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PART VIII

## Morality and the Good Life

Morality and the Good Life
Introduction

Although philosophy is sometimes represented as a purely theoretical subject, concerned with abstract contemplation, philosophers have from earliest times seen it as part of their task to discover how human beings can live fulfilled and worthwhile lives.

All of us acquire directly from parents and teachers, and more indirectly from the general social ethos in which we grow up, certain guidelines on how to live; the term ‘morality’ comes from the Latin mores, meaning a network of social customs and institutions. But, true to its characteristically critical function, philosophy never rests content with an acceptance of prevailing norms: it seeks to scrutinize those norms, to examine whether they are consistent and coherent, and so see how far they can be rationally justified. What is the ultimate source of our ideas of good and evil, right and wrong? Are there objective, rationally defensible standards of right action? What is the relationship between the ethical principles we are encouraged to adopt and individual self-interest? What connection is there, if any, between how we ought to behave, and how we can achieve happy and contented lives? These are some of the fundamental issues with which moral philosophers have been concerned; the materials presented in this part of the volume uncover some of the principal landmarks in the long tradition of Western moral philosophy.

1 Morality and Happiness: Plato, Republic *

As with so many branches of philosophy, it is the writings of Plato that set the direction of much subsequent inquiry in the Western philosophical tradition. Plato, and his mentor Socrates, saw philosophy (the 'love of wisdom') as the key to understanding how human beings should live. In his monumental work, the Republic, Plato sets out a vision of justice in the state and the individual. The dominant element in that vision is a conception of life lived in accordance with reason, where goodness and virtue flow from an intellectual understanding of reality, and where the enlightened philosopher-rulers devote their lives to the contemplation of truth and the service of the state. But Plato is well aware that these austere and high-minded ideals are at odds with what many people see as the more immediate and tangible rewards of self-interest. In our first extract, Plato raises the issue of whether goodness and virtue are really worthwhile for the individual. The story of Gyges' ring (which makes the wearer become invisible at will)

graphically poses the question of how we would act if we could be sure of getting away with immoral conduct. Life is not, of course, like this: the offender often risks getting caught (and most religious teaching promises the wrongdoer punishment in the next world, if not in this). But though it may be prudent to act morally for this kind of reason ('honesty is the best policy'), this does not show that the virtuous life is intrinsically good - valuable for its own sake. The dialogue (from Book 11 of the Republic) is opened by Glaucon, who challenges Socrates to defend the life of virtue. Socrates (speaking in the first person) responds, for once, more as a listener than a leader of the discussion; later on Glaucon's brother, Adeimantus, supports Glaucon's argument. Putting the case

for immorality in its strongest and most troubling form, Glaucon and Adeimantus demand an answer to what has become one of the defining questions of moral philosophy: why should I be moral?

Let me ask you now. How would you arrange goods - are there not some which we welcome for their own sakes, and independently of their consequences, as, for example, harmless pleasures and enjoyments, which delight us at the time, though nothing follows from them?

I agree in thinking there is such a class, I replied.

Is there not also a second class of good, such as knowledge, sight, health, which are desirable not only in themselves, but also for their results?

Certainly, I said.

And would you not recognize a third class, such as gymnastics, and the care of the sick, and the physician's art; also the various ways of money-making - these do us good but we regard them as disagreeable; and no one would choose them for their own sakes, but only for the sake of some reward or result which flows from them?

There is, I said, this third class also. But why do you ask?

Because I want to know in which of the three classes you would place justice.

In the highest class, I replied - among those goods which he who would be happy desires both for their own sake and for the sake of their results.

Then the majority are of another mind; they think that justice is to be reckoned in the troublesome class, among goods which are to be pursued for the sake of rewards

and of reputation, but in themselves are disagreeable and rather to be avoided.

Plato, Republic [Politeia, c.380 bc], Bk II (357b2-367c5). Trans. B. Jowett, in The Dialogues of Plato
(Oxford: Clarendon, 1892), vol. II, pp. 36-47; with omissions.

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I know, I said, that this is their manner of thinking . . . But I am too stupid to be convinced . . .

I wish, he said, that you would hear me ... To my mind the nature of justice and injustice have not yet been made clear. Setting aside their rewards and results, I want
to know what they are in themselves, and how they inwardly work in the soul. If you
please then ... I will speak first ... of the nature and origin of justice, according to the
common view of them. Secondly, I will show that all men who practise justice do so
against their will, of necessity but not as a good. And thirdly, I will argue that there is reason in this view, for the life of the unjust is after all better far than the life of the
just - if what they say is true, Socrates, since I myself am not of their opinion . . . Will
you say whether you approve of my proposal?

Indeed I do; nor can I imagine any theme about which a man of sense would oftener wish to converse.

I am delighted, he replied, to hear you say so, and shall begin by speaking, as I proposed, of the nature and origin of justice.

They say that to do injustice is, by nature, good; to suffer injustice, evil; but that the evil is greater than the good. And so when men have both done and suffered injustice and have had experience of both, not being able to avoid the one and

obtain the other, they think that they had better agree among themselves to have neither, hence there arise laws and mutual covenants; and that which is ordained by law is termed by them lawful and just. This they affirm to be the origin and nature of justice; - it is a mean or compromise, between the best of all, which is to
do injustice and not be punished, and the worst of all, which is to suffer injustice without the power of retaliation; and justice, being at a middle point between the two, is tolerated not as a good, but as the lesser evil, and honoured by reason of the inability of men to do injustice. For no man who is worthy to be called a man would ever submit to such an agreement if he were able to resist; he would be
mad if he did. Such is the received account, Socrates, of the nature and origin of justice.

Now that those who practise justice do so involuntarily, and because they have not
the power to be unjust, will best appear if we imagine something of this kind: having
given both to the just and the unjust power to do what they will, let us watch and see
where desire will lead them; then we shall discover in the very act the just and unjust
man to be proceeding along the same road, following their interest ... and only diverted into the path of justice by the force of law.

The liberty which we are supposing may be most completely given to them in the form of such a power as is said to have been possessed by Gyges, the ancestor of
Croesus the Lydian. According to the tradition, Gyges was a shepherd in the service of
the king of Lydia, there was a great storm, and an earthquake made an opening in the
earth at the place where he was feeding his flock. Amazed at the sight, he descended
into the opening, where, among other marvels, he beheld a hollow brazen horse, having doors, at which stooping and looking in he saw a dead body of stature, as appeared to him, more than human, and having nothing on but a gold ring; this he
took from the finger of the dead and re-ascended. Now the shepherds met together,
according to custom, that they might send their monthly report about the flocks to

the king; into their assembly he came having the ring on his finger, and as he was



sitting among them he chanced to turn the bezel of the ring inside his hand, when instantly he became invisible to the rest of the company and they began to speak of
him as if he were no longer present.

He was astonished at this, and again touching the ring he turned the bezel outwards
and reappeared; he made several trials of the ring, and always with the same result -
when he turned the bezel inwards he became invisible, when outwards he reappeared.
Whereupon he contrived to be chosen one of the messengers who were sent to the
court; where as soon as he arrived he seduced the queen, and with her help conspired
against the king and slew him, and took the kingdom.

Suppose now that there were two such magic rings, and the just put on one of them
and the un just the other; no man can be imagined to be of such an iron nature that he
would stand fast in justice. No man would keep his hands off what was not his own
when he could safely take what he liked out of the market, or go into houses and lie
with any one at his pleasure, or kill or release from prison whom he would, and in all
respects be like a God among men. Then the actions of the just would be as the actions of the unjust; they would both come at last to the same point. And this we may truly affirm to be a great proof that a man is just, not willingly or because he thinks that justice is any good to him individually, but of necessity, for wherever any
one thinks that he can safely be unjust, there he is unjust. For all men believe in their

hearts that injustice is far more profitable to the individual than justice, and he who argues as I have been supposing, will say that they are right. If you could imagine any one obtaining this power of becoming invisible and never doing any wrong or touching what was another's, he would be thought by the lookers-on to be a most wretched idiot, although they would praise him to one another's faces, and keep up appearances with one another from a fear that they too might suffer injustice. Enough of this.

Now, if we are to form a real judgement of the life of the just and unjust, we must isolate them . . . Therefore I say that in the perfectly unjust man we must assume the most perfect injustice; there is to be no deduction, but we must allow him, while doing the most unjust acts, to have acquired the greatest reputation for justice. If he has taken a false step he must be able to recover himself; he must be one who can speak with effect, if any of his deeds come to light, and who can force his way where force is required by his courage and strength, and command of money and friends.

And at his side let us place the just man in his nobleness and simplicity, wishing, as Aeschylus says, to be and not to seem good. There must be no seeming, for if he seems to be just he will be honoured and rewarded, and then we shall not know whether he is just for the sake of justice or for the sake of honours and rewards; therefore, let him be clothed in justice only, and have no other covering; and he must be imagined in a state of life the opposite of the former. Let him be the best of men, and let him be thought the worst; then he will have been put to the proof; and we shall see whether he will be affected by the fear of infamy and its consequences. And let him continue

thus to the hour of death; being just and seeming to be unjust The just man

who is thought unjust will be scourged, racked, bound - will have his eyes burnt out;
and, at last, after suffering every kind of evil, he will be impaled. Then he will understand that he ought to seem only, and not to be, just; the words of Aeschylus
may be more truly spoken of the unjust than of the just. For the unjust is pursuing a



reality; he does not live with a view to appearances - he wants to be really unjust and
not to seem only: -

His mind has a soil deep and fertile
Out of which spring his prudent counsels

In the first place, he is thought just, and therefore bears rule in the city; he can marry
whom he will, and give in marriage to whom he will; also he can trade and deal where
he likes, and always to his own advantage, because he has no misgivings about injustice; and at every contest, whether in public or private, he gets the better of his
antagonists, and gains at their expense, and is rich, and out of his gains he can benefit
his friends, and harm his enemies; moreover, he can offer sacrifices, and dedicate gifts
to the gods abundantly and magnificently, and can honour the gods or any man whom he wants to honour in a far better style than the just, and therefore he is likely
to be dearer than they are to the gods. And thus, Socrates, gods and men are said to
unite in making the life of the unjust better than the life of the just.

1 was going to say something in answer to Glaucon, when Adeimantus, his

brother,
interposed: Socrates, he said, you do not suppose that there is nothing more to be urged?

Why, what else is there? I answered.

The strongest point of all has not been even mentioned, he replied.

Well, then, according to the proverb, ‘Let brother help brother’ - if he fails in any part do you assist him; although I must confess that Glaucon has already said quite
enough to lay me in the dust, and take from me the power of helping justice.

Nonsense, he replied. But let me add something more. There is another side to Glaucon’s argument about the praise and censure of justice and injustice, which is
equally required in order to bring out what I believe to be his meaning. Parents and
tutors are always telling their sons and their wards that they are to be just; but why?
not for the sake of justice, but for the sake of character and reputation; in the hope of
obtaining for him who is reputed just some of those offices, marriages and the like
which Glaucon has enumerated among the advantages accruing to the unjust from
the reputation of justice. More, however, is made of appearances by this class of persons than by the others; for they throw in the good opinion of the gods, and will
tell you of a shower of benefits which the heavens, as they say, rain upon the pious . . . They take them down into the world below, where they have the saints lying on couches at a feast, everlastingly drunk, crowned with garlands; their idea seems to be that an immortality of drunkenness is the highest reward of virtue. Some
extend their rewards yet further; the posterity, as they say, of the faithful and just shall
survive to the third and fourth generation. This is the style in which they praise justice. But about the wicked there is another strain; they bury them in a slough in Hades, and make them carry water in a sieve; also while they are yet living they bring
them to infamy, and inflict upon them the punishments which Glaucon described

as
the portion of the just who are reputed to be unjust; nothing else does their invention
supply. Such is their manner of praising the one and censuring the other.

Once more, Socrates, I will ask you to consider another way of speaking about justice and injustice, which is not confined to the poets, but is found in prose writers.
The universal voice of mankind is always declaring that justice and virtue are honourable, but grievous and toilsome; and that the pleasures of vice and injustice

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are easy of attainment, and are only censured by law and opinion. They say also that
honesty is for the most part less profitable than dishonesty; and they are quite ready
to call wicked men happy, and to honour them both in public and private when they
are rich or in any other way influential, while they despise and overlook those who
may be weak and poor, even though acknowledging them to be better than the

others And the poets are the authorities to whom they appeal, now smoothing

the path of vice with the words of Hesiod: -

Vice may be had in abundance without trouble;

the way is smooth and her dwelling-place is near.

But before virtue the gods have set toil,

and a tedious and uphill road . . . And now when the young hear all this said about
virtue and vice, and the way in which gods and men regard them, how are their minds
likely to be affected, my dear Socrates, - those of them, I mean, who are

quick-witted
and, like bees on the wing, light on every flower, and from all that they hear are prone
to draw conclusions as to what manner of persons they should be and in what way
they should walk if they would make the best of life? Probably the youth will say to
himself in the words of Pindar -

Can I by justice or by crooked ways of deceit
ascend a loftier tower

which may be a fortress to me all my days?

For what men say is that, if I am really just and am not also thought just, profit there is none, but the pain and loss on the other hand are unmistakable. But if, though unjust I acquire the reputation of justice, a heavenly life is promised to me.
Since then, as philosophers prove, appearance tyrannizes over truth and is lord of
happiness, to appearance I must devote myself. I will describe around me a picture
and shadow of virtue to be the vestibule and exterior of my house; behind I will trail
the subtle and crafty fox, as Archilochus, greatest of sages, recommends. But I hear
someone exclaiming that the concealment of wickedness is often difficult; to which I
answer, Nothing great is easy. Nevertheless, the argument indicates this, if we would
be happy, to be the path along which we should proceed. With a view to concealment
we will establish secret brotherhoods and political clubs. And there are professors of
rhetoric who teach the art of persuading courts and assemblies; and so, partly by persuasion and partly by force, I shall make unlawful gains and not be punished. Still I
hear a voice saying that the gods cannot be deceived, neither can they be compelled.
But what if there are no gods? or, suppose them to have no care of human things -

why in either case should we mind about concealment? And even if there are gods,
and they do care about us, yet we know of them only from tradition and the genealogies of the poets; and these are the very persons who say that they may be
influenced and turned by ‘sacrifices and soothing entreaties and by offerings’. Let us be
consistent then, and believe both or neither. If the poets speak truly, why then we had
better be unjust, and offer of the fruits of injustice; for if we are just, although we may
escape the vengeance of heaven, we shall lose the gains of injustice; but, if we are
unjust, we shall keep the gains, and by our sinning and praying, and praying and sinning, the gods will be propitiated, and we shall not be punished . . .

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Now as you have admitted that justice is one of that highest class of goods which are desired indeed for their results, but in a far greater degree for their own sakes — like
sight or hearing or knowledge or health, or any other real and natural and not merely
conventional good - 1 would ask you in your praise of justice to regard one point only:
I mean the essential good and evil which justice and injustice work in the possessors of
them. Let others praise justice and censure injustice, magnifying the rewards and honours of the one and abusing the other; that is a manner of arguing which, coming
from them, I am ready to tolerate, but from you who have spent your whole life in the
consideration of this question, I expect something better. And therefore, I say, not only prove to us that justice is better than injustice, but show what they either of them
do to the possessor of them, which makes the one to be a good and the other an evil,
whether seen or unseen by gods and men.

# 2 Ethical Virtue: Aristotle, Nicomachean Ethics *

T he relationship between virtue and happiness, which had much exercised Plato, was also a central issue in the ethical writings of his pupil Aristotle. Aristotle was in no doubt that the life of virtue, informed by reason, constituted the good for mankind; he argued consistently that living in accordance with virtue was the key to achieving eudaimonia , happiness or fulfilment. But what if selfish desires are in conflict with the demands of virtue - suppose we ought to be courageous and help defend our fellow citizens against foreign attack, but selfishness makes us want to run away? Aristotle's crucial insight here is that ethical virtue is not merely something intellectual (a rational grasp of how one should act), but involves ingrained dispositions of character, habits of feeling and action ( he connects the very word 'ethical' with the Greek noun ethos, 'custom' or 'habit'). Ethical excellence, Aristotle argues, is in this respect like musical excellence: you become good by constant practice. It is therefore a mistake to think that we can be good just by weighing up calculations, or balancing the costs and benefits of various courses of action . 1 The virtuous individual will have been trained from an early age to have the right kinds of desires, and to behave in the right kind of way, at the appropriate time. So

the presence (for example) of an excessive desire to run away, in the face of reasonable odds, is already an indication that the ethical character has not been developed as it should have been. Here Aristotle introduces his famous doctrine of the mean: courage is a disposition (to act and react in certain ways) that lies in between two extremes —

the vice of excess (foolhardiness), and the vice of deficiency (cowardice). And so with the other virtues (generosity, for instance, lies on a mean between being a spendthrift and being stingy).

