

“Liberals hold the moral
high ground...”

2009 BENTHAM LECTURE, UCL

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I am delighted and honoured to be giving the 2009 Bentham lecture. I am particularly pleased to be here at UCL, the foundation of which involved both Mills – James and John Stuart - as well as Bentham. Bentham is out there in the foyer, of course, but John Stuart Mill lives on here in another way. When Mill died, subscriptions were raised to commission the fine bronze statue of him on the Thames Embankment. But there was £333 left over, so the Committee decided to endow a scholarship here at UCL for “distinction in the study of Philosophy of Mind and Logic”, which is awarded to the present day. In this sense at least, Mill can perhaps be said to have made a more utility-enhancing bequest than Bentham.

Although I am not a Benthamite by any means, I must admit that I warmed to him hugely researching my book about Mill. The Mill family was hugely in debt to Bentham, not only for providing them with philosophy, and a subsidized rent in their London house, but also for providing some much-needed fun. The Mill household was not, it must be said, a barrel of laughs.

So the young John hugely enjoyed his summers down at Bentham’s country residence in Somerset. Every day, between twelve and one Bentham would play the organ. I love lots of eccentricities about Bentham; he did not believe in ghosts on the grounds that it was impossible to imagine spectral clothes, and yet no-one, it seemed, ever saw a naked ghost. He did, however, retain a sufficient fear of goblins, acquired as a child, to be unable to sleep alone. This meant that his assistants were made to sleep in the same room as their master - an onerous duty, for as one of them remarked “if Jeremy Bentham does not snore, he is not legitimate”.

Bentham’s auto-icon, which is of course in the foyer here at UCL, was part of a more ambitious plan: he suggested that people should make

memorial ornaments – or ‘auto-icons’ – out of the corpses of their dead relatives or colleagues, suggesting that they might line the driveways up to a family home or perhaps place of work. Thankfully, UCL have not adopted this policy.

I could happily spend my time with you tonight discussing the Mill-Bentham link, and indeed Mill’s engagement, and disengagement, with Benthamite utilitarianism. But I won’t.

My aim, to cut to the chase, is to demonstrate that liberals in Mill’s mould hold the moral high ground; that liberalism, far from corroding morality and society and contributing to a ‘broken Britain’, in fact contains the moral resources needed to tackle the deepest challenges of our day. Tonight I take on three related tasks:

First, to defend liberalism against the three main criticisms made of it – that it is amoral, asocial and selfish;

Second, to briefly debunk the myth that society is somehow ‘broken’, or in moral decline and show instead that liberal society is, morally speaking, in rather good health;

And **third**, to argue that liberal morality is best placed to animate political action to tackle the problems associated with climate change, international migration, family breakdown, and economic inequalities.

It seems fitting that Mill should be our guide. It is 150 years since he published his essay, *On Liberty*, a work of such fine, controlled anger that it has inspired generations of liberals. If greatness is measured, as the German poet Goethe suggests, by “posthumous productivity”, then Mill is doing very well indeed. But this year marks another anniversary too – it is 250 years since Adam Smith published his *Theory of Moral Sentiments*, a reminder, if it is needed, that liberals have almost always had moral questions in mind.

Before I turn to the first item on my ‘to do’ list tonight – the defence of liberalism - it is perhaps worth briefly stating the basic tenet of liberal philosophy. Mill himself wrote that “the only freedom worthy of the name is that of pursuing our own good, in our own way”. This statement has stood the test of time, I think. It is important, however, to clarify that when Mill wrote about one’s “own good”, he was not referring to some kind of self-interest. *My* own good, for example, certainly includes the health and happiness of my parents, partner and children, the strength of my local community and even the life chances of strangers living on the other side of the world. The great public intellectual Amartya Sen – perhaps the closest we have to a Mill in our ranks today – puts the same point slightly differently:

“Responsible adults must be in charge of their own well-being; it is for them to decide how to use their capabilities. But the capabilities that a person does actually have (and not merely theoretically enjoys) depend on the nature of social arrangements, which can be crucial for individual freedoms.”

Liberals, then, believe that people should have both the space and resources to lead good lives of their own choosing. What's wrong with that? Well, plenty according to some critics, including the political philosopher and 2009 BBC Reith lecturer Professor Michael Sandel, of whom more in a moment.

THE DEFENCE

Liberals, as I've said, have three principal charges brought against them in terms of their moral philosophy: an amoral view of the good, an atomistic view of the self, and a selfish view of human motivation. The critics of liberalism, in particular those from the communitarian school of thought, thereby create not one, but three straw men.

Amoral

The first charge against liberals is that they have evacuated any idea of a moral good. If everyone can choose their own life, who is to say whether it is good or not? The straw Liberal here is the one who, in the old joke, can't even take their own side in an argument. Liberalism takes the view that people simply choose their lifestyles like ice cream, and that no life can be seen as better than another, any more than mint chocolate chip can be seen as superior to cookies and cream – that it makes no more sense to talk of a 'good life' than of a 'good ice cream flavour'. I would rather not spend very much time on this argument, for the simple reason that it is utter nonsense. But unfortunately it has gained quite a foothold in discussions of liberalism, so there is no choice.

