

# The Problems of Individuality and Incommensurability in Raz's *The Morality of Freedom*\*

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**ABSTRACT:** Davidson writes that disagreements can only arise in the larger context of agreement, and it is this context into which I should like to offer the present reflections. As T.S. Eliot wrote, "It is not that the world of separate individuals of the liberal democrat is undesirable; it is simply that this world does not exist." And so it is, that this work is addressed to those who share in the responsibility of the creation and maintenance of the conditions in which individuality can arise. The paper voices two critical observations - one moral, and one political-- designed to identify problematic areas for any project with the aforementioned goals. The moral criticism argues that Raz has not adequately distinguished incommensurability from a number of alternatives including value-hierarchy and value-indeterminacy, thus maintaining that incommensurability, as Raz defines it, could not actually arise in any morally significant situations. The political criticism observes that, even if Raz's argument against individualism is successful, he still owes his readers an account of the good, without which his political theory is compromised.

**KEYWORDS:** incommensurability; Raz, Joseph; value-indeterminacy;

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## I. THE INDIVIDUAL IN THE EPOCH OF LIBERALISM

One of the central tasks of any political theory is to prescribe the relationship between community and individual. The history of Western liberalism records the evolution of a political ideology which cast the foundations of community in the individual. The European enlightenment witnessed three crucial, political events which characterize the socio-economic context of modern liberal thought: first, the formal separation of church and state; second, the move from *rex* to *lex*; and third, the entrenchment of private property and a free market economy. These conditions not only furnished the way for the bourgeoisie, a new, literate class, to take the reigns of economic and political power, they also set the stage for all subsequent theoretical debate of liberal ethics and politics which continues today.

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The pioneers of liberal thought took the notion of individual as primitive. In *The Second Treatise of Government* (1690) Locke, for instance, begins the chapter “On the Beginning of Political Societies” with the assumption that people are, “as has been said, by nature all free, equal, and independent...” (§95). Additionally, Locke asserts that Man’s liberty arises directly from this natural state. “The only way,” he continues, “whereby anyone divests himself of his natural liberty and puts on the bonds of civil society is by agreeing with other men to join and unite into a community for their comfortable, safe, and peaceable living one amongst another...” (§ 95). Community, then, is nothing more than “the consent of the individuals of it” (§96).<sup>1</sup> Society is not only created by the consensual process of the Social Compact, but it is this consensus which exclusively establishes the limits and validates the authority of a state to govern its population. Many liberal political theories have been tabled since Locke’s *Second Treatise*, but the primacy of the individual has been a common thread in all of them.

The main aim of Raz’s *The Morality of Freedom* (1986) is to separate the traditionally linked notions of liberalism and individuality. Raz writes, “If there is one common thread to the argument of this book it is the critique of individualism and its endeavour to argue for a liberal morality on non-individualistic grounds” (18). Raz accomplishes this by arguing that the preconditions for the essentially liberal value of autonomy are not natural, but rather social. Autonomy requires the presence of some public goods. Thus, in so far as liberty has any moral significance, there is no such thing as Locke’s ‘natural liberty’. Instead, Raz claims that “Autonomy is possible only within a framework of constraints” (155) and social structures. Further, these structures, if they are to weather the storm of critical analysis, are not the usual dwellings of liberalism. Raz argues to defeat both the anti-perfectionist theory of limited government, and the rights-based theory of morality, while at the same time rejecting egalitarianism as a viable alternative. Instead, as Green writes, Raz offers “a non-individualistic, pluralist, perfectionist form of liberalism” (318).

## II. THE PRESENT ENDEAVOUR

This paper voices two critical observations regarding Raz’s argument in *The Morality of Freedom*: one moral, and one political. The moral criticism stems from observations regarding the moral significance of value incommensurability. By conducting a conceptual analysis of incommensurability I argue that Raz has not adequately distinguished incommensurability from a number of alternatives including value-hierarchy and value-indeterminacy. Thus, I maintain that incommensurability, as Raz defines it, could not actually arise in any morally significant situations. These facts limit the relevance and impact of the incommensurability thesis on value theory and challenge Raz’s claim that incommensurability accurately describes morally significant portions of the value structure of liberal societies. The political criticism observes that, even if Raz’s argument against individualism is successful, he still owes his readers a theoretical account of his conception of the good. Traditional accounts of liberalism grounded their

