The Egalitarian constitution: modern identity in three moral values

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Chapter 8: What is it like to be autonomous?

'This above all: to thine own self be true,
And it must follow, as the night the day,
Thou canst not then be false to any man...'
-*Hamlet*, Shakespeare

Polonius's last piece of advice to his son on parting in Shakespeare's *Hamlet* is justly famous. But perhaps it should be notorious. Would it not have been better for, say, Pol Pot to have been true to almost anyone else but himself? Be that as it may, when secondary-school pupils read Shakespeare's lines in an age accented by various strands of romanticism, they are tempted to think it sage advice: one should remain 'true to one's deepest beliefs, one's real self'. If the pupil later chases the romantic scent into a philosophy course, she will be told to seek 'authenticity' by Pascal, Rousseau, and Sartre. Such a positive assessment of Polonius's sentiment persists in spite of the manifest ridiculousness of Polonius, and despite the horrors bred by romantic philosophy.

Being true to oneself in the romantic idiom invokes one's 'deep identity', a 'true self' that is obscured, buried, stilled, or overcome by society; or by one's own illusions about oneself, by outside impressions, by experience, and especially by formation at the hands of others. One needs 'sincerity' in place of convention; true desires in place of manufactured ones. Prince Nekhlyudov, Tolstoy's blunt ideological weapon posing as a character in his novel, *Resurrection*, sees his downfall as having come about because he 'stopped listening' to himself. Authenticity is not only about thoughts, but also about actions. It is about obedience to oneself; about where moral authority is held. The romantic cult of authenticity connects with its forbear, the concept of autonomy – of proper self-direction, of being in a general sense morally '*sui juris*'. Both of these parts, as I shall show, form the modern value and virtue of personal autonomy, both keystone and cornerstone of the egalitarian mind.

But is it good to be 'true to oneself'? What can it even mean? Going one level deeper: Is it better to be self-directed than directed by anything else? To be modern is to fall on the side affirming self-direction as a good in itself, no matter which direction is finally taken. That is implicit in consensualism. To

be un- or non- or anti-modern is to deny that. As I detail below, romantic self-direction is what is affirmed within modern culture, not merely the ancient tradition of being '*sui juris*'. The Kantian autonomy of legislating the universal law on oneself is almost never what is meant outside of rarefied circles.

What follows is not a complete conceptual definition of 'personal autonomy', but a sufficient working definition of it, with examples drawn from society, literature, and ideas of personhood. Instead of 'personal autonomy', I could have chosen 'individual autonomy', but that seemed both less attractive and less precise. For, autonomy, as it is understood in modernity, could only be possessed by something that can rightly be considered a 'person'. The word 'individual' usually is understood to modify an implied word: 'He is an individual'. An individual what? Cat? Koala? Moron? Mormon? Thus, 'personal autonomy' remains the preferred phrase.

In comparing autonomy and heteronomy so generally, a few things quickly become obvious. Firstly, not all 'autonomy' is fully 'autonomous'. Secondly, not all autonomy is personal. To the first, some forms of heteronomy might be said to be foundational to autonomy. It is worth considering whether heteronomous norms or conditions are part of such autonomy or a precondition for it. In either case the resulting autonomy would not be truly autonomous. But it is least autonomous in the case wherein heteronomous elements are part of autonomy. Nevertheless, the small differences between the two is not as interesting to me as the stark differences between autonomous agency and heteronomous participation in and obedience to something greater than oneself. It could be greater in goodness, extent, capacity, or any number of other goods. But, as I shall illustrate, it cannot merely be more powerful. Heteronomy is not mere coercion, just as autonomy is not mere freedom from coercion. To the second, autonomy of persons is as radically different from plain autonomy as the power of choice if from naked power (i.e., force). Personal autonomy brings the life-giving magic to the egalitarian mind, making a real boy out of a pile of sticks, and providing an inviolable and inscrutable centre that is determinant both of its own ends and of the means to get there. It is the 'person' of personal autonomy that will complicate and enrich what it means to be autonomous.

Toward a composite conception of autonomy

The distinction between persons as rightly autonomous and persons as justly heteronomous is a line in the sand between what is modern and what is not. By sorting out what it can mean to be autonomous in modern cultural terms and what it means to be heteronomous in ancient cultural terms, we can identify the value and virtue at the heart of modern cultural identity, according to which consent and equality ultimately must operate.

A conception such as 'personal autonomy' is a composite of various philosophies which may never have been the possession of a single philosopher. It is, nevertheless, representative of a way of being in the world that the value seeks to enforce. When autonomy as romantic self-direction, with the position that each is to be an end-in-herself-for-herself, all sorts of 'truths' become obvious. Political manifestations of these truths frequently follow, including: the removal of external restraints on persons' activities, especially removal of hierarchical relations that would enforce them; abolitionism, women's liberation from family and 'sex', the ascendancy of property rights, expansion of the franchise, lowering of the age of majority, the eventual extension of personal rights as 'human rights'. If other ideas and realities do not follow *necessarily* from a positive assessment of personal autonomy, they nevertheless routinely get a push. The tendency in modern law to permit nearly all that is not explicitly forbidden would seem to be one such instance. Hobbes, who announces consensualism also announces: under sovereign rule, all is permitted that is not forbidden. Since autonomy is not limited to natural human persons but also available to corporate actors, the relative freedom of states to make treaties on all that is not already forbidden in public international law could also be one such consequence. However, I restrict the chapter below to consequences for natural persons.

