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THE COMMUNITARIAN CHALLENGE TO LIBERAL RIGHTS

After the quasi-monopoly that liberalism has maintained during decades in the field of analytic political philosophy — which has been only disturbed by internal controversies — now it must confront again positions which are generally deemed "communitarian". The ghost of Hegel challenges once again the spirit of Kant.

For a long time, mainly after the second World War, analytical political philosophy was dominated by utilitarian liberalism, which was supposed to be (of course, incorrectly) the substantive moral conception least incompatible with metaethical skepticism which was still carried over from logical positivism. Both the prevailing vision of the good as satisfaction of preferences, whatever they are, and the apparent rational character of the evaluation of actions on the basis of their consequences to the satisfaction of preferences, aggregatively considered, made utilitarianism attractive for minds distrustful of any postulation which is not accompanied by a more or less direct empirical support. From the 1970s on, however, teleological liberalism inspired by Bentham and Mill was displaced by deontological liberalism of Kantian origin. This reaction was not due to the perception of difficulties in the utilitarian vision of the good (which was perfected by replacing the satisfaction of preferences by the materialization of plans of life). The difficulties perceived lay mainly in the evaluation of actions on the basis of their effects with regard to an aggregative composition of the good. This latter was seen as ignoring the separateness of persons when compensating the sacrifices of some with the benefits of others.

In the last years the common assumptions of both liberal trends have been put into question by philosophers who exhibit an accute intellectual sophistication: Charles Taylor[1], Alasdair MacIntyre[2], Michael

[1] See *Hegel* (Cambridge, 1977.)
[2] See *After Virtue* (Notre Dame, 1981.)

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Sandel[3], and in part also Michael Walzer[4], Bernard Williams[5], Stuart Hampshire[6], and Susan Wolf[7]. As I said, the influence of Hegel is noticeable in many of them – through their insistence on the social character of humans and on the connection between morality and the customs of each society. But behind Hegel also looms the figure of Aristotle, since many of these communitarian philosophers defend a conception of the good related to a teleological vision of human nature and reflected on a set of virtues.

One of the contributions of this communitarian trend consists in giving a picture of liberalism which is sometimes clearer than that provided by liberals themselves. Thus, MacIntyre points out the following distinguishing features of liberalism, mainly in its Kantian variant. First, the idea that morality is mainly composed of rules which would be accepted by any rational individual under ideal circumstances; second, the requirement that these rules be neutral with regard to the interests of individuals; third, the demand that moral standards be also neutral with regard to conceptions of the good that individuals may subscribe to; finally, the requirement that moral rules be applied equally to all individual human beings regardless of their social context.

Communitarianism objects to each one of these assumptions of liberalism and it does so after proposing a diagnosis of the common source of so many philosophical miscarriages. Charles Taylor, for instance, locates that source in an "atomist" conception of individuals according to which they are self-sufficient regardless of the social framework. Sandel expands the argument maintaining that Kantian liberalism assumes an image of moral agents as constant along time, disconnected thus from their own desires and interests, free from the causal flux which affects those desires and interests, mutually separated and isolated from social context. MacIntyre in his turn maintains that the abandonment of a teleological conception of human nature

[3] See *Liberalism and the Limits of Justice* (Cambridge, 1982.)
[4] See *Spheres of Justice*, 1983.
[5] See *Ethics and the Limits of Philosophy* (London, 1985.)
[6] See *Morality and Conflict* (Cambridge, 1981.)
[7] See Moral Saints in *The Journal of Philosophy*, **LXXIX**, No. 8 (August 1982.)

seriously disrupted moral discourse, since it lacks now the element which constituted a bridge between factual propositions about actual human behaviour and moral rules which have a normative character.