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<sup>1</sup> While Locke appears to mean “government” by “community” in §95 and §96, I feel that my use of “community” in its usual, broader sense is justified by the first sections of “On Political or Civil Society” where Locke finds the voluntary compact of individuals at the foundation of *all* societies.

political theories in the moral foundations of individualism where individualism is seen as capable of specifying all intrinsic goods. Yet, when discarding individualism, Raz does not replace it with an alternative theory. He is thus left without a functional moral theory to inform his political morality. This problem is amplified by the fact that Raz empowers the state with responsibilities far exceeding those of more traditional liberal states – specifically, that of actively promoting the good (as a social environment conducive to autonomy). Combined, these facts severely compromise the integrity of a political system by localizing power in the state.

### III. THE CASE AGAINST INDIVIDUALISM

Raz's argument for the rejection of individualism as the cornerstone of moral theory is both circuitous and penetrating. To provide the minimally sufficient proof of his thesis, Raz must establish that there is at least one *essentially* liberal value that is fundamentally immune to purely individualistic description. That is, there must be one good that is both essentially liberal and essentially public.<sup>2</sup> For Raz, that value is autonomy.

Raz's argument begins with an analysis and specification of individualism. For Raz, individualism basically entails adopting a humanistic attitude with respect to intrinsic goods. “[Moral i]ndividualism,” he writes, “...is the doctrine that only states of individual human beings, or aspects of their lives, can be intrinsically good or valuable...” (18, *vide* also 198). If one accepts this as a theory of all intrinsic goods, then moral theory is justifiably individualistic. But Raz stipulates that there are in fact two classes of intrinsic goods: goods-in-themselves, and constituent goods (200). Constituent goods are essential elements of goods-in-themselves – like a work of art is to the experience of it (198-203).<sup>3</sup> By Raz's model, then, goods-in-themselves are states of individual human beings, but some of those states are only possible in the presence of constitutive goods which they require.<sup>4</sup> For Raz, some of those constitutive goods are essentially public.

Raz's theory, then, stipulates that some public goods are not merely instrumentally valuable. Rather, he argues, considering autonomy as a good-in-itself, “some collective goods are intrinsically desirable if autonomy is intrinsically desirable” (203). The argument proceeds by observing that an autonomous person “is part author of his own life” (204), and can be so “only if he has a variety of acceptable options available...to choose from” (*ibid*). Some of these options (i.e., the option to choose certain professions or lifestyles) depend on the existence of specific social forms (205). Further, “[a]t least some of the social conditions which constitute such options are collective goods” (206). Thus, Raz concludes, “[t]he provision of many collective goods is constitutive of the very possibility of autonomy...” (207). Since, the conditions essential for autonomy are not entirely natural but socially constructed, Raz argues that the

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<sup>2</sup> Raz offers a definition of “public good” on pp. 198-199 saying, “A good is a public good in a certain society if and only if the distribution of its benefits in that society is not subject to the voluntary control of anyone other than each potential beneficiary controlling his share of the benefits” (198).

<sup>3</sup> This distinction between goods-in-themselves and constituent goods is sometimes made using the terms “intrinsic” and “inherent” respectively. Raz, though, wishes to emphasize that inherent goods must be reflected in the foundational principles of a morality (i.e., whether value is essentially individualistic) and cannot be treated simply as unspecified, instrumental goods (200).

<sup>4</sup> Thus, Raz accepts the general premise of moral individualism, that benefits to (individual) human beings are still the only ultimate goods.

particular social forms which constitute the autonomous situation are themselves intrinsically valuable. Further, it is on the foundation of these social forms that Raz wishes to construct the new liberalism.

Generally, social forms conducive to autonomy will support an essentially pluralistic society. Autonomous individuals are able to choose their goals from a number of morally valuable pursuits, some of which are made possible by social forms seen as public goods. Raz stipulates that an individual's well-being is a function of their goals, saying, "success and failure in the pursuit of our goals is in itself the major determinant of our well-being" (297). Further, these goals may be incompatible with one another. Raz writes, "[f]orms or styles of life are incompatible if, given reasonable assumptions about human nature, they cannot normally be exemplified in the same life" (395). Moreover, moral pluralism claims not merely that incompatible forms of life are morally acceptable but that they display distinct virtues, each capable of being pursued for its own sake. If the active and contemplative lives are not merely incompatible but also display distinctive virtues then complete moral perfection is unattainable (396). To incorporate this moral pluralism into his theory of value structure, Raz proposes the thesis of incommensurability.

