
Autonomy

1.1. Autonomy

There may be no concept or term of art more widely used, interpreted, and appealed to today in moral and political theory than autonomy. Depending on the context when discussing it, one can be talking about personal identity, theories of action, moral responsibility, individual freedom, political freedom, the foundations of liberalism, medical ethics and patient's rights, or ideals of justice, for starters.¹ One can be viewing it as an attribute of actions, of decisions, of desires and preferences, of values, of agents and of persons at one point in time or over the course of a lifetime. The concept of autonomy has been employed, and really overburdened, with the task of being integrally relevant to all these other concepts and issues, and in the process has been conceptualized in myriad different ways.

Some philosophers have kept busy merely by trying to catalog the varying conceptions and tasks that have been assigned to autonomy. For instance, Paul Gilbert has recognized three distinct conceptions or branches of autonomy, comprised of moral agency, of psychological awareness, and of a certain legal status; Lars Sandman has outlined four leading uses of autonomy, in terms of self-determination, freedom, desire-fulfillment, and independence; Diana Meyers has argued that autonomy should be understood not only as it commonly is, in terms of the critically rational self, but also in terms of what she calls "four other faces of autonomous selfhood," including the social self, the relational self, the divided self, and the embodied self; Joel Feinberg has outlined four other central uses (in a taxonomy that I elaborate below); Rainer Forst has enumerated five additional conceptions of autonomy; and Nomy Arpaly has outlined yet eight more conceptions,

in terms of (a) agent-autonomy and self-control, (b) personal efficacy or material independence, (c) psychological independence, (d) normative moral autonomy, (e) authenticity, (f) self-awareness and self-identification, (g) heroic autonomy or free-spiritedness, and last but not least (h) responsiveness to reasons.² (Will the real autonomy please stand up?) I mention these variations not in order to elaborate or contrast them here, but merely to provide an idea of the variety and wider context within which my own conception appears (cf. Dworkin, 1998, and Gaus, 2005). In what follows, I will be using a conception of *personal autonomy*, that is largely informed by the social-scientific notion of *self-efficacy*. This conception is faithful to core intuitions about autonomy and also, I hope to show, perfectly suited to serve as a ballast for an account of children's development and, more broadly, justice for children. Let me explain.

As I will use the term, autonomy (from the Greek *auto*, for self, and *nomos*, for law or rule) is *the complex ability to effectively govern one's life according to one's own preferences and capacities*. In filling out this conception of personal autonomy, one can hardly begin better than by citing Isaiah Berlin's characterization (albeit of what he called "positive liberty"):

I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men's, acts of will. I wish to be a subject, not an object; to be moved by reasons, by conscious purposes, which are my own, not by causes which affect me, as it were, from outside. I wish to be somebody, not nobody; a doer—deciding, not being decided for, self-directed and not acted upon by external nature or by other men as if I were a thing, or an animal, or a slave incapable of playing a human role, that is, of conceiving goals and policies of my own and realizing them . . . I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for my choices and able to explain them by reference to my own ideas and purposes.³

As many have noted, such a conception trades on analogy with the self-governing rule of a political body. To say that some such body or state rules itself autonomously is to say that it is substantially free of two general kinds of disorder. First, the state must be free of inordinate dissension and civil strife. No state can be said to autonomously rule itself if it is in a state of deadlock, internally divided or disorganized to

the point of being incapable of decisive action and legislation. Second, the state must be substantially free of external domination and control. No state can be said to autonomously rule itself if it is merely the pawn of a foreign power, if its policies are the result of foreign interests and manipulations more than its own interests and will, or if, in essence, it functions like a colony or puppet regime as much as a self-determining, independent republic.

The autonomous individual governs herself in a parallel fashion, along these same “internal and external” dimensions. Along the internal dimension, an individual *possesses* autonomy insofar as she is free of such internal hindrances as inordinate ignorance, *akrasia*, and anomie.⁴ With *ignorance*, the agent lacks true or important relevant information, so that she cannot make accurate or adequately informed choices. With *akrasia*, or weakness of will, the agent’s effective choices (the choices the agent ends up acting on) are in discord with her preferred choices (the ones she most strongly identifies with, all things considered). In Harry Frankfurt’s terminology, this agent’s effective first-order desires are at odds with, or come to override, whatever considered, second-order volitions she may have (Frankfurt, 1971, 65–67; I deal with such weakness of will at greater length in 1.2.2.) And with *anomie*, the conflicted agent’s desires and preferences are in a chaotic state of disarray, with none being predominantly identified with, so that she cannot even say which of these desires or preferences are really her own.

And along the external dimension, an individual can *express* her autonomy only insofar as she is free of the external hindrances of manipulation and coercion by others, and insofar as she has an adequate range of options to choose from. With *manipulation*, the agent likewise cannot make accurate or adequately informed choices; but in this case, the problem is not rooted in any lack of the agent, but in the guile or underhanded influence of others. With *coercion*, someone else forcefully imposes his will on the agent, so that she either may no longer actualize her will or else may do so only with dire consequences. And when confronted with *an inadequate range of options* to choose from, an agent will also be hindered from governing her life autonomously, since someone can do so, and exercise truly autonomous preferences, only if she is able to make choices from among a decent variety of options, with these representing more than a ubiquitous uniformity or narrowness of choice. For example, a “vote” for some candidate—if this candidate is the only “representative” on the ballot or if his agenda is virtually identical with the other representatives on the ballot—cannot necessarily be considered as representing the voter’s autonomous preference. Or again, if my only real career options are between being a

janitor, a dishwasher, or a garbage collector, and I “choose” to be a janitor, the autonomy of my choice will be dubious.

