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**DIGNITAS**

**Revija za človekove pravice**

**Slovenian journal of human rights**

**ISSN 1408-9653**

Raz on Reasons, Principles and Guiding  
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**Article information:**

To cite this document:

Strahovnik, V. (2018). Raz on Reasons, Principles and Guiding, Dignitas, št. 49/50, str. 118-131.

Permanent link to this document:

<https://doi.org/10.31601/dgnt/49/50-5>

Created on: 07. 12. 2018

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# Raz on Reasons, Principles and Guiding

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*Vojko Strahovnik*<sup>1</sup>

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In his work on the theory of value and action Joseph Raz defends some genuinely original and very interesting ideas on the nature of normativity, reason and value. He defends the idea that reason has a guiding function in our lives and that the domain of value is intelligible. In this vein, he also puts forward a critique of moral particularism as a view that radically challenges the role of moral principles and rules in our deliberation and action. Raz presents a complex argument against particularism. After a brief nickel tour of the strand of moral particularism that Raz criticises, this paper first presents Raz's argument against particularism. Some possible counter-arguments from the side of particularism are suggested. The paper then points to common ground between Raz and particularism. At the end, the paper discusses Raz's recent views on the nature of rules and applies these views to the sphere of morality and a discussion about moral particularism.

## 1. Moral Particularism – A Nickel Tour

Moral particularism is a recently developed position in the field of moral theory, although its beginnings can be traced back to Aristotle. Its essential claim is the uncodifiability of morality thesis, encompassing the claim that morality cannot be captured in a set of moral principles or rules and therefore that moral reasoning does not follow the so-called subsumption model, according to which we come to believe that some actions are morally right and others morally wrong by their falling under or conforming to some general moral principle.<sup>2</sup>

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<sup>2</sup>See Strahovnik, in: Lance/Potrč/Strahovnik (eds.): *Challenging Moral Particularism*, 2008, pp. 1-11,

Prominent authors in this area include the two British moral philosophers John McDowell and Jonathan Dancy. This is Dancy's core characterisation of moral particularism:

“Moral particularism, at its most trenchant, is the claim that there are no defensible moral principles, that moral thought does not consist in the application of moral principles to cases, and that the morally perfect person should not be conceived as the person of principle. There are more cautious versions, however. The strongest defensible version, perhaps, holds that though there may be some moral principles, still the rationality of moral thought and judgment in no way depends on a suitable provision of such things; and the perfectly moral judge would need far more than a grasp on an appropriate range of principles and the ability to apply them. Moral principles are at best crutches that a morally sensitive person would not require, and indeed the use of such crutches might even lead us into moral error.”<sup>3</sup>

In a similar vein, McDowell claims that “[i]f one attempted to reduce one's conception of what virtue requires to a set of rules, then, however subtle and thoughtful one was in drawing up the code, cases would inevitably turn up in which a mechanical application of the rules would strike one as wrong – and not necessarily because one had changed one's mind; rather, one's mind on the matter was not susceptible of capture in any universal formula”<sup>4</sup> and, further, that an essential part of moral judgment is the recognition of reasons in a particular situation, which requires a special skill akin to Aristotle's *phronesis*. Moral knowledge arises out of our moral sensitivity that is analogous to perceptual ability. Neither moral knowledge nor moral virtue can be captured with general principles and rules; “[o]ccasion by occasion, one knows what to do, if one does, not by applying universal principles but by being a certain kind of person: one who sees situations in a certain distinctive way.”<sup>5</sup>

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for a general introduction to moral particularism.

<sup>3</sup>Dancy, Moral Particularism, <http://plato.stanford.edu/archives/spr2009/entries/moral-particularism/> (Accessed 15 January 2011)

<sup>4</sup>McDowell, *Mind, Value, and Reality*, 1998, p. 58.

<sup>5</sup>*Ibid.*, p. 73.