#### IV. INCOMMENSURABILITY & ITS SOURCES

For Raz, incommensurability "attests to the indeterminacy of reason" (333) as there is no standard by which to compare some value pairs. Thus, two lives spent in the pursuit of incompatible goals may well be incomparable. Raz defines incommensurability as follows:

The test of incommensurability is the failure of transitivity. *Two valuable options are incommensurable if (1) neither is better than the other, and (2) there is (or could be) another option which is better than one but is not better than the other.* (325)

In addition, Raz provides his reader with a criterion, or a sufficient test, called the *mark of incommensurability*, to judge two options incommensurate: Given that it is initially known that neither option is better than the other (*ibid*); "If it is possible [1] for one of them to be improved without thereby becoming better than the other, or [2] if there can be another option which is better than the one but not better than the other, then the two original options are incommensurate" (325-326). Yet, because value is not infinitely divisible, while the *mark of incommensurability* is "for most purposes, [a] perfectly sufficient test of incommensurability, it is not in fact a necessary condition of incomparability" (326). It might seem that the initial condition for incomparability (i.e., that neither option is better than the other) entails value equality. But Raz wishes to clearly separate the two. He writes, "if two options are incommensurate then reason has no judgement to make concerning their relative value" (324), hence it cannot judge them (roughly) equal. Further, while incommensurability is marked by the indeterminacy of reason, it does not arise from the under-determination of reasons. For Raz, genuine cases of value incommensurability result only from an over-determination of reason – that is,

we find sufficient reason to select (or abstain from) several courses of action, one of which we must decide upon.

Raz offers three main sources of incommensurability:

- i) the “ ‘incomplete’ definition of the contribution of criteria to a value...most obvious where a value is a function of several criteria” (e.g., a ‘good’ novelist) (326);
- ii) the “vagueness and...absence of sharp boundaries which infect language generally” (327); and
- iii) “judgements of probability” (*ibid*).

Despite Raz's later insistence (342, 343) that incommensurability is not the result of incomplete information, each of the three causes Raz cites seem open to plausible explanations consistent with an under-determination of reasons thesis. Further, when we come to consider what I maintain to be the real source of incommensurability (section VIII), the issue becomes far more clouded. First, let us consider some preliminaries.

#### V. INCOMMENSURABILITY: THE ROLE OF THE ARGUMENT

The argument for incommensurability has two distinct roles in *The Morality of Freedom*. First, Raz uses the incommensurability argument to defeat consequentialism, in so far as it is defined on the principle of universal value comparability (268). For Raz incommensurability demonstrates that consequentialism is misguided in its “hope of developing a general system or technology of calculation for practical reasoning” (358). Secondly, Raz presents the more ubiquitous claim that “significant social forms, which delineate the basic shape of the projects and relationships which constitute human well-being, depend on a combination of incommensurability with a total refusal even to consider exchanging one incommensurate option for another” (348).

There are several steps that Raz must complete if he is to successfully establish the incommensurable character of value in a manner relevant to his main argument. First, to reject consequentialism, Raz must prove that there is at least one value that is impervious to the reductionistic value comparisons definitive of consequentialism. Yet, to demonstrate the moral relevance of his incommensurability thesis, Raz's arguments must meet two additional criteria. First, Raz must establish that incommensurability actually arises in moral decisions. Also, Raz must provide a second argument to demonstrate that the value structures and relationships he cites as incommensurable are not actually informed by an underlying hierarchy of those values. Each of these two points will be elaborated in turn.

#### VI. MORAL RELEVANCE OF INCOMMENSURABILITY

Having attained a capacity to make moral decisions, there are several kinds of choices that we make, not all of which are moral. (To deny this is to deny that morality captures any unique aspect of action and to claim, instead, that all justifications are (non)moral ones.) Of the moral choices, there are choices between good and evil (the most obvious moral choices), choices between several evils (dilemmas), and some choices made

between several goods. The remainder of choices made between several goods, though, do not have a moral character. (Some choices of this last class may be causally involved in moral accidents, but this does not change their non-moral character.) Given Raz's framework, a non-moral choice would be a choice among several goods (i.e., morally acceptable options) where no difference in a person's well-being is present to serve as a reason for action to choose one option over the other. Thus, when analyzing the examples Raz offers of incommensurability, we must ask whether the choices have any moral significance, for if they don't it weakens his thesis that incommensurability plays a meaningful role in moral theory.