The conception of autonomy I will use in this work thus sees it largely as what Joel Feinberg calls “the actual condition of self-government and its associated virtues” (number 2 below). As mentioned, Feinberg is one of the philosophers who has performed the helpful task of cataloging various leading conceptions of autonomy. Many of these can be seen as boiling down in one form or another to four of the following conceptions that Feinberg picks out:

When applied to individuals the word ‘autonomy’ has four closely related meanings. It can refer either to [1] the capacity to govern oneself . . . ; or to [2] the actual condition of self-government and its associated virtues; or to [3] an ideal of character derived from that conception; . . . [4] the sovereign authority to govern oneself, which is absolute within one’s own moral boundaries—one’s ‘territory,’ ‘realm,’ ‘sphere,’ or ‘domain.’ (Feinberg, 1989, 28)

In what follows, I will elaborate on these fourth, third, and first conceptions of autonomy, in order to establish why, in contrast, this second conception is most appropriate for a theory like mine that emphasizes the actual *development* of autonomy.

The fourth conception is essentially that which holds autonomy to be an *inalienable right* of all adults. In particular, this is the right “to have one’s autonomy respected,” to have one’s life and personal space and especially one’s own self-regarding choices, treated as inviolable, as off-limits to encroachment by others. It is in this sense that biomedical ethicists speak of physicians’ and caregivers’ obligation “to respect a patient’s autonomy,” by honoring whatever medical decisions that (competent) patient makes concerning her own health and welfare (cf. Buchanan & Brock). One of the main reasons I will *not* primarily be using this conception in what follows is in order *not* to gloss over the following problem, as is so often done. It is somewhat misleading to gesture at “respecting the autonomy” of adults when, in many cases, these adults substantially lack autonomy (in the sense of number 1 or 2). Theorists have perpetuated this fourth conception of autonomy largely in order to enforce a hedge of protection around citizens, to protect them from the excessively paternalistic interference of Big Brother—types who “know”—supposedly better than citizens themselves know—what is really in these citizen’s or patient’s best interests. Although this is obviously a serious concern, it does not seem ultimately

constructive to address this concern by using the language of “respect for persons’ autonomy”—since this serves to obscure the fact that persons and persons’ choices oftentimes substantially lack autonomy. *Can we or should we respect what is actually not there?* Does it make sense to try to respect someone’s autonomy if that person is fairly incapable of making autonomous decisions? In lieu of these problems, I think it is more reasonable and respectful, on the one hand, to avoid such misleading language and, on the other hand, to concentrate on whatever measures will lead to greater *actual* autonomy among persons. As I hope to show, the mandate to respect the autonomy of all adults will become truly coherent only when society takes steps to ensure that all these adults—when they are children—are actually on the path of becoming autonomous.

Feinberg’s third conception, as a moral “ideal of character,” represents a constellation of virtues that constitute and undergird autonomy. These would include the virtues of self-discipline and self-control and whatever others are conducive to critical acumen, personal organization, and independence. Although I will partially assume such a virtue-ethical usage, I will not employ it as my primary conception of autonomy, since this tends more in the direction of a decidedly *moral autonomy* than what I intend here (in this politically oriented work). For I do not want my conception to be too heavily insinuated with, for instance, Kant’s notion of “moral autonomy,” or with a particular model of virtue ethics, or with comprehensive liberal conceptions of the good which, in their more extreme and imbalanced versions, prioritize atomistic, individualistic, purely self-regarding constellations of virtues and independence. What I mean to emphasize here, in contrast, is more of a *personal autonomy*, a more generic ideal that *any* just regime should be able to support as a public standard of justice, and that *any* persons holding widely varying conceptions of the good should be able to accept as compatible with their doctrines and ideals. Such a plan seems appropriate here, since persons ranging from Marxists to liberals to libertarians to many religious types *all* give considerable lip service, in one form or another, to the value of *personal* autonomy (while many fewer of these will be enthusiastic about attesting to the values of, say, individualism or moral autonomy).

To some degree, I will employ Feinberg’s first version of autonomy (“the capacity to govern oneself”), although this will comprise only a smaller part of my overall conception. It will comprise this part because, as Feinberg notes, someone may fully possess this kind of autonomy (#1, which is generally equivalent to my “internal dimensions of autonomy”), and yet lack actual effective autonomy (#2). As we’ll

see, this will be possible if the individual is a slave, or has to endure very oppressive social conditions, or is caught in any situation where he is not allowed to exercise autonomy, even while possessing what would otherwise be a very high degree of it. For instance, we might imagine the prophet Daniel here as he was being led away in chains toward Babylon—fully possessing autonomy #1 and yet fully lacking autonomy #2. Since examining such social conditions (which are generally equivalent to my “external dimensions of autonomy”) is an integral part of my overall plan, and since autonomy #2 presupposes autonomy #1, I will thus employ this second version as my primary conception of autonomy in what follows. Only this second version—“the actual condition of self-government”—makes it clear that, for a person to be considered as *truly* governing her life autonomously in an all around sense, she must possess certain internal capacities and virtues *and also* enjoy certain external social conditions and freedoms.