According to these authors, only an impoverished conception of the moral person, such as that referred to above, allows Kantian liberalism to sustain its distinctive thesis about the independence of justice and individual rights from a conception of what is good in life. Liberal neutrality about the ideals of human excellence is only achieved at the expense of a conception of moral agents as noumenal entities which not only lack a distinctive telos, but also possess an identity which is independent from their own desires, from other individuals, and from the social environment. Thus, liberals are accused of basing morality on elements like human rights which cannot be supported without a conception of the good, as shown in the case of conflicts of rights that can only be solved by resorting to such a conception. Alternatively, liberals are accused of smuggling in a hidden conception of the good, despite their pretense of neutrality. The conception of the good which liberalism is said implicitly to endorse is the same as that of utilitarianism in the prevailing version: the satisfaction of desires or preferences whatever their content. This conception of the good is, in its turn, generally put into question: its apparent plausibility derives from a confusion between the satisfaction of desires and pleasure (which, despite being a good, cannot be the only one); the object of some desires and preferences may be to obtain pleasure and sometimes the satisfaction of a desire causes pleasure, but not all desires have as their object the achievement of pleasure and not every satisfaction of desires causes pleasure. If we disconnect in this way desires and preferences from pleasure, the idea that the satisfaction of desires is something valuable in itself regardless of their content loses plausibility; if each one of us desires something only in so far as we believe it to be valuable either in the moral sense or in the prudential one, including the consideration of our own pleasure or in the aesthetic sense, etc., it does not appear reasonable to assign objective value to the satisfaction of desires regardless of the value of that which is desired.

Charles Taylor intends to show, in almost syllogistical fashion, how liberal thinking contradicts itself when it assumes there is a set of individual rights which has primacy over other normative relations;

the latter include the duty of belonging to a society or state, since for liberalism it is only justified on the basis of a consent given within the framework of those rights. Taylor's reasoning runs as follows: (1) The ascription of rights depends on the recognition of certain capacities, like expressing opinions, developing a spiritual life, feeling pleasure and pain, etc. The liberal might want to block this move, putting forth the case of children or the comatose, but they would have to desist as soon as they are asked why rights are not also ascribed to trees or clouds; then they must admit that in the case of children the potential capacity is relevant, and that in the case of the comatose either rights are absent or are ascribed for special reasons (e.g., for respect to what is normally a proper receptacle of those capacities; for creating a protective barrier which impede mistakes or abuses in other cases; taking into account the rights of other people). (2) It is not enough for ascribing rights to recognize certain capacities. These should be considered *valuable* so as to be differentiated from others which are not the grounds of rights. (3) If something is valuable there is a duty to preserve and to expand it, materializing the conditions on which that preservation or expansion depends. (4) The majority, if not all, of the human capacities on which the ascription of rights depends are conditioned to the membership in a society; they require tools like language, conceptual schemes or institutions that are inherently social. Liberalism may pretend to block also this move either through the limitation of the relevant capacities to that of feeling pleasure or pain, or through the limitation of associative relations to those based on consent, like the family; but the capacity of sentience seems to be insufficient as a ground for a broad set of rights, which in any case can only be reduced to an ample capacity to choose plans of life, and the consensual associations do not seem to be sufficient for developing the relevant capacities.

The conclusion of this reasoning is, of course, that the ascription of individual rights presupposes the duty to preserve the links of community which make possible the development of the valuable capacities which underlie rights. Liberalism contradicts itself when it gives to rights primacy over the duties related to the preservation of society that makes the former possible.

MacIntyre arrives at the same conclusion with light variations in the

premises: the rules which ascribe rights are justified on the basis of certain goods; these goods are internal to changing social practices. Thus, moral evaluation is subject to the traditions and practices of each society. This author recognizes this may be dangerous, since it restricts the capacity of criticism of social institutions and practices, except those which constitute part of the nation conceived as a project; but he contends the dissociation between morality and social practices, that underlies liberalism is also dangerous, a dissociation that neutralizes all justification and motivation to be moral.

This allows us to distinguish the following aspects in the communitarian program: in the first place, the derivation of the principles of justice and moral rightness from a certain conception of the good; second, a conception of the good in which the social dimension is central and even dominant; third, a relativization of the rights and duties of individuals to their particular attachments to other individuals and the particular features of their society; finally, a dependency of moral *criticism* on moral *practice* as it is manifested in the traditions, conventions and institutions of each society. Even when we cannot see here in detail how different thinkers link together these aspects of the communitarian conception, I think one can adumbrate that the pivotal element is a conception of the good that prevails over principles of justice, and which both includes as central the membership in society and more restricted groups and is developed through the practice carried out within the society and those groups.