Anybody who has read Smith, Mill, Hobhouse, Rawls or Sen, knows that liberals are deeply concerned to provide people with the resources to construct good, flourishing, responsible lives. Indeed, Mill criticised Bentham for his vision of a “collection of persons pursuing each his separate interest or pleasure”. Mill was concerned with the way in which the moral climate would influence not only our “worldly interest” but also our “affections and desires” and those “greater moralities” which are “liable to influence the depths of character”.

But it is vitally important to liberals that good lives are those that are, in the scholar Will Kymlicka’s terms, “lived from the inside”. Indeed, it hardly makes sense to describe a life as being a good one if it is only being lived that way because of external sanction. Let’s take a few examples. Is it better to be honest, to care for one’s parents, and to be faithful to your spouse? Most of us, I think would say yes to all three. But if I am honest only because I know that I’ll be caught out in the act of lying; if I only care for my frail mother because of a law forcing me to do so; if I remain faithful merely to avoid the death sentence imposed on adulterers, is my life more or less ‘good’ than the person who is honest, caring and faithful as a result of their own determination to lead a good life? Surely the very fact that a life containing goodness is a chosen one is what *makes* it good.

As Kymlicka puts it: “Value rarely comes in a form that can be injected into a person. It can only come through [people’s] beliefs about, and hence their perceptions of value.”

Liberals believe that people reflect on and construct their own versions of the good, drawing on the resources of the traditions of their society, on the views and examples of others, and on shared and evolving social norms. But the crucial point is that liberals believe that ideas of the good can be **revised**, by individuals but also by societies.

The reason liberals insist on moral independence is precisely to allow people and communities to come to a different view about what is good. The housewife might decide her economic dependence is corrosive; equally a high-flying senior executive might decide to abandon the boardroom to raise her kids. (And I should stress, house-husbands and career men, too!) We can decide that our previous goals in life were wrong, that they would not underpin a valuable, good life; and in these circumstances we ought to be able to substitute them for other goals.

In a similar way, communities can collectively, through public discourse and debate, change their minds about good and bad. An example no less forceful for being obvious, is the shift in attitudes towards same-sex relationships in recent decades. Sandel gets into some trouble here, I think, and in a way that helps draw out a key distinction between liberal and communitarian thought.

Sandel suggests that communities might ban pornography, on the grounds that it offends the communities 'way of life'. But this is a bad argument for banning pornography. Liberals have a better one, which is that pornography might be harmful to women's opportunities to

freely shape their own identity, free from the interference of others (which by the way is not to say that this argument is good enough to justify such a ban). The reason Sandel's argument is bad is that other kinds of behaviour might also offend against a community's 'way of life'. Homosexuality, for example. Or the eating of certain kinds of meat in a religious society. Mill used this last example himself in *On Liberty*, citing what he called the "rather trivial" example of not eating pork: "Suppose now that in a people, of whom the majority were Mussulmans*¹, the majority should insist upon not permitting pork to be eaten within the limits of the country".

This, in Mill's view, would be an indefensible infringement of liberty, because even if eating pork was "disgusting" to the majority, it did not harm them: "with the personal tastes and self-regarding concerns of individuals the public has no business to interfere". We should take our cue from Tacitus, Mill believed: "*Deorum injuriae Diis curae*" – "Leave offences against the Gods to the care of the Gods".

The point, then, is not that societies will not, or should not, have moral codes. It is that these codes should not be given the force of law other than to prevent people harming others. Otherwise, moral sanctions, what Mill called "moral disapprobation in the proper sense of the term", are perfectly adequate means of social regulation. Leave offences against morality to the moralists, one might say.

Let's stick with Sandel for the moment. If anyone is going to dictate

¹ Muslims

our morality, I'd probably go for him because he is hugely decent, humane kind of guy. My kind of guy, in fact: and there of course lies the problem. He's not everyone's kind of guy. Sarah Palin might suit some people better. Sandel is, for example, in favour of gay marriage. But again, I think he gets to the right answer by the wrong route. He says that we cannot be morally neutral about marriage. We have to decide its moral basis in order to decide its legal status for gay couples. Some say marriage is for procreation, ruling out same-sex spouses. Others, including Sandel, point out that there are no laws preventing infertile couples from marrying. So the real moral basis is monogamous lifelong commitment – in which case it should be open to same-sex couples.