## VII. THE POSSIBILITY OF VALUE HIERARCHY

Consequentialism, as a description of our practical reasoning and theory of value structure, may fail for a number of reasons. Surely, if Raz's incommensurability thesis is true and relevant then consequentialism must yield. But there is yet another possibility: values may have a qualitatively hierarchical structure. By adopting this latter view, some standardly liberal theories already reject an exclusively consequentialist treatment of value, stipulating that some values cannot be submitted to the "value calculus" of commensurability. Such theories usually occur in the form of rights-based theories.

When considering the validity of rights-based moralities, Raz objects to those theories which are essentially, or exclusively rights-based, arguing that a genuinely liberal ethics cannot be fundamentally rights-based. After raising some preliminary objections to the notion that morality can be essentially rights-based,<sup>5</sup> Raz claims that "rights-based moralities can only be moralities in the narrow sense" (213). "Morality in the narrow sense," he clarifies, "is meant to include only all those principles which restrict the individual's pursuit of his personal goals and his advancement of his self-interest" (*ibid*). So far, Raz is still considering a rights-based morality as the embodiment of a value system in which some value considerations pre-empt the usual decision making process, thus distinguishing them strictly from consequentialist theories.

Yet, the objection Raz raises to a rights-based picture of morality does not seem to be related to any of its pre-emptive elements at all. Instead he writes, "[m]y objections to the view that morality is right-based derive from a sense of the inadequacy of the conception of morality in the narrow sense which itself is a reflection of the rejection of moral individualism" (216). Raz is not concerned with value hierarchy; he is concerned with individualism. He is considering all rights-based moralities as essentially individualistic, and it is this individualism which he finds objectionable, not the hierarchical value structure which rights-based theories (also) attempt to capture. Thus, Raz establishes that the role of rights "is not in articulating fundamental moral or political principles, nor in the protection of individualistic personal interests of absolute weight. It is to maintain and protect the fundamental moral and political culture of a community

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<sup>5</sup> Raz gives three reasons:

- (1) "Reasons for action which do not amount to duties escape the notice of a rights-based morality" (196).
- (2) "Rights-based moralities cannot account for the nature of supererogation and its role in moral life" (*ibid*).
- (3) "Finally, rights-based moralities cannot allow intrinsic moral value to virtue and the pursuit of excellence" (*ibid*).

through specific institutional arrangements or political conventions” (245). Indeed, as we will see, Raz cannot completely reject a type of value hierarchy, for his argument only succeeds by assuming a functional (non-individualistic) theory of the good. So, Raz's objection to fundamentally rights-based liberal theories is an argument against individualism as foundational to liberalism, not an argument that some values supercede others as reasons for action.

Importantly, though, Raz attempts to distinguish incommensurable values from hierarchically ranked ones by stipulating in his criteria for incommensurability (above) that, initially, neither of two incommensurable options is better than the other, and that this is not due to an under-determination of reasons. In the analysis that follows, then, we will have to determine whether any of his examples actually meet that criteria.

Thus, when considering the arguments below, Raz must provide examples that are 1) of a moral character, 2) not commensurable, 3) not actually informed by an underlying hierarchy of values and 4) that do not arise from an under-determination of reasons. Raz locates two main dimensions of incommensurability in our practical reasoning: the incomparability of comprehensive goals, and the constitutive incommensurability of certain relationships. Each of these will be discussed in turn.

#### VIII. INCOMMENSURABILITY IN COMPREHENSIVE GOALS

For Raz, comprehensive goals (288-294, esp. 293) permeate all aspects of one's life (for a period of time). Such life-encompassing goals may be relationships, pursuits, or careers, which need not be explicitly deliberated upon to count as freely chosen (290-291; 344). Raz's argument for the incomparability of comprehensive goals takes its examples from these fields. In the first case Raz “compares the option of a career in law with a career in teaching” (341). Similarly, Raz later compares “an attachment to a sibling, built on the traditions and memories nurtured since childhood, with a committed and intimate relationship based on common leisure pursuits and many weekends and annual holidays spent together” (342). “Each relationship,” Raz claims, “has its own colour, its own feel. They are valuable but not in any comparable way” (*ibid*). In these cases, Raz wishes to emphasize that their incommensurability is not due to a shortage of information “which could settle the issue” (*ibid*).

