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COMMENTS ON "LIVES AND LIBERTY"

BY

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The central idea of this paper -- that the value of political liberty is best understood when liberty is seen to be a necessary condition for "biographical" life -- is both profoundly interesting and unsettling. I admire very much the overall strategy Rachels and Ruddick have developed here, and intend my remarks as a contribution to advancing their project. But I shall argue that explicating the importance of liberty in the way they do is hampered by two fundamental complications. One is that liberty is not necessary for having a life as such; the other is that some sorts of biographical lives are not worth having. To give a proper account of the importance of liberty, then, in the way the authors want to do, we must first have an account of sort of lives worth having. I'll suggest that for this task it is useful to compare their notion of a biographical life with the ancient (and recently rejuvenated) idea that the proper frame of reference for moral judgments is that of a whole or complete human life. But I'll begin with a preliminary distinction.

I. The Value of Liberty

It is now tiresome standard practice to distinguish negative from positive things of every sort: liberty, freedom, rights, obligations. (So standard, in fact, that it is often little more than an irrelevant ritual.) Ritual or not, however, it is useful to note that liberty construed negatively is likely to show up very differently, in accounts of its value, than does liberty construed positively or materially. To put the point as briefly as possible, negative liberty is not a "thing" at all, but rather the absence something --the absence of impediments to action. It is like the hole in a doughnut. Take away the doughnut and it is hard to see the hole at all, let alone see it as intrinsically or instrumentally valuable. Take away the impediments to action and negative liberty, as an "object," vanishes with them. So it is not surprising to find that our intuitions about its intrinsic value are peculiar, and Rachels and Ruddick are surely right to reject the view that the value of this sort of liberty could be understood as analogous to that of enjoyment. In looking for things of value, and things analogous to enjoyment, it seems better to look at things, rather than the spaces they leave -- in this case to look at the impediments rather than at the elbow room those impediments define. When we do that, it is clearer why the analogy with enjoyment won't work: Among impediments, as among doughnuts, some are good and some are bad, from the user's point of view. The friction caused by an obstacle is sometimes a necessary condition for doing what we want to do, and when it is, we see the obstacle as valuable. (In fact,

valuable impediments provide us with another sort of liberty -- positive or material liberty.) If the impediment is a good one, the corresponding negative liberty -- or absence of the impediment -- is derivatively bad. We should be able to learn all we need to know about the derivative values of derivative things (such as holes and elbow room) by immediate inference from the things that define them. One more comment about negative liberty. It should not be equated with the absence of coercion. (The authors have a tendency to oppose liberty and coercion, at least toward the end of their paper. And while that opposition is in many cases harmless, it may lead to difficulties here.) I think it is best to acknowledge explicitly that liberty can be limited by passive, even accidental impediments, as well as by active, intentionally coercive ones. Negative political liberty should be defined quite generally, as the absence of impediments imposed or legitimated by political institutions, and other sorts of negative liberty (e.g., social, interpersonal, physical) may be defined correspondingly. Positive liberty, by contrast, is not the absence of something but rather the presence of it: the presence, indeed the possession, of the means necessary for action. It is the "stuff" we require in order to act in the space provided by negative liberty. Like negative liberty, it too has political, social, interpersonal and physical dimensions. The presence of social and political institutions gives us the means -- the liberty -- to lead lives that we could not otherwise have. So do friends; courage; physical strength. As the authors point out in and around footnote 15, capitalist political theory tends to resist labelling such resources as liberty. But the description of economic resources, education, and many other things as "liberating" is surely a warrant for calling them liberties, and it is unassailable that negative liberty alone is of very little importance unless one can or might be able to use it. For using it, some resources (psychological and physical) are necessary, and we may plausibly speak of them as constituting our positive or material liberty.

It is tempting to see such liberty as simply instrumental in value, but I think that here, as well as with negative liberty, Rachels and Ruddick have a better strategy. I will say more about this in a moment.