I happen to agree with Sandel here. But I am aware that this is perhaps because of the social environment in which I was raised, educated and now work. I was raised by liberal parents with gay friends and tolerant views, went to a liberal Oxford college where I marched against Clause 28, and have spent my career on liberal newspapers and now run a liberal think-tank. Sandel was raised by liberal parents in California, was a Rhodes Scholar at Oxford, and teaches at Harvard University in Massachusetts. Our backgrounds – or to use his phrase our “encumbrances” - may help to explain our shared position on this issue. Somebody with a different background – say a poor rural white farmer in Mississippi - might take a different view. He might think gay marriage undermines the biblical, social and moral basis of marriage and the family. Who is to say who is right? Sandel or the redneck? The answer is to admit that we don't know for sure who is right, have a good argument about it if we are sufficiently motivated, but above all allow gay

couples the legal right to marry, since even if the farmer – or even Sarah Palin - doesn't like it, it doesn't do him real harm.

Herein lies the fundamental weakness of communitarian thought. If they believe, as some seem to, that there is an eternally fixed notion of the 'the good', the question arises as to who is to decide what that notion is. The liberal answer is: you are, I am, we are. And I think the idea that we are all responsible for upholding and reflecting on and reshaping moral norms is in fact a much **more** profoundly moral standpoint than one which says somebody else needs to do our moralizing for us.

So, on the charge of being amoral, liberals are not guilty.

Atomistic

The second charge is that liberal philosophy rests upon – even promotes – the idea that individuals float free of society, that they are in Sandel's phrase "unencumbered" by social ties, or inherited obligations. Debates about liberalism often end up sounding like GCSE physics lessons. It is only a matter of time before someone accuses the liberal in the room of promoting this 'atomistic' view of the world. Liberals are relentlessly caricatured as seeing individuals as atoms, floating freely from the rest of society.

Charles Taylor writes that the liberal individual is "concerned purely with his individual choices...to the neglect of the matrix in which such

choices can be open or closed, rich or meagre”. And most powerfully of all, Alastair MacIntyre in his book *After Virtue*, writes:

“[We] all approach our own circumstances as bearers of a particular social identity. I am someone’s son or daughter, someone else’s cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence what is good for me has to be good for someone who inhabits these roles.”

Let’s put this matter as clearly as possible. People are profoundly shaped, or ‘encumbered’ if you like, by their social environment. No sensible liberal denies this, or wants it to be untrue. Social and moral norms develop for good reasons, and act as important guidelines for the lives most of us lead. But they can also be constricting, prejudiced and even tyrannical, and we each have to form our own judgement about that. As Mill put it:

“It would be absurd to pretend that people ought to live as if nothing whatever had been known in the world before they came into it; as if experience has as yet done nothing towards showing that one mode of existence, or of conduct, is preferable to another...But it is the privilege and proper condition of a human being, arrived at the maturity of his faculties, to use and interpret experience in his own way. ... He who does anything because it is the custom, makes no choice.”

The point at which liberals part company from communitarians, and many social democrats, is on the *location* of the valuation process. In the end, it is up to each and everyone of us to make our own value judgements – allowing for social and institutional influence, but not being bound by it. This is a point Amartya Sen makes in response to accusations - and they are, unfortunately, accusations - that his philosophy promotes ‘methodological individualism’. Sen points out that “people who think, choose and act” are “a manifest reality in the world”. Communities certainly influence people, “but ultimately it is individual valuation on which we have to draw, while recognising the profound interdependence of the valuations of people who interact with each other”.

So MacIntyre is right to point out the roles that we inhabit are an important part of our identity. But this is not to say that we are therefore *obliged* to inhabit them in perpetuity. We might, on reflection decide to change professions, or move city or country. We may fall out with our cousin over their racist views, and never see them again. The point here is not that we should be checking all of our loyalties and ties on an hourly basis: nobody wants to live like that. It is merely to say that our roles cannot be prescribed for us.

On the second charge, then, of atomism, liberals are not guilty.

Selfishness

This leaves one charge remaining: that liberals base their moral philosophy on the assumption that people are intrinsically self-interested, rationally maximising their own – and only their own – utility. Liberalism is I am afraid to say being tarred here with a utilitarian brush. Individuals are not intrinsically self-serving as a matter of empirical fact, and we do not want them to be, as a matter of moral ambition.

One of the most dangerous elisions in anti-liberal argument is of ‘individualism’ and the ‘rational maximisation of utility’. People very often make a perfectly rational, reasonable decision to use their capabilities in a way which does not maximise their own utility in any recognisable sense: by caring for an elderly relative, giving their life to helping the neediest in society, or by simple daily acts of kindness. That these moral choices are made freely – *individually* – does nothing to make them less valuable. Quite the opposite.

Amartya Sen has done a huge amount of work criticising rational choice theory as being based on an absurdly narrow view of human motivation. And there is a whole branch of behavioural economics showing that even when we try to rationalise our utility, we screw it up by discounting time wrongly, miscalculating risk and giving in to short-term desires over longer-run investments. As the Hollywood actress once put it, “nowadays even instant gratification isn’t quick enough for some people”.

We might in fact be better at helping others than ourselves. You only have to reflect on your own life for a moment, or look around you, to see that people are constantly making decisions that could not be seen as designed to maximise their own utility.