Aristotle's doctrine of the mean does not, and is not meant to, provide a decision procedure or criterion for determining what should be done on any given occasion. Indeed, part of the point of Aristotle's approach is that ethical virtue is not a matter of isolated acts, but involves an ingrained pattern of action and desire that is manifested over a whole lifetime — hence the importance of his account of virtue as a disposition of character. The dispositions of the virtuous agent, however, are not a matter of mindless habituation: the patterns of virtue which we aim to acquire, and instil into our children, are those which reason can recognize as making for a maximally worth-while human life, a life where we can develop our human potentialities to the full.

* Aristotle, Nicomachean Ethics [Ethika Nikomacheia, c . 325 bc], extracts from Bk I, ch. 7, and Bk II, chs 1,
j 5 and 6 (1097b21-1098al8; 1103al6-b25; 1 1 05b 1 9— 1 107a8). Translation by John Cottingham.
Contrast the utilitarian approach: see extract 6, below.

ETHICAL VIRTUE: ARISTOTLE

To say that happiness is the supreme good perhaps seems something that is generally
agreed, and we need a clearer account of what it is. This might be available if we find
the function of a human being . . . What might this be? Living seems common to plants, but we are looking for something special to humans, so we should set aside the
life of nutrition and growth. Next would come some sort of sentient life, but this is

common to horses, oxen and every animal. There remains some sort of active life of
the rational part of the soul . . . Suppose, then, that the function of a human being is
an activity of the soul in accordance with, or involving, reason. Now the function of
an X and a good X are of the same kind (for example of a harpist and a good harpist);
this is true in all cases, when we add to the function the outstanding accomplishment
that corresponds to the virtue (the harpist's function is to play, that of the good
harpist to play well). So if we take the function of a human being to be a certain life,
namely an activity of the soul and actions expressing reason, then the excellent man's
function will be to do this well and in a fine way (each function being discharged well
when performed in accordance with its special virtue). So it follows that the good for
humankind is an activity of the soul in accordance with virtue (or if there are several
virtues, in accordance with the best and most complete virtue). And we must add, in a
complete life. For one swallow does not make a summer, nor does one day; and
similarly neither one day, nor a short time, is enough to make someone blessed and
happy. . .

Virtue is of two kinds, intellectual and ethical. Intellectual virtue owes its origins
and its growth more to teaching, and so needs experience and time; but ethical virtue
comes about from habit - hence even its name derives (by a slight modification) from
the word 'ethos', custom or habit. It is clear from this that none of the ethical virtues
arises in us by nature; for none of the things that exist by nature can be radically
altered by habituation. For instance, a stone, which by nature moves downwards,
cannot be habituated to move upwards no matter how many thousand times you try
to train it by throwing it upwards; and you cannot get fire to move downwards, or
train anything that naturally behaves in one way to behave in another. Hence the

ethical virtues do not come about by nature - but neither do they come about contrary to nature: we are naturally constituted so as to acquire them, but it is by habit that they are fully developed.

Now whenever we come to have something by nature, we are first provided with the relevant capacities, and subsequently come to exercise the activities. (This is clear
in the case of the senses: it was not from frequent seeing or hearing that we acquired
these senses, but the other way around - we had the senses and then used them, rather
than acquiring them as a result of using them). But in the case of the virtues, we acquire them by previously exercising them, as happens with the other arts. Whatever
we have to learn to do, we learn by doing it: people become builders by building, and
lutanists by playing the lute. Thus it is by doing just things that we become just, and
by acting temperately that we become temperate, and by doing brave things that we
become brave. This is confirmed by what happens in city-states: legislators make the
citizens good by instilling good habits (this is the intention of every legislator, and those who do not achieve it fail in their aims - this is how a good constitution differs
from a poor one).

The causes and means whereby every virtue is cultivated or destroyed are the same,
just as in the case of all the arts. It is by playing the lute that people become good or



bad lute players, and the same holds for builders and all the rest. By building well people get to be good builders, and they become bad builders from building badly. If
this was not the case, there would be no need for teachers, and everyone would be

born good or bad. It is just like this with the virtues. By behaving in a certain way in
our dealings with human beings some of us become just and others unjust; by what
we do in the face of danger, and by acquiring habits of timidity or boldness, we become brave or cowardly. And the same holds good with respect to desires and feelings of anger: some people become temperate and patient, while others become
self-indulgent and bad-tempered, depending on the way they behave in the relevant
situations. In a word, activities of a certain kind produce corresponding dispositions.
This is why the activities we perform must be of a certain kind; for as these differ, so
the dispositions that follow from them will differ. Thus the kinds of habits we form from early childhood are of no small importance; they matter a great deal - indeed,
they make all the difference . . .

We must now examine what virtue is. Since there are three conditions arising in the
soul - feelings, capacities and dispositions, virtue must be one of these. By feelings I
mean anger, fear, boldness, envy, joy, love, hatred, longing, jealousy pity and in general
whatever is accompanied by pleasure or pain. By capacities I mean what makes us
capable of the relevant feelings - in virtue of which we are said to be capable of being
angry or sorrowful, or feeling pity. Dispositions are what make us in a good or bad way
in respect to the feelings; for example, in the case of being angry, we are in a bad way if
our feeling is too vehement or too feeble, and so in other cases.

Neither the virtues nor the vices are feelings, for we are not called worthy or worthless on account of our feelings, but on account of our virtues and vices. Moreover, we are not praised or blamed on account of our feelings. For a person is
not praised for being frightened or angry; it is not simply for being angry that someone is blamed, but for being angry in a particular way. But we are praised or

blamed on account of our virtues and vices. Then again, we feel angry or frightened
without choosing to, whereas virtues are choices of some kind, or involve choice. In
addition, we are said to be moved with respect to our feelings, but in the case of the
virtues and vices it is not a matter of being moved but of being in a certain condition.
By the same token, the virtues are not capacities either. For we are not said to be good
or bad, or praised or blamed, simply in virtue of being capable of feeling. And again,
we have capacities by nature, but we are not good or bad by nature, as noted above. So
if the virtues are neither feelings nor capacities, it remains that they are dispositions.
This then is our account of the kind of thing virtue is.

But to say, as we have, that virtue is a disposition is not enough - we need to specify
what kind of disposition. Whenever something has a virtue, the virtue is what ensures
it is in a good state and makes it perform its function well. Thus the virtue of the eye
makes the eye and its function good - it is the virtue of the eye that makes us see well.
Similarly, the virtue of a horse makes it an excellent one - good at galloping and
carrying its rider and withstanding the enemy. If this applies to all cases, then the
virtue of a human being will be the disposition that makes a human being good, and
makes him perform his function well . . .

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In everything continuous and divisible, one can have a larger or smaller or equal
quantity, either with respect to the object or relative to us; and the equal amount is a
mean between excess and deficiency. I call the mean with respect to the object that

which is equidistant from the two extremes, and this is one and the same for everyone;
but the mean in relation to us is what is neither excessive nor deficient, and this is
not one and the same for all. Thus ten is many and two is few, we take six as the mean with respect to the object, for it is equidistant between the larger and the smaller numbers. This is the mean as an arithmetical ratio. But the mean in relation
to us cannot be taken in this way. If ten pounds is a lot to eat and two pounds a little,
it does not follow that the trainer will prescribe six, since this may be a lot or a little
for the person who is to taKe it (for Milo the athlete it may be too little, but for someone starting to train too much; and similarly for running or wrestling). So everyone who understands what they are doing avoids excess and deficiency and
seeks out and chooses the mean - but not the mean with respect to the object, but
relative to us.

Let us take it then that every science performs its function well when it looks to the
mean and guides its products towards it. Hence people say of products that are in a
good state that one cannot take away or add anything, any excess or deficiency being
enough to destroy the good state, while the mean preserves it; and good craftsmen, as
we have said, look to the mean when they work. If this is so, then since virtue, like
nature, is more accurate and efficient than any craft, it too will aim at the mean. I am
speaking here of ethical virtue, or virtue of character; for this is concerned with feelings and actions, and here we find excess, deficiency and the mean. For one may
feel fear and confidence and desire and anger and pity, and pleasure and pain generally, too much or too little; and neither of these is good. But to have these feelings at the right time, on the right grounds, towards the right people, for the right
purpose and in the right way - this is the intermediate and best condition, and the characteristic of true virtue.

In the case of actions too, there is, in the same way, excess, deficiency and the mean.
Virtue is concerned with feelings and actions, in which excess and deficiency go astray,
while the mean is praised and on the right path, both of which are marks of virtue. So
virtue is a mean, and it aims at what is intermediate.

Now it is possible to go astray in many ways, but there is only one correct path (for
evil, as the Pythagorean model has it, belongs to the Unlimited, while good belongs to
the limited). Hence the former is easy and the latter difficult, and it is easy to miss the
target and hard to hit it. This again shows that excess and deficiency relate to vice, and
the mean to virtue: ‘Many the paths of vice; of goodness only one.’

Virtue then is a disposition concerned with choice, lying on a mean that is relative to us, determined by reason, in the way a prudent man would determine it. It is a mean between two vices, one of excess and the other of deficiency. And while some
vices fall short and others exceed the right amount, in both feelings and actions, virtue
discovers the mean and chooses it. So as far as its nature and essential definition goes,
virtue is a mean; but in respect of what is best and right, it is an extreme.

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3 Virtue, Reason and the Passions:
Benedict Spinoza, Ethics *

Aristotle’s vision of the good life, as we have

seen, was one informed by reason and characterized by moderate patterns of desire, neither excessive nor deficient. But to the Stoic thinkers who immediately followed Aristotle, it seemed clear that the life of reason was in constant danger of being blown off course by the turbulence of our human emotions. Accordingly, in place ot the Aristotelian ideal of metriopatheia , moderate desire, they advocated a life of apatheia - a life in which the potentially harmful passions were entirely suppressed. Many centuries later, Benedict Spinoza made the conquest of the passions the central theme of his Ethics (c. 1665). Following the Stoics, Spinoza equates the life of virtue with a life lived in accordance with our rational nature: when we are pursuing what reason perceives as genuinely beneficial to us, we are acting freely and virtuously. But when we are in the grip of the passions we are like slaves, acting at the behest of some external power (compare the case of someone who has genuinely decided that avoiding fatty foods is best for his health, but who is 'driven' by his lust for chocolate to finish the entire box). Spinoza's remedy against the passions is essentially a cognitive one: the use of reason will enable us to understand the inevitable causes of all things (Spinoza is a strict determinist), 1 and the knowledge so gained will reduce and ultimately eliminate our longing for what cannot be. As Spinoza puts it, 'the more this

knowledge [that things are necessary] is applied to individual cases, which we imagine more vividly and distinctly, the greater is the power of the mind over the passions'.

The good life, for Spinoza, is essentially a tranquil and harmonious one, and this links up with the chief reason why the passions should be overcome - they are responsible for disharmony

and discord, both in relations with one's fellow human beings and within oneself. With respect to internal disharmony, one of Spinoza's central points is that when we are acting in accordance with our rational nature, and with maximal knowledge and understanding, we can be said to be truly autonomous agents - in charge of our own lives; in Spinoza's words, we can be said to act, rather than being acted on. But when we are driven by desires we imperfectly understand, towards goals which often, on reflection, we see to be unworthy, then we are not 'in charge': we are 'acted on', rather than acting. In Spinozan ethics there thus turns out to be a very intimate connection between philosophical understanding and the good life. Without such understanding, buffeted by alien forces we do not understand, we live from moment to moment, existing only in so far as things are happening to us-, but the person who is possessed of philosophical wisdom will 'be aware of himself and of God and of all things by a kind of eternal necessity' and hence 'possesses true peace of mind'.

|TT1| The lack of power human beings have in moderating and restraining the passions

1 I call slavery. For someone who is beholden to the passions is not independent, but

under the control of fortune. He is so much in fortune's power that often, though he
can see what is better for him, he is none the less compelled to take the worser course . . .

* Benedict Spinoza, Ethics [ Ethica ordine geometrico demonstrata, c.1665], extracts from Part IV ('Human
Slavery'), Preface; Props. 5D, 17S, 18D, 18S, 20, 20S, 22C, 24, 26, 26D, 27, 28D, 31, 31C, 32, 33, 34, 35,

35D, 35C2, 35S; Part V (‘Human Freedom’), Props. 6, 6D, 6S, 10, 10D, 10S, 20S, 42S; heavily abridged.
Translation by John Cottingham. It should be noted that in the original text Spinoza supports his
propositions by complex geometrical-style demonstrations from axioms and definitions.

Compare introduction to Part V, extract 8, above.

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The essence of a passion cannot be explained through our nature alone. For the power of a passion cannot be defined in terms of the power by which we strive to preserve our existence, but must be defined by the power of some external cause when
compared with our own . . .

It is necessary to get to know both the power and the lack of power our nature has,
so that we can determine what reason is capable or incapable of in moderating the
emotions . . .

The very essence of a human being is desire, that is, a striving by which a man tries
to preserve his existence . . .

Since reason demands nothing contrary to nature, it demands that everyone should
love himself and seek his own benefit - what is really advantageous to him, and whatever really leads a man to greater perfection. And in an absolute sense, it demands of each human being that he should strive to preserve his being, in so far
as he can.

Next, since virtue is nothing else but acting from the laws of our own nature, and no one strives to preserve his being except from the laws of his own nature, it follows,
first, that the foundation of virtue is this very striving for self-preservation, and

that
happiness consists in man's ability to preserve his existence. Second, it follows that we
should seek virtue for its own sake, and not for any ulterior purpose, since there is
nothing that is more important or more beneficial for us . . .

The more each person seeks what is beneficial to him, that is, strives to preserve his
existence, and the greater power he has to do this, the more he is endowed with virtue.
Conversely, in so far as anyone neglects what is beneficial to him, namely preserving
his existence, the less power he has . . .

No one, then, unless he is overcome by external causes which are contrary to his nature, neglects to seek what is beneficial to him, or preserve his existence. No one
avoids food, or takes his own life, from the necessity of his own nature, but only when
compelled by external causes. This can happen in many ways. Someone holding a
sword in his hand may be forced to kill himself by someone else who twists his hand
and makes him direct the sword at his own heart. Or he may be compelled to open his
veins on the orders of a tyrant, as Seneca was - a case of choosing a lesser evil to avoid
a greater. Or finally, hidden external causes may so influence his imagination, and
affect his body, that he takes on a completely different nature . . . But it is no more
possible that someone should strive not to exist, or to change into another form, from
the necessity of his own nature, than it is for something to come from nothing . . .

The striving to preserve oneself is the first and only foundation of virtue. No other principle or virtue can be conceived prior to this, or apart from it . . .

For us to act out of virtue in the absolute sense is nothing else but acting and living

and preserving our existence (these three mean the same) by the guidance of reason,
on the basis of seeking what is beneficial to ourselves . . .

Whatever we strive for from reason is nothing but understanding. The mind, in so far as it employs reason, judges nothing to be beneficial to itself but what conduces to
understanding . . .

This striving by which the mind, in so far as it reasons, endeavours to preserve its
existence, is nothing else but understanding; and hence this striving to understand is
the first and only foundation of virtue. We do not strive to understand things for the sake of some further goal; on the contrary, the mind, in so far as it reasons, is



unable to conceive of anything that is good for it apart from what conduces to understanding.

There is nothing we know for certain to be good except what really conduces to understanding, and nothing we know for certain to be bad except what can hinder us
from understanding . . .

The greatest thing the mind can understand is God, that is, a being that is absolutely infinite and without which nothing can exist or be conceived. Hence what is supremely beneficial or good for the mind is the knowledge of God. Now only in so far as it understands does the mind act, and only in so far as it understands
can it be said to act from virtue in the absolute sense. But the greatest thing the mind
can understand is God. Hence the supreme virtue of the mind is to understand, or
know, God . . .

In so far as a thing agrees with our nature, it is necessarily good . . . From this it follows that the more something agrees with our nature, the more advantageous

or
good it is; and conversely, the more advantageous for us something is, the more it
agrees with our nature . . .

In so far as people are subject to the passions, they cannot be said to be in harmony
in their nature . . .

People can be in discord in their nature in so far as they are afflicted with passions.
In this respect one and the same person can be changeable and inconstant . . .

In so far as human beings are afflicted by the passions, they can be in conflict with
one another . . .

Only in so far as human beings live under the guidance of reason are they necessarily always in harmony in their nature. For in so far as humans are afflicted
by the passions, they can be different in nature, and can be in conflict with one another. But human beings are said to act only in so far as they live following the guidance of reason. Hence, whatever follows from human nature, as defined by reason, must be understood through human nature alone, in so far as this is its immediate cause. But everyone, from the laws of his own nature, seeks what he judges
to be good and strives to avoid what he judges to be evil; and what we judge to be
good or evil when following the dictates of reason is necessarily good, and what we
judge to be evil necessarily evil. Hence human beings, in so far as they live following
the guidance of reason, will necessarily do what is good for human nature and consequently for each human being - that is, what is in accord with the nature of each human being. Hence human beings, in so far as they live following the guidance
of reason, are necessarily always in harmony amongst themselves . . .