II. Lives and Liberty

I turn now to the ingenious central argument of the paper, to the effect that the fundamental importance of liberty is best understood as coming from the fact that liberty is a necessary condition for having a biographical life. The structure of that argument, much abbreviated, appears to be this: @SS

1) Considered alone, liberty is not (at least not clearly) intrinsically or self-evidently good. (pp. 1-3) @EJ 3

2) Further, liberty cannot be a purely instrumental good. (pp. 3-4) @EJ 3

3) Nor is it satisfying to point out that liberty is necessary for self-realization -- though this is instructively close to the truth. (pp. 4-6) @EJ 3

4) But liberty is a necessary condition for having a life -- for having any sort of "biographical" life at all. (p. 8) @EJ 4

*5) MORE OR LESS EXPLICIT: Having a biographical life is unarguably good -- that is, the good of having such a life is undeniable by anyone who has one. (p. 8) @EJ 3

*6) IMPLICIT: Necessary conditions for things that are unarguably good are of fundamental importance to us. -----

THEREFORE: Liberty is of fundamental importance to us.

This argument is full of provocative and fruitful lines of thought, but what I want to do now is to focus on the last three premises. And I will do only three things with them -- all designed to open avenues of discussion.

Life without Liberty

The first thing is to question premise 4). Rachels and Ruddick make a very strong claim there: that liberty is a necessary condition for having any biographical life at all, let alone a good life (p.8). I'm not yet convinced, however, and would like to hear some discussion of the following objection: Call me John Calvin, and suppose that my creator has predestined every detail of my life, every nuance of my thought and action, including the fact that through theological study I have now discovered that my life is predetermined. Does this mean that I have not had a life to this point, or that I cannot continue to have one? I have no genuine liberty at all to do anything other than what God has planned for me. I am, in effect, a total slave to God. But I certainly think I have a life. I remember, and feel, and feel responsibility, pride, guilt, shame and obligation. I fear judgment. I do not know how things will turn out for me, but I suspect I am one of the elect, and am glad for that. In any case, I know that whatever happens, it will be exactly as God has planned. In the meantime, I will live the life -- the biographical life -- that I have been given. Given God's will, nothing else could have happened. I was never at liberty to do other than I did in fact do. I had a life without liberty. But I rejoice in it, and affirm it anew every day. End of story. Now what's wrong with it? Is its shift from political to "metaphysical" liberty illegitimate? I don't think so. I think, on the contrary, that extrapolating from human slave-holders to find the test case (as the authors do) may be what is misleading -- involving as it does the images of intrusiveness, coercion and rebellious response. Total slavery, as the limiting case of human slave-holding practices, is totally repugnant, and the liberty necessary to escape from seems supremely important. But that doesn't mean that one cannot have a life without liberty. Negative liberty, in general terms, is the space left to us by the political, social, personal, and metaphysical impediments that surround us; positive liberty is the stuff that enables us to act in that space. What Calvin imagines is that the space and stuff available to him are enough for exactly one life; the one God has given him to live, without liberty. If so, then liberty is not a necessary condition for having a life, and premise 4) will have to be revised.

Minimal Lives

The second question I want to raise concerns the move from premise 4) to the conclusion. The authors may well object to my paraphrasing here, but I am trying to avoid flat out use of the contention that having some sort of biographical life -- any sort at all -- is (subjectively) preferable to not having one. That contention is highly doubtful. Yet I must admit that without it, I don't see how to support either what they say or my attempt at a cagy reconstruction of the move from 4) to the conclusion. So perhaps we can discuss this issue. What I have in mind is something the authors try to resolve, on page 8, by noting that "If liberty is necessary for having a life, then to question the value of liberty is to question the value of having a life." So far so good. But then they continue, "In dire circumstances, we might become indifferent to life itself. But given our usual attachments and projects, we cannot sensibly or seriously ask, Why should I care about my life?" In my view that final rhetorical question is not quite to the point. It is not the same thing to ask that question as to question the value of having a life at all. If I already have one that I want to pursue, then I cannot (on pain of Gewirthian self-contradiction) deny that the means necessary to its pursuit are necessary goods for me. But unless I misunderstand the argument, we need something stronger here. We need to show that having a life at all is