This why Sen prefers to write about *reasoning* rather than rationality. We can choose to give away our own money – you may have seen in the press a new campaign to persuade everyone to tithe their income to charities in the third world – which must, ‘rationally’, *lower* our utility. But it is a perfectly reasonable decision, made by a free individual whose conception of a good life includes substantial voluntary transfers of money to those in greater need. It is absurd to claim that liberals are emphatically opposed to this kind of behaviour. Indeed, Mill himself urged in *On Liberty* that “instead of any diminution there is need of a great increase of disinterested exertion to promote the good of others”.

The ruthlessly self-serving individual appears not in liberal thought, but in the lurid imaginations of some liberal critics as justification for some ill-defined intervention to make people nicer. Greed is not good. But it is legal. Virtue is an important, indeed a vital ingredient of successful liberal societies. But it is chosen rather than injected. Mill certainly took this view. As Alan Ryan rather brilliantly puts it, Mill wanted “volunteers for virtue, not conscripts”.

On the third charge, of being founded on or promoting selfishness, liberals are also, then, not guilty.

NO MORAL DECLINE

The case for the defence rests. But before outlining the positive case for liberal morality, I want to briefly touch on the idea that society is in moral decline, that to use the favourite phrase of David Cameron, we live in a ‘broken society’. It is of course not a new claim. Listen to this quote, for example:

“the world is passing through troubled times. The young people have no reverence for their parents: they are impatient of all restraint; they talk as if they alone know everything, and what passes for wisdom is foolishness for them”.

Yes, it could be IDS, but that was Peter the Hermit, just one thousand years ago. There have been plenty of moral panics since. Society has been going to hell in handcart so often that the wheels of the cart must be falling off by now.

The evidence for current moral decline is, to put it mildly, rather weak. There has been some decline in levels of trust in institutions – and quite right too, we might think after the events of recent months in the Cities of both London and Westminster – but otherwise little sign of a breakdown of social norms or a retreat from kindness. An excellent guide to these social trends can be found in the form of David Halpern’s fascinating new book, *The Hidden Wealth of Nations*. Volunteering rates are stable, as are levels of neighbourly interaction. Violent crime is down – over a long time span, hugely so: homicide

rates were about 50 times higher a couple of centuries ago, before, that is, these dastardly liberals came along and started demoralizing everything!

Across Western societies, rates of religious attendance and, to a lesser extent belief, have declined. While most people still believe in God, the devil has fallen out of favour in most countries - except the US. But the link between religion and moral views is weak and weakening. As far as moral norms are concerned, overall, attitudes towards certain behaviours - for example, homosexuality, divorce and euthanasia - have become more tolerant since 1990. On the other hand, people have become less forgiving of people who drink-drive, cheat on their taxes, or cheat on government benefits. As Halpern summarises the data:

“There seems to be an underlying logic to the general pattern of changing moral values in Western nations: acts between consenting adults that don’t seem to harm others have become more acceptable...while acts that harm others have tended to become less acceptable.”

Does this trend represent moral advance or moral decline? If you can answer that question, you will know whether you are liberal or not. I can, and I discover, perhaps not surprisingly that I am indeed a liberal! This is not to suggest that society is free of problems, many of them of a profoundly moral nature. I am about to confront some of those problems. But the point I want to leave with you is simply that

there is no clear evidence of moral decline for which liberals, or indeed anybody else can be blamed. From a liberal perspective, indeed, there is some quite significant moral progress.

BIG PROBLEMS, LIBERAL MORAL SOLUTIONS

I now want to suggest the ways in which liberal philosophy – and in particular liberal moral philosophy – can provide the resources to confront some of our most pressing contemporary problems. I will not spend very much time outlining the details of the problems, which are well-covered elsewhere and I think reasonably uncontroversially stated.

Climate Change

It seems appropriate to begin with climate change, given the imminence of the Copenhagen summit. The principal challenge is not the science, which is clear, or the policies, which are available, but the political will, which is lacking. Ed Miliband, the Secretary of State for Energy and Climate Change said in the Ralph Miliband lecture last week, that the main obstacles to action were what he called a series of distances; distances of time, causality but also, as he said:

“there is geographical distance. The people who are most vulnerable to climate change, the people who will suffer first – indeed are already suffering today – are not in our neighbourhoods, our country, or even our continent. This emphasises the sort of moral case and politics we saw in the

government's advocacy of international debt relief, distinct from a direct politics of self-interest.”

I agree. The difficulty with a communitarian view of the ‘common good’, or indeed social democrat views of social justice, is that they do not have the international reach necessary to provide the moral case for aggressive action against global warming. Our ‘way of life’ is now intertwined with carbon-gobbling energy use. And, as Amartya Sen points out in his new book *The Idea of Justice*, most theories of justice rely on the existence of authoritative institutions for the delivery of justice, especially the nation state.