1.2. The Necessary Conditions of Autonomy

In this section, I hope to take this conception of autonomy (the actual condition of self-government) and, as if it were a beam of light, pass it through a kind of analytic prism to see what individual colors and components it’s composed of. As it turns out, it is composed of three primary components: a set of cognitive skills, a set of volitional attributes, and nonadaptive preferences (cf. Santiago, 2005). In much of what follows, I will use these a combination of these three things as a regulative ideal and normative goal, to clarify what children should be developing, and developing toward, in their process of *becoming* autonomous.

1.2.1. Cognitive Skills

First, agents may be said to govern their lives autonomously only if they’re able to employ a certain set of cognitive skills. They need to be able to consciously deliberate between alternatives, effectively weighing and comparing the pluses and minuses of different options. They need to be capable of some level of critical reflection, viewing their lives not only in the moment or according to the given assumptions and prejudices of their peers and culture, but with *some degree* of detached objectivity. They need to be able to exercise functional means-ends reasoning, calculating with some degree of reliability which means will and will not accomplish which ends, and what current actions will cause what long-

term effects. And they need to be able to organize their beliefs and reasons for action with a fair degree of consistency. Truly autonomous agents, in other words, cannot be *grossly* irrational, uncritical, imprudent, or inconsistent. And as I emphasize, although autonomous agents may not do or have to do all these things to a very high and accomplished degree, to qualify as autonomous they need to be able to do them at least to some minimal degree.

To illustrate, if someone claims to be a staunch and committed environmental activist and yet regularly litters, wastes natural resources, wears fur, and eats factory-farmed meat, that person needs to be able to recognize these inconsistencies and eventually resolve them, or at least have some good reason (if there be such a thing) for this inconsistency. Otherwise, such marked inconsistency suggests that the person is more rationalizing than rational, and more disorganized, self-deceived, misinformed, confused, or anomic than autonomous. (I am thus not talking here about merely trivial inconsistencies—such as between a desire for healthy teeth and an occasional failure to brush—which even very autonomous persons can have.)

We should also consider here cases wherein there's significant inconsistency between a person's native capacities and her career or personal ambitions. Imagine a "math-compromised" person who—despite having repeatedly failed to master basic algebra and trigonometry—plans on becoming an accomplished physicist. Or imagine someone who is intent on becoming a major league pitcher, despite the inability to throw more than a 60 mile per hour fastball—which is really not that fast, and certainly not fast enough to get big league hitters out. If such persons stubbornly maintain their plans (and not just wishes) long enough, beyond adolescence and into adulthood, and in the face of long-standing evidence to the contrary, then we may safely assume that they lack real effective autonomy because of demonstrating a certain type of cognitive failure. In particular, persons with such "personal incoherence" seem to lack our aforementioned functional means-end rationality. That is, although they might properly reason that certain ends (being a physicist or big league pitcher) would make them happy, they irrationally assume or rationalize that they can avail themselves of certain necessary means (mastering calculus or throwing at least 80 miles per hour) toward these ends. Such persons demonstrate a lack of autonomy to the degree they base their lives on an ignorance of, or refusal to acknowledge, their own limitations, and thus on irrational plans, pursuits, or "hopeless hopes" (cf. Anderson & Lux). It is one thing to be determined to chase a dream: in fact, many perseverant, autonomous people do this. But it is quite another thing to be *living in*

a dream, and few if any truly autonomous people will be caught doing this. Autonomous people, in fact, will usually recognize the difference between the two.

1.2.2. Volitional Attributes

Second, agents may govern their lives autonomously only if they possess certain volitional attributes. Persons lacking these attributes are those whom we think of as typically lacking self-control, especially who are enslaved to various impulses, appetites, or addictions. One cannot be autonomous if one's will and choices are determined largely by the beck and call of these "heteronomous inclinations," as Kant would say, or by cravings for immediate gratification (Mele, 2002a, 2002b). Persons cannot be or become autonomous if they don't learn how to delay gratification and to make and execute plans for *long-term* fulfillment. In more moralistic terms, we could say that a reasonable degree of self-control and temperance are necessary conditions of autonomy. Such a condition is especially pertinent in terms of standards for a child's development of autonomy, since, as is commonly noted (and as we'll see in chapter 2), a major hurdle of adolescence is learning how to delay impulses for immediate gratification, and learning how to plan and act according to future considerations (cf. Bandura, 1997).

To be considered autonomous, each person needs to be able, not only to desire or wish for certain things (virtually any animal can do this), but to hold second-order desires about these first-order desires and wishes—in such a way that the first-order desires reach some state of *coherence* with the second-order ones. In other words, truly autonomous people will not entertain just any desires or wishes that pass through their heart, but only ones that they validate as being worthwhile (Hyun, 2001). Such a claim may be understood through the standard example of desire for drink. No one (besides perhaps a fanatical teetotaler) would say that such a desire, *in itself*, disqualified anyone from being autonomous. But if persons with a history of intemperance have a higher-order desire not to have that first-order desire (i.e., they wished that they didn't want a drink)—and yet seem powerless to act on this second-order desire, so that their first- and second-order desires are often in conflict and they all-too-often end up acting the fool and getting drunk as skunks—then these factors suggest that they are not autonomous. This is especially true, of course, if they are enslaved to these cravings for alcohol to the point that they *spill over* into other areas of their lives "outside the tavern," adversely affecting, say, their

work and health and family life. Autonomy and alcoholism aren't good drinking buddies.