At this point it is important to stress that, in the above cases, Raz has not presented us with situations having any moral character whatsoever. Further, if we add a moral element to any of these cases, we are able to evaluate them immediately. In Bruce MacDonald's cult movie *Roadkill*, actor Don MacKellar's character speaks a line which I remember as follows: “up here [near Sudbury, Ontario], if ya wanna be famous, you have to be a hockey player or a serial killer – and I have bad ankles.” The humour of the scene is generated by the very fact that one of the comprehensive goals is morally repugnant. The choices are not incomparable, and we easily judge that MacKellar's character, in the name of his well-being, makes a morally wrong choice.

Since ultimate goods, for Raz, remain equated with states of individuals (*viz.* their well-being), the moment that any choice between comprehensive goals involves an identifiable difference in the well-being of a subject, it is no longer the choice between two neither-better-nor-worse options. Rather such a choice is the choice between good and evil, and incommensurability cannot arise in choices between good and evil. Such a

choice does not meet the first element of Raz's test of incommensurability, i.e., that neither of the two options is initially better than the other. Thus, in a very significant sense, the only remaining situations in which incommensurability could arise are those in which the available choices do not have any moral character.

It may be argued, though, that I have only given Raz's argument for the incommensurability of comprehensive goals a superficial treatment. After all, a significant element of his argument rests on the claim that some elements of one's well-being are dependent on the goals one has, and choices one makes in life. For instance, Raz writes, "I am better off if I am a good teacher, and worse off if I am a bad one. But I am no worse off because I cannot sing, since singing plays no role in my life. It could have been otherwise, but it is not" (345). Yet, one can still make comparisons of an agent's well-being, having defined that well-being in terms of their goals – Raz has just done so himself. Yet, from this claim, Raz concludes,

My point is simply that the fact that we care about one thing rather than another determines to a considerable degree what is in our interest and what is not. Therefore, we cannot rank options by their contribution to our well-being. The conditions of our well-being, we might say, were not yet created. (*ibid*)

Why, one might ask, were the conditions for our well-being not yet created? The answer is because our goals were indeterminate.

While Raz enumerated three causes of incommensurability (above), I suspect that incommensurability most often arises when an agent's goals are unspecified and indeterminate. For Raz, by settling on a particular goal, an agent is provided with additional reasons to pursue one set of choices over others. He writes, "Her commitment to a particular course of action created for her new reasons which she did not have before" (386). The degree, then, to which reason is indeterminate in evaluating an agent's well-being is a function of the degree to which their (morally acceptable) goals are unspecified. This is true not only of career goals but also of relationships. Consider Raz's example of the "choice between looking after an aged parent and getting married in order to have a family of one's own" (335). True, if our goals are indeterminate then we have no reasons to choose one set of relations before another. But, do we have sufficient reason to do both if they are incompatible goals? And, if we have sufficient reason to do one or the other but not both, then in what sense is the choice between them a moral one? Further, if we can specify the goals of the agent (say, they fall in love and their partner wants a family), then the choice becomes much clearer.

Thus, my questions for Raz concerning his examples of the incommensurability of comprehensive goals are the following: How are the moral choices presented incommensurable? And, since the under-specification of an agent's goals leave their well-being indeterminate, why should we consider choices of comprehensive goals moral ones even if they are significant (as a choice of career)? Finally, since incommensurability only seems to arise out of the under-specification of an agent's goals, why does this not also amount to an under-determination of reasons? Consider now, constitutive incommensurability.



## IX. CONSTITUTIVE INCOMMENSURABILITY

This argument stands as Raz's strongest statement of the pervasiveness of value incommensurability in our practical reasoning and social forms. Generally, Raz's thesis states that "belief in incommensurability is itself a qualification for having certain relations" (351). In situations of constitutive incommensurability, it is important to notice that the agent's goals are specified in the sense that it is assumed that the agent is committed to the relationship. Raz considers several possible scenarios, like the case of "some parents who maintain that there is no way in which the value of having children can be compared with money, material position, status or prestige..." (346). Similarly, there are symbolic acts (349-350) whereby agents will not accept any amount of money offered them for the explicit purpose of temporary separation from their spouse; yet, they will, if need be, accept a job in a distant location to earn money (348-350). In each case, Raz claims that the avowed refusal to consider certain trade-offs is a necessary element of certain relationships (like friendship) which are prevalent in our society, and is indicative of value incommensurability. Raz concludes, "If these incommensurabilities are as pervasive a feature of life [and moral practical reasoning] in our culture as was here suggested, then life according to commensurate principles will be radically different from our own" (357).