Liberals provide a much better source of the moral energy required to act on climate change, for three reasons:

First, the **harm principle**, which remains an important starting point for a good deal of liberal morality, has a significant application here: if there is a direct harm caused to others by our polluting activities, the fact that the harm crosses a border or an ocean does not matter. Harm to others provides sufficient cause for substantial intervention to curb the behaviour in question.

Second, humanist liberals, in the mould of Mill and Sen, are less interested in the construction of perfectly just institutions, and more with the **comparative chances** of people having the opportunity to lead good lives, regardless of where they happen to live. Of course

communitarians and social democrats can be strongly in favour of actions based on humanitarian impulses. And to be fair, even liberals like John Rawls struggle to show how their theories of justice can be applied on a world scale, in the absence of a global government – which is not coming any time soon. But Millian liberals are those for whom these are questions of justice. A humanist liberalism is based on a belief that all people should have the opportunities for flourishing life. It is worth remembering that one of the reasons the Fabians and liberals fell out at the beginning of the last century was because of the support of the Fabians for the imperial state – while for liberals the idea of one state dominating and harming another was deeply immoral. Mill himself wrote that the moral fabric of societies, sometimes based on religious sources, and often on national pride, could and should be stretched over a much broader frame, using Sparta as his starting example:

“It was not religion which formed the strength of the Spartan institutions. The root of the system was devotion to Sparta, to the ideal of the country or State: which transformed into ideal devotion to a greater country, the world, would be equal to that and far nobler achievements.”

Climate change, no less than the problems of global poverty and ill-health, calls us to see justice in precisely these terms, as part of a moral commitment to ‘a greater country; the world’.

Third, liberals have long argued that **economic development and human development** are not synonymous, once a certain level of affluence has been reached. Mill himself was the first to see a ‘stationary state’ economic state, that Ricardo and others feared, in which profits, wages and growth became stagnant, as a potentially positive goal. In his *Principles of Political Economy*, Mill said:

“A stationary condition of capital and population implies no stationary state of human improvement. There would be as much scope as ever for all kinds of mental culture, and moral and social progress; as much room for improving the Art of Living and much more likelihood of its being improved, when minds cease to be engrossed by the art of getting on....It is only in the backward countries of the world that increased production is still an important object. In those most advanced, what is economically needed is a better distribution, of which one indispensable means is a stricter restraint on population.”

Eighty-two years after the publication of the *Principles*, the liberal economist John Maynard Keynes, who had read Mill closely, wrote: “It will be those peoples who can keep alive, and cultivate into a fuller perfection, the art of life itself and do not sell themselves for the means of life, who will be able to enjoy the abundance when it comes”.

Liberals, then, have a trio of relevant moral convictions with which they approach climate change dangers: that claims of justice are international in their reach; that people should not, through their

actions, harm the lives of others; and that human growth needs to be decoupled from economic growth. So if the question now is what political morality can animate serious policy changes to meet the climate change challenge – and I think that *is* now the question – my answer is liberal political morality.

Migration, Immigration and Diversity

The second problem I want to address also has an international dimension. The problem, crudely stated, is that significant immigration to the UK has put pressure on public services, exacerbated ethnic tensions and reduced life chances for those who are UK-born. Above all, claim some many commentators, immigration has eroded the sense of common purpose, of solidarity, necessary to maintain modern states, and in particular modern welfare states.

The rise of the BNP, and the resulting frenzied search by the elite media for the disenchanted ‘white working class’ giving them votes, is the most visible symptom of this alleged problem. Politicians on all sides queue up to tell us that they will listen more to the concerns of this opaque group, and that they will be tougher on immigration.

A quick empirical aside here: first, most of the claims made about the use of resources are simply wrong. The case for immigration is good, and one of the most frustrating elements of the current debate is the apparent assumption that the ‘white working class’ are somehow immune to argument, facts and challenge. If people have racist views about immigration which are based on a false understanding of the

facts, we should be challenging the misunderstanding rather than indulging the racism. An ally of Mill's once said, in the heat of an election campaign, that "the working class wants friends, not flatterers".

Second, diversity cultivates tolerance. One of the standard questions used to measure attitudes is to ask people how they feel about having people from a different ethnic background as a neighbour. David Halpern shows that nations with relatively high levels of immigration, and a high proportion of citizens born outside the country, are the *most* relaxed about this. Remember the old Tory candidate's poster – If you want a Nigger for a Neighbour Vote Labour? It turns out that the best way to reduce people's fears and anxieties is to vote for the party that is in favour of immigration, since in general terms, immigration breeds not resentment, but tolerance.

What can liberal morality do for us here? In my view, it can connect a legitimate desire for a sense of solidarity, even of pride within a community, including a nation, with the virtues of openness and tolerance.

We live in a diverse society, and most of us see the benefits of that, not least in ensuring an ongoing engagement of ideas about how to live. But we will not agree. The moral virtue of tolerating the differences – different views and different lifestyles – is not only a good in its own right, it is an essential virtue in the context of a multi-cultural society.