Most theorists agree that some such volitional attributes—self-control, temperance, an ability to delay gratification, and congruence between one's first- and second-order desires—are necessary for autonomy. What distinguishes Harry Frankfurt's Conative Theory of autonomy is that he takes such volitional congruence to be *sufficient* for autonomy (at least in his earlier formulations). That is, Frankfurt claims that autonomy (and also "freedom of the will") is operant *whenever* an agent's first-order, effective desires are in accord with her second-order desires or volitions. In such a case, the first-order desire may be seen as free and autonomous insofar as it is identified with, and has been validated by, a second-order desire (a considered desire for the first-order desire). But as various critics have objected, there are many serious problems with claiming that such a volitional state of affairs is sufficient for autonomy, all by itself.⁵ Are there no cognitive or other elements that are necessary for autonomy? In what special way do these second-order desires establish autonomy? What, if anything, lends validity to these second-order desires? What are we to say about persons like inveterate gamblers and alcoholics (so-called happy drunks) who strongly identify with their destructive first-order desires, whose second-order preferences are perfectly consistent with, and even validate, these first-order desires? Can't we consider artists like Charlie Chaplin and F. Scott Fitzgerald or Jimi Hendrix—who had huge, unabashed appetites for sex and booze and drugs—perfectly autonomous? Don't these kinds of persons fill the bill of being autonomous? On another level, might not second-order desires themselves need to be validated, in turn, by some other feature, or by third-order desires, and so on and so on, leading to an infinite regress (cf. Roughley, 2002; Cuypers, 2000)? To be sure, Frankfurt hints at such problems: "There is no theoretical limit to the length of the series of desires of higher and higher orders; nothing except common sense and, perhaps, a saving fatigue prevents an individual from obsessively refusing to identify himself with any of his desires until he forms a desire of the next order."⁶ But this does not squarely address, much less solve, these problems; a "saving fatigue" is an inadequate answer to what ultimately grounds autonomy, or what establishes truly autonomous preferences. I will thus conclude, contra (the early) Frankfurt, that, although consistency between one's first- and second-order desires might be necessary for autonomy, it is not sufficient for it.

Together, these cognitive and volitional components of autonomy comprise what some have called "responsiveness to reasons."⁷ Even

together, however, these components do not tell the whole story of what autonomy consists in; together, they still are not sufficient for autonomy. Since the autonomous person does not respond to just any arbitrary reasons, we will need to specify what kinds of reasons he responds to in governing his life. As I show in this next section, these reasons (values, goals, interests, desires, etc.) must align themselves not only with these formal cognitive and volitional features, but also with what some have called *the formation of nonadaptive preferences*.

1.2.3. *Nonadaptive Preferences*

Third, then, agents may lead autonomous lives only if they are not governed by adaptive preferences. These are not true or authentic preferences of the agent, but ones she holds largely because of her rationalization that other choices—which the agent should realize or admit *would* satisfy her more—would, in her distorted judgment, *not* satisfy her more. Adaptive preferences are basically a form of lying to oneself, of telling yourself that something isn't true or good just because (early on or deep down inside) you don't want to believe its true or don't think its attainable. So this type of rationalization usually follows a numbing period of disappointment or deprivation, after the agent has long experienced frustration with a subpar range of choices. Jon Elster refers to this phenomenon as “sour grapes” (Elster, 1982, 1986). As he explains it, this adaptive process exhibits a certain kind of “fox-and-grapes structure”: The fox really would enjoy and prefer a certain bunch of grapes hanging from a vine, if they were available. But since he has let himself believe that they are beyond his reach, or since he let himself forget how sweet and satisfying they really are, he *adjusts* his preferences to go without, telling himself, “I wouldn't like them anyway, for they would be sour.” (Or as the dumped dupe tells himself, “She's really not that pretty anyway.”) So the fox adapts his preferences in this way, “learning” to content himself with lesser fare—worms and grass, we may imagine, instead of the grapes—largely so as not to overburden himself with frustration and discontentment.

Considering this process through the following all-too-common scenario may help us to understand why the formation of such adaptive preferences is, as Elster insists, *inimical to autonomy and autonomous preferences* (Cf. Arneson; Sher 1983). Consider the thirty-five-year-old Harriet. Harriet has formidable native intellectual gifts and, in her youth, had a passion for science and strong hopes of becoming an astronaut or astrophysicist. But because of the constraints of a stultifying environment (going

to schools with pitiful math and science programs or curricula that “pushed home economics on the girls,” living in areas without decent museums or libraries, etc.), the influence of unsupportive parents (who poo-hooed her scientific aspirations and encouraged her instead to “realize her place” as a good homemaker), and the pressures of a domineering husband (pressures to be a submissive, fecund, and busy-at-home housewife), Harriet has never been able to cultivate her prodigious natural gifts or, for that matter, to enjoy much intellectual stimulation or growth. Somewhere along the line, after tiring of the tension behind her youthful aspirations, Harriet “came to terms” with these developments, or lack thereof. Now, although she spends all her days at home with menial chores and stultifying routines and demeaning obeisance to a bullying husband, she has contented herself with her lot in life. In fact, she’s come to think that *she actually prefers this domestic way of life*—thinking it more peaceful and satisfying than that “silly, headstrong, hustle-and-bustle” alternative she dreamed of as a girl.