something whose value (like the value of enjoyment, perhaps) is undeniable. But that is just the premise we cannot have. Specifically, it is hard to credit the premise that just any biographical life is necessarily better than none at all -- in part because so many people have chosen to die rather than to lead minimal biographical lives. Surely what is valuable to those people is not the level of liberty that enables them to live some sort of minimal life, but rather -- and only -- a level that permits certain sorts of biographical life. Some people may well hang on to any flicker of a life they can find, but others will not. And while it remains true for both sorts of people that liberty is a necessary condition for minimal life, the liberty involved will be utterly unimportant to the suicides, and supremely important to the others. Perhaps suicide obscures the connection at stake here. Perhaps the issue is the difference between being alive without having any sort of life at all, on the one hand, and having a life, any life, on the other. But that fares no better. Suppose dying is an option my tormentor will not grant me. Does it follow that "I" would necessarily prefer having a life -- any life -- to having none at all? (This is a difficult thought experiment, because anyone who can "answer" already has a life, and the question of whether people would be willing to give up their biographical selves doesn't seem to be quite the same as the question of whether life without one might under some conditions be better than life with one.) Insofar as I am able to consider the question, the answer I get is No. A moment of liberty would be enough to give me the chance to construct a "life" in the sense of a futile, short-lived, wrenching sense of myself as a perpetual victim. But is that obviously better than oblivion? It seems to me at least an open question. We tell ourselves stories that hold up Promethean defiance or Sisyphean recognition as heroic. But there are also counter-myths. (Pandora, for example. Or Adam and Eve.) At the very least it seems to me that we can't get from this line of thought the clear sense of the unarguable importance of liberty that the argument needs. What is important to us all is not liberty as a formal condition for any life at all, but a certain fairly robust level of liberty.

Whole Lives

My final remark is related to that, but much less focused, and I am not even sure that it ultimately contributes to the authors' project. But I am fascinated by the connections between the argument of this paper and the notion that the fundamental normative concepts of ethics -- good, right, virtue -- must be understood in terms of what is necessary for an entire human life. This focus on the entire life is explicit in Aristotle, and in more or less elaborated versions, is to be found in a long succession of texts in the history of ethics. Its fundamental insight is that what seems so clearly valuable (or required or excellent) when we focus on a thin temporal slice of a life (or a single, long strand of a life) may turn out to be awful or optional or vicious when we take a larger view. And it seems plausible to argue that we should take at least the whole life into account; the entire life. How can we justify doing less? After all, an unexpected disaster might befall the King tomorrow -- a disaster that reverses our previous estimates of virtually everything he has done. (The Sphinx's riddle has been solved; Jocasta is happily married once again; and Oedipus the King is doing everything he can to discover the cause of the plague in the city. But count no man happy, or righteous, or virtuous until he is dead.) What seems important to emphasize about this insight just now is how unsettled our theories are about how much or how little to make of it. In one sense, it seems indeterminate with respect to most normative questions. While it instructs us to take into account the whole life, it doesn't give us any guidance about which whole life or lives to take seriously. Courage is no doubt a virtue for many whole lives, but not for all. And slaves -- total slaves or not -- have whole lives within which certain things are good, or required, or virtuous that seem repulsive to anyone living in liberty. In another way, however, this instruction to consider the whole life appears to be too restrictive. How do concerns about future generations get into the picture? What justification can be given -- in terms of what is a good within my life -- for looking over the horizon of my

own death to the quality of life later generations will have? And we are equally uncertain about how the whole-life view should be worked out in moral deliberation. It is attenuated to invisibility in simple arguments about long-range vs. short-range interests, or in complex arguments about how much rational self-maximizers should discount future interests. It is given a very cool interpretation in Millian or Rawlsian discussions of rational life plans. Williams argues for a place for spontaneity, disorder, impulsiveness, even wildness in the conception of a whole life -- such that the standard philosophical picture of the virtues would have to be revised.

And MacIntyre proposes that we must not only consider the whole life but also its narrative structure -- that it is the kind of story we tell about a life that is the key to understanding it in normative terms. (Is it a comedy or a tragedy we're living? A conquest or a sacrifice? Are we Revengers or victims?) These are fascinating issues, and clearly connected to some of the things the authors say in their paper. Whether the connection is a productive one remains to be seen.

III. The Good of Liberty

If these scattered remarks are on the right track, then working out Rachels and Ruddick's general strategy may be more complicated than they suppose. For if I am correct, liberty is not a necessary condition for having any biographical life at all, and is moreover not necessarily important to us if all it makes possible is an intolerably minimal life. To apply the authors' strategy, then, what we need, in order to establish the importance of liberty, is a description of the level of liberty necessary for having a tolerable-or-better life -- and a life which is, unlike Calvin's, genuinely made by the person who lives it. Then if we can show that such a life is transparently better than Calvin's, and better than any more minimal one, and better than having no biographical life at all, we will have shown the importance of the liberty necessary for it. The notion of a biographical life suggests, moreover, that we might get some help in all of this from considering the conditions necessary for living a whole life. It seems to me that that is a very interesting way of approaching liberalism's fundamental project, and I am grateful to Rachels and Ruddick for developing it.