When each man most seeks what is beneficial for himself then men are most useful
to one another. For the more each person seeks his own advantage and strives

to
preserve himself, the more he is endowed with virtue; or (which comes to the same
thing) the greater power he has of acting in accordance with the laws of his own nature, that is, of living following the guidance of reason. But human beings are most
in harmony in nature when they live following the guidance of reason. Hence humans
will be most useful to each other when each person seeks what is advantageous to
himself.

This conclusion is confirmed by daily experience; so abundant and so clear is the evidence that you will find almost everyone subscribing to the common saying ‘man is
a God to man’. Yet it rarely comes about that humans do live following the guidance of



reason; things are organized so that they are generally envious, and troublesome to
each other. None the less they are virtually incapable of living a solitary life, and hence
most agree with the definition of man as a social animal. The fact is that many more
benefits than burdens come from shared human society. . .

In so far as the mind understands all things as necessary, it has more power over the
passions, and is less affected by them. The mind understands all things to be necessary, and to be determined to exist and produce their effects by an infinite chain of causes. Hence the mind can bring it about that it is less acted on by the passions arising from these causes, and less affected in respect of them.

The more this knowledge (that things are necessary) is applied to individual cases,
which we imagine more vividly and distinctly, the greater is the power of the mind over the passions. This is confirmed by experience. We observe that the grief for

a good man who has died diminishes as soon as the person who has suffered the loss
reflects on how there could have been no way of keeping hold of the good that has been lost. Again, we see that no one pities infants for their inability to speak or talk or reason, or because they live all those early years without being aware of
themselves, as it were. But if nearly everyone was born fully grown, and only one or two were born as infants, then everyone would pity infants; we would then consider infancy not as a natural and necessary thing, but as a kind of flaw or fault
in nature . . .

For as long as we are not afflicted by the passmns, which are contrary to our nature,
we have the power of ordering and connecting the states of the body according to the
order of the intellect. The passions which are contrary to our nature, that is, which are
bad, are bad in so far as they hinder the mind from understanding. So for as long as
we are not afflicted by the passions, which are contrary to our nature, the power by
which the mind strives to understand things is not hindered; and hence it has the power to form clear and distinct ideas, and deduce some from others. Consequently,
during this time we have the power of ordering and connecting the states of the body
according to the order of the intellect. By this power of correctly ordering and connecting the states of the body we can bring it about that we are not easily affected
by the evil passions . . .

But in order better to understand this power of the mind over the emotions, we should note first of all that when we call the emotions ‘great’, this is when we are comparing one man’s emotion with another’s and see that the first man is more afflicted with the same emotion than the second. Or alternatively it is when we are
comparing different emotions in one and the same man, and notice that he is more
affected or moved by one emotion than the other. Now the force of any given emotion

is defined by the power of an external cause as compared with our own. But the power
of the mind is defined solely by its knowledge, while lack of power, or passion, is defined solely by the privation of knowledge (i.e. that in virtue of which ideas are called ‘inadequate’). From this it follows that a mind is most passive when the greatest
part of it is made up of inadequate ideas, so that it is characterized more by how it is
acted on than by how it acts. By contrast, a mind is most active when the greatest part
of it is made up of adequate ideas; although it may have as many inadequate ideas as
in the former case, it is characterized more by the ideas which belong to human virtue
than by those which show our lack of power.

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Notice next that maladies of the mind and misfortunes have their chief source in too much love towards something which is subject to many variations, and which we
cannot ever possess. No one is worried or anxious about anything unless he loves it;
and complaints and suspicions and hostility all arise from love towards things which
no one can really possess.

From this we can easily conceive what can be achieved against the emotions by clear
and distinct knowledge, and especially the highest kind of knowledge whose founda-
tion is the knowledge of God. Such knowledge may not completely remove the emotions, in so far as they are passions, but at least it brings it about that they constitute the smallest part of the mind. Furthermore, it gives rise to love towards something immutable and eternal - something which we do really possess, and which
therefore is not tainted by any of the vices to be found in ordinary love, but which can
grow and grow till it occupies the greatest part of the mind, and spreads its

influence
far and wide.

. . . From this it is clear how much the wise man is capable of, and how he is more
powerful than the ignorant person who is acted upon by lust alone. For the ignorant
man, besides being buffeted in manifold ways by external causes, never acquires true
peace ot mind; he lives as if he has no knowledge of himself, or God or anything; and
as soon as he stops being acted on, he ceases to be. The wise man, by contrast, considered as such, is scarcely subject to any disturbance of mind; being aware of
himself and of God and of all things by a kind of eternal necessity, he never ceases to
be, but always possesses true peace of mind.

If the way which I have shown as leading to all this seems hard, yet it is one that can
be found. And indeed it must be hard, given that it is so seldom discovered. If the way
to salvation were ready to hand and could be found without any great effort, how could it happen that almost everyone ignores it? Everything to be treasured is as hard
to achieve as it is rare to attain.

4 Human Feeling as the
David Hume, Enquiry
Principles of Morals*

The long tradition, exemplified in Spinoza, which put reason at the centre of philosophical accounts of the good life, was challenged in the mid-eighteenth century by David Hume. ‘Reason,’ Hume famously wrote, ‘is and ought to be only the slave of the passions and can never

Source of Ethics:

concerning the

pretend to any other office than to serve and obey them.' 1 Reason on its own, on Hume's view, is inert, and cannot provide any impulse or motivation to action. Hence, as often in Hume's philosophy, human nature has to take over where reason fails.' For Hume, morality is

* David Hume, Enquiry concerning the Principles of Morals [1751], Section V, parts 1 and 2; Section IX,
parts 1 and 2; abridged, with minor modifications of spelling and punctuation. There are many editions
available, including that by T. L. Beauchamp (Oxford: Oxford University Press, 1998), which includes
an introduction for students.

' 7t Treatise of Human Nature [1739-40], Bk II, part iii, section 3.

2 Compare Part I, extract 7; Part VII, extract 6.



founded ultimately on the natural feelings or sentiments we find within us. Where do such feelings come from? Against the view that virtue arises principally from education and training (compare Aristotle, extract 2, above), Hume suggests in the extract below that the social virtues have a 'natural beauty and amiableness' which 'recommends them to the esteem of uninstructed mankind and engages their affections'. Other things being equal, Hume observes in a vivid example, none of us would choose to tread on another's 'gouty toes', when we could as easily walk on the pavement. Underlying our moral impulses, then, are natural sentiments of benevolence which 'engage us to pay [regard] to

the interests of mankind and society'.

Nevertheless, the potential conflict between self-interest and morality (compare Plato, extract 1, above) is never far from Hume's mind. He acknowledges that our feelings are often more vividly aroused by concern for ourselves, and those close to us, than they are by the thought of benefiting the world at large. But here evidence culled from ordinary experience

enters the picture to help explain why moral virtue is desirable. In the closing part of our extract, Hume suggests, first of all, that some of the virtues (temperance, for example) are obviously beneficial to their possessor's health and well-being; others, clubbable or 'companionable' virtues like good manners and wit, evidently make our lives with our fellow men more agreeable. Finally, even the 'enlarged virtues' of humanity, generosity and beneficence are, Hume argues, clear contributors to individual happiness; while dishonest behaviour may seem to produce momentary pleasure or profit, this is of slight value compared with the rewards of virtue - 'inward peace of mind, consciousness of integrity, a satisfactory review of our own conduct'. While Hume's arguments will not, perhaps, convince the determined amoralist or the defender of ruthless self-interest, they none the less provide an engaging picture of the individual and collective advantages of living in a society where naturally based impulses of benevolence, and their associated moral virtues, have firmly taken root.

From the apparent usefulness of the social virtues, it has been readily inferred by sceptics, both ancient and modern, that all moral distinctions arise from education,

and were at first invented and afterwards encouraged by the art of politicians in order
to render men tractable, and subdue them for society. This principle, indeed, of precept and education, must... be owned to have a powerful influence ... But that all moral affection or dislike arises from this origin will surely never be allowed by any
judicious enquirer. Had nature made no such distinction, founded on the original constitution of the mind, the words honourable and shameful, lovely and odious, noble
and despicable had never had place in any language; nor could politicians, had they
invented these terms, ever have been able to render them intelligible, or make them
convey any idea to the audience . . .

The social virtues must, therefore, be allowed to have a natural beauty and amiableness, which, at first, antecedent to all precept or education, recommends them to the esteem of uninstructed mankind, and engages their affections. And as
the public utility of these virtues is the chief circumstance whence they derive their
merit, it follows that the end which they have a tendency to promote must be some
way agreeable to us, and take hold of some natural affection. It must please, either
from considerations of self-interest, or from more generous motives and regards.

It has often been asserted that, as every man has a strong connection with society,
and perceives the impossibility of his solitary subsistence, he becomes, on that account, favourable to all those habits or principles which promote order in society,
and ensure to him the quiet possession of so inestimable a blessing. As much as we

value our own happiness and welfare, as much must we applaud the practice of justice and humanity, by which alone the social confederacy can be maintained, and every man reap the fruits of mutual protection and assistance.

The deduction of morals from self-love, or a regard to private interest, is an obvious thought . . . yet . . . the voice of nature and experience seems plainly to oppose the selfish theory. . . We frequently bestow praise on virtuous actions, performed in very distant ages and remote countries, where the utmost subtlety of imagination would not discover any appearance of self-interest, or find any connection of our present happiness and security with events so widely separated from us. A generous, a brave, a noble deed, performed by an adversary, commands our approbation, while in its consequences it may be acknowledged prejudicial to our particular interest . . .

Compelled by these instances, we must renounce the theory which accounts for every moral sentiment by the principle of self-love. We must adopt a more public affection, and allow that the interests of society are not, even on their own account, entirely indifferent to us. Usefulness is only a tendency to a certain end; and it is a contradiction in terms that anything pleases us as means to an end, where the end in no wise affects us. If usefulness, therefore, be a source of moral sentiment, and if this usefulness be not always considered with reference to self, it follows that everything which contributes to the happiness of society recommends itself directly to our approbation and good will. Here is a principle which accounts, in great part, for the origin of morality. And what need we seek for abstruse and remote systems, when there occurs one so obvious and natural?

Have we any difficulty to comprehend the force of humanity and benevolence? Or to conceive that the very aspect of happiness, joy, prosperity, gives pleasure; that pain,

suffering, sorrow, communicates uneasiness. The human countenance, says Horace,
borrows smiles or tears from the human countenance. Reduce a person to solitude,
and he loses all enjoyment, except either of the sensual or speculative kind; and that
because the movements of his heart are not forwarded by correspondent movements
in his fellow creatures. The signs of sorrow and mourning, though arbitrary, affect us
with melancholy; but the natural symptoms, tears and cries and groans, never fail to
infuse compassion and uneasiness. And if the effects of misery touch us in so lively a
manner, can we be supposed altogether insensible or indifferent towards its causes,
when a malicious or treacherous character and behaviour are presented to us?

... If any man, from a cold insensibility, or narrow selfishness of temper, is unaffected with the images of human happiness or misery, he must be equally indifferent to the images of vice and virtue; as, on the other hand, it is always found that a warm concern for the interests of our species is attended with a delicate
feeling of all moral distinctions, a strong resentment of injury done to men, a lively
approbation of their welfare. In this particular, though great superiority is observable
of one man above another, yet none are so entirely indifferent to the interest of their
fellow creatures as to perceive no distinctions of moral good and evil, in consequence
of the different tendencies of actions and principles. How indeed can we suppose it
possible in anyone, who wears a human heart, that if there be subjected to his censure
one character or system of conduct which is beneficial, and another which is perni-
cious, to his species or community, he will not so much as give a cool preference to
the former, or ascribe to it the smallest merit or regard? Let us suppose such a person

ever so selfish; let private interest have engrossed ever so much of his attention; yet in



instances where that is not concerned he must unavoidably feel some propensity to the good of mankind, and make it an object of choice, if everything else be equal. Would any man, who is walking along, tread as willingly on another's gouty toes, whom he has no quarrel with, as on the hard flint and pavement? . . . We surely take into consideration the happiness and misery of others, in weighing the several motives of action, and incline to the former, where no private regards draw us to seek our own promotion or advantage by the injury of our fellow creatures. And if the principles of humanity are capable, in many instances, of influencing our actions, they must, at all times, have some authority over our sentiments, and give us a general approbation of what is useful to society, and blame of what is dangerous or pernicious. The degrees of these sentiments may be the subject of controversy; but the reality of their existence, one should think, must be admitted in every theory or system . . .

The more we converse with mankind, and the greater social intercourse we maintain, the more shall we be familiarized to these general preferences and distinctions without which our conversation and discourse could scarcely be rendered intelligible to each other. General language, therefore, being formed for general use, must be moulded on some more general views, and must affix the epithets of praise or blame in conformity to sentiments which arise from the general interests of the community. And if these sentiments, in most men, be not so strong as those which

have a reference to private good, yet still they must make some distinction, even in
persons the most depraved anu selfish; and must attach the notion of good to a beneficent conduct, and of evil to the contrary. Sympathy, we shall allow, is much fainter than our concern for ourselves, and sympathy with persons remote from us
much fainter than that with persons near and contiguous; but for this very reason it is
necessary for us, in our calm judgements and discourse concerning the characters of
men, to neglect all those differences, and render our sentiments more public and social. Besides that we ourselves often change our situation in this particular, we every
day meet with persons who are in a situation different from us, and who could never
converse with us were we to remain constantly in that position and point of view which is peculiar to ourselves. The intercourse of sentiments, therefore, in society and
conversation, makes us form some general unalterable standard by which we may
approve or disapprove of characters and manners. And although the heart takes not
part entirely with those general notions, nor regulates all its love and hatred by the
universal abstract differences of vice and virtue, without regard to self, or the persons
with whom we are more intimately connected; yet have these moral differences a considerable influence, and being sufficient, at least for discourse, serve all our purposes in company, in the pulpit, on the theatre, and in the schools. 1

Thus, in whatever light we take this subject, the merit ascribed to the social virtues
appears still uniform, and arises chiefly from that regard which the natural sentiment
of benevolence engages us to pay to the interests of mankind and society. If we

*It is wisely ordained by nature that private connections should commonly prevail over universal views
and considerations; otherwise our affections and actions would be dissipated and lost, for want of a

proper object. Thus a small benefit done to ourselves, or our near friends, excites more lively sentiments
of love and approbation than a great benefit done to a distant commonwealth. But still we know here, as
in all the senses, to correct these inequalities by reflection, and retain a general standard of vice and
virtue, founded chiefly on general usefulness.

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consider the principles of the human make, such as they appear to daily experience
and observation, we must a priori conclude it impossible for such a creature as man to
be totally indifferent to the welb or ill-being of his fellow creatures, and not readily, of
himself, to pronounce (where nothing gives him any particular bias) that what promotes their happiness is good, what tends to their misery is evil, without any farther regard or consideration. Here then are the faint rudiments at least, or outlines,
of a general distinction between actions . . .

Again, reverse these views and reasonings. Consider the matter a posteriori, and weighing the consequences, enquire whether the merit of social virtue be not, in a
great measure, derived from the feelings of humanity with which it affects the spectators. It appears to be a matter of fact that the circumstance of utility, in all subjects, is a source of praise and approbation; that it is constantly appealed to in all
moral decisions concerning the merit and demerit of actions; that it is the sole source
of that high regard paid to justice, fidelity, honour, allegiance and chastity; that it is
inseparable from all the other social virtues, humanity, generosity, charity, affability,
lenity, mercy and moderation; and in a word, that it is a foundation of the chief part
of morals, which has a reference to mankind and our fellow creatures.

... It seems a happiness in the present theory that it enters not into that vulgar dispute concerning the degrees of benevolence or self-love which prevail in human nature - a dispute which is never likely to have any issue, both because men, who have taken part, are not easily convinced, and because the phenomena which can be produced on either side are so dispersed, so uncertain, and subject to so many interpretations that it is scarcely possible accurately to compare them, or draw from them any determinate inference or conclusion. It is sufficient for our present purpose if it be allowed, what surely without the greatest absurdity cannot be disputed, that there is some benevolence, however small, infused into our bosom; some spark of friendship for human kind; some particle of the dove kneaded into our frame, along with the elements ot the wolf and the serpent. Let these generous sentiments be supposed ever so weak; let them be insufficient to move even a hand or finger of our body, they must still direct the determinations of our mind, and where everything else is equal, produce a cool preference of what is useful and serviceable to mankind above what is pernicious and dangerous. A moral distinction, therefore, immediately arises; a general sentiment of blame and approbation; a tendency, however faint, to the object of the one, and a proportional aversion to those of the other.