What should we say about Harriet—who, need I add, still represents more than a few women in the world today? May we say that she is living or governing her life autonomously, or that her current preferences are autonomous? Certainly not, I think, for the following reasons. Harriet’s current preferences are quite specious, because of: (a) having been formed, or rather distorted and malformed, through a background of manipulation and deprivation, if not outright coercion and sexism, (b) being uninformed, based on comparisons between alternatives when she was largely unfamiliar with one important set of these alternatives (the set representing the pleasures, attractions, and achievements of the intellectual, scientific life), and perhaps, (c) being based on a very tentative, if not simply false, assumption, namely, that she is happier and more fulfilled now than she would have been if she were pursuing a scientific career. (I won’t be adamant about this third factor since it’s based on a counterfactual that would be hard to confirm conclusively; but inasmuch as her native capacities and gifts are simply atrophying and lying fallow, it’s hard to see how she could really be more fulfilled now.) Some might think that Harriet is better off because of her adapted preferences, insofar as they help her to be happier and better adjusted to her admittedly suboptimal circumstances. But this seems like a backward way of thinking since, if anything, these preferences are keeping her from realizing better possibilities and from taking any action toward those possibilities. (At thirty-five, might she not still be able, say, to go back to night school?) Essentially then, Harriet is not governing her life autonomously because her significant life preferences are rationalized, having emerged through a prototypical process of adaptive preference formation. *If* she had been

enabled to pursue a scientific career, so that this was really a live option, *if* she had not been manipulated away from this option, *if* she was adequately familiar with such other options, and *if*, through all this, she still preferred the domestic life, *then* perhaps we could say that her current domestic preferences are truly autonomous and authentic (i.e., nonadaptive), and that she is governing her life autonomously. But these “ifs” were not true; so as it stands we have no grounds for saying this.

Because of the rationalization inherent in Harriet’s thinking, and in such adaptive preferences, some might be tempted to want to include this third condition of autonomy under the first necessary condition, as a merely cognitive failure. But this would be ill-advised, I think. For adaptive preferences do not represent a *merely* cognitive lapse, concerning only the agent’s errant judgment that some option would not satisfy her so much. Adaptive preferences also embody a type of volitional lapse, whereby agents seems to distort their will, coming to prefer something “most” strongly that, with greater circumspection and determination and with less rationalization and restrictive conditions, they would otherwise *not* have preferred so strongly. The formation of adaptive preferences thus seems to involve some combination of these cognitive and volitional inadequacies, *but also*, in most if not all cases, *excessive restrictions in one’s environment or range of viable options*.⁸ For these reasons, it seems that this adaptive-type undermining of autonomy is too complex, important, and paradigmatic in its own right, to mention only as an instance or subcategory of a cognitive deficiency, volitional deficiency, or both.

Together, these seem to be the three necessary conditions of autonomy, then: One must possess these aforementioned cognitive and volitional attributes and, also, one’s significant preferences in life must not have been adaptively formed in response to unjust or oppressive social conditions. To merely resign oneself to one’s circumstances—without any real fight and without a healthy measure of critical reflection and resolve of the will—falls short of what it means to govern one’s life autonomously. Such resignation marks the life of a passive object, as Berlin would say, or even a tragically dispirited animal, more than that of an active, dignified, and autonomous subject. (Think here of the broken down greyhound or stallion who has stopped trying to run and just lies around all day, even after the leash is off, just because it’s grown so accustomed to it around his neck.)

1.3. The Degrees of Autonomy

Admittedly, each of these three conditions of autonomy lend themselves to *a range* of generality. It was mentioned, for example, that

autonomous persons “need to be capable of *some level* of critical reflection”; that “a *reasonable degree* of self-control and temperance are necessary”; and that autonomous agents cannot look at less fulfilling options as being “*so satisfying*.” Such generality is unavoidable in any sober account of autonomy, for the simple reason that autonomy is not an all-or-nothing affair but one that admits of degrees.⁹ Some persons are highly autonomous in certain areas of their lives but largely nonautonomous in other areas. (Even the highly accomplished Sherlock Holmes had his private little cocaine habit.) And it should come as no surprise that different individuals possess very different levels of autonomy overall.

The following “Autonomy Scale” is offered with these considerations in mind, to serve as a set of six ideal types ranging from Zero to Five—with Autonomy Level Zero (AL0) representing absolute nonautonomy (i.e., the lowest level of autonomy that humans are capable of while still remaining alive) and AL5 representing the highest level of autonomy that persons are capable of attaining.

AL0: Fully Nonautonomous Humans—this type of person isn’t even conscious, and has intentional control, at most, over some subconscious thoughts. (E.g., the comatose and those suffering from serious brain damage.)

AL1: Substantially Nonautonomous Persons—this type of dependent person would die soon or at least fare miserably, if not under others’ or institutional care. (E.g., infants, the severely mentally retarded, and most very young children.)