But if everyone is living by their own lights, what binds us together? This anxiety explains the clumsy attempts by politicians to try and inject some ‘Britishness’ into us – or rather, into the new arrivals. Liberals start by acknowledging the need for values around which societies can rally – values which are, of course, not imposed and are subject to revision over time. In his 1840 essay on Coleridge, Mill wrote:

“In all political societies which have had a durable existence, there has been some fixed point; something which men agreed in holding sacred; which it might or might not be lawful to contest in theory, but which no one could either fear or hope to see shaken in practice”.

Now, some of Mill’s critics have had fun with this passage, contrasting it with passages in *On Liberty* on the right to dissent. But they are not in opposition. Mill contrasted ‘vulgar’ nationalism – based on hostility to outsiders, high walls against trade and migration and insular self-congratulation – with his version of nationalism by which he meant, that “one part of the community do not consider themselves as foreigners with regard to another part...that they...feel that they are one people, that their lot is cast together”.

This leaves the question, however, of what the ‘sacred fixed point’ might consist of. Mill was clear, despite the slightly unfortunate use of

the word ‘fixed’, that it would change over time. But he was also clear that in the long run, the very principles of liberal societies – of tolerance, mutual respect, civil liberties, equality – would be the rallying point. He wrote:

“It may attach itself...to a common God or gods...or...to certain persons...or to laws; to ancient liberties, or ordinances. Or finally (and this is only shape in which the feeling is likely to exist hereafter) it may attach itself to the principles of individual freedom and political and social equality, as realized in institutions which as yet exist nowhere, or exist only in a rudimentary state.”

Liberal morality, based on tolerance, openness and mutual respect, offers a positive way into debates on immigration. The rallying point for our society ought not to be an exclusive, narrow one, based on a particular, official version of Britishness, but on our liberal values of tolerance, freedom and equality.

Family Breakdown

The third problem I want to confront is family breakdown. Or to be more precise – and it is an area where precision is required – in the breakdown of relationships between parents and children, following the break-up of the parental relationship. The children of separated parents have worse social and education outcomes than those from intact families. Married parents are more likely to stay together than unmarried parents. But attitudes towards marriage have shifted: sex

before marriage is largely accepted, as is cohabitation, and as is the right to divorce.

Liberal morality might seem an odd place to turn for help here. After all, there is a argument that social liberalism is the prime suspect. But as I hope to have shown earlier, this is a false accusation. It is hard to think of many liberals who have campaigned against marriage. And liberal ideas of duty, commitment and reciprocity are helpful here.

The first point to make is that the principal liberal concern is with raising of children. The marriage and divorce of childless consenting adults is not really a concern. But the quality of a child's life is a central concern for liberals, not least because it predicts the quality of their life as an adult. There is then a legitimate collective interest in children's wellbeing. Mill himself was brutally clear on this point. In a section of *On Liberty* which is often skipped over by discomfited modern liberals, Mill described the act of producing a child without adequate resources to feed and educate them as a "moral crime, both against the unfortunate offspring and against society". A legal prohibition against marriage unless the parties can show that they have the means of supporting a family was not, in Mill's view "objectionable as violations of liberty". This is a surprising suggestion, perhaps, from the saint of liberalism. For Mill, however, it was a straightforward case of harm to others in which "the consequence of their [the parents'] indulgence is a life or lives of wretchedness and depravity to the offspring, with manifold evils to those sufficiently within reach to be in any way affected by their actions".

I state this not to support Mill, I hasten to add, merely to point out that liberals are far from indifferent to the responsibilities of parents to their children, and the responsibilities of society to those children should their parents fail. There should be more state support to help parents parent better, more support especially for those currently failing their children, and more intervention, if necessary of a coercive nature, to protect the small minority of children being harmed – not only physically but also emotionally - by their parents. It would be an odd liberalism indeed which emphasized the rights of individuals to leave good lives, but which left individual children to the mercy of abusive or neglectful adults because they are their parents.

Marriage is a trickier issue. The Conservatives plan a tax break of some kind to signal their support for the institution. This strikes me as the wrong approach. First, if the real concern is parenting, we should use any scarce fiscal resources to help parents, not subsidize an affluent, childless married couple. Second, there is no evidence that fiscal incentives make a jot of difference. Marriage rates fell while the married couples allowance was in place.

But if marriage does not have a place in the tax system, or indeed in the legal system at all (as distinct from civil partnership, that is), this is not to say that it does not have some moral significance as an emblem of commitment in a relationship; one which has endured rather well over time.

Mill's views on marriage and divorce are interesting ethically but also biographically (since he was for many years in love with Harriet Taylor, another man's wife). His view was for legislative liberalism on these matters, but not for amoral indifference. In an unpublished note to Harriet on marriage, Mill suggested that legal restrictions on divorce might be lessened, in part because "opinion", in place of law, could "act as great efficacy to enforce the true rules of morality in these matters".