This tight presentation of the distinguishing marks of communitarianism allows us to notice that though it may offer to us an amiable face, with its emphasis on a realist vision of man, on the value of family and social links as grounds for special rights and duties, on the connection between values and social evaluation, it also could present a frightful countenance. Each one of the distinguishing marks of comunitarianism may generate, when it is developed in all its implications, a different aspect of a totalitarian vision of society. The primacy of the good over individual rights allows for the justification of perfectionist policies which intend to impose ideals of excellence or personal virtue, even when individuals do not perceive them as such and thus do not subscribe to them. In effect if rights are only the means to satisfy a certain conception of the good, why not prescind

them when that conception may be more efficaciously materialized through other routes? The idea that the social dimension is dominant in a conception of the good, may lead one to justify sacrifices of individuals for the sake of promoting the society or the State conceived of in holistic terms; the glorification of particular links with social groups, like the family or the Nation, may serve as ground for tribalist and nationalist attitudes that underline many of the conflicts that humanity must endure. Lastly, the dependency of criticism on moral practice may lead to a conservative relativism that, on the one hand, is inept for solving conflicts among those who appeal to different traditions or conventions, and, on the other hand, does not permit the evaluation of those traditions and conventions in the context of a society, since the evaluation would presuppose social practices without counting with independent principles to discriminate between them.

Given this unattractive face which communitarianism presents when its basic theses are developed in all their implications, the question which one should ask is if it is possible to preserve from the communitarian assault certain basic postulates of liberalism that serve as barriers to those implications.

Perhaps the soundest strategy would be to concede the orthodox presentation of liberalism has offered weak points which allow for successful shots of the opposite band, and thus to attempt to make room for some of the communitarian claims without abandoning the core of liberalism. This is the strategy prominent liberal thinkers like John Rawls, Ronald Dworkin and Thomas Nagel have carried out. I believe, however, that some of the concessions they and other liberals have made compromise central aspects of the liberal vision.

John Rawls[8], for instance, has turned lately towards a more relativist and conventionalist position, conceived of political philosophy as an activity independent from ethics and metaphysics and which has the practical task of discovering the "overlapping consensus" that may be found among the political views defended by different groups in society. His own theory of "justice as fairness" is now described as an

[8] See specially 'Justice as Fairness: Political not Metaphysical', in *Philosophy and Public Affairs*, vol. 14, No. 3 (summer 1985.)

attempt to detect such an overlapping consensus underlying a democratic culture, which requires the exploration of the normative conceptions of the person and of a well-ordered society adopted as part of that culture, without incurring in any metaphysical speculations about the nature of the personal good. This relativism does not, however, allow for giving reasons in favor of a democratic culture and not even for solving the conflicts that arise within that culture outside the limits of the *de facto* consensus. Far from having a practical mission, political philosophy would have the merely contemplative task of certifying the coincidences and dissents which are given in the social ambit. If the overlapping consensus is achieved through different conceptions of the person and of the good, the limits of that consensus can hardly be broadened without discussing such conceptions.

Thomas Nagel,[9] in his turn, tries to show that liberalism is not just another sectarian doctrine, rather it seeks a higher level of impartiality with regard to diverse conceptions of the good (including the ideals of autonomy and individuality of the liberalism of Kant and Mill). This kind of higher level liberalism does not deny that some conception of the good may be true, but limits State coercion to what may be justified according to standards of objectivity that are stricter than those applied to the principles that only affect the life of the agent alone. Nevertheless, Nagel maintains the demands of an impartial morality that satisfy those standards of objectivity must leave an ample space for the criticism of conceptions of the good, since it is necessary to take into account the existence of a pervasive tension in our lives between the impersonal and the subjective points of view. Impartial morality must absorb that tension recognizing limits to the universal demand and admitting relative obligations that follow from particular commitments and attachments and from rights derived from the adoption of a certain conception of the good. This certainly presents the problem of the scope of these relative rights and duties and of the generally unsolvable conflicts which multiply when these limits are relaxed too much. On the other hand, it is not completely clear, as we shall soon see, how the standards of objectivity, which must be

[9] See especially 'Moral Conflict and Political Legitimacy', **16**, No. 3 (summer 1987.)

satisfied in order to impose coercively moral demands, are to be discovered and to what extent these demands may be sustained without a conception of the person and of the good.