AL2: Moderately Nonautonomous Persons—these persons have so little maturity and wherewithal that they are not able to stand on their own two feet. In lacking the stability and independence that mark effective self-governance, they aren’t currently capable of “forging their own way.” (E.g., many early adolescents, the mildly retarded, recidivist criminals who seem incapable of rehabilitation, persons with out-of-control psychological problems or neuroses, and serious drug addicts.)

AL3: Ambiguous Persons—these persons seem to lie in the gap between autonomy and nonautonomy. Their lives are not a total mess, but neither are they running smoothly or free of significant frustration. While seemingly effective at some areas of self-governance, these people nevertheless have other significant personal and financial struggles, hurdles, and challenges to overcome.

It is not clear whether these people have, or are able to follow, a clear plan to emerge from these struggles; and they seem to accommodate themselves to the apparent limitations and “given” circumstances of their lives, rather than showing much evidence or assertion of will to transcend these limits and circumstances. Similarly, these people seem largely to be products of their social setting rather than critical perusers of this setting; and they seem scarcely able to transcend or critique the assumed norms and behaviors of their culture or immediate peers. (E.g., many late teenagers; phlegmatic types who want only to be able to fit in; prostitutes; occasional hard drug users [as opposed to addicts] and persons in recovery from addictions or mental disorders; those who, though “free and living on the outside,” are leading a life of crime; many illiterates; and persons with other very hard-to-manage medical or personal problems.)

AL4: Moderately Autonomous Persons—governing their lives with *functional effectiveness*, these persons possess a secure measure of autonomy. Despite various obstacles, they stick to their plans and chase their dreams with a fair measure of circumspection and perseverance. While it isn’t clear whether these persons can significantly transcend the assumed norms and behaviors of their culture and immediate peers, at least they can independently determine their own personal goals and plans of action. And they’re able to reflect on the assumed norms and practices of their culture and peers with at least some degree of critical detachment. (E.g., many in their mid-twenties and older, and those set on entering or maintaining mildly preferred, if not extremely fulfilling, careers.)

AL5: Highly Autonomous Persons—these people are governing their lives *very* effectively. Despite various obstacles, they have stuck to their plans and achieved their dreams with a high measure of circumspection and perseverance. They have capitalized on abundant intellectual, psychological, and material resources, so as to be able to critically assess and actualize options from among a very wide range of alternatives. And so they’ve enjoyed a good degree of self-actualization, and oftentimes social mobility. (To use extreme examples here, think of Leonardo da Vinci, Ben Franklin, Thomas Jefferson, Frederick Douglass in his postslave years, Benjamin Disraeli, John Glenn, and Arnold Schwarzenegger; or at least people who seem to possess many of their qualities and experience many of their types of achievement, albeit not necessarily to those degrees.)

It is important to note at least the following six points about this Autonomy Scale. First, this is undoubtedly a controversial Scale (perhaps especially as it tries to demarcate the upper reaches of autonomy); and much of this will stem from various individuals who might seem to lie at the borders of these levels. But just because some degree of vagueness will obtain with such borderline individuals should not obscure the fact that, nevertheless, we should still be able to assess the majority of individuals, especially who are far above or far below the threshold of AL3. To deny this would be to insist, unreasonably, that people's *overall* autonomy is inscrutable and cannot be measured at all. Some of the controversiality of this scale might also stem from its inclusion of multiple dimensions. In this sense, we might wonder how to accurately assess someone who exhibited, say, a high degree of cognitive awareness with a relatively low degree of volitional control (like Sherlock Holmes on one his cocaine binges). But here, too, these multiple considerations should not prevent us from being able to derive an all-things-considered judgment, of person's overall level of autonomy. And this leads to the next point.

Second, the *main* criteria running throughout this scale is *the degree of agency and control*, including self-control, that persons have over their lives. One might view this same criteria from a negative perspective, by asking: What specific limiting conditions or forces fence in and inhibit the persons, rendering them relatively more powerless, dependent, and not-in-control of their life course?

Third, as should be obvious, persons' autonomy levels will normally blossom from AL0 to (at least) AL3 as they grow from birth and infancy, through childhood and adolescence, on to adulthood. As children learn to support themselves and take control of their lives more and more through these successive (st)ages, parents and caregivers should impose their paternalistic support and control less and less. In this way, the agent's autonomy and the caregivers' paternalism should have an inverse relationship: as the former waxes, the latter should wane. Concerning this process, Feinberg notes that "there is a series of stages in a child's growth between total helplessness and incapacity at the beginning and near self-sufficiency at the threshold of adulthood. Blameable 'paternalism' must consist in treating the child at a given stage as if he were at some earlier, less developed stage" (Feinberg, 1980, 140). The opposite problem, however, may be even more common and blameable. That is, *it may be just as or more pernicious to treat anyone at a given stage as if he were at some later, more developed stage—by providing him with less support and nurturance than he really needs*. Such irresponsibility—consisting of the twin wrongs of overestimating a

person's capabilities and *especially* of providing inadequate support for their development of autonomy—constitutes the paradigmatic injustice that I will be critiquing in this work.