Personal autonomy as romantic self-direction is a river with three tributaries feeding it. Ideas are drawn from the three Johns: John Locke, John Stuart Mill, and Jean-Jacques Rousseau. Together their ideas form a composite Modern thinker and actor. The Johns support personal or individual autonomy of one form or another and to various degrees. This could be as modest as self-ownership of one's body (Locke), as firm as self-sovereignty (Mill), or as daring as 'everyone is entitled to respect for his own desires' (*à la* R*ousseauienne*). But as cultural identity it becomes a form of romantic self-direction, an ethic of authenticity, and a politics of affirmation.

Personal autonomy has replaced an older tradition of heteronomy, represented by the two Thomases: Aquinas and Hobbes. The ancient

Thomases posit various forms of heteronomy, be it based in God or reason, or in both in variously-proportioned parts (Aquinas), or the passions and material necessity in some form (Hobbes's 'passions that incline to peace') resurrecting pre-Socratic notions of flux and determinism in an early modern idiom. And Edmund Burke will present himself with this set, to defend ideas of prescriptive heteronomy in natural society and an eternal political order of covenant-keeping (also standing against consensualism and equalitarianism). Immanuel Kant, with his morality as autonomy, cannot easily fall into either the ancient or the modern camp. For Kant, autonomy is the cause of human happiness, with obedience to universal reason as the route to autonomy. The ground and limit of autonomy is heteronomous adherence to universal reason. Kantian autonomy does not ground modern cultural identity. For, it is merely the moral body of ancient values dressed up in a modern suit.

Just below I shall begin sketching what autonomy and heteronomy mean as 'life philosophies', that is, ways of living based in competing dogmas. I could have called them 'religions', if the term were not so narrowly defined in contemporary Western thought. The dogma upon which the modern romantic self-direction is based, which could also serve as its shorthand definition is: 'To be fully human is to be a self-sovereign end-in-oneself'. As with any dogma, the truth lies in the explication.

Autonomy and heteronomy in brief

As modernization has progressed there has been movement in emphasis from understanding autonomy as moral self-discipline to putting the emphasis on self-reliance. Self-regulation has always been part of the concept, but that morphed into self-determination. Self-control also became self-sovereignty; and the seed that was self-discovery flowered into self-creation. I shall not trace all of the changes, many of which take place conceptually long before they are clearly parcelled out to the terms. Here at the outset, however, the terminological vastness must be noted and met with some semblance of conceptual clarity.

Personal autonomy

'Autonomy' is not an everyday word in contemporary popular culture—neither in politics, religion, nor self-understanding. But *it* is everywhere, with much of the discussion about autonomy going on without ever mentioning the word itself. Rarely will you hear someone complain, 'I just don't feel

autonomous in my job.' Complaints are, rather, about choices or impositions: 'I cannot do anything without my boss's permission' or 'My wife won't let me do that'. Parents from the credentialed class appeal to choice, again usually without using the word 'autonomy'. 'I want *them* to make their own choices', one might hear about what to do when someone approaches your little boy and says something like, 'He's gonna break girls' hearts'. The offense against the dogma is the assumption of 'heteronormativity'. Parents wants free agency to be develop in the child, so that 'they' – now a singular pronoun – can make '*their* own choices'. So, an appropriate response is to chide the presumptive person for boxing the child in without *their* consent. Again, these reservations are mostly about leaving freedom for choices to be made by the individual person, and freedom from restraints imposed by society – both of which are important to understand the functional concept of personal autonomy at work here.

This large domain of consent is not merely about freedom from uninvited obligations. The parents of the future heartbreaker are presumably not opposed to all kinds of heteronomous behaviour towards children. Should their children choose their own names? Is it wrong to give them citizenship that they did not choose? Should you make them wear clothes? Must they learn to read, *even* if they don't want to? What if they don't want to bathe? And, bordering on the absurd: What about teaching them a language, any language, that they never consented to? Autonomy as a value is not just about choices and freedom of the negative kind, but (1) some subset of choice types that are cherished and deeply associated with one's identity; and (2) a 'higher-order' of choices than the very basics, about which no one gets to choose for himself, at least not as a child. For, the part of autonomy that involves choosing relies on certain foundations, including (1) the individual having reasonable use of at least one symbolic language, which implies (2) highly-developed powers of reasoning, as well as (3) an understanding of oneself as a self-reflexive moral agent in the world. Large parts of what Berlin calls 'positive freedom' are provisioned by society, family, and governments as basis education and enculturation.[1] But personal autonomy both the common type of foundation and the various houses that one chooses to inhabit atop the foundation. It is what Berlin means by positive freedom and so much more.