Finally, Ronald Dworkin has recently[10] attempted to justify his old semirelativism in the legal field (which implies that principles that allow us to complete and evaluate the existing law not only must be supported by a valid moral theory but by one that permits justification of the standards in force). He now grounds this view on the value of *integrity*, that is, on the requirement that the community as a whole, and its officials in particular, act according to a coherent set of principles. This position not only confirms the doubts evoked by a thesis which implies that if the rules in force are abhorrent the principles which complete and evaluate them cannot be satisfactory, but now it is supported by a demand of justificatory coherence addressed to the community as a whole conceived in holistic terms. If there is no other point of view but that of individuals, these must exhibit integrity by not accepting norms enacted by other individuals who do not conform to the principles they profess. The idea the community and their representatives as a whole must exhibit coherence, not only in relation to their acts and the rules which determine them, but also with regard to their grounds, seems to presuppose a collective moral subject. This corresponds to the endorsement of the rules in force which are the product of different individuals (which shows some connection between relativism or conventionalism – which Dworkin partially subscribes to notwithstanding his lucid objections to it – and holism, since the latter position endorses standards which are the result not of individual action but of collective practice).

Like these authors, I believe that the preservation of the liberal conception of society requires the weakening of some aspects of its orthodox presentation. But I think this weakening should not go as far as the concessions of these philosophers. They should, in fact, consist in using the very weapons of communitarianism to give a firmer foothold to the core of the liberal vision.

The first aspect of the orthodox presentation that must be weakened

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[10] See *The Law's Empire* (Cambridge, 1984.)

is the dissociation of moral criticism from moral practice. I think that it must be admitted that dissociation may deprive moral evaluation of any intersubjective basis. Nevertheless, I think that Rawls goes too far in his last attempt to connect criticism with practice. I do not believe the whole democratic culture with all its ideological implications must be taken as given and exempt from discussion, but solely the practice of moral discussion itself as it is carried out in what is vaguely called the "Western civilization" (the essential assumptions of which were inherited from the Englightenment movement though they were already anticipated in the classical thought).

This practice of moral discussion is certainly a variable and contingent human activity; it has not been present in the same form in all historical periods and even today it is not universally followed. It constitutes the "internal aspect" of democratic-liberal institutions – like majoritarian rule and judicial review – but its currency is in no way limited to those societies in which such liberal institutions are actually in force. Defenders of the most diverse ideologies resort to this practice, and the discussion develops more or less with the same characteristics both in the public and the private spheres.

The fact that the given practice is that of arguing in favor or against certain moral principles or solutions and not the social adhesion to any particular moral principle or solution allows for the preservation of the liberal ideal of submitting everything to criticism: the only thing which is exempted from criticism is the very practice of criticizing.

In this way the relativism or conventionalism which is being accepted is much more limited than that advocated by communitarianism and accepted by some liberal thinkers: moral judgements are relative to the conventions which characterize the practice of moral discussion itself. What do those conventions embrace? This is not easy to determine since there is no sharp boundary between what is part of the practice itself and what is being defended by exercising it. Perhaps one may mention a certain system of concepts – like the concepts of right, reasonable, etc. – some conservational implications and some value-presuppositions which are connected with the practice and its social functions (besides, of course, the concepts and rules inherent in any discourse or reasoning).