In *On Liberty*, Mill discussed Humboldt's libertarian proposal that marriage be made instantly dissolvable merely on the "declared will of either party". This, Mill believed, went too far. While each person should be free to construct their lives according to their own plans, they did not live in a vacuum, and those plans would inevitably overlap with those of other people. Mill focused on the commitment that therefore characterizes an intimate relationship:

"When a person, either by express promise or by conduct, has encouraged another to rely upon his continuing to act in a certain way – to build expectations and calculations, and stake any part of his plan of life upon that supposition – a new series of moral obligations arises on his part towards that person, which may possibly be overruled, but cannot be ignored."

This evocation of "moral obligations" as a brake on individual freedom of action is a million miles away from the moral anarchy Mill and other liberals have been charged with wanting to unleash. Such

commitments did not of course make marriage contracts inviolable, but they were, Mill said,

“A necessary element in the question; and even if, as von Humboldt maintains, they ought to make no difference in the *legal* freedom of the parties to release themselves from the engagement (and I also hold that they should not make *much* difference), they necessarily make a great deal of difference in the *moral* freedom.”

One of the principal positive functions of morality is to promote the honouring of commitments, of promises to each other. But the distinct point of liberal morality is that these moral norms are maintained by us all, collectively, rather than being imposed from above. It is, if you like, a ‘bottom up’ approach to the work of moral construction, rather than a ‘top-down’ one. This web of moral obligations is important to the functioning of a successful liberal society, which is why we must attend to them so carefully.

Economic Inequalities

Right now, there is of course much more public concern about the morality of markets, and market institutions than there is in the institution of marriage. A day rarely goes by without a political, religious or business leader calling for a more ‘ethical capitalism’ or ‘moral markets’ or ‘corporate responsibility’. The trouble is, it is very rarely clear what they mean, and what the implications are. Liberal morality has two principal contributions here – first a deep concern

with inequalities in unearned income, second, an imperative to distribute power.

There is growing concern about economic inequality. On the political left in both the US and the UK there are calls for curbs on high pay on Wall St and in the City of London following the crash. There is widespread anger at the bonuses still being made by the financiers. The fact is that CEOs now earn 344 times as much as the average worker, compared to 42 times in 1980. In the UK some Labour politicians are now proposing a High Pay Commission to set a maximum wage.

This is difficult territory, both ethically and empirically. Of course some rich people are overpaid, if by 'overpaid', we mean paid more than some measure of their economic productivity. But so are some not so rich people. The labour market is not super-efficient. There are hugely overpaid bankers, but hugely overpaid doctors. There may even, God forbid, be some overpaid academics or think-tank directors. Once the state gets into the business of deciding how much a particular person is worth in terms of remuneration, we're in trouble.

For liberals, the problem of income inequality is less pressing than the problem of wealth inequality. Radical liberals were in the vanguard of land tax advocacy in the late 19th and early 20th century, and Leonard Hobhouse and others drew heavily on the central distinction in Mill's political economy between 'earned' and 'unearned income'. For a century and a half, Liberals have argued that nobody on a low income

– an income below that sufficient for “life, health, and immunity from bodily pain” – should pay income tax.

But ‘unearned income’ from land ownership or inheritance, money that Mill said “falls into the mouths of the rich as they sleep”, should be aggressively taxed. Ideally a Land Value Tax should be back on the agenda – but also capital gains tax on principal residences (raising around £6.5 billion a year) as well as the reversal of the planned doubling of the IHT ceiling for couples (which will cost £1.5 billion a year). For liberals, such measures are much more attractive than higher marginal rates of income tax - such as the new 50p tax band, which is of doubtful economic value.

The other inequality that troubles liberals, as well as in ‘unearned’ wealth, is in power. Consumer markets are reasonably good at diffusing power. But labour markets are less so, not least because of the near-monopoly of the joint stock company in terms of corporate governance. For liberals, the problem with the economy so vividly demonstrated in the last 18 months is not about greed, fairness or equality. It is about power. In a liberal society, people should not be subject to the arbitrary power of another person or institution. But by taking huge risks in globalised financial markets, the masters and mistresses of the universe brought the house down on our heads – and there was nothing we could do about it. I think the public anger stems from precisely this sense of powerlessness, that these people are somehow operating outside of the control of democratic institutions – and that’s because they often are. Financiers have power over us in

economics like the police in law enforcement: which is why they both need oversight.

What is required is a radical redistribution of power in the economy as well as politics. Liberal economics supports measures such as tax breaks for employee owned firms, greater powers for shareholders over executives, greater democratic control of the now vital global financial institutions. The themes of employee power and mutual corporate structures have not been as strong in recent liberal thought and politics as they should have been. This is in part because politics for so much of the 20th century was seen through the lens of state versus market, or state versus individual, so that other spaces in which power is exercised were neglected.

But a liberal political economy has issues of power at its heart. Mill, for example, was an early and leading advocate of co-operative and employee-owned structures for enterprises. He wanted a world, as the Mill scholar William Stafford writes, in which “labour would be hiring capital”, rather than the other way around, and he strongly supported the 1852 Industrial and Provident Societies Act, which removed some of the legal obstacles to forming co-operative associations.