When the modern individual is autonomous, she is seen socially as a person. And she treats himself with the respect due to. If she is not, not yet,

[1] Isaiah Berlin, 'Two concepts of liberty' (1969[1958]).

or no longer autonomous, he probably will not receive the protections of persons. The unborn and the un-dead indicate this in modern legal and moral orders, where killing of them is not always murder. Those who are not *known* to be able to feel pain (a *foetus* before 24 weeks), or to think (the unborn and those in vegetative states), or to choose for themselves (young humans or the infirm or the undead) are routinely marginalized from the protections afforded to the autonomous. The modern person rehearses a story of his identity in terms of choices made and self-development, of 'being true to oneself', and 'calling no man master'. Those who can do this have a claim to autonomy. Connecting freedom to identity, to be modern is to understand that one is free to choose for oneself, and that such a choice should be respected insofar as it does not impose on other autonomous selves. Mill would later name this habit of consideration the 'harm principle', attempting to render it not only harmless but beneficial by couching it in a buried sense of human dignity. But the modern auto-biography in literature is perhaps the truer condensed form of this raw self-image, untamed by liberal anthropology (for, to be modern is not necessarily to be liberal). Compare the very modern Adolf Hitler detailing his romantic struggle in *Mein Kampf* (1925) to the ancient John Henry Newman confessing an ancient creed *Apologia Pro Vita Sua* (1864). The latter author even distances himself from the subject matter by refusing the first-person pronoun in the title.

But autonomy in any of its modern forms is not merely about personal choice remaining free from external restraint (or coercion) and, where appropriate, choice facilitated by societal provisions of basic formation. To cover more of the conceptual space of personal autonomy, one needs to add: (1) a notion of self-directedness, (2) a conception of free will, (3) a private 'inner space' (where 'the will' also lives with my desires, memories, and secrets), which is inviolable, and (4) located 'inside' the body that I somehow 'own' and which is also 'me' (4), all of which together is mysteriously 'the real me'. These notions concerning romantic modern personal autonomy descend from all sorts of places. Yet, they have been given their lasting forms variously by the likes of Rousseau, Locke, Augustine, and Grotius, all of whom I return to in due course.

It is not only human persons that enjoy this autonomous status, but modern personal autonomy also has an institutional mode. This is the individual autonomy of self-sufficient and self-directed corporate entities. The justification for their coming into existence and continued action in the world is nothing other than to perpetuate their own existence. 'It is that it is', in a

certain way, like the God of the Hebrews, who says 'I am that I am'—and like autonomous persons, who are ends-in-themselves-for-themselves.[2] Examples include the institutions of free enterprise, especially the modern corporation; modern political institutions, particularly the nation-state, but also political parties; and the university, as well as private voluntary organizations and societies. All such institutions might have other legitimate goals, and each *could* be justified on heteronomous terms of, say, serving the 'common good' or protecting the individual from foreign and domestic threats, or facilitating the personal autonomy of natural persons (in the case of the university). But just as human persons, they *need not be justified* in any extrinsic way in order to be considered legitimate. Which is another way of saying that they are personally autonomous.

Briefly, the relevant parts of personal autonomy to this study run as follows. First, autonomy in modern discourse becomes question of jurisdiction. Ultimately the answer to the question of sovereignty at the level of natural persons is self-sovereignty. As an answer it fails, since it really just poses more questions. But it does locate the conversation around the 'self', wherever that is said to be. As such, the most sovereign person would also be most autonomous, and vice versa. Second: autonomy is a self-contained moral status. This status tends to accompany another status, such as legal or moral personhood, so that one cannot be a moral person without being thought to be autonomous. As a legal value, autonomy is used to assess whether a person is being treated justly in certain cases. In many circumstances, both legal and moral, 'autonomous' has become a byword for 'adult human being': cf. 'autonomous agent' or 'autonomous person'. These adult human beings are protected in their self-containedness, often called 'inviolability', by everything from human rights laws to moral proscriptions on non-consensual obligations. Third: autonomy answers the question of Which will? – that is, *Whose* will? – is to be obeyed normatively with that of the individual person. Fourth: autonomy involves 'reason' under sundry definitions, and therefore symbolic language, and vice versa. It is it is difficult to imagine what an autonomous person would be like without any possibility – past, present or future – of the use of reason or language. Hence, why neither Hobbes nor Hume, who elevate the passions in the order of the soul, are peddlers in modern personal autonomy. Moreover, moderns don't assign personal autonomy (moral personhood) to non-rational beings, preferring to

[2] Exodus 3:14 (KJV).

make certain preferred non-rational being 'moral patients' instead.[3] Fifth: as a value, autonomy is a moral prerogative, goal, and ideal. Modern man *practices* autonomy as a virtue. He thus flees heteronomy as if it were a carcinogenic vice. For all five reasons, the story of how modern values relate to everything that came before is told as one of liberation.

How these five stand together in the rejection of a the most heralded advocate of 'autonomy', Immanuel Kant. His 1785 essay "What Is Enlightenment?" answers the question as: 'The freedom from self-imposed tutelage'. '*Sapere aude* / Dare to understand', expresses the essence of his view. The enthronement of reason was 'Enlightenment'. As such, it was meant to be a struggle against preconceived ideas and traditional authority.[4] This was anti-heteronomy. And, so far, it is compatible with the value of personal autonomy. However, Kant's doctrine of autonomy as morality that follows the removal of self-imposed tutelage is neither typically modern nor actually a doctrine of *personal* autonomy. His extrapolation of autonomy as legislating the universal moral law to oneself is dependent on universal reason as the standard of the good and right. In one of his statements of how this categorical imperative to right action looks, Kant gave a beautiful outworking of his updated Golden Rule as a 'Kingdom of Ends', a place in which everyone is treated *by everyone else* as an end in himself. That is both noble and utopian, since it relies on the sense of duty in each person to become rationally self-interested, and thus to override whatever might be perceived to be in the broad self-interest of the person. Personal autonomy, on the other hand, is acquisitive; as a modern value, it instructs each person 'to be an end in myself for myself'. Duty then overlaps with desire, allowing one to seek what one understands to be in one's own self-interest, irrespective of whether it is what one would legislate for all persons.