. . . Having explained the moral approbation attending merit or virtue, there remains nothing but briefly to consider our interested obligation to it, and to inquire whether every man who has any regard to his own happiness and welfare will not best find his account 2 in the practice of every moral duty. If this can be clearly ascertained from the foregoing theory, we shall have the satisfaction to reflect that we have advanced principles which not only, it is hoped, will stand the test of reasoning and inquiry, hut may contribute to the amendment of men’s lives, and their improvement

in morality and social virtue . . .

But what philosophical truths can be more advantageous to society than those here
delivered, which represent virtue in all her genuine and most engaging charms, and

Lenity: gentleness, mildness.

Find his account: discover his interest.



make us approach her with ease, familiarity and affection? The dismal dress falls off,
with which many divines, and some philosophers, have covered her; and nothing appears but gentleness, humanity, beneficence, affability; nay, even at proper intervals,
play, frolic and gaiety. She talks not of useless austerities and rigours, suffering and
self-denial. She declares that her sole purpose is to make her votaries and all mankind,
during every instant of their existence, if possible, cheerful and happy; nor does she
ever willingly part with any pleasure, but in hopes of ample compensation in some
other period of their lives. The sole trouble which she demands is that of just calculation, and a steady preference of the greater happiness . . .

That the virtues which are immediately useful or agreeable, to the person possessed
of them, are desirable in a view to self-interest, it would surely be superfluous to prove. Moralists, indeed, may spare themselves all the pains which they often take in
recommending these duties. To what purpose collect arguments to evince that temperance is advantageous, and the excesses of pleasure hurtful? When it appears
that these excesses are only denominated such because they are hurtful; and

that, if the
unlimited use of strong liquors, for instance, no more impaired health, or the faculties
of mind and body than the use of air or water, it would not be a whit more vicious or
blameable.

It seems equally superfluous to prove that the companionable virtues of good manners and wit, decency and genteelness, are more desirable than the contrary qualities. Vanity alone, without any other consideration, is a sufficient motive to make us wish for the possession of these accomplishments. No man was ever willingly
deficient in this particular. All our failures here proceed from bad education, want of
capacity, or a perverse and unpliable disposition. Would you have your company coveted, admired, followed, rather than hated, despised, avoided? Can anyone seriously
deliberate in the case? As no enjoyment is sincere, without some reference to company
and society, so no society can be agreeable, or even tolerable, where a man feels his
presence unwelcome, and discovers all around him symptoms of disgust and aversion.

But why in the greater society or confederacy of mankind should not the case be the
same as in particular clubs and companies? Why is it more doubtful that the enlarged
virtues of humanity, generosity, beneficence, are desirable with a view to happiness
and self-interest, than the limited endowments of ingenuity and politeness? Are we
apprehensive lest those social affections interfere, in a greater and more immediate
degree than any other pursuits, with private utility, and cannot be gratified, without
some important sacrifice ot honour and advantage? If so, we are but ill instructed in
the nature of the human passions, and are more influenced by verbal distinctions than
by real differences . . .

Treating vice with the greatest candour, and making it all possible concessions, we must acknowledge that there is not, in any instance, the smallest pretext for giving it the preference above virtue, with a view to self-interest; except perhaps in the case of justice, where a man, taking things in a certain light, may seem to be a loser by his integrity. . . That honesty is the best policy may be a good general rule, but is liable to many exceptions; and he, it may perhaps be thought, conducts himself with most wisdom who observes the general rule and takes advantage of all the exceptions.

. . . But in all ingenuous natures, the antipathy to treachery and roguery is too strong to be counterbalanced by any views of profit or pecuniary advantage. Inward peace of mind, consciousness of integrity, a satisfactory review of our own conduct;



these are circumstances very requisite to happiness, and will be cherished and cultivated by any honest man who feels the importance of them.

Such a one has, besides, the frequent satisfaction of seeing knaves, with all their pretended cunning and abilities, betrayed by their own maxims; and while they purport to cheat with moderation and secrecy, a tempting incident occurs and they give into the snare; whence they can never extricate themselves without a total loss of reputation, and the forfeiture of all future trust and confidence with mankind.

But were they ever so secret and successful, the honest man, if he has any tincture of philosophy, or even common observation and reflection, will discover that they themselves are, in the end, the greatest dupes, and have sacrificed the invaluable

enjoyment of a character, with themselves at least, for the acquisition of worthless toys
and gewgaws. How little is requisite to supply the necessities of nature? And in a view
to pleasure, what comparison between the unbought satisfaction of conversation, society, study, even health and the common beauties of nature, but above all the peaceful reflection on one's own conduct; what comparison, I say, between these and
the feverish empty amusements of luxury and expense? These natural pleasures,
indeed, are really without price; both because they are all below all price in their attainment, and above it in their enjoyment.

## 5 Duty and Reason as the Ultimate Principle: Immanuel Kant, Groundwork of the Metaphysic of Morals*

The moral philosophy of Hume (see previous extract) gives pride of place to our natural feelings or sentiments, and links moral approval to what is useful or agreeable for human life. A view in many ways diametrically opposed to this was put forward later in the eighteenth century by Immanuel Kant. Kant's starting-point is a distinction between what is good merely as a means to an end, and what is intrinsically good, or good in itself. Health, well-being, contentment, happiness - none of these guarantee that their possessor is someone who is morally praiseworthy; only a good will has pure value in itself, 'shining like a jewel for its own sake'. Kant's position here is an uncompromising one. Suppose (in the manner suggested by Hume) we have a natural inclination to help others, and warm feelings of

human sympathy make us act benevolently. However right and amiable such action may be, says Kant, it does not merit moral esteem. Only

if someone acts 'without any inclination, from the sake of duty alone, does his action for the first time have genuine moral worth'.

It is clear that the Kantian moral agent is someone who acts 'out of principle' as we now-adays say. But what is the guiding principle of action, given that Kant has disqualified as mor-ally worthy anything done merely from inclin-ation? Kant's answer is that actions are right if they conform not to any particular inclinations or desires, but to a universal law: 'I ought never to act except in such a way that I can also will that my maxim should become a universal law.' Deliberately breaking a promise for some

* Immanuel Kant, Groundwork of the Metaphysic of Morals [ Grundlegung zur Metaphysik der Sitten, 1785],
chs 1 and 2 (extracts). Trans. H. J. Paton, in The Moral Law (London: Hutchinson, 1948).



personal advantage is thus forbidden, since I cannot rationally will that everyone should act in such a way - if I did, the whole institution of promising would collapse. This notion has come to be known as Kant's categorical imperative. Most commands or recommendations ('Have a glass of wine!' 'Get down to work!' 'Take a holi-day!') are hypothetical in character - they tell us to do something if we want a given result. But Kant's imperative is unconditionally binding.

Kant's principle appears to provide a necessary rather than sufficient condition for morality: that is, it rules out certain maxims (those which cannot in reason be universally adopted), rather

than telling us which maxims we should adopt. Nevertheless, in arguing for the intrinsic value of a good will, Kant has provided a cornerstone for morality by locating the source of moral value in the autonomous will of the rational

agent. Each rational agent, exercising his or her will, is a bearer of value in him or herself, and thus deserves respect for his or her own sake. This leads to a new version of the categorical imperative (found in the last paragraph of our extract below): ‘Act in such a way that you always treat humanity, whether in your own person or in that of any other, never simply as a means, but always at the same time as an end.’ This principle of respect for persons has since come to be recognized as of enormous importance for morality. Each human being is capable of acting freely and autonomously; the Kantian moral vision is of a ‘kingdom of ends’ where no one is used simply as a means to the furtherance of someone else’s projects, but each human being accords to all other humans the right to respect as a rational, self-determining agent.

It is impossible to conceive anything at all in the world, or even out of it, which can be
taken as good without qualification, except a good will. Intelligence, wit, judgement,
and any other talents of the mind we may care to name, or courage, resolution, and
constancy of purpose, as qualities of temperament, are without doubt good and desirable in many respects; but they can also be extremely bad and hurtful when the
will is not good which has to make use of these gifts of nature, and which for this reason has the term ‘ character applied to its peculiar quality. It is exactly the same
with gifts of fortune. Power, wealth, honour, even health and that complete

well-being
and contentment with one's state which goes by the name of 'happiness 1 , produce
boldness, and as a consequence often over-boldness as well, unless a good will is
present by which their influence on the mind - and so too the whole principle of action - may be corrected and adjusted to universal ends . . .

A good will is not good because of what it effects or accomplishes - because of its
fitness for attaining some proposed end: it is good through its willing alone - that is,
good in itself. Considered in itself it is to be esteemed beyond comparison as far higher than anything it could ever bring about merely in order to favour some inclination or, if you like, the sum total of inclinations. Even if, by some special disfavour of destiny or by the niggardly endowment of stepmotherly nature, this will
is entirely lacking in power to carry out its intentions; if by its utmost effort it still accomplishes nothing, and only good will is left (not, admittedly, as a mere wish, but
as the straining of every means so far as they are in our control); even then it would
still shine like a jewel for its own sake as something which has its full value in itself.
Its usefulness or uselessness can neither add to, nor subtract from, this value. Its usefulness would be merely, as it were, the setting which enables us to handle it better
in our ordinary dealings or to attract the attention of those not yet sufficiently expert,
but not to commend it to experts or to determine its value.

. . . Since reason is not sufficiently serviceable for guiding the will safely as regards
its objects and the satisfaction of all our needs (which it in part even multiplies) - a



purpose for which an implanted natural instinct would have led us much more

surely;
and since none the less reason has been imparted to us as a practical power - that is, as
one which is to have influence on the will; its true function must be to produce a will
which is good, not as a means to some further end, but in itself; and for this function
reason was absolutely necessary in a world where nature, in distributing her aptitudes,
has everywhere else gone to work in a purposive manner. Such a will need not on this
account be the sole and complete good, but it must be the highest good and the condition of all the rest, even of all our demands for happiness. In that case we can
easily reconcile with the wisdom of nature our observation that the cultivation of reason which is required for the first and unconditioned purpose may in many ways,
at least in this life, restrict the attainment of the second purpose - namely, happiness -
which is always conditioned; and indeed that it can even reduce happiness to less than
zero without nature proceeding contrary to its purpose; for reason, which recognizes
as its highest practical function the establishment of a good will, in attaining this end
is capable only of its own peculiar kind of contentment - contentment in fulfilling a purpose which in turn is determined by reason alone, even if this fulfilment should
often involve interference with the purposes of inclination.

We have now to elucidate the concept of a will estimable in itself and good apart from any further end. This concept, which is already present in a sound natural understanding and requires not so much to be taught as merely to be clarified, always
holds the highest place in estimating the total worth of our actions and constitutes the
condition of all the rest. We will therefore take up the concept of duty, which includes
that of a good will, exposed, however, to certain subjective limitations and obstacles.
These, so far from hiding a good will or disguising it, rather bring it out by

contrast
and make it shine forth more brightly.

I will here pass over all actions already recognized as contrary to duty, however useful they may be with a view to this or that end; for about these the question does
not even arise whether they could have been done for the sake of duty inasmuch as
they are directly opposed to it. I will also set aside actions which in fact accord with
duty, yet for which men have no immediate inclination, but perform them because impelled to do so by some other inclination. For there it is easy to decide whether the
action which accords with duty has been done from duty or from some purpose of
self-interest. This distinction is far more difficult to perceive when the action accords
with duty and the subject has in addition an immediate inclination to the action. For
example it certainly accords with duty that a grocer should not overcharge his inexperienced customer; and where there is much competition a sensible shopkeeper
refrains from so doing and keeps to a fixed and general price for everybody so that a
child can buy from him just as well as anyone else. Thus people are served honestly;
but this is not nearly enough to justify us in believing that the shopkeeper has acted in
this way from duty or from principles of fair dealing; his interests required him to do
so. We cannot assume him to have in addition an immediate inclination towards his
customers, leading him, as it were out of love, to give no man preference over another
in the matter of price. Thus the action was done neither from duty nor from immediate inclination, but solely from purposes of self-interest.

On the other hand, to preserve one’s life is a duty, and besides this every one has
also an immediate inclination to do so. But on account of this the often anxious precautions taken by the greater part of mankind for this purpose have no inner

worth, and the maxim of their action is without moral content. They do protect their
lives in conformity with duty hut not from the motive of duty. When on the contrary,
disappointments and hopeless misery have quite taken away the taste for life; when a
wretched man, strong in soul and more angered at his fate than faint-hearted or cast
down, longs for death and still preserves his life without loving it - not from inclination or fear but from duty; then indeed his maxim has a moral content.

To help others where one can is a duty, and besides this there are many spirits of so
sympathetic a temper that, without any further motive of vanity or self-interest, they
find an inner pleasure in spreading happiness around them and can take delight in the
contentment of others as their own work. Yet I maintain that in such a case an action
of this kind, however right and however amiable it may be, has still no genuinely moral worth. It stands on the same footing as other inclinations - for example, the inclination for honour, which if fortunate enough to hit on something beneficial and
right and consequently honourable, deserves praise and encouragement, but not esteem; for its maxim lacks moral content, namely, the performance of such actions,
not from inclination, but from duty. Suppose then that the mind of this friend of man
were overclouded by sorrows of his own which extinguished all sympathy with the fate
of others, but that he still had power to help those in distress, though no longer stirred
by the need of others because sufficiently occupied with his own; and suppose that,
when no longer moved by any inclination, he tears himself out of this deadly insensibility and does the action without any inclination, for the sake of duty

alone;
then for the first time his action has its genuine moral worth . . .

To assure one's own happiness is a duty (at least indirectly); for discontent with one's state, in a press of cares and amidst unsatisfied wants, might easily become a
great temptation to the transgression of duty. But here also, apart from regard to duty,
all men have already of themselves the strongest and deepest inclination towards
happiness, because precisely in this idea of happiness all inclinations are combined
into a sum total . . . But . . . when the universal inclination towards happiness has failed
to determine a man's will, when good health, at least for him, has not entered into his
calculations as so necessary, what remains over, here as in other cases, is a law - the
law of furthering his happiness, not from inclination, but from duty; and in thus for the first time his conduct has a real moral worth.

It is doubtless in this sense, that we should understand too the passages from Scripture in which we are commanded to love our neighbour and even our enemy.
For love out of inclination cannot be commanded; but kindness done from duty - although no inclination impels us, and even although natural and unconquerable disinclination stands in our way - is practical , and not pathological, love, residing in
the will and not in the propensions of feeling, in principles of action and not of melting compassion; and it is this practical love alone which can be an object of command.

Our second proposition is this: An action done from duty has its moral worth, not in the purpose to be attained by it, but in the maxim in accordance with which it is decided upon; it depends therefore, not on the realization of the object of the action,
but solely on the principle of volition in accordance with which, irrespective of all objects of the faculty of desire, the action has been performed . . .

Our third proposition, as an inference from the two preceding, I would express thus: Duty is the necessity to act out of reverence for the law. For an object as

the effect

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of my proposed action I can have an inclination, but never reverence, precisely because
it is merely the effect, and not the activity, of a will. Similarly for inclination as such,
whether my own or that of another, I cannot have reverence: I can at most in the first
case approve, and in the second case sometimes even love - that is, regard it as favourable to my own advantage. Only something which is conjoined with my will solely as a ground and never as an effect - something which does not serve my inclination, but outweighs it or at least leaves it entirely out of account in my choice -
and therefore only bare law for its own sake, can be an object of reverence and therewith a command. Now an action done from duty has to set aside altogether the influence of inclination, and along with inclination every object of the will; so there is nothing left able to determine the will except objectively the law and subjectively pure reverence for this practical law, 1 and therefore the maxim 2 of obeying
this law even to the detriment of all my inclinations . . .

But what kind of law can this be the thought of which, even without regard to the results expected from it, has to determine the will if this is to be called good absolutely
and without qualification? Since 1 have robbed the will of every inducement that might arise for it as a consequence of obeying any particular law, nothing is left but
the conformity of actions to universal law as such, and this alone must serve the will
as its principle. That is to say, I ought never to act except in such a way that I can also
will that my maxim should become a universal law. Here bare conformity to universal
law as such (without having as its base any law prescribing particular actions) is what
serves the will as its principle, and must so serve it if duty is not to be everywhere an

empty delusion and a chimerical concept. The ordinary reason of mankind also agrees
with this completely in its practical judgements and always has the aforesaid principle
before its eyes.

