a value-pluralist standpoint, there are many valuable ways of life, individual and collective, that are not autonomous in the sense that they are not the product of conscious reflection and choice but, rather, of habit, tradition, authority, or unswerving faith” (133).⁷

Crowder accepts all of the premises of this argument, with some modifications, but rejects Galston’s tolerationist conclusion. He argues, on the contrary, that respect for the plurality of human goods uniquely favors associations that both support individual autonomy (and are thus liberal by tendency⁸) and enable their members to “pursue a multiplicity of goods and personal projects, either interpreting the culture in new or different ways, or transforming it” (135). The basic thrust of Crowder’s argument is that just as a liberal regime ought to provide social space for a rich array of lifestyles and goods conducive to different forms of human flourishing, the cultures within a regime ought to provide social space for a rich array of “goods and personal projects” that can be tailored to individuals’ circumstances. But then, it would appear to follow that we should equip each person, whatever her cultural

milieu, with the autonomy necessary to creatively interpret and adapt the goods of her culture.

Even assuming the truth of Galston's version of value pluralism, I believe there are good reasons to resist Crowder's pro-autonomy conclusions. First of all, Crowder's peculiar brand of value pluralism seems to hold as a constant the value of a fairly high degree of reflective autonomy, as if a person's ability to step back and make fundamental assessments of the broad parameters of her life were essential to *any* worthwhile way of life. But it is far from clear to me that, say, the Muslim wife of the Malay fisherman who "has no desire to leave her village community, since her identity is closely defined by her roles as wife, mother, and Muslim" (127),⁹ and never seriously entertains other ways of life, is leading an impoverished life or needs to be "rescued" from her fate by a liberal education. In short, though some element of freedom is essential for any life to go well, critical autonomy as envisaged by Crowder is not.

Second, Crowder does not acknowledge that there is a profound difference between the social space of a liberal regime and that of its constituent cultures. It is relatively easy for a modern political regime to contain, and even foster, a broad range of goods and lifestyles, precisely because it ranges over a broad cultural, geographic, and economic terrain, and is not the guardian of any single, dense cultural heritage. But its constituent cultures, especially religious and ethnic (say, Mormons, or native Americans, or Muslims), have a much more limited social space within which to permit "experimentation" and a diversity of goods, because they may have more limited social structures, and have a determinate cultural heritage to preserve. Crowder does not acknowledge that the curtailment of liberal autonomy, at least up to a point, may be a reasonable price to pay for a group to preserve the goods

associated with its distinctive way of life. In fact, Crowder's argument, on my interpretation, does not stop far short of dissolving all distinctive associations and ways of life into one giant liberal association, an outcome that should give any liberal, value pluralist or not, pause for thought.

The main purpose of this article has been to point out some serious difficulties with Crowder's argument for strong autonomy, not to develop an alternative conception. Therefore, I have not defined the precise sort of autonomy individuals ought to enjoy in a liberal regime. However, I would like to conclude with a couple of intimations in this regard. Now, on Galston's own admission, some form of freedom or "expressive liberty" is essential to a good life. Crowder seems to assume that liberal autonomy is the only viable option here. But is it? It seems to me that Galston's notion of expressive liberty provides at least the basis for a viable alternative. Recall that expressive liberty is the ability to live one's life in accordance with one's understanding of what gives life meaning and value. There are two considerations that prevent this conception from collapsing into liberal autonomy: first, acting on one's understanding of meaning and value, and doing so in a way that enriches one's life, by no means presupposes that one has canvassed a wide array of options beyond those presented by one's tradition and upbringing. Second, as value pluralists are well aware, there is no cost-free social arrangement. Though the toleration of nonliberal cultures will inevitably result in some people living less satisfying and successful lives than they might live in a society liberal "all the way down," even greater social and moral losses would likely accrue from attempts by the state to rearrange the internal practices of associations in accordance with a doctrine of Enlightenment autonomy.

Endnotes

¹ See George Crowder, “Two Concepts of Liberal Pluralism,” *Political Theory* 35, no. 2 (2007).

² Although Crowder does not discuss the political implications of his position in great detail, he clearly favors a substantial role for the State in ensuring the development of individual autonomy within nonliberal groups. For example, he suggests that the “likeliest guarantor” of the conditions of autonomous judgment is the State, and that “[m]ere noninterference [by the State] with the processes by which personal autonomy emerges amounts, in effect, to shutting many people out of the possibility of autonomy...” (139).

³ See William Galston, *Liberal Pluralism: The Implications of Value Pluralism for Political Theory and Practice* (Cambridge: Cambridge University Press, 2002).

⁴ *Ibid.*, 105.

⁵ See Chandran Kukathas, *The Liberal Archipelago: A Theory of Diversity and Freedom* (Oxford: Oxford University Press, 2003), 113.

⁶ See Galston, *Liberal Pluralism*, 3.

⁷ *Ibid.*, 49.

⁸ “Internally diverse cultures,” which Crowder believes are required by autonomy-based liberalism, “will tend to be...liberal cultures based on personal autonomy” (134).

⁹ See Kukathas, *The Liberal Archipelago*, 113.