In recounting these constitutive incommensurabilities, Raz does not hope to describe a theory with which our value choices are merely consistent (348). Rather, he writes, "My claim is the more elusive one that the rankings which are consistent with these views [i.e., our refusal to consider trade-offs of certain kinds] and treat all options as commensurate do not represent people's actual valuations" (*ibid*; 344). Raz hopes to capture our practical reasoning concerning certain issues, and give an accurate account of it's logic. Yet, as Raz himself writes, "The fact of a choice does not reveal why it was made [i.e., the reasons for that choice]" (338).

In fact, there is some reason to suspect that the incommensurability thesis does not actually capture the structure of the relationships Raz describes. While it may be true that the refusal to consider certain trade-offs is constitutive of some relationships, this does not necessarily entail incommensurability of moral values. Consider the simplest proof. Since agents are assumed to be committed to the relationship, that commitment is part of their goals, and determines their well-being. Thus, Raz claims that the serious contemplation of such incompatible trade-offs (as mentioned above) constitutes betrayal in the case of relationships, and failure in the case of commitments. In either case, such violations negatively affect an agent's integrity (353-356). Now, if we have a morality whose value structure abhors betrayal and pervasive failure, while praising integrity, the examples Raz provides can actually be explained by reference to a hierarchy of values.

Raz fails to consider the fact that values may be qualitatively ranked, and that some moral principles might only apply to people in certain situations, and not to others not in that situation. Thus, we might have a moral directive like, "Value your children as life itself." Clearly, such a principle would not apply to those who do not have children. Further parents would likely deny the comparability of children and wealth, but this would reflect a qualitative difference of values, not an inability to compare them. With these thoughts in mind, let us analyze Raz's example of friendship. He writes:

Only those who hold the view that friendship is neither better nor worse than money, but is simply not comparable to money or other commodities are *capable* of having friends. Similarly, only those who would not even consider exchanges of money for friendship are capable of having friends. (352)

First, notice that both options are morally acceptable independently. Now, it is clearly true that, while I would prefer two dollars instead of only one dollar, no amount of money can compare to the way I value my friends. Yet, so far, this does not demonstrate that friendship and money are incommensurable in the sense Raz wants; it could also be that friendship is part of a class of values always ranked higher than money. To determine which structure is present, we must play the two values off one another.

Notice that only those people who have friends are capable of “selling them out” (or buying them). That is, only those people who participate in both value relationships are able to play them off one another to discover their actual inter-relationship. Choosing one or another of these morally acceptable options does not reveal their relationship. Yet, when the values are played off one another, we find that there is only one morally acceptable choice – morally, one of the options *must* be chosen above the other. The question then arises: does the incommensurability thesis adequately capture the value structure by which we abhor ‘selling out one’s friends’?

Selling out one’s friends does not merely make one incapable of having true friends. If that were true then selling out one’s friends would not be a morally reprehensible action. Instead, it would merely indicate that the values of money and friendship are incompatible, incongruent, or incommensurable: choosing one precludes one from choosing the other. While this is true, it does not elucidate the reason behind the result. I suggest that the actual value structure informing our abhorrence towards selling out one’s friends arises from our fundamental, and ranked distinction between people and property. Like slavery, we degrade ourselves and each other by considering people in terms of property. Beyond making one incapable of having friends, selling out one’s friends is morally reprehensible. It is wrong not only because of how it reflects on our integrity, but because of the harm it causes to our friends. While Raz’s thesis does highlight the fact that only people who stand in certain relations are capable of causing particular harms to one another, I maintain that it fails to capture the reason for this. More than just being incommensurable, the relationship of the options is normatively described by agent-relative dictums which specify morally (in)correct conduct. These dictums often reflect a hierarchy of certain values over others. The reason we refuse to entertain the thought of certain trade-offs is because, once committed to certain relationships we do, and ought to, value those relationships above other choices. Before such relationships are committed to the dictums prescribing conduct are inapplicable, and we do not participate in the hierarchy of values that justify acceptable conduct. Thus, by my account, our refusal to consider certain trade-offs is explained by the same reasons that we simply don’t consider other immoral behaviour like thieving, or avenging our trespassers.