Take this question, for example. May I not, when I am hard pressed, make a promise with the intention of not keeping it? Here I readily distinguish the two senses
which the question can have - Is it prudent, or is it right, to make a false promise? The
first no doubt can often be the case. I do indeed see that it is not enough for me to
extricate myself from present embarrassment by this subterfuge: I have to consider
whether from this lie there may not subsequently accrue to me much greater

1 *It might be urged against me that I have merely tried, under cover of the word ‘reverence, to take refuge
in an obscure feeling instead of giving a clearly articulated answer to the question by means of a concept
of reason. Yet although reverence is a feeling, it is not a feeling received through outside influence, but
one self-produced by a rational concept, and therefore specifically distinct from feelings of the first kind,
all of which can be reduced to inclination or fear. What I recognize immediately as law for me, I
recognize with reverence, which means merely consciousness of the subordination of my will to a law
without the mediation of external influences on my senses. Immediate determination of the will by the
law and consciousness of this determination is called 1 reverence ', so that reverence is regarded as the
effect of the law on the subject and not as the cause of the law. . .All reverence for a person is properly
only reverence for the law (of honesty and so on) of which that person gives us an example. Because we
regard the development of our talents as a duty we see too in a man of talent a sort of example of the law
(the law of becoming like him by practice) and this is what constitutes our

reverence for him. All moral
interest, so called, consists solely in reverence for the law. [This note repositioned from its location in the
original.]

*A maxim is the subjective principle of a volition: an objective principle (that is, one which would also
serve subjectively as a practical principle for all rational beings if reason had full control over the faculty
of desire) is a practical law.

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inconvenience than that from which 1 now escape, and also (since, with all my supposed astuteness, to foresee the consequences is not so easy that I can be sure
there is no chance, once confidence in me is lost, of this proving far more disadvan-
tageous than all the ills I now think to avoid) whether it may not be a more prudent
action to proceed here on a general maxim and make it my habit not to give a promise
except with the intention of keeping it. Yet it becomes clear to me at once that such a
maxim is always founded solely on fear of consequences. To tell the truth for the sake
of duty is something entirely different from doing so out of concern for inconvenient
results; for in the first case the concept of the action already contains in itself a law for
me, while in the second case I have first of all to look around elsewhere in order to see
what effects may be bound up with it for me. When I deviate from the principle of duty, this is quite certainly bad; but if I desert my prudential maxim, this can often be
greatly to my advantage, though it is admittedly safer to stick to it. Suppose I seek,
however, to learn in the quickest way and yet unerringly how to solve the problem ‘Does a lying promise accord with duty?’ I have then to ask myself ‘Should I

really be
content that my maxim (the maxim of getting out of a difficulty by a false promise) should hold as a universal law (one valid both for myself and others)? And could 1
really say to myself that every one may make a false promise if he finds himself in a
difficulty from which he can extricate himself in no other way?' I then become aware
at once that I can indeed will to lie, but I can by no means will a universal law of lying;
for by such a law there could properly be no promises at all, since it would be futile to
profess a will for future action to others who would not believe my profession or who,
if they did so over-hastily, would pay me back in like coin; and consequently my maxim, as soon as it was made a universal law, would be bound to annul itself. . .

Now I say that man, and in general every rational being, exists as an end in himself,
not merely as a means for arbitrary use by this or that will: he must in all his actions,
whether they are directed to himself or to other rational beings, always be viewed at
the same time as an end. All the objects of inclination have only a conditioned value;
for if there were not these inclinations and the needs grounded on them, their object
would be valueless . . . Thus the value of all objects that can be produced by our action
is always conditioned. Beings whose existence depends, not on our will, but on nature,
have none the less, if they are non-rational beings, only a relative value as means, and
are consequently called things. Rational beings, on the other hand, are called persons
because their nature already marks them out as ends in themselves - that is, as something which ought not to be used merely as a means - and consequently imposes
to that extent a limit on all arbitrary treatment of them (and is an object of reverence).
Persons, therefore, are not merely subjective ends whose existence as an object

of our
actions has a value for us-, they are objective ends - that is, things whose existence is in
itself an end, and indeed an end such that in its place we can put no other end to which they should serve simply as means; for unless this is so, nothing at all of absolute
value would be found anywhere. But if all value were conditioned, - that is, contin-
gent - then no supreme principle could be found for reason at all.

If then there is to be a supreme practical principle, and - so far as the human will is
concerned - a categorical imperative, it must be such that from the idea of something
which is necessarily an end for every one, because it is an end in itself, it forms an
objective principle of the will, and consequently can serve as a practical law. The



ground of this principle is this: Rational nature exists as an end in itself. This is the way
in which a man necessarily conceives his own existence; it is therefore so far a principle of human actions. But it is also the way in which every other rational being conceives his existence on the same rational ground which is valid also for me; hence it is at the same time an objective principle, from which, as a supreme practical ground, it must be possible to derive all laws for the will. The practical impel ative will therefore be as follows: Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a
means, but always at the same time as an end.

## 6 Happiness as the Foundation of Morality: John Stuart Mill, Utilitarianism *

Theories of morality are nowadays often classi-
fied as either ( a ) consequentialist or (b) deonto-

logical, depending on whether they assess the worth of actions or classes of action (a) in terms of their results or consequences, or (b) on the basis of their conformity to some principle or principles of duty (the term 'deontological' comes from the Greek deon, obligatory). Kant's approach (see previous extract) is firmly deontological in character, while the extract that follows, by the celebrated nineteenth-century philosopher John Stuart Mill, belongs squarely in the consequentialist tradition. Mill argues that the rightness or wrongness of an act depends not on any intrinsic worth (contrast Kant), but on the results it produces, or tends to produce. The standard of goodness which Mill employs for assessing those results is Utility, or the Greatest Happiness Principle: actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. Happiness is defined by Mill as pleasure and the absence of pain.

Mill did not invent utilitarianism. The notion that pleasure might provide a standard for evaluating action had been widely canvassed in ancient Greek philosophy (notably by Epicurus,

341-270 bc), and Mill's more immediate predecessor, Jeremy Bentham, had declared that pleasure and pain were the 'sovereign masters' determining what mankind ought to do. 1 While supporting Bentham's general approach, Mill was sensitive to the worry that such a doctrine might appear to advocate gross physical indulgence, and so be represented as a 'doctrine worthy of swine'. To counter this, he distinguishes 'higher' from 'lower' pleasures: some kinds of pleasure (those involving our more elevated intellectual faculties) are more valuable than others, and hence it is 'better to be Socrates dissatisfied than a fool sat-

isfied'. Though Mill tries to bolster his distinction by appeal to the verdict of 'competent judges' (those who have tried both kinds of pleasure), critics have objected that it is not strictly consistent with his principles of utility: if pleasure is the only ultimate standard, then it might have been more consistent to say (as Bentham did) that 'quantity of pleasure being equal, push-pin is as good as poetry'. Among other objections to utilitarianism addressed by Mill in the following extract is the worry that a consequentialist system of ethics may lead us to break important rules of conduct: if the overall balance of pleasure is the only standard, why should I not tell lies whenever

]. S. Mill, Utilitarianism [1861], ch. 2; abridged, punctuation occasionally modified. Many editions
available, including that by R. Crisp (Oxford: Oxford University Press, 1998), with introduction and
notes.

Nature has placed mankind under the governance of two sovereign masters, pleasure and pain. It is for
them to determine what we ought to do, as well as what we shall do' (An Introduction to the Principles of
Morals and Legislation [1789], ch. 1). See also introduction to Part IX, extract 6, below.

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I can maximize pleasure by doing so? Mill replies that utilitarians will want to instil a sense of veracity in the population, since truth-telling is generally productive of happiness. Here and later on in the extract he suggests that utilitarians will not try to make each individual decision by direct reference to the greatest happiness

principle, but instead will stick to rules or guidelines based on our experience of the kind of conduct that tends to maximize happiness. The resulting version of utilitarianism, now known as ‘indirect’ or ‘rule’ utilitarianism, has strongly influenced the subsequent development of moral philosophy.

The creed which accepts as the foundation of morals Utility, or the Greatest Happiness principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain and the privation of pleasure. To give a clear view of the moral standard set up by the theory, much more requires to be said; in particular, what things it includes in the idea of pain and pleasure; and to what extent this is left an open question. But these supplementary explanations do not affect the theory of life on which this theory of morality is grounded - namely, that pleasure, and freedom from pain, are the only things desirable as ends; and that all desirable things (which are as numerous in the utilitarian as in any other scheme) are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain.

Now such a theory of life excites in many minds, and among them in some of the most estimable in feeling and purpose, inveterate dislike. To suppose that life has (as they express it) no higher end than pleasure - no better and nobler object of desire and pursuit - they designate as utterly mean and grovelling; as a doctrine worthy only of swine, to whom the followers of Epicurus were, at a very early period, contemptuously likened; and modern holders of the doctrine are occasionally made the subject of equally polite comparisons by its German, French and English assailants.

When thus attacked, the Epicureans have always answered that it is not they, but their accusers, who represent human nature in a degrading light; since the accusation supposes human beings to be capable of no pleasures except those of which swine are capable . . . The comparison of the Epicurean life to that of beasts is felt as degrading, precisely because a beast's pleasures do not satisfy a human being's conception of happiness. Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification. 1 do not, indeed, consider the Epicureans to have been by any means faultless in drawing out their scheme of consequences from the utilitarian principle. To do this in any sufficient manner, many Stoic, as well as Christian elements require to be included. But there is no known Epicurean theory of life which does not assign to the pleasures of the intellect, of the feelings and imagination, and of the moral sentiments, a much higher value as pleasures than to those of mere sensation. It must be admitted, however, that utilitarian writers in general have placed the superiority of mental over bodily pleasures chiefly in the greater permanence, safety, uncostliness, etc., of the former - that is, in their circum-stantial advantages rather than in their intrinsic nature. And on all these points utilitarians have fully proved their case; but they might have taken the other, and, as it may be called, higher ground, with entire consistency. It is quite compatible with the principle of utility to recognize the fact that some kinds of pleasure are more



desirable and more valuable than others. It would be absurd that while, in estimating all others things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone.

If I am asked what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer. Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure. If one of the two is, by those who are competently acquainted with both, placed so far above the other that they prefer it, even though knowing it to be attended with a greater amount of discontent, and would not resign it for any quantity of the other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality, so far out-weighing quantity as to render it, in comparison, of small account.

Now it is an unquestionable fact that those who are equally acquainted with, and equally capable of appreciating and enjoying, both, do give a most marked preference to the manner of existence which employs their higher faculties ... A being of higher faculties requires more to make him happy, is capable probably of more acute suffering, and certainly accessible to it at more points, than one of an inferior type; but in spite of these liabilities, he can never really wish to sink into what he feels to be a lower grade of existence . . . Whoever supposes that this preference takes place at a sacrifice of happiness — that the superior being, in anything like equal circumstances, is not happier than the inferior — confounds the two very different ideas, of happiness, and content. It is indisputable that the being whose capacities of enjoyment are low has the greatest chance of having them fully satisfied; and a highly endowed being will always feel that any happiness which he can look for, as the world is constituted,

is
imperfect. But he can learn to bear its imperfections, if they are at all bearable; and
they will not make him envy the being who is indeed unconscious of the imperfec-
tions, but only because he feels not at all the good which those imperfections qualify.
It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates
dissatisfied than a fool satisfied. And if the fool, or the pig, are of a different opinion,
it is because they only know their own side of the question. The other party to the comparison knows both sides . . .

From this verdict of the competent judges, I apprehend there can be no appeal. On
a question which is the best worth having of two pleasures, or which of two modes of
existence is the most grateful to the feelings, apart from its moral attributes and from
its consequences, the judgement of those who are qualified by knowledge of both, or,
if they differ, that of the majority among them, must be admitted as final. And there
needs be the less hesitation to accept this judgement respecting the quality of pleasures, since there is no other tribunal to be referred to even on the question of
quantity. What means are there of determining which is the acutest of two pains, or
the intensest of two pleasurable sensations, except the general suffrage of those who
are familiar with both? Neither pains nor pleasures are homogenous, and pain is always heterogeneous with pleasure. What is there to decide whether a particular
pleasure is worth purchasing at the cost of a particular pain, except the feelings and
judgement of the experienced? When, therefore, those feelings and judgement declare
the pleasures derived from the higher faculties to be preferable in kind , apart from the

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question of intensity, to those of which the animal nature, disjoined from the higher faculties, is susceptible, they are entitled on this subject to the same regard . . .

According to the Greatest Happiness Principle, as above explained, the ultimate end, with reference to and for the sake of which all other things are desirable (whether we are considering our own good or that of other people), is an existence exempt as far as possible from pain, and as rich as possible in enjoyments, both in point of quantity and quality ... This being, according to the utilitarian opinion, the end of human action, is necessarily also the standard of morality; which may accordingly be defined [as] the rules and precepts for human conduct by the observance of which an existence such as has been described might be, to the greatest extent possible, secured to all mankind; and not to them only, hut, so far as the nature of things admits, to the whole sentient creation . . .

I must again repeat what the assailants of utilitarianism seldom have the justice to acknowledge, that the happiness which forms the utilitarian standard of what is right in conduct is not the agent's own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. In the golden rule of Jesus of Nazareth we read the complete spirit of the ethics of utility. To do as you would be done by, and to love your neighbour as yourself, constitute the ideal perfection of utilitarian morality. As the means of making the nearest approach to this ideal, utility would enjoin, first, that laws and social arrangements should place the happiness, or

(as speaking practically it may be called) the interest, of every individual as nearly as possible in harmony with the interest of the whole; and secondly, that education and opinion, which have so vast a power over human character, should so use that power as to establish in the mind of every individual an indissoluble association between his own happiness and the good of the whole . . .

The objectors to utilitarianism cannot always be charged with representing it in a discreditable light. On the contrary, those among them who entertain anything like a just idea of its disinterested character sometimes find fault with its standard as being too high for humanity. They say it is exacting too much to require that people shall always act from the inducement of promoting the general interests of society. But this is to mistake the very meaning of a standard of morals, and confound the rule of actions with the motive of it. It is the business of ethics to tell us what are our duties, or by what test we may know them, but no system of ethics requires that the motive of all we do shall be a feeling of duty; on the contrary, ninety-nine hundredths ot all our actions are done from other motives, and rightly so done, if the rule of duty does not condemn them ... He who saves a fellow creature from drowning does what is morally right, whether his motive be duty, or the hope of being paid for his trouble . . . But to speak only of actions done from the motive of duty, and in direct obedience to principle: it is a misapprehension of the utilitarian mode of thought to conceive it as implying that people should fix their minds upon so wide a generality as the world, or society at large. The great majority of good actions are directed not for the benefit of the world, but for that of the individual, of which the good of the world is made up; and the thoughts of the most virtuous man need not on these occasions travel

beyond
the particular persons concerned, except as far as is necessary to assure himself that in
benefiting them he is not violating the rights, that is, the legitimate and authorized expectations, of anyone else. The multiplication of happiness is, according to the



utilitarian ethics, the object of virtue: the occasions on which any person (except one
in a thousand) has it in his power to do this on an extended scale, in other words to be
a public benefactor, are but exceptional; and on these occasions alone is he called on
to consider public utility; in every other case, private utility, the interest or happiness
of some few persons, is all he has to attend to. Those alone, the influence of whose
actions extends to society in general, need concern themselves habitually about so
large an object. In the case of abstinences indeed — of things which people forbear to
do from moral considerations, though the consequences in the particular case might
be beneficial - it would be unworthy of an intelligent agent not be consciously aware
that the action is of a class which, if practised generally, would be generally injurious,
and that this is the ground of the obligation to abstain from it. The amount of regard
for the public interest implied in this recognition is not greater than is demanded by
every system of morals, for they all enjoin to abstain from whatever is manifestly pernicious to society. . .

Again, Utility is often summarily stigmatized as an immoral doctrine, by giving it the name of Expediency, and taking advantage of the popular use of that term to contrast it with Principle. But the Expedient, in the sense in which it is opposed to the

Right, generally means that which is expedient for the particular interest of the agent himself; as when a minister sacrifices the interest of his country to keep himself in place. When it means anything better than this, it means that which is expedient for some immediate object, some temporary purpose, but which violates a rule whose observance is expedient in a much higher degree. The Expedient, in this sense, instead of being the same thing with the useful, is a branch of the hurtful. Thus it would often be expedient, for the purpose of getting over some momentary embarrassment, or attaining some object immediately useful to ourselves or others, to tell a lie. But inasmuch as the cultivation in ourselves of a sensitive feeling on the subject of veracity is one of the most useful, and the enfeeblement of that feeling one of the most hurtful, things to which our conduct can be instrumental; and inasmuch as any, even unintentional, deviation from truth does that much towards weakening the trust-worthiness of human assertion, which is not only the principal support of all present social well-being, but the insufficiency of which does more than any one thing that can be named to keep back civilization, virtue, everything on which human happiness on the largest scale depends; we feel that the violation, for a present advantage, of a rule of such transcendent expediency is not expedient, and that he who, for the sake of a convenience to himself or some other individual, does what depends on him to deprive mankind of the good, and inflict upon them the evil, involved in the greater or less reliance which they can place in each other's word, acts the part of one of their worst enemies. Yet that even this rule, sacred as it is, admits of possible exceptions, is acknowledged by all moralists; the chief of which is when the withholding of some fact (as of information from a malefactor, or of bad news from a person

dangerously
ill) would save an individual (especially an individual other than oneself) from great
and unmerited evil, and when the withholding can only be effected by denial. But in
order that the exception may not extend itself beyond the need, and may have the least
possible effect in weakening reliance on veracity, it ought to be recognized, and, if
possible, its limits defined; and if the principle of utility is good for anything, it must
be good for weighing these conflicting utilities against one another, and marking out
the regions within which one or the other preponderates.