It is important to note especially the way in which the practice of

moral discourse operates to fulfill its distinctive social functions. From it some structural and procedural features of such a discussion may be inferred without adhering at all to any suspect teleological conceptions of reality and avoiding the derivation of any evaluative conclusion, which would be circular. It seems clear to me that the spread of the practice of moral discussion in diverse times and places is due to this fact: this practice is one of the several social mechanisms employed to solve conflicts and to facilitate human cooperation, overcoming adverse circumstances of the human condition which generate tendencies to get into conflict and to refuse to cooperate. The distinctive way in which moral discussion satisfies these functions is through the search of consensus, that is, the free acceptance of the same principles of conduct to guide the actions and attitudes of the participants.

From this mode of operation for satisfying social functions it is possible, as I said, to infer some structural features of moral discourse. Such a discourse might have incorporated, as undoubtedly was the case in other times and places, some components that communitarianism celebrates. It might have been based on the social conventions in force as the final criteria of validity of moral principles. It might as well have admitted principles which take as situations relevant to ascribing different normative consequences, some which are described by proper names or definite descriptions. If moral discourse had developed in this way, as doubtless it happened at other times and happens in other cultures, its capacity to generate both criticisms of social arrangements and solutions in the face of possible conflicts would be much more limited (it is true the expansion of the capacity of criticism necessitates the expansion of the capacity of solving conflicts). This is probably why our moral discourse evolved in the way masterfully described by MacIntyre, incorporating a criterion of moral validity which does not relate to the actual acceptance of moral principles but to their counterfactual acceptability under ideal conditions. These include those of rationality and impartiality and the requirement that the acceptable principles be general (that their formulation does not use proper names or definite descriptions) and universal (that they apply to all the situations which do not differ with respect to properties the principles take as relevant).

This implies that communitarianism incurs into a radical contradic-

tion: on the one hand it defends a relativist and conventionalist metaethical position, and, on the other, it criticizes our current culture for incorporating as essential elements the assumptions of Kantian liberalism. But it is the *fact* that these assumptions are actually incorporated to our moral discourse, even that of the communitarians themselves, which protects them from the communitarian attack. Thus the communitarian program presupposes what it is objecting to, if what its advocates say about the common culture is true. Therefore, rather than an attempt to argue against those assumptions the program seems an attempt to change them.

This vision of the moral discourse which is part of our culture serves also to confront the recurrent Hegelian criticism to the model of moral subject presupposed by Kantian liberalism. Obviously the image of subjects who are separate from their own desires and interests, who are free from the causal course which affect those desires, who are mutually independent and isolated from the social context, and who are immutable through time would be grotesquely false as a description of the flesh-and-blood beings who populate our planet. But it is hard to think that the intention of the liberal thinkers was to provide such a description, though it is necessary to be cautious against an excessive metaphysical imagination in speculations about the essence of moral personality. That model of the moral subject acquires instead plausibility if we interpret it as a representation of the presuppositions of moral discourse. For instance, if we accept the view that moral discourse presupposes the relevance of the *decision* to accept some principles of conduct and to abide by them, we also have to accept as its consequences certain ideas of separation between persons, continuity of personal identity through time and the possibility of ascribing normative consequences to decisions, despite their causal determination.

But this minimal conception of moral personality may be the object of an attack of a much wider scope. It may be contended, as many of the above-mentioned authors contend in fact, that even if the description of the structure of moral discourse were right, that structure would be powerless to allow us to derive substantive principles. Criteria like universability or the acceptability of principles under the condition of impartiality, are insufficient for generating standards of

action unless a certain conception of personal good is presupposed. This conception must, in its turn, be associated with a certain vision of moral personality. Remember MacIntyre's claim that the liberal project must inevitably have to fail for having abandoned a teleological conception of human nature, which, with its vision of the good, connected the description of men as they happen to be with normative standards of action.

This is where I think liberalism must fortify itself by making a second great concession to the criticism of its orthodox presentation.

It seems, in effect, it is impossible to obtain a set of rights unless a conception of the good is assumed. This is clearly perceived in cases of conflicts of rights which must be solved by standards which are independent of them.