Why not just 'freedom'? If one is attentive to the movement of Western thought, she has no doubt heard the diagnosis that 'it is a story of ever greater freedom' or 'the emergence of liberty'. So, in laying out what seems to be a

[3] The Gaia Complex of modern ecology, as inherited in the culture, does seem to assign the status of a moral entity to certain non-rational things, such as 'the earth' or 'the environment', even trading in the absurdities implied in non-rational beings approaching the status of moral agents. But this status elicits the desire in us to protect the earth, rather than a real belief in its true autonomy. Said otherwise: environmentalists don't actually live in a kingdom of ends with Gaia.

[4] '*Aufklärung ist der Ausgang des Menschen aus seiner selbst-verschuldeten Unmündigkeit. Unmündigkeit ist das Unvermögen, sich seines Verstandes ohne Leitung eines anderen zu bedienen. Selbstverschuldet ist dieses Unmündigkeit, wenn die Ursache nicht am Mangel des Verstandes, sondern der Entschließung und des Mutes liegt, sich seiner ohne Leitung eines andern zu bedienen. Sapere aude. Habe Mut, dich deines eigenen Verstandes zu bedienen! ist also der Wahlspruch der Aufklärung*' (30 Sept. 1785).

particularly Western way of being in the world, why would 'freedom' not be the leading concept? Why all this talk of autonomy? Freedom, like equality, has always been with us, discussed and assessed from the procrustean days of the pre-Socratics. However, it is only quite recently that freedom in one or more of its senses has become a central value. Practical considerations also cannot be neglected. I suspect that the ascendency of freedom in its relative valuation has not been based mostly in an attachment to freedom in itself. It is rather based in a vision of life in which one has negative freedom as the result of other realities and considerations, within a larger provision of positive freedom: for instance, a wealthier commercial society. Often the gradual groundwork of institutional, social, psychological, and religious provisions for autonomy have had negative freedom as a knock-on effect and an expedient to achieving broader goals. Alluding to Matthew Arnold, freedom is a fine horse to ride, but one must ride it *somewhere*. And the near-term goals have usually been about how to get us to some *somewhere*, with freedom being a means. Think of the suffrage movement. Voting is a form of autonomy in a democratic land, but it is not synonymous with freedom. Nevertheless, many freedoms have followed the expansion of the franchise.

Any conversation about personal autonomy is always also about freedoms understood as capacities and abilities to act in the world, removal of restrictions to action, and, where necessary, facilitation of such action. Some of these are 'positive freedoms' (a term I try not to use because of its over-emphasis on freedom), while others can be understood as forms of freedom but are not usually or best referred to simply as 'freedom'. And, lastly, freedom is simply not as essential to what it means to be modern as autonomy is, even if the most modern nation, the US, cannot stop singing its praises. Freedom has always been with us; any form of freedom that one can imagine has pre-modern precursors. Personal autonomy, however, is particular to the modern moral order. And any truly autonomous entity is also, in all important ways, free. But any free entity is not necessarily autonomous. The person free to take as many drugs as he wants whenever he wants quickly becomes particularly bad at the habits of personal autonomy.

Participative heteronomy

Heteronomy is the great spectre of personal autonomy, it is the abyss that autonomy emerged from and back into which it can always fall. Something should be said here about it, if only to throw light on autonomy by contrast.

When I was a child, the small Reformed Baptist church that my family attended had a hymnal packed full of songs that were written in the early years of the Baptist movement. Many were late 17th century songs, but others were more recent. The hymnal was the central focal point for musical worship of God. The Bible was the test of the truths of the hymns, as interpreted by the sound doctrines of the Reformation, the witness of the very earliest biblical church, and the boundaries that the London Baptist Confession of 1689 had set. The pastor was important, and the sermon, usually an exposition and explanation of a particular passage from the Bible in light of the Gospel (namely, the message of unearned salvation of sinners by God through his life, death, and resurrection in the person of Jesus Christ), was central to the life of faith of the congregation. The congregation itself was not understood first as individual believers, but as part of a corporate person, 'the church', whose identity was fixed by God himself—actually 'in' God himself. The approach one was meant to take is illustrated in the hymn that was my favourite as a lad: 'Trust and obey, for there's no other way to be happy in Jesus than to trust and obey.'[5]

There could not be a command further from '*sapere aude*' than 'trust and obey'. Heteronomy is about the taming of the will, so that it meets a standard that is not of one's own invention. Kant, as I have argued above, is no teacher of pure autonomy. His is a heteronomous autonomy, for the moral law is non-negotiable, and must be followed autonomously. The Grotian and Rousseauian or natural right autonomy that allows a great berth for individuals to find their own authentic happiness and then proceed to pursue it, is at the heart of personal autonomy. And that comes into relief when compared to 'trust and obey', a quintessential statement of '*amour propre*', as I'll discuss below. 'Trust and obey', and don't *think* about the foundations *too much*, is an approach that heteronomy instils. It is no wonder that philosophers are almost universally mistrusted within heteronomous communities.[6] (It is not that the *truly* autonomous person likes to be told

[5] Written by John H. Sammis and Daniel B. Towner, 1887.