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Again, defenders of Utility often find themselves called upon to reply to such objections as this - that there is not time, previous to action, for calculating and weighing the effects of any line of conduct on the general happiness . . . The answer to
the objection is that there has been ample time, namely the whole past duration of the
human species. During all that time, mankind have been learning by experience the
tendencies of actions, on which experience all the prudence as well as all the morality
of life are dependent. . . [T] hat the received code of ethics is by no means of divine
right; and that mankind have still much to learn as to the effects of actions on the general happiness, I admit, or rather, earnestly maintain. The corollaries from the principle of utility, like the precepts of every practical art, admit of indefinite improvement, and in a progressive state of the human mind, their improvement is perpetually going on. But to consider the rules of morality as improvable is one thing;
to pass over the intermediate generalizations entirely, and endeavour to test each individual action directly by the first principle, is another. It is a strange notion that the acknowledgement of a first principle is inconsistent with the admission of secondary ones. To inform a traveller respecting the place of his ultimate

destination
is not to forbid the use of landmarks and direction-posts on the way. The proposition
that happiness is the end and aim of morality does not mean that no road ought to be
laid down to that goal, or that persons going thither should not be advised to take one
direction rather than the other. .. Nobody argues that the art of navigation is not founded on astronomy, because sailors cannot wait to calculate the National Alman-
ack. Being rational creatures, they go to sea with it ready calculated; and all rational
creatures go out upon the sea of life with their minds made up on the common questions of right and wrong, as well as on many of the far more difficult questions of
wise and foolish. And this, as long as foresight is a human quality, it is to be presumed
they will continue to do.

## 7 Utility and Common-sense Morality: Henry Sidgwick, Methods of Ethics*

The ideas behind the 'indirect' version of utilitarianism propounded by J. S. Mill (see previous extract) were further examined and developed later in the nineteenth century by the Cambridge philosopher Henry Sidgwick. Though Sidgwick is often classified as a utilitarian, his discussions of utilitarianism are concerned in the main to provide a critical account of the relationship between utilitarian theory and ordinary common-sense morality. In the following extract he examines first of all the hypothesis that common

sense, based on the long experience of mankind, can be expected to be a reliable guide to those rules and practices which promote happiness. There may be all sorts of reasons, Sidgwick ar-

gues, why the prevailing code in any given society may not be an ideal maximizer of utility (such reasons include the limited sympathy and limited intelligence of the human beings involved). Given that the set of rules that has evolved over the ages is likely to be only a very imperfect guide to the general happiness,

‘ H. Sidgwick, The Methods of Ethics [1874] (7th edn, London: Macmillan, 1907), extracts from Bk IV, ch.
4, § 1; ch. 5, §§ 1-3.

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Sidgwick concludes that it is the 'unavoidable duty of a systematic utilitarian to make a thorough revision of these rules’.

In the second half of our extract, however, Sidgwick provides a subtle and insightful discussion of the dangers of such revisions. What may seem an improvement may be too complicated to have any chance of being generally inculcated among the population at large. And in any case, a proposed change may itself lead to instability since 'it is practically much easier for most men to conform to a moral rule established in the society to which they belong than to one made by themselves’. Finally, Sidgwick tackles the question of whether exceptions to generally observed rules may be justified. Could I accept, for example, that truth-telling is a generally beneficial practice, to be encouraged in society, but at the same time allow myself to break the rule in order to produce a greater benefit on a given occasion? (Compare Mill’s discussion of truth-telling in the previous extract.) Here Sidgwick argues that allowing such exceptions could be highly dangerous since

'however strong the actually existing sentiment against lying may be, as soon as this legitimacy [of being allowed to break the rule] is generally recognized, the sentiment must be expected to decay and vanish'. The reasoning here is complicated, and will vary from case to case. Remaining celibate, though this would be a disastrous practice if generally followed, is perfectly permissible on account of the general sentiments prompting to marriage'; but in the case of telling lies, there is a much greater risk of undermining valuable prevailing patterns of conduct. Sidgwick's general conclusion is that there are many rules that a conscientious utilitarian could only very rarely justify breaking. The issues he raises here concerning the status and bindingness of moral rules are still being debated by philosophers; the enduring problem for consequentialists is to show how far established ethical norms could command respect in a world dominated by consequentialist thinking, where such norms were seen as having the merely secondary status of guidelines or pointers to general good.

| J | [FJrom the considerations that we have just surveyed it is but a short and easy step to
the conclusion that in the Morality of Common Sense we have ready to hand a body
of Utilitarian doctrine; that the 'rules of morality for the multitude' are to be regarded
as positive beliefs of mankind as to the effects of actions on their happiness', 1 so that
the apparent first principles of Common Sense may be accepted as the 'middle axioms' of Utilitarian method; direct reference being only made to utilitarian considerations in order to settle points upon which the verdict of Common Sense is found to be obscure and conflicting. On this view the traditional controversy between
the advocates of Virtue and the advocates of Happiness would seem to be at

length
harmoniously settled.

And the arguments for this view which have been already put forward certainly receive support from the hypothesis, now widely accepted, that the moral sentiments
are ultimately derived, by a complex and gradual process, from experiences of pleasuie and pain . . . But it is one thing to hold that the current morality expresses,
partly consciously but to a larger extent unconsciously, the results of human experi-
ence as to the effects of actions: it is quite another thing to accept this morality en bloc,
so far as it is clear and definite, as the best guidance we can get to the attainment of
maximum general happiness. However attractive this simple reconciliation of Intu-
itional and Utilitarian methods may be, it is not, I think, really warranted by the evidence . . . For though the passions and other active impulses are doubtless them-
selves influenced, no less than the moral sentiments, by experiences of pleasure and

J. S. Mill, Utilitarianism , ch. 2.

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pain; still this influence is not sufficient to make them at all trustworthy guides to general, any more than to individual, happiness - as some of our moral sentiments
themselves emphatically announce. But even if we consider our common moral sentiments as entirely due - directly or indirectly - to the accumulated and transmit-
ted experiences of primary and sympathetic pains and pleasures; it is obvious that the
degree of accuracy with which sentiments thus produced will guide us to the promo-
tion of general happiness must largely depend upon the degree of accuracy with

which
the whole sum of pleasurable and painful consequences, resulting from any course of
action, has been represented in the consciousness of an average member of the community. And it is seen at a glance that this representation has always been liable
to errors of great magnitude . . . We have to allow, first, for limitation of sympathy; since in every age and country the sympathy of an average man with other sentient
beings, and even his egoistic regard for their likings and aversions, has been much
more limited than the influence of his actions on the feelings of others. We must allow
further for limitation of intelligence: for in all ages ordinary men have had a very inadequate knowledge of natural sequences; so that such indirect consequences of
conduct as have been felt have been frequently traced to wrong causes, and been met
by wrong moral remedies, owing to imperfect apprehension of the relation of means
to ends. Again, where the habit of obedience to authority and respect for rank has
become strong, we must allow for the possibly perverting influence of a desire to win
the favour or avert the anger of superiors. And similarly we must allow again for the
influences of false religions; and also for the possibility that the sensibilities of religious teachers have influenced the code of duty accepted by their followers, in points where these sensibilities were not normal and representative, but exceptional
and idiosyncratic. 1

On the other hand, we must suppose that these deflecting influences have been more or less limited and counteracted by the struggle for existence in past ages among
different human races and communities; since, as far as any moral habit or sentiment
was unfavourable to the preservation of the social organism, it would be a disadvan-
tage in the struggle for existence, and would therefore tend to perish with the community that adhered to it. But we have no reason to suppose that this force

would be adequate to keep positive morality always in conformity with a Utilitarian
ideal. For ( 1 ) imperfect morality would be only one disadvantage among many, and
not, I conceive, the most important, unless the imperfection were extreme - especially
in the earlier stages of social and moral development, in which the struggle for existence was most operative; and (2) a morality perfectly preservative of a human
community might still be imperfectly felicific, and require considerable improvement
from a Utilitarian point of view. Further, analogy would lead us to expect that however completely adapted the moral instincts of a community may be at some particular time to its conditions of existence, any rapid change of circumstances

*No doubt this influence is confined within strict limits: no authority can permanently impose on men
regulations flagrantly infelicific: and the most practically originative of religious teachers have produced
their effect chiefly by giving new force and vividness to sentiments already existing (and recognized as
properly authoritative) in the society upon which they acted. Still, it might have made a great difference
to the human race if (e.g.) Mohammed had been fond of wine, and indifferent to women.



would tend to derange the adaptation, from survival of instincts formerly useful, which through this change become useless or pernicious . . .

Finally, we must not overlook the fact that the divergences which we find when we
compare the moralities of different ages and countries, exist to some extent side by
side in the morality of any one society at any given time. It has already been observed
that whenever divergent opinions are entertained by a minority so large, that we

cannot fairly regard the dogma of the majority as the plain utterance of Common Sense, an appeal is necessarily made to some higher principle, and very commonly to
Utilitarianism. But a smaller minority than this, particularly if composed of persons of enlightenment and special acquaintance with the effects of the conduct judged, may
reasonably inspire us with distrust of Common Sense: just as in the more technical
parts of practice we prefer the judgement of a few trained experts to the instincts of
the vulgar. Yet again, a contemplation of these divergent codes and their relation to
the different circumstances in which men live, suggests that Common-Sense morality
is really only adapted for ordinary men in ordinary circumstances - although it may
still be expedient that these ordinary persons should regard it as absolutely and universally prescribed, since any other view of it may dangerously weaken its hold
over their mind. So far as this is the case we must use the Utilitarian method to ascertain how far persons in special circumstances require a morality more specially
adapted to them than Common Sense is willing to concede: and also how far men of
peculiar physical or mental constitution ought to be exempted from ordinary rules, as
has sometimes been claimed for men of genius, or men of intensely emotional nature,
or men gifted with more than usual prudence and self-control . . .

We must conclude, then, that we cannot take the moral rules of Common Sense as
expressing the consensus of competent judges, up to the present time, as to the kind of
conduct which is likely to produce the greatest amount of happiness on the whole. It
would rather seem that it is the unavoidable duty of a systematic Utilitarianism to make a thorough revision of these rules, in order to ascertain how far the causes previously enumerated (and perhaps others) have actually operated to produce a divergence between Common Sense and a perfectly Utilitarian code of morality.

If, then, we are to regard the morality of Common Sense as a machinery of rules, habits, and sentiments, roughly and generally but not precisely or completely adapted
to the production of the greatest possible happiness for sentient beings generally; and
if, on the other hand, we have to accept it as the actually established machinery for
attaining this end, which we cannot replace at once by any other, but can only gradually modify; it remains to consider the practical effects of the complex and balanced relation in which a scientific Utilitarian thus seems to stand to the Positive
Morality of his age and country.

Generally speaking, he will clearly conform to it, and endeavour to promote its development in others. For, though the imperfection that we find in all the actual conditions of human existence - we may even say in the universe at large as judged
from a human point of view - is ultimately found even in Morality itself, in so far as this is contemplated as Positive; still, practically, we are much less concerned with
correcting and improving than we are with realizing and enforcing it. The Utilitarian
must repudiate altogether that temper of rebellion against the established morality, as
something purely external and conventional, into which the reflective mind is always



apt to fall when it is first convinced that the established rules are not intrinsically reasonable. He must, of course, also repudiate as superstitious that awe of it as an
absolute or Divine Code which Intuitional moralists inculcate . 1 Still, he will naturally
contemplate it with reverence and wonder, as a marvellous product of nature, the result of long centuries of growth, showing in many parts the same fine adaptation of
means to complex exigencies as the most elaborate structures of physical organisms

exhibit; he will handle it with respectful delicacy as a mechanism, constructed of the
fluid element of opinions and dispositions, by the indispensable aid of which the actual quantum of human happiness is continually being produced; a mechanism which no ‘politicians or philosophers’ could create, yet without which the harder and
coarser machinery of Positive Law could not be permanently maintained, and the life
of man would become - as Hobbes forcibly expresses it - ‘solitary, poor, nasty, brutish, and short ’. 2

Still, as this actual moral order is admittedly imperfect, it will be the Utilitarian’s duty to aid in improving it; just as the most orderly, law-abiding member of a modern
civilised society includes the reform of laws in his conception of political duty. . .

Let us suppose then that after considering the consequences of any... rule, a Utilitarian comes to the conclusion that a different rule would be more conducive to the general happiness, if similarly established in a society remaining in other respects the same as at present - or in one slightly different (in so far as our forecast
of social changes can be made sufficiently clear to furnish any basis for practice) . . .

It is, however, of. . . importance to point out certain general reasons for doubting whether an apparent improvement will really have a beneficial effect on others. It is
possible that the new rule, though it would be more felicific than the old one, if it could get itself equally established, may be not so likely to be adopted, or if adopted,
not so likely to be obeyed, by the mass of the community in which it is proposed to
innovate. It may be too subtle and refined, or too complex and elaborate; it may require a greater intellectual development, or a higher degree of self-control, than is to
be found in an average member of the community, or an exceptional quality or balance of feelings. Nor can it be said in reply, that by the hypothesis the innovator’s
example must be good to whatever extent it operates, since pro tanto it tends to substitute a better rule for a worse. For experience seems to show that an example of

this kind is more likely to be potent negatively than positively; that here, as elsewhere
in human affairs, it is easier to pull down than to build up; easier to weaken or destroy
the restraining force that a moral rule, habitually and generally obeyed, has over men's
minds, than to substitute for it a new restraining habit, not similarly sustained by tradition and custom. Hence the effect of an example intrinsically good may be on the
whole bad, because its destructive operation proves to be more vigorous than its constructive. And again, such destructive effect must be considered not only in respect of the particular rule violated, but of all other rules. For just as the breaking
of any positive law has an inevitable tendency to encourage lawlessness generally, so

1 *1 do not mean that this sentiment is in my view incompatible with Utilitarianism; I mean that it must
not attach itself to any subordinate rules of conduct, but only to the supreme principle of acting with
impartial concern for all elements of general happiness.

" See Part X, extract 3.



the violation of any generally recognized moral rule seems to give a certain aid to the
forces that are always tending towards moral anarchy in any society.

Nor must we neglect the reaction which any breach with customary morality will have on the agent's own mind. For the regulative habits and sentiments which each man has received by inheritance or training constitute an important force impelling his will, in the main, to conduct such as his reason would dictate; a
natural auxiliary, as it were, to Reason in its conflict with seductive passions and appetites; and it may be practically dangerous to impair the strength of these auxiliaries. On the other hand, it would seem that the habit of acting rationally is

the best of all habits, and that it ought to be the aim of a reasonable being to bring all
his impulses and sentiments into more and more perfect harmony with Reason. And
indeed when a man has earnestly accepted any moral principle, those of his pre-existing regulative habits and sentiments that are not in harmony with this principle
tend naturally to decay and disappear; and it would perhaps be scarcely worthwhile to
take them into account, except for the support that they derive from the sympathy of
others.

But this last is a consideration of great importance. For the moral impulses of each individual commonly draw a large part of their effective force from the sympathy
of other human beings. I do not merely mean that the pleasures and pains which each derives sympathetically from the moral likings and aversions of others are important as motives to felicific conduct no less than as elements of the individual's
happiness; I mean further that the direct sympathetic echo in each man of the judgements and sentiments of others concerning conduct sustains his own similar
judgements and sentiments. Through this twofold operation of sympathy it becomes
practically much easier for most men to conform to a moral rule established in the
society to which they belong than to one made by themselves. And any act by which a
man weakens the effect on himself of this general moral sympathy tends pro tanto to
make the performance of duty more difficult for him. On the other hand, we have to
take into account - besides the intrinsic gain of the particular change - the general
advantage of offering to mankind a striking example of consistent Utilitarianism; since,
in this case as in others, a man gives a stronger proof of genuine conviction by conduct
in opposition to public opinion than he can by conformity. In order, however, that this

effect may be produced, it is almost necessary that the non-conformity should not promote the innovator's personal convenience; for in that case it will almost certainly
be attributed to egoistic motives, however plausible the Utilitarian deduction of its rightness may seem.

The exact force of these various considerations will differ indefinitely in different cases; and it does not seem profitable to attempt any general estimate of them: but on
the whole, it would seem that the general arguments which we have noticed constitute
an important rational check upon such Utilitarian innovations on Common-Sense morality as are of the negative or destructive kind . . .