The same is true of buying friends. Buying or being a bought friend is morally reprehensible because of the deception and victimization that occurs in such relationships. Clearly, buying friends is morally reprehensible because it infects the relationship of friendship (which is itself a moral reason). But this is only one of the

reasons that buying friends is immoral. Like abusive relationships, sometimes such relationships clearly have a victim / victimizer character. In these cases, it is specifically the victimizer who is acting immorally. Alternately, it may be the case that both parties are, knowingly or otherwise, taking advantage of each other. In these cases, the relationships may be unfortunate, they may even be moral, but they are not friendship – not because the values cannot be compared, but precisely because we do compare them in judging them incongruent. After all, the market relationship is not ‘infected,’ only the human relationship (of friendship) is.

With his notion of incommensurability Raz attempts to characterize the field of values in a pluralistic, autonomous society. But, in doing so, as indicated by the results of our analysis, Raz conflates a number of more subtle value structures under the umbrella of incommensurability. Because of this, his argument does not have the weight he gives it. Admittedly, comparability based on a mere ‘technology’ of a purely quantitative value-calculus fails; but this does not entail incommensurability. First, there seems to be good reason to believe that many of our values are hierarchically ranked qualitatively, with some having a pre-emptive force over others. Sometimes this prompts people to refuse to compare one set of options with another, thus giving the appearance of incommensurability. Yet, in so far as the values are determinate, one choice always outranks the other, and there is generally an identifiable moral principle which informs the ranking. Thus, while defeating simple commensurability, it does not entail incommensurability. Secondly, given that well-being can be specified as a function of an agent's goals, the fact that we may not be able to apply a uniform standard when evaluating the well-being of each individual poses only technical, not theoretical problems for an ethics grounded in comparability. To the degree that goals are specific, reasons prescribe actions and determine well-being. Yet, sometimes goals are not specific, and indeterminacy between several good but incompatible options results. This, has the appearance of incommensurability, but is distinguished because, once the agent specifies her goals, the options may be ranked. The indeterminacy of value is a problem for any ethical theory whether consequentialist, rights-based or otherwise, and it is a problem that Raz's thesis does not solve. Finally, those value judgements that come closest to meeting Raz's criteria of incommensurability seem to lack a moral character in a significant sense. Instead, they are merely ways which we relate and combine morally acceptable options whose values are often indeterminate.

#### X. INCOMMENSURABILITY AND THE SUCCESS OF LIVES

The final question to be considered is the role incommensurability plays in determining the good. This is best seen when evaluating lifetime achievements. Generally, Raz claims that the success of various lives is incommensurable (343). Using the notion of well-being to evaluate success in life (295), Raz claims that: “We lack any grounds for judging a career as a graphic designer to be intrinsically better or worse for those engaged in it than a career as a livestock farmer or a gliding instructor...”(343). In fact, there is good reason for our inability to make such determinations. For instance, as we saw above, our choices determine how our achievements are to be ranked. Can we not, though, rank a successful murderer as worse than a poor singer, despite the fact that each freely chose their occupation?

As a matter of fact, the answer is “Yes.” According to Raz, our well-being and success in life is still negatively affected if we choose to pursue an immoral comprehensive goal – regardless of our degree of success. Raz rejects both moral subjectivism and desire based theories of action / motivation. Instead, all moralities require a theory of the good (138-143). Also, reason is not the slave of the passions; rather, desires themselves have a ‘reason-dependent character’ such that “people do not wish their false desires [i.e., those desires supported by false reasons] satisfied” (143). Thus, in terms of goals, “the person has the goal on the condition that his reason is a valid, valuable one....Her inability to reach her goal is a blessing in disguise if it is a valueless goal” (301).

Thus, “When we compare the lives of two people,” Raz writes, “with very different styles of life, who were each moderately successful...the only ground for judging that one had a better life than the other is if one style of life is intrinsically better than the other” (343). The important questions which must now be addressed are: if there is genuine incommensurability of moral values, how are some life-styles intrinsically better than others? Since it seems that we only have incomparability among examples of basically good options, is the moral valuation actually slipping in the back door as was suggested above?