A position closely related to particularism is that of the holism of reasons. The holism of reasons, sometimes also referred to as the claim about the context-sensitivity of reasons, contends that reasons are sensitive to the context in such a way that by changing the context they can either lose their normative power as reasons or reverse their polarity. Whether a certain fact will count as a reason cannot be predicted from its function as a reason in other situations; a certain feature can be a reason for an action in one context and a reason against an action in another. Reasons also do not follow a simple additive model of moral reasoning in the sense that sometimes two reasons for an action actually work as a reason against it, as in the example of the old joke that appears in Woody Allen's classic movie *Annie Hall* (1977), where a complaint is made that there are two things wrong about a particular restaurant, namely that the food there is really terrible and that the portions are too small.

The holism of reasons lies in the background of particularism, but is in no way identical with it. One can readily accept the holism and context-sensitivity of reasons and still accept some kind of principled morality.<sup>6</sup> The fact that reasons are sensitive to context does not necessarily mean that they cannot be governed by general rules which would encompass such sensitivity. The relationship between the two is mentioned here especially because Raz understands the holism of reasons as being very strongly connected with moral particularism.

## 2. Preparing the Discursive Terrain

Raz acknowledges that, when we reflect on our moral reasoning and deliberation, we sometimes encounter cases in which we seem to readily rely on moral principles and rules, both when forming our decision and later when we put forward a justification for our actions. For example, I refrain from doing A because that would constitute cheating and cheating is wrong. But, on the other hand, there are cases where such principles are *prima facie* not part of our moral reasoning and nor do we appeal to them when providing justification since we recognise that the case at hand is too complex to allow for the forming of an exceptionless

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<sup>6</sup> See e.g. McKeever and Ridge, *Principled Ethics: Generalism as a Regulative Ideal*, 2006, or Lance and Little, *From Particularism to Defeasibility in Ethics*, 2008.

moral principle and to always act on it.<sup>7</sup>

As mentioned, Raz understands particularism as primarily a thesis about the nature of reason, claiming that what is a reason in one situation or context need not be a reason for the same action in another context.<sup>8</sup> Further on, this thesis is not to be understood in terms of “citable” reasons, i.e. reasons that people may cite or point to when asked to provide a justification for their actions, but in terms of good, i.e. normative reasons for action.

### 3. The Arguments against Particularism

Raz offers two distinctive but related arguments against particularism. The first appeals primarily to the intelligibility of the domain of morality, while the second accuses particularism of driving a wedge between the evaluative and guiding function of reason.

#### 3.a The Argument from Intelligibility

Here is a reconstruction of the first argument, which rests on the presupposition about the intelligibility of the domain of morality and claims that no interesting particularist thesis is compatible with the consequences of such intelligibility.

[1] Moral reasoning, deliberation and justification essentially appeal to reasons.

[2] Reasons (evaluative properties) have an evaluative and a guiding function.

[3] The domain of evaluative properties and of reasons is intelligible.

[4] Whenever two situations differ in some evaluative properties there is an explanation of that difference. This explanation points to differences between situations which account for the fact that a certain evaluative property applies to one situation and not to another. (from 3)

[5] If the domain of morality is intelligible, then it is (in principle) possible to arrive at general principles that encompass all such explanations of the differences about the application of evaluative terms and about evaluative properties. (from 4)

<sup>7</sup>Raz, *Engaging Reason: On the Theory of Value and Action*, 1999, p. 218.

<sup>8</sup>*Ibid.*, p. 228.

[6] The availability of such general principles makes the interesting core of the particularist thesis false.

*[1] Moral reasoning, deliberation and justification essentially appeal to reasons.*

This is a general presupposition about the nature of morality. Morality is the domain of reason(s) and therefore reasoning, deliberation and justification should follow reasons that are present in the situation at hand.

*[2] Reasons (evaluative properties) have an evaluative and a guiding function.*

Evaluative properties of actions, that is, those that make those actions morally right or wrong, good or bad and in whose light we should perform or omit them, serve both an evaluative and a guiding function. This means that we evaluate actions according to these reasons and at the same time we use these reasons to guide our actions. For Raz there should be no substantial gap between these two functions.<sup>9</sup>

*[3] The domain of evaluative properties and of reasons is intelligible.*

In the sphere of morality nothing is “arbitrary”, there is always an explanation of e.g. why some action is right or wrong. These explanations are made by appealing to reasons<sup>10</sup> (Raz 1999: 220). This then implies the following claim.

