

Euthanasia and well-being: did Joseph Raz change his mind?

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Abstract. I identify what appears to be a “glaring” inconsistency between what Joseph Raz says on euthanasia in a 2012 lecture and what he says on well-being within his most celebrated book, *The Morality of Freedom*. There also appears to be a subtler inconsistency between what he says and his endorsement of H.L.A. Hart’s opposition to a definitional project.

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Unremitting great pain. In his lecture “Death in Our Life,” Joseph Raz considers the claim that certain kinds of life are not worth living and so appropriate for euthanasia, including a life of unremitting great pain. Raz considers a person with such a life who chooses to die. He cannot see what mistake they are making. But he also considers a person with such a life who chooses to live, and he cannot see what mistake they are making. How can it be that neither is making a mistake? His solution is that the choice to live makes such a life worth living whereas the choice to die does not, and so he rejects the claim that this kind of life is simply not worth living.¹ But does Raz’s conclusion cohere with the rest of his philosophy?

It seems inconsistent with what he says about well-being in his most celebrated book *The Morality of Freedom*, in a way that leads me to wonder whether he just changed his mind. There Raz helpfully identifies three points he has made about well being. I quote:

(1) All but the biologically determined aspects of a person’s well-being consist of the

¹ Raz’s wording is not great for interpreters. He writes, “Assume that neither makes any mistake. It cannot be that their life is both worth living and not worth living. Could it be that it is worth living for those who choose to live and not worth living for those who choose to die?” (2013: 6) Although I take Raz to be answering yes, the wording after the question is anything but helpfully blunt. I also take him as committed to the view that the choice is what makes such a life worth living or not, if this is distinct from a yes answer.

successful pursuit of goals which he has or should have. Beyond its biologically determined component a person's well-being can be promoted only through his willing acceptance of goals and pursuits.

(2) People adopt and pursue goals because they believe in their independent value, that is their value is believed to be at least in part independent of the fact that they were chosen and are pursued.

(3) Barring a person's biologically determined needs and desires his well-being depends, at the deepest level, on his action reasons and his success in following them. (1986: 308)

But if the choice to live is based on some value believed to be independent of the choice, how can Raz maintain that choosing to live a life of unremitting great pain somehow makes that life worth living? Doesn't Raz have to say that any value in that kind of life must derive from the independent value of whatever goal the choice aims to realize, for example the goal of being an icon? Either that goal is valuable in this context or it is not, and if it is not then the life chosen lacks value.²

A vegetative life. There seems to be a less apparent inconsistency with Raz's earlier writings. When addressing the argument that euthanasia is appropriate for a vegetative life because this is not worth living, he tells us:

The vegetative life is not worth living. That is an easy case, for it is a barely animate life at all. It is a vegetative life, and the reasons to preserve inanimate life based on its intrinsic value are not very strong. (2013: 6)

I assume that Raz would have conceded that the concept of a vegetative life is clearer than the concept of a life not worth living, in that the conditions in which a life counts as falling under the

² I find it natural to read Raz as saying that the choice to live makes that kind of life worth living, rather than the goal which the choice is aiming at; but he does specify goals and ones which invite less criticism than being an icon, such as just getting to experience the world (2013: 6).

former are clearer than the conditions in which something counts as falling under the latter. That unclarity is at least partly what gives rise to puzzles over whether a certain kind of life is worth living or not.

But in his obituary of H.L.A. Hart, he sounds as if he endorses Hart on legal concepts: the project of defining the concept of a law and other legal concepts as subtypes of broader types is not worth pursuing because these broader types are unclear (Raz 1993: 145; Hart 2012: 15). How can Raz, or Razians, reconcile these commitments?

- (a) A vegetative life is a type of life which is a paradigm case of the type life not worth living.
- (b) Our concept of the type life not worth living is not as clear to us as our concept of the type vegetative life.
- (c) Hart is right to criticize attempts to define legal concepts as subtypes within broader types, on the grounds that our concepts of these broader types are unclear.

Given (a) and (b), Raz would presumably accept some definitions which specify one type as a paradigm of a broader type, even though that broader type is not so clear to us, but then he has to reject (c).³ (See also Edward 2022.)

References

Edward, T.R. 2022. H.L.A. Hart on defining a law as a subtype of an unclear type. Available at:

<https://philpapers.org/rec/EDWHHO>

Hart, H.L.A. 2012 (third edition). *The Concept of Law*. Oxford: Oxford University Press.

Raz, J. 1986. *The Morality of Freedom*. Oxford: Clarendon Press.

³ I don't think appealing to degrees of unclarity will help, because I cannot see any reason to say, "The concept of a rule system is unclear whereas the concept of a life worth living is merely not so clear."

Raz, J. 1993. H.L.A. Hart (1907-1992). *Utilitas* 5 (2): 145-156.

Raz, J. 2013. Death in Our Life. *Journal of Applied Philosophy* 30 (1): 1-11.