Mill’s enthusiasm for co-operation in economic activity was based on an optimistic appraisal of the benefits which included:

“The healing of the standing feud between capital and labour; the transformation of human life, from a conflict of classes struggling for opposite interests, to a friendly rivalry in the pursuit of a common good to all; the elevation of the dignity of labour; a new sense of security and independence in the labouring classes; and the conversion of each human being’s daily occupation into a school of the social sympathies and practical intelligence”.

Well, optimism is part of the liberal character. Liberal political morality, then, drives us to a concern about the transmission of wealth and unearned income, and to taxes on combinations of wealth, inheritance, capital and property; to a drive for much greater control of institutions operating in the market economy by those who work in them; and a determination to ensure economic power does not become concentrated in the hands of unaccountable individuals or institutions.

Let me say one more thing about liberals and markets. For liberals, markets, like states or families or communities, are judged by their success at giving people power over their own lives. It is one of the great strengths of liberal philosophy that it is agnostic on the futile, tired debates about whether one is pro- or anti-market, pro- or anti-state. If markets give people more freedom and power, they should be welcome. When they don’t, they should not. As the philosopher Jonathan Ree puts it, liberals in Mill’s lineage are in favour of “free spirits, not free markets”.

When people, like Sandel, suggest that we need “moral limits to the market” I don’t think this gets us very far. Let’s take his example of schemes in the US that pay poor kids to read. He thinks it’s a bad idea because it might erode the intrinsic value of reading for pleasure; I think it’s a great idea because it teaches them to read, more effectively than any other intervention of comparable cost. For Sandel, the market has here overstepped its mark (I will leave aside the question of how many middle-class parents bribe their own children in similar ways). For me, the right question to ask is what the scheme has done for the capabilities of these young people to lead good lives of their own choosing.

Literacy is a key life skill, and I think we should be willing to live a little loss in the pleasure of reading for its own sake – even if that is proved, which I should say it is not – for this enhancement of capacity. It is less a questioning of determining a moral *limit* for markets, a kind of border around its activities, and more a case of finding a moral *benchmark* against which market operations can be judged. You might say we are bribing these kids to get them to get the skills they need to be independent adults, that we are in effect buying freedom. Yes, indeed we are. And it is hard to think of money better spent.

CONCLUSION

I have argued then, that liberal morality does not rest upon or promote atomism, a-sociality or selfishness; indeed quite the opposite. I have attempted to show that we are not in the midst of moral breakdown at the hands of liberals. And I have deployed the moral resources of liberalism to tackle some pressing contemporary problems:

- Tackling climate change requires an international frame for justice and insistence on protection from harm
- Maintaining open diverse societies requires tolerance and shared commitment to liberal principles
- Family relationships rest on obligations of reciprocity between parents, and duties to children
- Inequalities in the economy ought to be reduced by a focus on gaps in wealth and property, and by reformed corporate structures that give power to employees

There are of course many more subjects I could have tackled, not least political and democratic reform, drugs policy, foreign policy, terrorism and so on. I could also have said a lot more about character.

But I think it is fair to say that liberals themselves have not always drawn on these moral resources, or have done so stealthily. They have often shied away from appearing to pass moral judgments – even though, as I have tried to show, moral judgments lie at the heart of

liberalism. This has allowed liberalism to be caricatured by its opponents as meaning neo-liberalism in economics, and ‘anything goes’ moral relativism in social relations: free markets and free love. This caricature of liberalism has to be replaced with a full-throated declaration of liberalism’s moral intent.

The liberals of the 19th century formed part of a class of figures described by Stefan Collini as “public moralists”. There is something to be said for their revival. Not of course to legislate for morality, but to engage in moral argument from a distinctively liberal perspective. 21st century liberal public moralists will be those who recognize that liberal societies flourish in a liberal culture, which is sustained by liberal morality, and that they have a role in the work of recreating it.

Justice, tolerance, responsibility, equality, character, solidarity and power: these the vital components of a liberal society. They cannot be injected by some super-Sandelian benevolent dictator. But all of us have a role in mining the moral resources that fuel good lives, and good societies, and a good world. This is of course much more demanding than leaving it to someone else, which is why freedom has been a mixed blessing; why Isaiah Berlin described the “painful privilege of choosing”. A strong, free society is made up of strong, free people rather than a strong state or a free market. Let me leave the last word to Mill, and what are in fact the last words of *On Liberty*:

‘The worth of a State, in the long run, is the worth of the individuals composing it...A state which dwarfs its men in order

to make them more docile instruments in its hands, even for beneficial purposes, will find that with small men no great thing can really be accomplished; and that the perfection of the machinery to which it has sacrificed everything, will in the end avail it nothing, for want of the vital power which, in order that the machine might work more smoothly, it has preferred to banish.”

Thank you.

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