*[4] Whenever two situations differ in some evaluative properties there is an explanation of that difference. The explanation appeals to some further difference among them, that is, it points to differences between situations which account for the fact that a certain evaluative property applies to one situation and not to another.<sup>11</sup>*

This thesis is implied by the intelligibility of morality. Whenever we are prompted to provide a justification for why we

<sup>9</sup> Ibid., pp. 219-220.

<sup>10</sup> Ibid., p. 220.

<sup>11</sup> Raz denies that supervenience could be used to account for such intelligibility, especially the global supervenience thesis claiming that evaluative supervenes upon non-evaluative and that no two actions or situation can differ in evaluative properties without there being a difference in non-evaluative properties. Ibid., pp. 220-225.

judged one situation in a particular way and another situation in another, we should be able to point to some difference between the two.

*[5] If the domain of morality is intelligible, then it is (in principle) possible to arrive at general principles that encompass all such explanations of the differences about the application of evaluative terms and about evaluative properties.*

If we take an evaluative concept or a property then, given what was said above, there is at least in principle a possibility to formulate a general principle which governs the application of that property. Such a principle would include any considerations that might figure in the explanations of the cases mentioned above. Such principles might be very complex – given the fact that morality is complex – but nonetheless might implicitly govern our (proper) use of evaluative concepts and deliberation in particular cases.

*[6] The availability of such general principles makes the interesting core of the particularist thesis false.*

If the particularist thesis is principally that there are no moral principles and rules, then the above considerations undermine the core of particularism. Any other thesis particularism might offer must be compatible with this conclusion.

The argument from intelligibility claims that a straightforward denial of the existence of moral principles and rules as the core thesis of particularism is bound to be implausible since that is precluded by the intelligibility of reasons. So particularism must have some other thesis in mind, e.g. the holism or context-sensitivity of reasons.

### **3.b The Argument from Guiding**

The second argument Raz offers against particularism leans more on the guiding function of reasons. Particularism claims that a consideration that might be a reason for an action in one situation can be a reason against an action in another. For example, the fact that my action will give pleasure is in many situations a reason for doing that action or approving of it, while it may also happen that in the case where this pleasure is sadistic it constitutes a rea-



son against that action or it might happen that pleasure does not represent a reason at all. Here is an outline of an argument against this that employs the idea that reasons must serve both an evaluative and a guiding function.

[1] Moral reasoning, deliberation and justification essentially appeal to reasons.

[2] Reasons (evaluative properties) have an evaluative and a guiding function.

[3] The domain of evaluative properties and of reasons is intelligible and this intelligibility requires that there is an explanation of the differences between cases (as was established in the argument from intelligibility).

[4] What is a reason in one case (when fully specified) must be the same reason in all other cases. (from 3)

[5] If particularism is true and one and the same fact can sometimes be a reason for and sometimes against an action, then either what is a reason in one case is not necessarily the same reason in all other cases (contra 4) or features other than reasons must also determine the moral status of acts.

[6] If features other than reasons determine the moral status of actions, then reasons cannot serve both an evaluative and a guiding function and this drives a wedge between the evaluative and guiding function of reasons.

[7] Therefore it is not the case that one and the same fact can sometimes be a reason for and sometimes against an action.

*[1] Moral reasoning, deliberation and justification essentially appeal to reasons.*

*[2] Reasons (evaluative properties) have an evaluative and a guiding function.*

*[3] The domain of evaluative properties and of reasons is intelligible.*

The first three premises are the same as in the previous argument and represent a general argumentative background and a framework for the debate.

*[4] What is a reason in one case (when fully specified) must be the same reason in all other cases. (from 3)*



Raz claims that “the intelligibility of value means that there must be a difference between the context of the two instantiations which explains why the same fact [...] is a reason in one and not in the other”.<sup>12</sup> We must think of reason in terms of complete, that is, fully specified reasons. What people often cite as their reasons are in most cases just partial explications of a complete reason and this can lead to the impression that one and the same fact can represent a reason for action in some situation and a reason against action in another. A complete reason “includes all the relevant evaluative factors”<sup>13</sup> that morally justify a given action.<sup>14</sup> Thus, when we take a complete reason into consideration we realise that it cannot change its valence as particularism claims since that would be an arbitrary brute fact.