[6] Strauss's conducts a 'sociology of philosophy', studying philosophers as a class, routinely finds their *radical* investigation unable to moderate itself to affirm a particular political order. *Persecution and the Art of Writing*, 7-8. Steven B. Smith writes, in *Reading Leo Strauss: Politics, Philosophy, Judaism* (2006), 12ff, that 'Strauss saw permanent and virtually intractable conflict between the needs of society and the requirements of philosophy'. The desire to replace opinion about all things with knowledge of all things 'would always put philosophy at odds with the inherited customs, beliefs, and dogmas that shape and sustain social life.' Modern values attempt to replace politics with pure philosophy, at least regarding principles of justice.

about the paradox of 'authentic self-creation' either, but I'll return to that below). Examples are everywhere, but in many languages, such as Arabic, 'philosopher' is also a word for an untrustworthy person, more like a sophist or cynic than a truth-seeker. Lawyers are their near relatives, and they are opposite of the poets who build up and re-tell our tradition back to us as Homer and Vergil. Socrates found himself suspect when seeking the foundation of the conventional wisdom of the Athenian elite. No, 'daring to think' is not close to the heart of heteronomy. But we should not think that because it is often unreflective that heteronomy is routinely thoughtless or unthinking. What then lies beneath, or could justify the 'trust and obey' mantra?

Heteronomy has too many forms to be made into a neat taxonomy, many more in fact than autonomy. For, nearly anything or anyone could serve as a source of heteronomous action. However, all forms of heteronomy diminish self-direction in the individual person toward its own self-chosen ends. Individuals don't get to choose their own ends, at least not ultimate ends. For, persons exist in and for something other than themselves. Heteronomy involves membership, participation, belonging, obedience, hierarchy, and trust. Persons and institutions that are heteronomous ground their choice in the will of another or the reason(ableness) of something that they did not create. They are creatures rather than creators, progeny rather than progenitors. And as such they are downstream both logically and usually historically from their source.

Heteronomy means that the self's direction and identity come from without. Socially this could be from family, nation, religion, the habits of 'one's own kind' or one's ancestors, or even following the commands of universal reason. Psychologically, the way the heteronomous person tells the story of himself would be in terms of *relations* to persons, things, groups, the moral law, or institutions other than himself. The autonomous person, in contrast, speaks in terms of self-identifying choices that originate from within, like a fractal emerging and growing from a specific unseen point.

Institutions that support, or are themselves sources of heteronomous identity, value the structures that inhibit aberrant, or what may be more neutrally called 'individualistic', behaviour in their members. The institutions themselves that identify as heteronomous do the same in relation to their source. The Catholic Church, for example, claims it is instituting the will of God for man on earth. It is not self-directed in the way that a private yoga club in London or a modern corporation are. Whereas the Catholic Church's

internal dynamics are not wholly determined by its heteronomous relation to the source of its identity, still they cannot but remain unaffected. The Catholic Church can change, but along certain clearly defined lines. Nevertheless, because of its claim to heteronomous membership in a particular God's being, the Church cannot become *just anything* its leadership wants. It cannot, say, replace Christ with a spider monkey, without ceasing to be what it is. Its own history and historiography also inhibit arbitrary change—that is, they inhibit autonomy, and reinforce the Church as a heteronomous organization.

The priority on the whole over the parts usually results in small numbers of leaders controlling the larger part of members. Still, it would be a mistake to look at heteronomy chiefly in terms of unequal relations between the guide and the guided, the leader and the led, the rule(r) and the ruled. Heteronomy is better understood in terms of participation in a given order, and the status that is acquired by and through that relation. None of which is free of considerations of (in)equality, but each of which is not reducible to the conceptual schemata of egalitarianism without a great loss of explanatory power. For instance, a traditional nuclear family of, say, the middle of the nineteenth century is a typical heteronomous institution. The father is the head and public face of the family. His name generally becomes that of the children as well as the family's name. The mother and father together are the wards of the children, having shared parental authority over them. Older children are in charge of younger. But it would be wrong to say that those power relations are what constituted 'the family' *qua* family. Inegalitarian relations of power were certainly *necessary* for the family structure, but its constitution involves much more. They were not sufficient in themselves to have a family.

To demonstrate the point, firstly, one could remove all of the functional relations of power by moving all the members of a family to the four corners of the earth, so that they have no active relations with each other. It is still the case that insofar as they are constituted as a family, the relation is one that relies on heteronomous participation in something that no single person involved created, and that no single person involved could destroy, either by design or death. It is, secondly and conversely, also the case that one cannot simply collect strangers of certain ages and place them in power relations called 'father', 'mother', 'son', 'daughter', and by some alchemical interaction get a family out of power dynamics. Ironically, and thirdly, although inequality is not materially necessary to what a family is, if equality of persons were

introduced into the definition of 'family', then the institution would cease to exist as anything but a form of common law contractual relations of a particular kind.

