

separateness of persons – the separateness that gives a person no concern for us as apart from me.

Other critics stress the way we might want to moralize happiness in the first place, substituting Aristotelian *eudaimonia* for anything more like Bentham's strings of sensation. And once happiness is itself moralized, the credentials of utilitarianism as an overall theory of ethics are compromised. It requires a moral vision, derived from somewhere else, to judge when things are going happily or not.

It is not difficult to hear the cries of a (largely male) mandarin class defending itself in a lot of this. An ethic of care and benevolence, which is essentially what utilitarianism is, gives less scope to a kind of moral philosophy modelled upon law, with its hidden and complex structures and formulae known only to the initiates. And utilitarianism, particularly in its indirect forms, has one enormous advantage. It at least explains how to judge whether particular rights, or rules, or even virtues of conduct, *get to be on the list* of rights, rules, or virtues. They are there because they serve the common good. Other philosophies, lacking such a sensible and down-to-earth answer, must either duck the question or struggle to find different answers. I introduce some such attempts in Part Three.

### 13. Freedom from the bad

Another approach to what matters in living well is to consider what has to be avoided. It is much easier, to begin with, to agree on this list. We don't want to suffer from domination by others, or powerlessness, lack of opportunity, lack of capability, ignorance. We don't want to suffer pain, disease, misery, failure, disdain, pity, dependency, disrespect, depression, and melancholy. Hell was always easier to draw than heaven.

The list is of most use to political philosophy. If we try to sketch

what is required of a social order, it is much easier to say what has to be avoided than what has to be achieved. A political order cannot do everything: it cannot guarantee a life free from depression or disease or disappointment. But it can give freedom from violence, discrimination, arbitrary arrest, inhuman or degrading punishment, unfair trials, and other evils. It can guarantee that you have the protection of the laws if you speak your mind (on some things) or peacefully demonstrate (sometimes). In this view, the moral or political order sets the scene. It can't help what people make of the scene. Whether people can go on to achieve the life of *eudaimonia* is up to them. It is not the job of a moral philosophy, and more than that of a constitution or a government, to make people happy, but only to set a stage within which they *can* be happy. The American Declaration of Independence talks of 'life, liberty and the pursuit of happiness', not the achievement of happiness.

#### Some ethical ideas

This conception of the role of the political order is characteristic of liberalism. It is often said that its eyes are fixed on 'negative liberty' – people are to be free *from* various evils. This is contrasted with a more goal-driven or idealistic politics in which the aim is to enable people to *do* various good things or to *become* or *be* something desirable – positive liberty. But this may not be the best way of putting things, since any full specification of a freedom is apt to indicate both what you are free from and what you are free to do. A freedom *from* arbitrary arrest, for instance, is a freedom *to do* everything except some circumscribed range of things counting as crimes, without being arrested. A freedom *to* assemble peacefully is a freedom *from* legal prohibition of peaceful assembly. A freedom *from* taxation is a freedom *to* spend everything you earn without giving any to the government.

Nevertheless the contrast reminds us of something distinctive of liberalism, and of more intrusive political systems that depart from it. The more intrusive systems, such as socialism, communism, or fascism, are driven by some thicker vision of what is good than