*[5] If particularism is true and one and the same fact can sometimes be a reason for and sometimes against an action, then either what is a reason in one case is not necessarily the same reason in all other cases (contra 4) or features other than reasons must also determine the moral status of acts.*

Particularism thus finds itself in a dilemma. Either it must recognise that reasons are not context-sensitive or it must claim that reasons are context-sensitive in a way that features of facts about an action that are not part of reasons for or against that action (evaluative properties) explain the difference between the two cases. If we take the mentioned case of pleasure; if pleasure is sometimes a reason for an action and sometimes against it, then reasons are context-sensitive in such a way that what is a reason in one case is not necessarily the same reason in all other cases (but this goes against the intelligibility requirement) or one must allow other features (e.g. that this pleasure is not a sadistic pleasure) to determine the moral value of an action.

*[6] If features other than reasons determine the moral status of actions, then reasons cannot serve both an evaluative and a guid-*

<sup>12</sup> Ibid., p. 230.

<sup>13</sup> Ibid., p. 236.

<sup>14</sup> Raz provides the following more detailed definition of a complete reason. “A complete reason consists of all the facts stated by the non-redundant premises of a sound deductive argument entailing as its conclusion a proposition of the form ‘There is a reason for P to V’ (where P stands for an expression referring to an agent or a group of agents, and V for a description of an action, omission, or a mode of conduct).” Ibid., p. 228, n. 22.

*ing function and this drives a wedge between the evaluative and guiding aspect of reasons.*

The evaluative and guiding functions of reasons are better kept in close vicinity. Reasons are the basis upon which actions are judged as well as serving as reasons for their performance. “[T]he value of actions serves both an evaluative and a guiding function. [...] While the two can come apart in certain cases, they cannot drift too far apart without conflicting with our understanding of notions of guiding and evaluating actions. A major weakness of Dancy’s thesis is that it drives a wedge between reasons for actions and the evaluation of those actions. [...] According to Dancy, the same feature can be a reason for the action of which it is a feature in one context and against it in another. How can that be? This cannot be an arbitrary brute fact. The intelligibility of value means that there must be a difference between the context of the two instantiation which explains why the same fact is a reason in one and not in the other. Yet, the difference will not figure as part of the reason. If it did then it would not be true that the same fact is a reason in one situation and not in the other.”<sup>15</sup> Particularism can respond here by raising the so-called guiding problem and claim that no one can be guided by all the relevant factors in a situation that form part of the set of reasons in that given situation. Raz’s response is that maybe such considerations are not part of our explicit deliberation or reasons that we cite as the one that guided our behaviour, but can still be part of the implicit aspect of deliberation and this escapes our ability to articulate them fully. It is completely plausible that what people would cite as a reason can be context-sensitive, but this only shows that people’s understanding of reasons can be incomplete and tells us nothing about the nature of reasons.

*[7] Therefore it is not the case that one and the same fact can sometimes be a reason for and sometimes against an action.*

Given the above premises, Raz concludes that reasons are not variable or context-sensitive and that particularism is in this respect implausible.

Raz therefore concludes that both aspects often associated with particularism, i.e. (i) the denial of the existence of moral princi-

<sup>15</sup> Ibid., pp. 229-230.

ples and rules, and (ii) the holism or context-sensitivity of reasons are questionable, making particularism implausible.

#### 4. The Truth in Particularism

Nonetheless, Raz is willing to admit that there is some truth in particularism. The first aspect concerns the role of moral principles and rules in our moral deliberation and action. In this respect, particularism revealed an important truth that the role of moral principles is smaller than usually presupposed by moral theories. The second aspect concerns the possibility of the complete codifiability of morality, which is impossible according to Raz, mainly because one must take account of the difference between the first-person and third-person perspective in moral judgment.<sup>16</sup>