Autonomy and heteronomy as ways of life

We are dealing with a religion-like phenomenon in modern cultural identity, against the secularization readings of modernity including Strauss.[7] 'Religion' is notably immune to clear definitions. But 'dogma' is one discrete way to talk about the beliefs through which the practices and institutions of religion are justified and perpetuated. However dogmatic it becomes, personal autonomy is a way of life that is cherished by moderns, just as heteronomous institutions and practices were cherished by non-moderns. But these are not fully parallel instances. For, there is a difference: what is cherished in modern values is *autonomy itself* and thereby practices and institutions that are autonomous. There is scarcely anyone praising heteronomy *per se* in pre-modern defences of the order. After the Revolutionaries attacked the *ancien regime*, the was a pushback that defended 'aristocracy' or 'hierarchy' in themselves. But what the likes of Edmund Burke do is praise the specific institutions that are later understood by the egalitarian mind to preclude autonomy. It was likewise with the counter-revolutionaries, who praised 'the old order', rather than heteronomous order itself.

In order to give flesh to these two competing visions of moral order, imagine two thinkers, one ancient and the other modern in prejudices. Each embodies a composite of ideas, ideals, virtues, and vices, understands the world in terms of either personal autonomy or participative heteronomy. The relations of autonomous persons form a large part of the modern's understanding of the nature of public and private law, the limits of state power, the obligations that can be laid on her, the division of what is public and what is private, family life and how it can incur on her adult self, the relations of the sexes, and so on. The ideal of autonomous relations being central to human life, form a great part of her personal identity, and informs her obligations in relation to other persons. Contractarian understandings are central to what she is truly morally obligated to do. In order to know, she imagines that she should collect experiences, see things 'with my own eyes'.

[7] Strauss was wrong: modernity is not a form of nihilism, but rather a 'political religion'. *Viz.* footnote 20 above in Introduction. Peter L Berger developed the 'secularization thesis' in sociology which equated modernization with secularization. Although he later withdrew it based on more evidence it remains a truism that to be modern is not to be religious.

She is not wholly sceptical, but her motto is 'trust but verify'. She is a 'man of action'.

Conversely, the ancient man departs from a point that he did not choose for himself. He appeals to authority not based on reason but founded in convention or nature or some reality that is thought to be as natural as the natural world. He has had many things handed to him that he intends to hand on in as near to the same form as he received them as he can. He probably bears the old prejudice that was built into Latin vocabulary wherein *novum* also meant 'strange'. He has a place and a home, a family and a tribe to which he is bound. He need not love or even like any of them – his feelings about them are beside the point – but those realities remain personally definitional no matter what his affectual relation to them is. Together those realities form the points from which he cannot but depart when considering the world, and to which he is expected and probably expects always to return. His spiritual place and home are sometimes not his literal home, but they precede it in time and metaphysical order. It may be with the Greeks or Romans; the Hebrews or Goths; the Church of Rome or the Roman Law compiled in Constantinople. In order to know the world, he repeats, synthesizes and *dis*-covers; he catalogues and collects; but he does not routinely seek to 'invent', and he has heard of no one but God who 'creates'. He is a man for whom contemplation is the highest human practice, even if he will never have the leisure earnestly to pursue it.

Varieties of autonomous experience

Imagining oneself as both modern and perpetually subject to the will of another is impossible. 'Autonomy' is the word used for the freedom from the will of another that is cherished by moderns. But the word is not used precisely, even if the general sentiment of 'self-rule' is constant across its senses. Five kinds of autonomy should be distinguished so as to fasten down the sense that I am explaining to be typical of modern personal identity. Since a standard taxonomy of autonomy does not seem to exist, I have posited descriptive terms that cover the psychological and the social experience of these five sorts of autonomy.

There is the first the literal 'auto-*nomos*' understood as self-direction. Or better as 'self-custom', since it is not merely about a single choice but about habits and dispositions. It has its formal equivalents in law (being *sui juris*, or having the age of majority), and in culture (being an 'adult'). Both the cultural and the legal sense mean something closer to how Pufendorf describes *sui*

juris as being one's own master.[8] This should not be read as complete 'self-sovereignty', which comes about in another form of autonomy. It is more about *control* than ownership; and it is a formal category with no necessary connection to morality. Any rational creature could be said to be autonomous in this way, in that it can follow the commands of its own reason.

Secondly, there is what could be called 'disinterested imperial liberalism', which understands morality as autonomy. It takes different forms, but Kant is the prophet of this autonomy as legislation of universally-valid morality onto oneself in imperatives (either categorical or hypothetical). The first formulation of the categorical imperative is a secularized version of the Golden Rule, a 'universalizability principle'[9]: 'Act only according to that maxim whereby you can, at the same time, will that it should become a universal law.'[10] He hopes only for the modest goal of 'perpetual peace' by way of those autonomous creatures all choosing well by choosing the same. Mill continues this with a totalizing narrative against 'harm' (whatever that may me be), necessitating merely control of political and social life so that it does not crush the thousand truth-seeking blossoms that are the autonomous person. Rawls's 'veil of ignorance' is one such modernization of a Kantian universalizability imperial principle at work.[11] The kingdom of ends wherein justice is the first virtue of social institutions, and wherein justice is nothing more or less than fairness, has a logical end in a world empire.

A great competing political vision of autonomy, and thirdly, does not construe it as the essence of morality but as its precondition. 'Acquisitive liberalism' is a good enough name for the moral-political order received variously as Grotian, Hobbesian, or Lockean. Despite differences, each bases his understanding of society's justification on a 'acquisitive personhood', which has been described more negatively as 'possessive individualism'[12] Original acquisition and continued ownership are related to the work of the will. Through taking and holding (Grotius) or 'mixing one's labour with' (Locke) or 'power' (Hobbes), one possesses the thing as owner, or at least as

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[8] Pufendorf, *DING*, VII.VI,1083.