Fourth, Level Three (AL3) represents *a critical threshold* below which persons cannot be considered even minimally autonomous. I should point out now that my whole account of justice for children will be based on this "Autonomy Threshold," that will comprise a crucial normative standard marking out what all young adults (who are not genetically indisposed) should, at a minimum, be able to attain. As we'll also see, this threshold (AL3) will mark out the crucial standard of what the state should support, in the sense (as I will argue) that it should intervene, when necessary, to prevent children from ending up *below* this threshold by the time they become adults.

Fifth, any assessment of person's autonomy will be indirect and cumulative, based on a combination of many of these signs, characteristics, and indices. To accurately classify anyone, we would need to know the following types of things. What conditions and limitations are they bound to or by (e.g., bad habits or addictions, neuroses or phobias, diseases or dysfunctions, etc.)? What opportunities, concrete freedoms, and live options have been available to them? What skills, talents, and abilities do they possess or lack? What significant preferences, plans, goals, and hopes do they have, and how satisfied do they seem in relation to these? What kind of schedule do they conform to, and how do they feel about this schedule? What is and has been the shape and direction of their life's *trajectory*? What kind of things do they feel especially fulfilled or frustrated about? It would also be essential to know about persons' life histories: What are their class and family origins? What kinds and levels of material resources have they had at their disposal? What kinds of education have they received? What behavioral models, influences, and lifestyles have they had exposure to? And last but certainly not least, what salient advantages and *disadvantages* have they previously enjoyed or suffered through?¹⁰

Even such detailed information will tell only a partial story, however, about what prospective level of autonomy a young person may ultimately attain in the future. For some persons, like Frederick Douglass or Louis Armstrong, will have had the worst of imaginable origins, and yet, through being extraordinarily gifted, resourceful, and self-motivated, end up attaining substantial levels of autonomy. (In such cases we should nevertheless contemplate what such exceptional individuals might have achieved with *privileged* backgrounds: perhaps achievements of even greater magnitudes!) Conversely, some "fortunate sons," despite the most privileged, autonomy-supporting backgrounds, will

come to manifest exceedingly dull, herdlike, nonautonomous characters and lives.

Finally, and as the previous paragraph suggests, it will thus be helpful to explicitly mention the role that genetic factors play in the development of autonomy: *The innate capacities anyone is born with determine the upper bounds, or maximal level, of autonomy that he or she is capable of attaining.* Tragically, some with serious birth defects (e.g., anencephaly) will be born with the capacity to attain an Autonomy Level of Zero at best. Others (e.g., those with severe Down syndrome), even with the best current medical intervention and most supportive family environments, will be able to attain a level no higher than One or Two. At the other end of the spectrum, only a limited number of gifted individuals will be able to attain the level of effective self-government that AL5 represents. Not everyone will have what it takes to live life so substantially on their own terms, in such a way as to successfully maneuver through all the obstacles and “troubles, toils, and snares” that sooner or later threaten everyone’s plans and preferences. Undoubtedly, therefore, the far majority of humanity lies in between these extremes, having enough of what it takes to surpass an altogether dependent and lemming-like existence (nonautonomy, below AL3), but not so much as to attain the level of incisive free-thinking, self-determined action, and “Urb̄ermensch autonomy” that AL5 represents. Accordingly, I will assume that, unless persons are born with serious natural handicaps, they will be capable of attaining at least AL3. Furthermore, I will infer from this that, if nonhandicapped persons do *not* attain Level Three, we must then look to social and environmental factors as lying at the root of their nonautonomy.¹¹ And looking ahead, I will argue that *a grievous and pernicious injustice occurs whenever a child is prevented—through various forms of social deprivation—from attaining at least some minimal, barely functional level of autonomy* (not even to mention the maximal level of autonomy he or she is naturally capable of attaining).

1.4. The Value of Autonomy

Before examining this injustice, along with various other social and political implications of this scale and this threshold, though, it will be important to consider how much value we should recognize autonomy as having, and what its value consists in (cf. Oshana; Hurka, 1987). For if its value is rather limited, or rooted in some merely idiosyncratic view or parochial way of life, then the moral imperative to support *all* children’s development of autonomy will likewise be limited. For some

look on autonomy as a narrowly Western notion, having no appropriate place or value in traditional non-Western societies. Others view it as a reified concoction of liberalism, that ultimately serves to perpetuate the atomizing and overblown values of individualism and independence. In this section, then, I will address such concerns; and I will show that if we underestimate its value—or do not give children a decent enough chance to develop it—then this will come at too great a human cost and result in too much *disvalue*.

Perhaps the clearest way to establish the value of autonomy—as an important component of any dignified and distinctively human life—is to imagine a life *without* it. If someone is not autonomous and has not been allowed to develop at least some modicum of it (\leq AL2), then have they lost nothing of value? Is their life no less valuable for their lack of autonomy? Or again, if the value of autonomy is only superficial and doesn't run that deep, then can we say that someone who is not governing his life autonomously lacks nothing of real deep or universal significance?

Surely not; surely a life without autonomy is grossly subpar, if not in some ways subhuman. To see this, imagine what the life of someone who lacks (even minimal) autonomy looks like. Since it is a complex ability, comprised of each of the three necessary conditions mentioned in 1.2, this implies that a life without any of these conditions would thereby lack autonomy overall. There are at least three ways, then, that we may conceive of someone living without autonomy.