We have hitherto supposed that the innovator is endeavouring to introduce a new rule of conduct, not for himself only, but for others also, as more conducive to the general happiness than the rule recognized by Common Sense. It may perhaps be
thought that this is not the issue most commonly raised between Utilitarianism and
Common Sense: but rather whether exceptions should be allowed to rules which both
sides accept as generally valid . . .

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...We are supposed to see that general happiness will be enhanced (just as the excellence of a metrical composition is) by a slight admixture of irregularity along with a general observance of received rules; and hence to justify the irregular conduct
of a few individuals, on the ground that the supply of regular conduct from other members of the community may reasonably be expected to be adequate.

It does not seem to me that this reasoning can be shown to be necessarily unsound,
as applied to human society as at present constituted; but the cases in which it could
really be thought to be applicable, by any one sincerely desirous of promoting the general happiness, must certainly be rare. For it should be observed that it

makes
a fundamental difference whether the sentiment in mankind generally, on which we
rely to sustain sufficiently a general rule while admitting exceptions thereto, is moral or non-moral; because a moral sentiment is inseparable from the conviction
that the conduct to which it prompts is objectively right - i.e. right whether or not it is thought or felt to be so - for oneself and all similar persons in similar circumstances; it cannot therefore coexist with approval of the contrary conduct in any one
case, unless this case is distinguished by some material difference other than the mere
non-existence in the agent of the ordinary moral sentiment against his conduct. Thus,
assuming that general unveracity and general celibacy would both be evils of the worst
kind, we may still all regard it as legitimate for men in general to remain celibate if they like, on account of the strength of the natural sentiments prompting to marriage, because the existence of these sentiments in ordinary human beings is not
affected by the universal recognition of the legitimacy of celibacy: but we cannot similarly all regard it as legitimate for men to tell lies if they like, however strong the
actually existing sentiment against lying may be, because as soon as this legitimacy is
generally recognized the sentiment must be expected to decay and vanish. If therefore
we were all enlightened Utilitarians, it would be impossible for any one to justify himself in making false statements while admitting it to be inexpedient for persons
similarly conditioned to make them; as he would have no ground for believing that
persons similarly conditioned would act differently from himself. The case, no doubt,
is different in society as actually constituted; it is conceivable that the practically effective morality in such a society, resting on a basis independent of utilitarian or any other reasonings, may not be materially affected by the particular act or expressed
opinion of a particular individual: but the circumstances are, I conceive, very rare, in which a really conscientious person could feel so sure of this as to conclude that

by approving a particular violation of a rule, of which the general (though not universal) observance is plainly expedient, he will not probably do harm on the whole.

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8 Against Conventional Morality:

Friedrich Nietzsche, Beyond Good and Evil *

The utilitarian principle of the greatest happiness of the greatest number, so earnestly discussed among the English moralists of the nineteenth century (see the two preceding extracts), was scornfully dismissed by the iconoclastic German philosopher Friedrich Nietzsche. In his Beyond Good and Evil (1886), Nietzsche dubs utilitarianism the morality of the herd. Setting out a 'genealogy of morals' (to use the title of one of his later books) he sees his task not in terms of the rational justification of moral systems, but rather of a historically informed critique of how various moral principles came into being. The principle of general happiness, and many other elements in traditional moral systems (for example the Christian injunction to love one's neighbour) are seen by Nietzsche as attempts by the weak masses to protect themselves against dynamic and powerful individuals - against the 'highest and strongest drives, when they break out passionately and drive the individual far above the average and the flats of the herd conscience'. Nietzsche is no less scathing of the Kantian approach to morality (see extract 5, above) - the 'morality of intentions'. In a striking anticipation of Freud, 1

Nietzsche proposes that ‘the decisive value of an action lies precisely in what is unintentional in it, while everything about it that is intentional, that can been seen, known, conscious, still belongs to its surface and skin, which like every skin betrays

something but conceals even more’. The complexity of human existence, the darkness and power of the unconscious forces of the human psyche, is a recurring theme in Nietzsche’s work. And partly because of this he derides the ‘stiff seriousness, inspiring laughter’, of those philosophers who have sought a rational foundation for morality (this could apply, in different ways, to both Kantians and Utilitarians alike). What, then, does Nietzsche propose in place of what he dismisses? The title ‘Beyond Good and Evil’ suggests a complete overcoming of conventional morality, and for Nietzsche this is essentially a task ‘for the very few, a privilege for the strong’. These ‘new philosophers’, as they are called in the closing paragraph of our extract below, are ‘spirits strong and original enough to revalue and invent eternal values’. Strength is necessary because tidily rational systems of morality will have to be discarded, and the darker, more dangerous, more passionate and mysterious aspects of human existence plumbed to the depths. 2 Perhaps because of the elusive character of the vision it offers, Nietzsche’s approach to ethics has called forth very disparate reactions. Though some have seen his emphasis on the individual will to power as both sinister and arrogant, it is hard to deny the vividness and originality of his challenge to much of the Western tradition in moral philosophy.

Every choice human being strives instinctively for a citadel and a secrecy where he is

saved from the crowd, the many, the great majority - where he may forget ‘men who
are the rule’, being their exception - excepting only the one case in which he is pushed
straight to such men by a still stronger instinct, as a seeker after knowledge in the great
and exceptional sense. Anyone who, in intercourse with men, does not occasionally
glisten in all the colours of distress, green and grey with disgust, satiety, sympathy,
gloominess and loneliness, is certainly not a man of elevated tastes; supposing, however, that he does not take all this burden and disgust upon himself voluntarily,
that he persistently avoids it, and remains, as I said, quietly and proudly hidden in his

Friedrich Nietzsche, Beyond Good and Evil [Jenseits von Gut und Bose, 1886], extracts from §§ 26, 29, 32,
33, 39, 186, 201, 203. Trans. W. Kaufmann (New York: Random House, 1966).

1 See introduction to Part V, extract 4, above.

Compare Nietzsche’s views on the ‘Dionysian’ element in art: Part XI, extract 7, below.



citadel, one thing is certain: he was not made, he was not predestined, for knowledge.
If he were, he would one day have to say to himself: ‘The devil take my good taste! but
the rule is more interesting than the exception - than myself, the exception!’ And he
would go down and above all, he would go ‘inside’. The long and serious study of the
average man, and consequently much disguise, self-overcoming, familiarity, and bad
contact (all contact is bad except with one’s equals) - this constitutes a necessary

part
ot the life history of every philosopher, perhaps the most disagreeable, odious and
disappointing part . . .

Independence is for the very few; it is a privilege of the strong. And whoever attempts it even with the best right but without inner constraint proves that he is probably not only strong, but also daring to the point of recklessness. He enters into a
labyrinth, he multiplies a thousandfold the dangers which life brings with it in any case, not the least ot which is that no one can see how and where he loses his way,
becomes lonely, and is torn piecemeal by some minotaur of conscience. Supposing
one like that comes to grief, this happens so far from the comprehension of men that
they neither feel it nor sympathize. And he cannot go back any longer. Nor can he go
back to the pity of men . . .

During the longest part of human history - so-called prehistorical times - the value or disvalue of an action was derived from its consequences. The action itself was considered as little as its origin. It was rather the way a distinction or disgrace still reaches back today from a child to its parents, in China: it was the retroactive force of
success or failure that led men to think well or ill of an action. Let us call this period
the pre-moral period of mankind: the imperative ‘Know thyself!’ was as yet unknown.

In the last ten thousand years, however, one has reached the point, step by step, in a
few large regions on the earth, where it is no longer the consequences but the origin of
an action that one allows to decide its value. On the whole this is a great event which
involves a considerable refinement of vision and standards; it is the unconscious after-
effect of the rule of aristocratic values and the faith in ‘descent’ - the sign of a period
that one may call moral in the narrower sense. It involves the first attempt at self-

knowledge. Instead of the consequences, the origin: indeed a reversal of perspective!
Surely, a reversal achieved only after long struggles and vacillations. To be sure, a
calamitous new superstition, an odd narrowness of interpretation, thus become dominant: the origin of an action was interpreted in the most definite sense as origin
in an intention ; one came to agree that the value of an action lay in the value of the
intention. The intention as the whole origin and prehistory of an action - almost to the present day this prejudice dominated moral praise, blame, judgement, and philosophy on earth.

But today - shouldn't we have reached the necessity of once more resolving on a reversal and fundamental shift in values, owing to another self-examination of man,
another growth in profundity? Don't we stand at the threshold of a period which should be designated negatively, to begin with, as extra-moral ? After all, today at least
we immoralists have the suspicion that the decisive value of an action lies precisely in
what is unintentional in it, while everything about it that is intentional, everything about it that can be seen, known, 'conscious', still belongs to its surface and skin -
which, like every skin, betrays something but conceals even more. In short, we believe
that the intention is merely a sign and symptom that still requires interpretation - moreover, a sign that means too much and therefore, taken by itself alone, almost



nothing. We believe that morality in the traditional sense, the morality of intentions,
was a prejudice, precipitate and perhaps provisional - something on the order of astrology and alchemy - but in any case something that must be overcome. The overcoming of morality, in a certain sense even the self-overcoming of morality - let
this be the name for that long secret work which has been saved up for the finest

and
most honest, also the most malicious, consciences of today, as living touchstones of
the soul.

There is no other way: the feelings of devotion, self-sacrifice for one's neighbour, the whole morality of self-denial must be questioned mercilessly and taken to court -
no less than the aesthetics of contemplation devoid of all interest' which is used today
as a seductive guise for the emasculation of art, to give it a good conscience. There is
too much charm and sugar in these feelings of 'for others', 'not for myself', for us not
to need to become doubly suspicious at this point and to ask: 'are these not perhaps -
seductions ? That they please - those who have them and those who enjoy their fruits,
and also the mere spectator - this does not yet constitute an argument in their favour
but rather invites caution. So let us be cautious . . .

No one is very likely to consider a doctrine true merely because it makes people happy or virtuous - except perhaps the lovely 'idealists' who become effusive about
the good, the true and the beautiful and allow all kinds of motley, clumsy, and benevolent desiderata to swim around in utter confusion in their pond. Happiness and virtue are no arguments. But people like to forget - even sober spirits - that making unhappy and evil are no counter-arguments. Something might be true while
being harmful and dangerous in the highest degree. Indeed, it might be a basic characteristic of existence that those who would know it completely would perish, in which case the strength of a spirit should be measured according to how much of
the 'truth' one could still barely endure - or to put it more clearly, to what degree one
would require it to be thinned down, shrouded, sweetened, blunted, falsified.

But there is no doubt at all that the evil and unhappy are more favoured when it comes to the discovery of certain parts of truth, and that the probability of their success here is greater - not to speak of the evil who are happy, a species the

moralists
bury in silence. Perhaps hardness and cunning furnish more favourite conditions for the origin of the strong, independent spirit and philosopher than that gentle, fine, conciliatory good-naturedness and art of taking things lightly which people prize, and prize rightly, in a scholar. Assuming first of all that the concept ‘philosopher’ is not restricted to the philosopher who writes books - or makes books of his
philosophy. . .

The moral sentiment in Europe today is as refined, old, diverse, irritable and subtle, as
the ‘science of morals’ that accompanies it is still young, raw, clumsy and butterfingered — an attractive contrast that occasionally becomes visible and incarnate in the
person of a moralist. Even the term ‘science of morals’ is much too arrogant considering what it designates, and offends good taste — which always prefers more
modest terms.

One should own up in all strictness to what is still necessary here for a long time to
come, to what alone is justified so far: to collect material, to conceptualize and arrange
a vast realm of subtle feelings of value and differences of value which are alive, grow, beget and perish - and perhaps attempts to present vividly some of the



more frequent and recurring forms of such living crystallizations - all to prepare a typology of morals.

To be sure, so far one has not been so modest. With a stiff seriousness that inspires
laughter, all our philosophers demanded something far more exalted, presumptuous,
and solemn from themselves as soon as they approached the study of morality: they
wanted to supply a rational foundation for morality - and every philosopher so far

has
believed that he has provided such a foundation. Morality itself, however, was accepted as ‘given’. How remote from their clumsy pride was that task which they considered insignificant and left in dust and must - the task of description - although
the subtlest fingers and senses can scarcely be enough for it.

Just because our moral philosophers knew the facts of morality only very approxi-
mately in arbitrary extracts or in accidental epitomes - for example as the morality of
their environment, their class, their church, the spirit of their time, their climate and
part of the world - just because they were poorly informed and not even very curious
about different peoples, times and past ages - they never laid eyes on the real problems of morality; for these emerge only when we compare many moralities. In
all ‘science of morals’ so far one thing was lacking, strange as it may sound: the problem of morality itself; what was lacking was any suspicion that there was something problematic here. What the philosophers called ‘a rational foundation for morality’ and tried to supply was, seen in the right light, merely a scholarly variation of the common faith in the prevalent morality; a new means of expression
for this faith; and thus just another fact within a particular morality; indeed, in the last analysis a kind of denial that this morality might ever be considered problematic -
certainly the very opposite of an examination, analysis, questioning, and vivisection
of this very faith . . .

As long as the utility reigning in moral value judgements is solely the utility of the herd, as long as one considers only the preservation of the community, and immor-
ality is sought exactly and exclusively in what seems dangerous to the survival of the
community - there can be no morality of ‘neighbour-love’. Supposing that even then
there was a constant little exercise of consideration, pity, fairness, mildness, reci-
procity of assistance; supposing that even in that state of society all those drives are

active that later receive the honorary designation of ‘virtues’ and eventually almost
coincide with the concept of ‘morality’ - in that period they do not yet at all belong in
the realm of moral valuations; they are still extra-moral. An act of pity, for example,
was not considered either good or bad, moral or immoral, in the best period of the
Romans; and even when it was praised, such praise was perfectly compatible with a
kind of disgruntled disdain as soon as it was juxtaposed with an action that served the
welfare of the whole, of the res publica [commonwealth].

In the last analysis, ‘love of the neighbour’ is always something secondary, partly conventional and arbitrary-illusory in relation to fear of the neighbour. After the structure of society is fixed on the whole and seems secure against external dangers,
it is this fear of the neighbour that again creates new perspectives of moral valuation.
Certain strong and dangerous drives, like an enterprising spirit, foolhardiness, venge-
fulness, craftiness, rapacity, and the lust to rule, which had so far not merely been
honoured in so far as they were socially useful - under different names, to be sure,
from those chosen here - but had to be trained and cultivated to make them great



(because one constantly needed them in view of the dangers to the whole community,
against the enemies of the community), are now experienced as doubly dangerous,
since the channels to divert them are lacking, and, step upon step, they are branded as
immoral and abandoned to slander.

Now the opposite drives and inclinations receive moral honours; step upon step,

the herd instinct draws its conclusions. How much or how little is dangerous to the
community, dangerous to equality, in an opinion, in a state or affect, in a will, in a talent - that now constitutes the moral perspective: here, too, fear is again the mother
of morals.

The highest and strongest drives, when they break out passionately and drive the individual far above the average and the flats of the herd conscience, wreck the self-
confidence of the community, its faith in itself, and it is as if its spine snapped. Hence
just these drives are branded and slandered most. High and independent spirituality,
the will to stand alone, even a powerful reason are experienced as dangers. Everything
that elevates an individual above the herd and intimidates the neighbour is henceforth
called evil; and the fair, modest, submissive, conforming mentality, the mediocrity of
desires attains moral designations and honours. Eventually, under very peaceful conditions, the opportunity and necessity for educating one's feelings to severity and hardness is lacking more and more; and even severity, even injustice, begins to
distuib the conscience; any high and hard nobility and self-reliance is almost felt to be
an insult and arouses mistrust; the 'lamb', even more than the 'sheep', gains in respect.

There is a point in the history of a society when it becomes so pathologically soft and tender that among other things it sides even with those who harm it, criminals,
and does this quite seriously and honestly. Punishing somehow seems unfair to it, and
it is certain that imagining 'punishment' and 'being supposed to punish' hurts it, arouses fear in it. 'Is it not enough to render him undangerous ? Why still punish? Punishing itself is terrible.' With this question, herd morality, the morality of timidity,
draws its ultimate consequence. Supposing that one could altogether abolish danger,
the reason for fear, this morality would thereby be abolished too: it would no

longer
be needed, it would no longer consider itself necessary.

Whoever examines the conscience of the European today will have to pull the same
imperative out of a thousand moral folds and hideouts — the imperative of herd timidity: ‘we want that some day there should be nothing any more to be afraid of!’
Some day - throughout Europe, the will and way to this day is now called ‘progress’. . .

We have a different faith; to us the democratic movement is not only a form of the decay of political organization but a form of the decay, namely the diminution, of man, making him mediocre and lowering his value. Where, then, must we reach with
our hopes?