[9] T N Pelegrinis, *Kant's Conceptions of the Categorical Imperative and the Will* (1980), 92.

[10] Kant. *Grounding for the Metaphysics of Morals* (1993 [1785]), 30.

[11] I originally thought it was a conceit of, or at least a *reductio* on, the absurdities of social contract. I did not know then that amongst contemporary political philosophers Rawlsian have the least feel for humour. Religion tends to be the enemy of humour, after all. There is a basic problem with Rawls's metaphor: veils can generally be seen through. What is needed one eminent Polish philosopher told me privately is an 'Iron Curtain of Ignorance'.

[12] C B MacPherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (1962).

'*dominus*', however it might be translated into contemporary terms. This includes self-ownership through self-direction, particularly of that chief instrument of secular autonomy, the body. This freedom is construed as necessitating certain types of relations with others, those of mutual deference to the property of others. Autonomy is bounded by the limits of the other's control, and usually begins with the boundaries of the body and that which extends from it. The natural right tradition that is part of this type of autonomy has 'life, limb, and the things necessary for life' (Grotius) or 'life, liberty, and land' (Locke) or just life itself (Hobbes) as what is never to be foregone by the individual, thus ensuring a minimal autonomy in any imaginable state or state of nature.

The fourth kind of autonomy is a form of self-discovery called 'romantic inwardness'. Versions of this include Augustine's neo-Plotinian 'inner self'[13], wherein the Forms and ultimately God can be found, and Rousseau's legislation of a self-chosen law onto oneself. Rousseau illustrates this well in a passage from his novel *Emile*, wherein he connects the subjective character of such knowledge to its universal applicability as a way of knowing through acting:

> …he follows what he calls the "Inner Light" which provides him with truths so intimate that he cannot help but accept them, even though they may be subject to philosophical difficulties. Among these truths, the [he] finds that he exists as a free being with a free will which is distinct from his body that is not subject to physical, mechanical laws of motion. To the problem of how his immaterial will moves his physical body, [he] simply says "I cannot tell, but I perceive that it does so in myself; I will to do something and I do it; I will to move my body and it moves, but if an inanimate body, when at rest, should begin to move itself, the thing is incomprehensible and without precedent. The will is known to me in its action, not in its nature."[14]

Knowing one's will here means knowing one's desires (*voluntas*) that precede one's choices (*arbitrium*), plus knowing that the desires are *truly* one's own because one has discovered them to have been there within oneself. We would call this 'authenticity', what Rousseau called 'sincerity'. And legislating them onto oneself as morally right is called autonomy (not by Rousseau but

[13] Phillip Cary, *Augustine's Invention of the Inner Self* (2000), 28-30, 63-76.

[14] Rousseau, *Emile* (1979 [1762]), 282.

by me). Romantic-inward autonomy requires an 'inner space' which is also the true self or wherein the true self can be found. Augustine gave us that conception not regarding the true self but as that place through which one travels to get to that which is really real. It was an open space, an agora within, where one could 'look up' to see the Platonic Forms and eventually go beyond them to participate in God himself. Rousseau put a roof on that agora. Now one explores until he discovers his true self, studies it, and then goes out into the world to try to satisfy its needs. Contractual relations amongst equals are the only possible relations that could be imagined in a world of many such autonomous selves. For, by which principle could one rightly rule countless unicities without that rule being a violent imposition on their selves? This is the epitome of autonomy as self-discovery.

Lastly, there is autonomy as self-creation. The juvenile nihilism of the Nietzschean or Foucauldian 'hermeneutics of suspicion' need not lead us to believe that this is a 'philosophy' suited only to first-year philosophy undergraduates. There is a serious sense in which the belief that all is plastic except for the power that I bring to bear on the world is a form of autonomy. It is what Jean-Paul Sartre puts forward as radical freedom opposed to the heteronomous *mauvaise foi*. Such 'bad faith' occurs when a person convinces himself that a role or manner of life is synonymous with his deep identity, or that he even has some deep identity to be discovered.[15] Nietzsche saw as much when he set the new men, including himself, against the rest, the last men: 'We, however, want to become who we are – human beings who are new, unique, incomparable, who give themselves laws, who create themselves!'[16] This could be construed as a form of self-discovery, but the 'discovery', especially with Sartre and de Beauvoir, is that there is no deep self, that one must create the self that one wants to send into the world to be recognized. One discovers the will through action; one thus becomes what one chooses to do. Needless to say, the aspiration to self-creation is not absent from the modern value of personal autonomy. But its role is limited. The alter-conscience balks at its native anti-egalitarianism. The last men prefer tamer sorts of autonomy that can rest in equality, rather than the domineering Nietzschean tendencies. Moreover, self-creation is intrinsically unstable. Consensualism was not grounded enough to check the alter-conscience. Personal autonomy needs to be a metaphysical anchor that a self-creating self is not.

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[15] Jean-Paul Sartre, *Essays in Existentialism* (1993 [1965]), 160-9.

[16] Friedrich Nietzsche, *The Gay Science* (2001 [1882]), 189 or *Die fröhliche Wissenschaft* (1882) §336.