Raz concludes from all this that we must reject the thought that “morality or any other significant domain of practical rationality consist in principles, or that conformity to reason within it consist in following principles” (1999: 245). Explicit deliberation (either in a moral or in some other normativity-based domain) does not amount to identifying a principle and therefore “there is no reason to think that an augmented account of being guided by reasons (...) would take the form of identifying principles and following them” (1999: 226-7). Knowledge of reasons often exceeds our ability to articulate them. One’s moral reasoning is thus not committed to identifying principles and following them, despite the fact that in principle one could express considerations that one is justifiably guided in the form of a principle. Particularism is then right in diminishing the role of principles in moral thought and action. Further, Raz claims that reasons for action and moral

<sup>16</sup> Here Raz points to the case of Captain Vere from Melville’s novel *Billy Budd* and the analysis of the case offered by Peter Winch. Winch claimed that Captain Vere finds himself in a conflict between his two pressing duties, one arising out of his private conscience telling him that he should not condemn Billy Budd to death (since he is “innocent before God”) and the other arising out of his duties as a commander in the imperial navy and abiding by the Mutiny Act. He goes on to argue that Vere’s judgment that the right thing to do is to condemn Billy Budd is not universalisable. He (that is Winch) would have acted differently (although he recognises the same moral considerations as Vere did), allowing both, Vere and him, in this case to do the right thing; Vere has done what was right for him and Winch would have done what would be right for him. Raz sees this as a case where both options are open to the agent in this situation since there is a sort of tie between incommensurate reasons on both sides. If this is true then further features such as the moral character of an agent can provide additional considerations for the agent to decide the case. This is then the difference between the third-person perspective (in which both actions are equally morally right) and the first-person perspective (where it may happen that a given action is not right for A but might be right for B). *Ibid.*, pp. 239-245.

considerations are not completely universalisable in every case. He demonstrates this by highlighting the difference between the first and the third-person perspective in moral deliberation and claims that in cases where there is a tie between reasons for and against an action or where reasons on each side are incommensurable then we can allow that features such as the character of persons and differences among them influence the moral status of action. It can therefore happen that an action in a given situation is right for me, but would be wrong for another person with a different character.

In contrast, the intelligibility of morality demands that every explanation of the difference between the cases at hand is universalisable, although it may happen that in some special cases this difference is not itself a reason. Raz shows that when we specify complete reasons these are not variable and always function as the same reasons. This latter fact undermines the most interesting thesis that particularism has to offer.

## 5. On the Nature of Rules

This last part of the paper addresses Raz's recent defence<sup>17</sup> of the role of rules in most normativity-related domains. This defence is independent of the considerations against particularism presented above. By examining the value of (having) rules we can extrapolate another possible argument that Raz might have against particularism.

In his essay "Reasoning with Rules", Raz starts with the presupposition that rules affect our action and justification for action. Specifically, this happens since some rules are such that they are reasons for action, but as reasons they are different from other reasons in a sense that, unlike other reasons, they do not point to the good in a given action. Raz calls this feature the opacity of rules. Not all rules are reasons; they might play other roles. Rules that are reasons are mostly unconditional and man-made.

But the central question remains: how can people create reasons just by acting with the intention to do something like, for example, in agreements and promises? I made an agreement to do A and there is now a reason for me to do A (normative) despite the

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<sup>17</sup>Raz, *Between Authority and Interpretation*, 2009.

fact that as a reason it points to no value regarding A (evaluative). If I have agreed to do B or even not to do A I would still have the reason to do as I agreed. For Raz, such considerations show that there is a normative gap between the normative and evaluative.

Raz claims that the opaqueness of rules and the normative gap are closely related to the content-independence of such rules in a sense that the opaqueness is a consequence of content-independence and that content-independence is just an aspect of the normative gap.<sup>18</sup> The content-independent justification of rules is a justification that does not depend on the desirability of actions for which these rules are reasons and is crucial to the understanding of how rules can provide reasons.

The content-independence of rules is also interestingly related with the transitivity of justification and reasons. In general, justification is transitive. If A justifies B and B justifies C, then A justifies C. "If there is a reason to read the novel because it is a good novel, and it is a good novel because it is insightful and subtle, then that it is insightful and subtle is a reason to read it."<sup>19</sup> In the case of rules as reasons, this link is broken. Let A stand for the desirability of people to keep the agreements or promises they have made; B is that you do what you have agreed to do, and C stand for me going to a symposium in Nova Gorica. In this case, A justifies B, and B justifies C, but it is not the case that A justifies C.

