

The Hierarchy of Values and the Ambiguity of Fairness

By Gary Greenberg

Anything, at any place and at any time, that anyone wants to interact with, positively or negatively, is a value to that individual. The item desired might be physical property, an idea, a dream to be realized, a goal to be achieved, a person's characteristics, a memory, an invention planned out in one's mind, a principle of behavior, a propensity for truth, a vision of beauty, a particular color, an ideal behavior, a state of nature, a particular aspect of reality, and so on. Not everyone shares the same appreciation for an individual's value choice, and for some people, the absence of one person's value might be a desired value for someone else.

During a person's life, the individual places one's values in some sort of hierarchical matrix. Each person probably has a unique set of value arrangements. Few people sit down and itemize a list, and even fewer try to make lists of everything they've ever valued. The average person has a few important ones in the forefront (often family and having enough to eat) and some other values dangle around conspicuously in the mind, but one rarely thinks about most personal values unless they come up in some context.

Libertarians (across the free market spectrum of thought) are fond of saying that individual rights (to be free from coercion as opposed to, say, a collective's right to seize property from someone to pay for some other individual's medical treatment) represent the highest form of value. They consider this a universal and objective truth. This view is wrong.

What they really mean, I suspect, is that individual rights are the highest form of "political" value. But in the larger matrix of individual values it may fall somewhere lower down in the list of all individually held values. As proof of the proposition, consider that many libertarians denounce the governments of states such as New York, California, or Illinois, as horribly statist societies, less free than many other states in the union, yet continue to live in those states because of other benefits that sufficiently compensate one for giving up one set of restrictions for some less onerous set in another location. These benefits might include a job that pays the bills, a crime-free housing environment, good schools, living close to one's family, a lively theater and arts scene, better restaurants, and so on.

Even if we accept the amended libertarian claim that individual rights are the highest "political" value, that pronouncement would still be somewhat inaccurate. It might be true for the libertarian, but it may not be true for others. In fact, the highest political value held by most people, as close to universal as any, is the belief in "Fairness." For libertarians, "fairness" entails a system of individual rights, but for others, it may generate a very different political perspective.

"Fairness" is an ambiguous term that describes a principle about how people should be treated but doesn't by itself tell you what that treatment should be. Each person's sense of "Fairness" derives from their own matrix of personal values, and people can have very different reactions to the same situation. Few people ever think about what all their "fairness" principles are, but for most, I would suspect that opposing bullies and violence against the innocent are among the top four or five principles.

“Innocence,” however, like “Fairness” is subject to a differing understanding based on one’s situation and values matrix. The poorer the population (due to the actions of the protecting “sovereign”) the more likely many may believe that the ailing affluent are not innocent in their suffering.

Not all situations considered unfair are necessarily political situations. (“It’s unfair that my daughter didn’t get the lead in the Nutcracker when she put in so much more effort than the child who got cast in the starring role.”) And the relative importance of the particular “unfairness” may affect how much concern should be expended in responding.

In the political arena, one might see a situation as unfair and deserving of a solution but consider a loudly advocated (but not necessarily popular) proposed solution to also be unfair. For example, someone might think it unfair that someone is rendered helpless by a disease but believe that such people should be helped through charities rather than through a massive government program that takes control over all medical issues.

Ultimately, if a free market system that respects individual rights is to survive, it will not be so much because governments protected the system of individual rights but because so many people within the government’s domain thought it was the “fair” way to do things and shouldn’t be changed. The moment popular opinion turns against individual liberty, and that moment is fast arriving (if it hasn’t already arrived,) no government restrained by the chains of a paper Constitution will protect individual rights. If there is anything free market advocates of protection by a sovereign government should have learned by now, judges who oppose the principles of individual liberty will straight out lie about what the Constitution says or means. Almost a century of judicial dishonesty confirms that thesis.

That individual liberty cannot survive a sovereign government where such principles are rejected as “unfair,” isn’t in and of itself an argument that we should abandon sovereign government. But, if so many people believe in the fairness and efficacy of the free market, they are, I suggest, just as likely to support free market alternatives to less efficient government services.

On the other hand, if advocates of individual liberty are perceived as hypocrites for not following their principles to the logical end, such actions could hasten the collapse of the “sovereign” protection. If people see a group of people demanding the government stop crime in order to save their lives, those same observers might find it a bit hypocritical that such advocates oppose saving the lives of hungry people through other forms of government aid.

It is incumbent, therefore, for proponents of a free market alternative to sovereign government, to demonstrate that a free market in government-style services would be more efficient (and fairer to society and its constituents) in protecting the rights of individuals against predators, domestic and foreign, than is “sovereign” government. To meet this obligation, it will be necessary to dissect various government services such as courts, legislation, policing, military defense, and show how a laissez-faire market system can do a far superior job. That should be fun, and, hopefully, convincing.