#### XI. THE ESSENTIALLY MORAL QUALITY OF WELL-BEING

Raz is able to construe the examples of success and comprehensive goals as he does because his notion of well-being has already filtered out any morally unacceptable options. Distinguishing between a person's well-being and their self-interest, Raz remarks that, “self-interest is largely a biological notion” (295), which does not seem to carry a moral quality. Meanwhile, “the well-being of the agent is [located] in the successful pursuit of valuable goals, and that value depends on social forms” (318). Raz devotes an entire section of his theory to the *Inseparability of Morality and Well-Being* (313-320), wherein he advocates “radically revising one's notions of morality and of personal interest in a way which denies that they represent two separately comprehensible points of view” (315). Yet, the principles bonding this union are never stipulated. In constructing his community based theory of liberalism, Raz assumes that some “*social forms are morally sound*” (319). He adds that, “There is no guarantee that some individuals will not [sic] find it impossible to adjust and will turn to immoral forms of life. It merely follows that their well-being will suffer as well” (*ibid*). Further, Raz admits of the possibility of societies wherein the social forms are “morally wicked” (*ibid*). It remains incumbent on Raz to give his reader some clear explanation of how the morally acceptable is distinguished from the morally wicked.

Admittedly, Raz, in *The Morality of Freedom*, does not propose to give his reader a moral doctrine. Rather he hopes to give us a theory of “political morality” (17) – a “theory of political freedom” (2). Yet, at the same time it is Raz’s main objective to siphon off individualism, the element of liberalism which provides its moral doctrine (17), from the remainder of liberalism. While Raz does provide us with a theory-sketch of ultimate and intrinsic goods, the theory is somewhat paradoxical. The value of goods is a function of both personal choices and social forms. Yet, some lifestyles are intrinsically better than others and some social forms are morally wicked. Raz simply assumes that

some societies have morally sound social forms without explaining how we could tell which societies are so endowed. As Green writes, "Of course, all this [theory] presupposes that we can judge whether conceptions of the good are worthy, and Raz does not here enter into debate about how this is to be done" (320). While it is true that Raz takes it for granted that autonomy has intrinsic value, and that he writes to an audience who already accept some version of liberalism (1), this does not release him from his obligation to spell out the standards which inform and legitimize such an assumption. Importantly, in the past it was individualism which filled this ideological role. Without such a moral ideology, Raz's political considerations are left wanting. Only with such a story will we ever really be able to tell whether there is genuine value incommensurability of the sort that Raz defends.

## XII. THE MANDATE OF THE NEW LIBERAL GOVERNMENT

Politically, liberalism is generally seen as a theory of limited government. Traditional liberal theory espoused individual liberty as primitive and the transparency of self-interest. Consequently, it generally supported an anti-perfectionist form of government. To prevent coercion, governments were forced to remain either neutral between various conceptions of the good, or to completely exclude such factors from any policy considerations.

Clearly, Raz's communitarian foundations for liberalism present a vastly different mandate for government. Raz writes:

political action should be concerned with providing individuals with the means by which they can develop, which enable them to choose and attempt to realize their own conception of the good. But there is nothing here which speaks for neutrality. For it is the goal of all political action to enable individuals to pursue valid conceptions of the good and to discourage evil or empty ones. (133)

The duty and function of government, has been expanded to insure that its citizens are able to fulfill their own well-being. Raz has justified this move by arguing that some public goods are necessary to sustain an autonomous environment, which is itself characterized by significant moral incommensurability.

Raz's incommensurability thesis has already been the subject of scrutiny in the literature. I have argued in this paper that Raz's picture of incommensurability fails to do the work he needs it to do in the remainder of his theory. Yet, there is some reason to think that, even if we grant Raz the value incommensurability for which he argues, incommensurability itself will create problems for him down the road. In making a case for egalitarianism, Jacobs (1993) makes the ironic point that incommensurability entails rejecting "all comparative principles of distributive justice...[and t]his rejection of comparative justice eventually undermines his [Raz's] defence of redistribution" (180-181). Yet, since Raz construes autonomy as a public good, distinguished according to how it is distributed (see note 2), it follows that one requires not only an operable system of redistribution for the promotion of autonomy, but a clear notion of redistribution for the specification of autonomy itself. If Jacobs is right, it would seem that even a clear and workable notion of incommensurability obscures distributive principles which are

internally related to autonomy. Thus, with the very nature and virtue of autonomy unsubstantiated by a clear moral theory, *The Morality of Freedom* cannot provide any clear standards to serve as guardrails for government policy. The potential for political coercion seems altogether too near. In fact, the very notion which is to serve as the border and checkpoint of government power is itself constrained by an unspecified moral ideology.

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