First, we might imagine someone living without employing the *cognitive* qualities that are requisite for autonomy. This life would essentially resemble Socrates' "unexamined life" (which, of course, he famously says is "not worth living"). A person living this kind of nonautonomous life would not examine alternative directions that his life might go in, and would not make critical comparisons between different possible lifestyles and perspectives. This kind of shortsighted person would not seriously contemplate various "What ifs?"; and would not notice the various means available that, with any imagination, planning, or determination, could open up vistas that extended beyond his immediate line of vision. Would such a life be perfectly acceptable, lacking nothing of substantial value? No, even if such a person was lucky enough to find some security or satisfaction with his lot, life still would still seem incomplete. In lacking these self-reflective, critical, and proactive (rather than merely reactive) components of autonomy, such a life would resemble a dumb sheep's as much as a prototypically human and self-aware life.

Or we might imagine a life devoid of the *volitional* qualities that are requisite for autonomy. This would essentially be Kant's state of heteronomy (which he also compares with the life of a nonhuman animal), that is, a life ruled by one's inclinations, appetites, or compulsions. In Frankfurt's terms, someone living this *akratic* kind of nonautonomous life would regularly succumb to his first-order desires, without considering whether these aligned with higher-order desires (the volitions embraced by the "authentic self"). In this case, we would not be able to say that "the person was governing his life" (according to *his own* higher-order preferences) as much as that "his life was governed," by his unvalidated, first-order desires. Would this kind of life be perfectly acceptable, lacking nothing of real value? Certainly not. For it seems to resemble the life of an addict or dog in heat as much as the life of a dignified and self-possessed human.

Finally, let us imagine a life governed by adaptive rather than nonadaptive preferences. Such a life would be marked by what Nietzsche called "resignation," by passive adaptation of one's desires and preferences to what one (wrongly) assumes is "given," rather than by active attempts to remold the given by changing one's circumstances, so that these come to fall in line with one's preferences. (Remember poor beaten-down Harriet here.) Similarly, we could say that such a life is marked by what Marx called an opiated or false consciousness: in the face of serious injustice and deprivation, this person merely *adapts* through various rationalizations ("My master could be worse") or utopian future hopes ("I will enjoy pie in the sky by and by"), rather than fighting for a better life now. *These kinds of people dreamily accept whatever flow of circumstances they find themselves in, drifting along like a piece of wood in a stream, all the while managing to tell themselves how contented they are in doing so, however putrid the stream might be!* Here again we must ask, Is such a life perfectly acceptable, lacking nothing of significant value? By no means. Contentment is one thing, but self-deception and complacency are another. When faced with real hardship or privation, it seems like more of an honest and courageous reaction to acknowledge the extent of these and to strive to correct them, rather than to merely adapt one's responses toward them—by fooling oneself into thinking that things aren't so bad, or that some truly better life wouldn't really be that much better after all. The value of a life governed by *nonadaptive* preferences, then, consists in the greater truthfulness, courage, and again dignity, that these preferences entail. As John Stuart Mill famously argued, "better to be a dissatisfied Socrates than a satisfied pig" or fox.

I should admit some provisos here. I am not arguing that a nonautonomous person is of no value; for certainly persons have great value even if they lack any practical autonomy in their lives. Likewise, nonautonomous persons may yet be able to manifest and enjoy a range of other values in life. For instance, even the most brainwashed goose-stepping “party-member” may be able to enjoy a life of solidarity, and identification with the ideals of his party and party leaders. And even the most servile house servant may be able to enjoy a feeling of belonging and contribution toward the weal and welfare of “her” house, or a sense of security within the grand scheme of things—much like Berthold Brecht’s serfs in his play *Galileo*, who despite their flawed geocentric and feudal worldviews nevertheless enjoyed feeling secure within “the center of God’s plan and God’s universe.” Along these lines, I am not arguing that autonomy is a precondition for *all* other types of value, or that nonautonomous persons cannot share in or appreciate any other values in life, but, more modestly, that persons who lack autonomy in life lack something of deep- and deeply human value, and are significantly and relatively impoverished because of this lack.

Notwithstanding these provisos, then, autonomy is valuable insofar as lives *actively* governed with critical reflection, self-control, and nonadaptive preferences contain much more value than lives *passively* led without these things. And it makes no sense to ask whether autonomy is valuable apart from these three things, since these are essential components of autonomy. To have the former is necessarily to have the set of the latter, and vice versa. A critic could be persistent here and demand to know, in turn, what the value of these things lie in. Although such a demand borders on the Pyrrhically unreasonable—in being skeptical about things whose value and justification appears self-evident—I will nevertheless offer one more response. As I’ve suggested throughout, the value of critical reflection, self-control, and nonadaptive preferences lies in the way that these distinguish a life as being *distinctively human*. I have not contrasted these things, and the autonomous life overall, with the lives of animals—sheep, dogs in heat, lemmings, herd animals, pigs, and foxes—for merely rhetorical effect. A good case can be made that these components of autonomy are, as much as anything else, what set us apart from such animals and distill us with a distinctively human type of dignity. In imbuing their possessors with a qualitatively higher level of both conscious awareness and personal agency, these things mark out the ideal of what it means to lead an active, dignified, and contemplative human life, versus a merely passive and unreflective animal-like existence!