Daily, one bumps into all these autonomies in the modern world. Yet, the two that seem most readily involved in the life of modern persons are the third and fourth: acquisitive liberalism and romantic inwardness. If one (somewhat incorrectly) takes Locke and Rousseau as their respective founders, they can even become shorthand for two ways of doing Western political theology. Acquisitive liberalism dominates in the Anglosphere, and romantic inwardness on the Continent, with both places nevertheless sharing in each. Taken together as one composite form of autonomy, romantic, inward, acquisitive, liberalism, means that I should be or become 'a self-sovereign end in myself'. 'What a noble work is man', says Shakespeare, and we moderns know that this is true. But we begin the search for nobility not with heroes but with ourselves. We work out our faith in within our authentic, acquisitive selves in 'fear and trembling'. It is not a God above or Hell below that instils the fear, but that of the Fall back into heteronomy. In this respect, one can rightly think both of Kierkegaard's book and the Bible verse on which it is based. But in the modern reading, hell is other people, as Sartre rightly says. To be an end in myself naturally makes the political order and potentially all others potential means, if not impediments. A Kingdom of Means reverses Kantian moral reasoning. The claims that routinely bring about these means are called 'rights'.

Attempting to get at a definition that accounts for all the notions of autonomy that have come together to form the modern virtue of 'being autonomous', without taking in any of those notions that have been left aside, is a tall task. Rousseau, Locke and Mill need to be in, while, say, Kant needs to be left somewhat to his own devices, for reasons that are now apparent. So: the modern virtue of autonomy is 'treating the self as the end in itself'. The 'self' is here understood as jurisdictionally sovereign over itself, and all such selves are presumed to be equals. Psychologically, this might mean a form of selfishness in which one is busy 'treating oneself as *the* end in itself'. However, this autonomy does not preclude other ends – it is a matter of priority: but that one should at least be working chiefly to treat oneself as an end-in-itself.

Meanwhile, other persons should be treated in ways that do not prevent them from attaining this form of autonomy, and that do not prevent oneself from achieving it. For instance, by avoiding forms of altruism or commitments which would be conventionally self-sacrificial (rather than *authentically* self-sacrificial based on one's true self). But one need not *per se* treat others as ends in themselves. The anthropological basis of this value is

the belief that no one is bound by necessity, but, as Rousseau says, 'exists as a free being with a free will'. The universalization of a strong doctrine of the free will elevates individuality in the person. Whereas reason was definitional of 'person', the will is definitional of *this particular person*. If I speak of you in terms of what is good for you as a 'person', then we are more alike than different. I can know what is good for you and me *qua* person. But if I speak of you as a particular person, then your desires, choices, consensual activities are all your own. We are then more different than alike. Those acts of the will cannot be known by others in advance of being told or seeing evidence of them in the actions that they manifest.

As an end in yourself, you seek to be in a world in which you can safely bring as many of the will's choices into existence as possible. Not being powerful enough to rule all, you seek consensualism. The fact of equality in weakness partially inspired Thomas Hobbes's reasons for one entering a pact with others for protection. However, I understand modern cultural values to include a modified form of his anthropology, which includes a robust understanding of the will—something he lacked, saying it was just the 'last appetite' in a chain of contention, the victor. This corrected anthropology is understood to include a helping of Jean-Jacques Rousseau's and the Romantics' shared emphasis on the unicity of persons, especially based in their perspective on the world and the choices that follow from it. 'None have ever been like me. I may not be better than any of them, but at least I am different!', to paraphrase Rousseau and his ilk. Difference, if none are in authority over others, requires negotiation for peace. It also requires recognition of these differences insofar as possible in some amalgamation and averaging of the wills of all into some general will. That is the logic both of Rousseau's politics. It is also the logic that brings about modern democratic sentiments.

To summarize, at least within modern moral philosophy, the ability to impose moral obligation on oneself is considered autonomy. This is also true of the value of personal autonomy that I here describe. Yet, unlike the 'autonomy as morality' position, modern autonomy is free of the necessary tutelage by reason: one is not compelled to legislate merely what is universally reasonable onto oneself. Kant's autonomy is based on a heteronomous principle of universal reason, which one is required to adhere to if he is to be moral and thus free. In a sense, there is more 'freedom' in personal autonomy, as activity in line with the true self than in autonomy as morality. Politically speaking, personal autonomy involves a range of areas in which

one is '*sui juris*', such as within private law of contract in modern contract doctrine.[17] There is a certain philosophy of freedom behind personal autonomy. In some way each is a *law unto herself*, a self-legislator, in contractarian relations. Both Rousseauian and Lockean understandings of self-possession as autonomy are sources of this value, as are older Roman law principles.[18] The difference to keep in mind is autonomy understood as legislating *the* law unto oneself versus autonomy understood as legislating a self-chosen law onto oneself. The latter can sometimes be understood as 'doing whatever one pleases'. That is too far afield. If there were no regularity, it would hardly be regulation. If there were no determinate ends chosen and pursued based on the choices of the will, it could hardly be considered an *auto-nomos*. There is regularity and consistency, and it even seems workable for many moderns.

In the next chapter, the composite concept of autonomy that has been laid out in this chapter will be described in its formative role as the axiological cornerstone of the egalitarian mind, and as the arbiter of ends and the means necessary negotiate relations among and between other autonomous equals.

[17] J Gordley, *The Philosophical Origins of Modern Contract Doctrine* (Oxford 1991), especially chapter on modern will theories.

[18] Wim Decock, *Theologians and Contract Law* (2013), 166ff.