Raz calls this the autonomy thesis: rules make a difference; if valid they constitute reasons which one would not have but for them and considerations that justify a rule do not constitute the same reason for action that the rule constitutes.

Rules as reasons actually provide reason for action A (a protected reason) and also a reason for not acting apart from A (an exclusionary reason). The rule that promises ought to be kept provides a reason for me to do what I have promised and, at the same time, gives me reason to refrain from other actions that would e.g. prevent me to fulfil my promise.<sup>20</sup> Rules enable pre-commitments.

<sup>18</sup> Ibid., p. 211.

<sup>19</sup> Ibid., p. 213.

<sup>20</sup> We can link this to an argument that Brad Hooker puts forward in his paper "Moral Particularism: Wrong and Bad" (Hooker, In: Hooker/Little (eds.): *Moral Particularism*, 2000, pp. 1-23). Hooker invites us to imagine a case of Patty and Gerry. A shared commitment to morality should give us some assurance that other members of a certain group will not attack us, rob us, break promises and agreements, lie to us etc. "Now if shared commitment to morality should, among other things create settled expectations about how others will behave, how does particularism look? Imagine we knew of other people only that they were committed moral particularists. This is all we know of them - the particularist content of their moral view and their strong moral commitment to live by it. Would

Therefore, moral rules can indeed represent reasons and play an important role in morality. This is then another distinct argument against ethics without principles and rules (particularism) since it cannot account for this kind of reasons.

## 6. Conclusion

We have seen that Raz offers at least three different arguments against particularism. Particularists do have some dialectic space to counter them.

Regarding the argument from intelligibility, particularists might respond that in principle such a possibility to formulate exceptionless moral principles does not support a comprehensive principled account of morality. These principles might end up being very complex and specific, even to the point where we would end up with moral principles that would only apply to a very small number of situations or even being equivalent with the principles underlying the supervenience relations between the descriptive and evaluative properties of a given action. There they would be very unlike the traditional moral principles and rules and would not be usable in practice as moral guides.

Regarding the argument from guiding, what is problematic is the notion of a complete reason that would be invariable. Raz provides no good examples of such reasons. The concern is the same as before; it may happen that such reasons would be extremely complex and unusable in practice.

Regarding Raz's argument from rules as reasons, the best way out for moral particularism is to claim that while it might be true that rules can create reasons in the case of pre-commitments this

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we have enough confidence that they'd virtually never attack us, rob from us, break their promises to us, etc.?" (ibid., p. 16). Let us suppose that Patty is a moral particularist, and Gerry is a Ross style moral pluralist. Both live by their moral beliefs. And, hypothetically, you are in a position as you ask yourself whom to trust. All three of you are farmers. Patty comes to you with a proposal that if you will help her with harvesting her crop from the fields this month, she will help you with your crop next month. If each of you sticks to your side of the deal, both of you will be better off since there is no other possibility of such help and the crops are spoiling fast in the field so that no one alone could harvest all of it. And you have no direct or indirect experience of Patty except that you know her self-description and commitment to moral particularism. Gerry is a convinced Rossian generalist, he believes that harming others, stealing, destroying, promise breaking, lying etc., are always serious moral minuses. He also makes the same proposal to you. Which one would you trust more? Hooker claims that a shared intuition is that (if anybody) you should trust Gerry and not Patty. Based on this example, Hooker argues that since Gerry always attaches some moral weight to promises and Patty decides case by case particularism is defeated by Rossian generalism in that collective public commitment to Rossian generalism would lead to considerably more trust amongst strangers than would collective public commitment to particularism.

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is not enough to cover all morality. Particularism might allow some moral principles and rules to exist, but this does not mean that morality as a whole is principled as most of the traditional views in ethics presuppose.

We may conclude that Raz offers several original and diverse arguments against moral particularism, although the latter position is not completely defenceless against them.<sup>21</sup>

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<sup>21</sup> A draft version of this paper was presented at the international conference Legal Argumentation and Legal Theory held in Nova Gorica between 29 and 30 October 2010. I would like to thank the participants and discussants at this event for their valuable feedback.