In fact, the rights-conceptions like those of Rawls[11], Dworkin[12], and Gewirth[13] and that which I myself have tried to articulate elsewhere presuppose the good of autonomy. Furthermore, it does not seem that the new attempt by Rawls and Nagel to search for a liberalism which is neutral in relation to the values of autonomy and individuality shows promise of a fecund development. The practice of moral discourse itself, which is – as I said and these authors seem to suggest – the sole firm platform of moral justification, incorporates implicitly the value of autonomy. That discourse is addressed to the free acceptance of principles of conduct – which is what constitutes moral autonomy in the broad sense articulated by Kant – and hence honest participation in the practice involves the acceptance of the value of a free adoption of moral principles. Furthermore, whereas moral autonomy limits itself when it refers to principles which prescribe actions that may affect other people, since the adoption of those principles may restrain the autonomy of others, this does not happen in the case of personal ideals which evaluate actions that only affect their very agent. In this case autonomy does not limit itself, which generates the value of *personal* autonomy, that is, the restricted sense of autonomy which refers to the free adoption of personal ideals.

[11] See *A Theory of Justice* (Oxford, 1971.)
[12] See in particular *A Matter of Principle* (Cambridge, 1985.)
[13] See *Reason and Morality* (Chicago, 1987.)

Hence, if we start from the basis of moral discourse as developed in our culture, the raw material for articulating principles of justice that generates individual rights is not only given by the procedural criterion of the acceptability of universal, general principles under ideal conditions, but also includes the substantive value of autonomy which underlies that discourse.

But the advocates of communitarianism might still reply this is insufficient for generating substantive moral principles. They might ask us to reflect on the value of autonomy. This value does not seem to provide us with ultimate reasons to act. Nobody has as his end to be autonomous, rather to exert his autonomy for such and such end. It is possible that autonomy be an essential component of the good, but it does not seem to exhaust it, not even to define its central core.

This might be accepted by liberals while stressing at the same time that autonomy is the only aspect of the good which concerns intersubjective standards of morality, and consequently State action. Hence the very value of autonomy proscribes examining further other aspects of the good to the effect of interfering with the decisions of individuals.

Communitarians, however, might retort that even if the foregoing is by hypothesis true with regard to the limits of social morality and of State action, it is not so with regard to individual motivation and justification. Even if we admit the value of autonomy is presupposed in moral discourse, it is hard to understand it if it is not connected with the value of something else for the achievement of which autonomy is exerted. For instance, if, as many liberals seem to do, we adopt a subjectivist view of the value of personal ideals, it is hard to infer from this subjective value the objective value of the autonomy needed to materialize them. If, instead, we adopt, like other liberals, an objective conception of the good, consisting in the satisfaction of subjective preferences, we expose ourselves to the weaknesses of utilitarianism already mentioned, since we have desires or preferences (except perhaps the most primitive impulses) because we value (from the moral, prudential, etc., points of view) some things, and we do not value the satisfactions of preferences in itself, but as a function of the value of that which we prefer. This includes pleasure, which is not in itself the satisfaction of preferences; we make it the object of pre-

ferences because we consider it valuable and sometimes it may be provoked by the satisfaction of some preferences.

But, on the other hand, if the ultimate good cannot have merely subjective value and cannot consist in the objective value of the satisfaction of subjective preferences, autonomy seems to dissolve. This is so because that good would provide impersonal reasons for acting regardless of the subjective preferences of the subjects of that good. If, as was said, autonomy seems to be an essential presupposition of current moral discourse, a presupposition which together with procedural criteria leads to substantive principles, the admission that it cannot be an ultimate good but must be in function of another good which happens to cancel it, would imply the defeat of liberalism through the demonstration that its main weapon – the practice of moral discourse – is, as MacIntyre says, inherently defective.

Here we arrive at an extremely complex subject with which I only dare to deal in a very tentative way in the brief last paragraphs of these reflections. I believe that liberalism should put forward a conception of the good which includes autonomy as a central component. I think that the most plausible candidate for that conception is the old idea of self-realization. This idea has seemed suspicious for liberals because it has been understood as "personal realization" rather than as an autonomous realization which is frustrated by external interferences.

The idea of autonomous realization includes, certainly, the exercise of autonomy but puts that exercise in relation to some end that is the realization of the individual. The idea of self-fulfillment entails the development of the capacities among which we count the intellectual capacity, the capacity of pleasure, the capacity of physical activity, the capacity to have aesthetic and spiritual experiences, et cetera.

We positively value those who develop some of these capacities to the maximum extent possible without absolutely precluding the development of the others. For instance, we admire an artist or scientific genius and we admit the exercise of it leads her to weaken her other capacities, but only up to a certain limit. The possibility of combining the development of the different capacities is endless and we value the creativeness in the choice of the alternatives. Hence, even when self-fulfillment is assigned objective value, it does not provide reasons for

actions which frustrate the decisions of the individuals for the sake of whose good we act. It can well be that the adhesion to this conception of the good as self-fulfillment is what leads us to attempt to solve interpersonal and even intrapersonal conflicts through the moral discourse to which underlies, as we saw, the value of autonomy. Perhaps that practice presupposes the more comprehensive value of self-realization.

This is related to another suspicion that this conception of the good provokes: it is often contended that when we speak of capacities, we tacitly assume evaluative standards which are necessarily connected with a metaphysical teleology, since we do not take into account the evil capacities that humans possess, like the capacity to hate, to kill or to become drug-addicts.

I think, however, the same value of self-realization, as it must be defended within the context of moral discourse, provides a criterion for distinguishing among capacities.

In the first place, as we saw, the development of some capacity to such an extreme that it cancels completely the rest, is a disvalue. This is the case with seeking pleasure through drugs when it destroys other capacities like the intellectual, the physical or the affective. (We should remember, however, that the component of autonomy of any realization which is valuable precludes perfectionist attempts at interference even in that case).

Secondly, in the same way as the value of fulfillment is qualified by autonomy, the value of this latter is qualified by the value of impartiality inherent in moral discourse. Autonomy is valuable to the extent it benefits individuals and, given that they are separate and independent, autonomy is not evaluated in an aggregative way. This means the increase in or the exercise of the autonomy of an individual at the expense of a lesser autonomy of other individuals is not objectively valuable. This precludes the impersonal value of the development of capacities that harms other people. If autonomy is not objectively valuable, if it is not distributed in an impartially acceptable way, neither is personal fulfillment achieved through that kind of autonomy.

This connection between autonomy and impartiality presents difficulties that have been adumbrated by communitarian thinkers since the impartial distribution of autonomy may restrain such autonomy,

mainly when it is realized that impartial distribution does not only require negative duties, but also positive ones that may cancel the resources and time for a balanced and creative development of our own capacities. I do not think there is an exact formula for solving this tension; the most we can say is that though our own autonomy lacks impersonal value, if it is exercised at the expense of a lesser autonomy of others, the impartially acceptable distribution of autonomy cannot reach so far that what is being distributed is no longer autonomy.

In spite of these problems of enormous complexity that require a continuous collective reflexion, I think the central core of Kantian liberalism is considerably strengthened if we make these two concessions to communitarianism, which allow us to struggle in its own field: it is true moral criticism has to have contact with moral practice, but precisely our culture counts with a practice which subjects all the other practices and traditions to criticism according to universal and impartial principles. It is also true that such a practice of moral discourse presupposes a full conception of the good without which it could not lead to the principles that liberalism defends; but that conception of the good, even when it is not exhausted by the value of autonomy impartially distributed, includes it as an essential component, and any action which, for the sake of the goods, threatens that autonomy is self-frustrating.

Given that it is difficult for communitarian Hegelians to evade, without inconsistency, a moral discourse with the foregoing assumptions, their complaints, as I said, are rather addressed to change them. But, even though it is impossible to argue without circularity against that change, what it is indeed possible to do is to resist it by illuminating the structure and the assumptions of current moral discourse. Besides this, we must trust that the evolution of our culture towards an expansion of the possibilities of criticism and of the consensual mechanism for overcoming conflicts across any particularistic frontiers follows its course, avoiding the regress to which this new romanticism invites us.

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