Toward new philosophers; there is no choice; toward spirits strong and original enough to provide the stimuli for opposite valuations and to revalue and invert eternal values , toward forerunners, toward men of the future who in the present tie the knot and constraint that forces the will of millennia upon new tracks. To teach
man the future of man as his will, as dependent on a human will, and to prepare great
ventures and over-all attempts of discipline and cultivation by way of putting an end
to that gruesome dominion of nonsense and accident that has so far been called ‘history’ - the nonsense of the ‘greatest number’ is merely its ultimate form: at some



time new types of philosophers and commanders will be necessary for that, and whatever has existed on earth of concealed, terrible and benevolent spirits, will look
pale and dwarfed by comparison. It is the image of such leaders that we envisage: may
I say this out loud, you free spirits? The conditions that one would have partly to create and partly to exploit for their genesis; the probable ways and tests that

would
enable a soul to grow to such a height and force that it would feel the compulsion for
such tasks; a revaluation of values under whose new pressure and hammer a con-
science would be steeled, a heart turned to bronze, in order to endure the weight of
such responsibility; on the other hand, the necessity of such leaders, the frightening
danger that they might fail to appear or that they might turn out badly or degenerate -
these are our real worries and gloom - do you know that, you free spirits? - these are
the heavy distant thoughts and storms that pass over the sky of our life.

9 Duty and Intuition:

W. D. Ross, The Right and the Good *

A theory of morality interestingly different from those so far discussed was proposed in the 1930s by the English philosopher W. D. Ross, generally classified as a 'moral intuitionist'. In the following extract, Ross begins by asking 'whether there is any general character that makes acts right'. It is clear that utilitarianism (see extracts 6 and 7, above) presupposes an affirmative answer to this question: an act is right in virtue of its conducing (directly or indirectly) to pleasure or happiness. Ross notes that there are alternative consequentialist theories which allow other goods besides pleasure (for example freedom, or knowledge); but all agree in taking the test for rightness to be that the action in question produces the greatest overall amount of good. Ross now argues, against the consequentialists, that in a simple case like my obligation to keep a promise, what makes the promise-keeping action right is simply that it is my duty. This, and not the produc-

tion of beneficial consequences, is the only feature that most of us reflect on when we feel obliged to keep our word. We have certain basic convictions, or intuitions of conscience, about how we ought to behave in this type of case, and Ross (as he observes in a footnote to our

extract below) assumes the correctness of many such 'moral convictions of the plain man.

Ross's stress on duty may seem reminiscent of the views of Kant (see extract 5 above), and his approach is certainly 'deontological' rather than consequentialist (see introduction to extract 6). But Ross goes on to make it clear that he rejects the Kantian idea of categorical duties which allow of no exception. Instead he introduces the concept of prima facie duty, to refer to the obligatoriness which belongs to an act in virtue of its being of a certain type (e.g. an instance of promise-keeping); the term prima facie alerts us to the fact that the duty is only conditional, and may be outweighed by other duties which are in the circumstances more important. Ross lists six categories of prima facie duty - those of fidelity and of reparation, those of gratitude, those of justice, those of beneficence, those of self-improvement and those of non-maleficence (refraining from harm). He is quite prepared to concede that this is an unsystematic and possibly incomplete list, but insists it corresponds to the way we in fact think when we are considering what we ought to do, and is thus vastly superior to the appeal of a 'hastily reached simplicity'. One may object that,

* W. D. Ross, The Right and the Good (Oxford: Clarendon, 1930), ch. 2 ('What Makes Right Acts Right?'),
pp. 16—24; with omissions.

since pritna fade duties may clash, there must be some overarching principle to determine what is the correct action in cases of conflict; but Ross points out that unless the consequentialists try (implausibly) to reduce everything of value to a single good (such as pleasure), they will soon have to confront similar priority conflicts. Those who require moral theory to have a

systematic architecture will find Ross's pluralistic intuitionism unappealing; but its merit is that it seems to match the way we often think and act in the moral arena, where the demands of various duties (T promised'; 'I can't let him down'; 'I must help those in distress') often seem to defy neat reduction to a unifying schema of explanation.

The real point at issue between hedonism and utilitarianism on the one hand and their opponents on the other is . . . whether there is any general character which makes acts right, and if so, what it is. Among the main historical attempts to state a single characteristic of all right actions which is the foundation of their rightness are those made by egoism and utilitarianism. But I do not propose to discuss these . . . because there has come to be so much agreement among moral philosophers that neither of these theories is satisfactory. A much more attractive theory has been put forward by Professor Moore; that what makes actions right is that they are productive of more good than could have been produced by any other action open to the agent. 1

This theory is in fact the culmination of all the attempts to base rightness on productivity of some sort of result. The first form this attempt takes is the attempt to base rightness on conduciveness to the advantage or pleasure of the agent. This theory comes to grief over the fact, which stares us in the face, that a great part of duty consists in an observance of the rights and a furtherance of the interests of others, whatever the cost to ourselves may be. Plato and others may be right in holding that a regard for the rights of others never in the long run involves a loss of happiness of the agent, that the just life profits a man. But this, even if true, is irrelevant to the rightness of the act. As soon as a man does an action because he thinks he will promote his own interests thereby, he is acting not from a sense of its rightness but from self-interest.

To the egoistic theory hedonistic utilitarianism 2 supplies a much-needed amendment. It points out correctly that the fact that a certain pleasure will be enjoyed by the agent is no reason why he ought to bring it into being rather than an equal or greater pleasure to be enjoyed by another, though, human nature being what it is, it makes it not unlikely that he will try to bring it into being. But hedonistic utilitarianism in its turn needs a correction. On reflection it seems clear that pleasure is not the only thing in life that we think good in itself, that for instance we think the possession of a good character, or an intelligent understanding of the world, as good or better. A great advance is made by the substitution of productive of the greatest good' for 'productive of the greatest pleasure'.

Not only is this theory more attractive than hedonistic utilitarianism, but its logical relation to that theory is such that the latter could not be true unless it were true, while it might be true though hedonistic utilitarianism were not. It is in fact one of the logical bases of hedonistic utilitarianism. For the view that what produces the maximum pleasure is right has for its bases the views (1) that what produces

the

^ See G. E. Moore, Ethics [1912] (Oxford: Oxford University Press, 1958).
A theory like that of J. S. Mill; see above, extract 6.

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maximum good is right, and (2) that pleasure is the only thing good in itself. If they were not assuming that what produces the maximum good is right, the utilitarians' attempt to show that pleasure is the only thing good in itself, which is in fact the point they take most pains to establish, would have been quite irrelevant to their attempt to prove that only what produces the maximum pleasure is right. If, therefore, it can be shown that productivity of the maximum good is not what makes all right actions right, we shall a fortiori have refuted hedonistic utilitarianism.

When a plain man fulfils a promise because he thinks he ought to do so, it seems clear that he does so with no thought of its total consequences, still less with any opinion that these are likely to be the best possible. He thinks in fact much more of the past than of the future. What makes him think it right to act in a certain way is the fact that he has promised to do so - that and, usually, nothing more. That his act will produce the best possible consequences is not his reason for calling it right. What lends colour to the theory we are examining, then, is not the actions (which form probably a great majority of our actions) in which some such reflection as 'I have promised' is the only reason we give ourselves for thinking a certain action right, but the exceptional cases in which the consequences of fulfilling a promise (for instance) would be so disastrous to others that we judge it right not to do so. It must of course

be admitted that such cases exist. If I have promised to meet a friend at a particular time for some trivial purpose, I should certainly think myself justified in breaking my engagement if by doing so I could prevent a serious accident or bring relief to the victims of one. And the supporters of the view we are examining hold that my thinking so is due to my thinking that I shall bring more good into existence by the one action than by the other. A different account may, however, be given of the matter, an account which will, I believe, show itself to be the true one. It may be said that besides the duty of fulfilling promises I have and recognize a duty of relieving distress, and that when I think it right to do the latter at the cost of not doing the former, it is not because I think I shall produce more good thereby but because I think it the duty which is in the circumstances more of a duty. This account surely corresponds much more closely with what we really think in such a situation. If, so far as I can see, I could bring equal amounts of good into being by fulfilling my promise and by helping someone to whom I had made no promise, I should not hesitate to regard the former as my duty. Yet on the view that what is right is right because it is productive of the most good I should not so regard it.

There are two theories, each in its way simple, that offer a solution of such cases of conscience. One is the view of Kant, that there are certain duties of perfect obligation, such as those of fulfilling promises, of paying debts, of telling the truth, which admit of no exception whatever in favour of duties of imperfect obligation, such as that of relieving distress. The other is the view of, for instance, Professor Moore . . . that there is only the duty of producing good, and that all ‘conflicts of duties’ should be resolved by asking ‘by which action will most good be produced?’ But it is more important that our theory fit the facts than that it be simple, and the account we have given

above
corresponds (it seems to me) better than either of the simpler theories with what we
really think, viz. that normally promise-keeping, for example, should come before benevolence, but that when and only when the good to be produced by the benevolent
act is very great and the promise comparatively trivial, the act of benevolence becomes
our duty.

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In fact the theory of ‘ideal utilitarianism’, if I may for brevity refer so to the theory of Professor Moore, seems to simplify unduly our relations to our fellows. It says, in
effect, that the only morally significant relation in which my neighbours stand to me
is that of being possible beneficiaries by my action. They do stand in this relation to
me, and this relation is morally significant. But they may also stand to me in the relation of promisee to promiser, of creditor to debtor, of wife to husband, of child to
parent, of friend to friend, of fellow countryman to fellow countryman, and the like;
and each of these relations is the foundation of a prima facie duty, which is more or
less incumbent on me according to the circumstances of the case. When I am in a
situation, as perhaps I always am, in which more than one of these prima facie duties
is incumbent on me, what I have to do is to study the situation as fully as I can until
I form the considered opinion (it is never more) that in the circumstances one of them is more incumbent than any other; then I am bound to think that to do this prima facie duty is my duty sans phrase in the situation.

I suggest prima facie duty or conditional duty’ as a brief way of referring to the characteristic (quite distinct from that of being a duty proper) which an act has, in virtue of being of a certain kind (e.g. the keeping of a promise), of being an act

which
would be a duty proper if it were not at the same time of another kind which is morally significant. Whether an act is a duty proper or actual duty depends on all the
morally significant kinds it is an instance of. The phrase ‘ prima facie duty’ must be
apologized for, since ( 1 ) it suggests that what we are speaking of is a certain kind of
duty, whereas it is in fact not a duty, but something related in a special way to duty.
Strictly speaking, we want not a phrase in which duty is qualified by an adjective, but
a separate noun. (2) ‘Prima" facie suggests that one is speaking only of an appearance
which a moral situation presents at first sight, and which may turn out to be illusory;
whereas what I am speaking of is an objective fact involved in the nature of the situation, or more strictly in an element of its nature, though not, as duty proper does, arising from its whole nature. I can, however, think of no term which fully meets
the case . . .

There is nothing arbitrary about these prima facie duties. Each rests on a definite circumstance which cannot seriously be held to be without moral significance. Of prima facie duties I suggest, without claiming completeness or finality for it, the following division. 1

(1) Some duties rest on previous acts of my own. These duties seem to include two
kinds; (a) Those resting on a promise or what may fairly be called an implicit promise, such as the implicit undertaking not to tell lies which seems to be implied
in the act of entering into conversation (at any rate by civilized men), or of writing

I should make it plain at this stage that 1 am assuming the correctness of some of our main convictions
as to prima facie duties, or, more strictly, am claiming that we know them to be true. To me it seems as
self-evident as anything could be, that to make a promise, for instance, is to create a moral claim on us

in someone else. Many readers will perhaps say that they do not know this to be true. If so, I certainly
cannot prove it to them; I can only ask them to reflect again, in the hope that they will ultimately agree
that they also know it to be true. The main moral convictions of the plain man seem to me to be, not
opinions which it is for philosophy to prove or disprove, but knowledge from the start; and in my own
case I seem to find little difficulty in distinguishing these essential convictions from other moral
convictions which 1 also have, which are merely fallible opinions based on an imperfect study of the
working for good or evil of certain institutions or types of action.

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books that purport to be history and not fiction. These may be called the duties of fidelity, (b) Those resting on a previous wrongful act. These may be called the duties
ot reparation. (2) Some rest on previous acts of other men, i.e. services done by them
to me. These may be loosely described as the duties of gratitude. (3) Some rest on the
fact or possibility of a distribution of pleasure or happiness (or of the means thereto)
which is not in accordance with the merit of the persons concerned; in such cases
there arises a duty to upset or prevent such a distribution. These are the duties of justice. (4) Some rest on the mere fact that there are other beings in the world whose
condition we can make better in respect of virtue, or of intelligence, or of pleasure.
These are the duties of beneficence. (5) Some rest on the fact that we can improve our
own condition in respect of virtue or of intelligence. These are the duties of self-improvement. (6) I think that we should distinguish from (4) the duties that may be
summed up under the title of ‘not injuring others’. No doubt to injure others is incidentally to fail to do them good; but it seems to me clear that non-maleficence

is
apprehended as a duty distinct from that of beneficence, and as a duty of a more stringent character. It will be noticed that this alone among the types of duty has been
stated in a negative way. An attempt might no doubt be made to state this duty, like
the others, in a positive way. It might be said that it is really the duty to prevent ourselves from acting either from an inclination to harm others or from an inclination to seek our own pleasure, in doing which we should incidentally harm them. But on reflection it seems clear that the primary duty here is the duty not to harm others, this being a duty whether or not we have an inclination that if followed would
lead to our harming them; and that when we have such an inclination the primary duty not to harm others gives rise to a consequential duty to resist the inclination. The recognition of this duty of non-maleficence is the first step on the way to the recognition of the duty of beneficence; and that accounts for the prominence of the
commands ‘thou shalt not kill’, ‘thou shalt not commit adultery’, ‘thou shalt not steal’,
‘thou shalt not bear false witness’, in so early a code as the Decalogue. But even when
we have come to recognize the duty of beneficence, it appears to me that the duty of
non-maleficence is recognized as a distinct one, and as prima facie more binding. We
should not in general consider it justifiable to kill one person in order to keep another
alive, or to steal from one in order to give alms to another.

The essential defect of the ‘ideal utilitarian’ theory is that it ignores, or at least does
not do full justice to, the highly personal character of duty. If the only duty is to produce the maximum of good, the question who is to have the good - whether it is
myself, or my benefactor, or a person to whom I have made a promise to confer that
good on him, or a mere fellow man to whom I stand in no such special relation - should make no difference to my having a duty to produce that good. But we are all in
fact sure that it makes a vast difference.

... If the objection be made, that this catalogue of the main types of duty is an unsystematic one resting on no logical principle, it may be replied, first, that it makes
no claim to being ultimate. It is a prima facie classification of the duties which reflection on our moral convictions seems actually to reveal. And if these convictions
are, as I would claim that they are, of the nature of knowledge, and if I have not misstated them, the list will be a list of authentic conditional duties, correct as far as it goes though not necessarily complete. The list of goods put forward by the rival theory is reached by exactly the same method - the only sound one in the



circumstances - viz. that of direct reflection on what we really think. Loyalty to the facts is worth more than a symmetrical architectonic or a hastily reached simplicity. If
further reflection discovers a perfect logical basis for this or for a better classification,
so much the better.

It may, again, be objected that our theory that there are these various and often conflicting types of prima facie duty leaves us with no principle upon which to discern
what is our actual duty in particular circumstances. But this objection is not one which the rival theory is in a position to bring forward. For when we have to choose
between the production of two heterogeneous goods, say knowledge and pleasure, the
'ideal utilitarian' theory can only fall back on an opinion, for which no logical basis can be offered, that one of the goods is the greater; and this is no better than a similar
opinion that one of two duties is the more urgent. And again, when we consider the
infinite variety of the effects of our actions in the way of pleasure, it must surely be
admitted that the claim which hedonism sometimes makes, that it offers a readily applicable criterion of right conduct, is quite illusory.

I am unwilling, however, to content myself with an argumentum ad hominemf and

I would contend that in principle there is no reason to anticipate that every act that is
our duty is so for one and the same reason. Why should two sets of circumstances, or
one set of circumstances, not possess different characteristics, any one of which makes
a certain act our prima facie duty? When I ask what it is that makes me in certain cases
sure that I have a prima facie duty to do so and so, I find that it lies in the fact that I have made a promise; when I ask the same question in another case, I find the answer lies in the fact that I have done a wrong. And if on reflection I find (as I think
I do) that neither of these reasons is reducible to the others, I must not on any a priori
ground assume that such a reduction is possible . . .

## 10 Rational Choice and Fairness: John Rawls, A Theory of Justice *

Our next selection brings us down to the more recent past with an extract from the magnum opus of the influential Harvard philosopher John Rawls. Rawls's theory of justice has something in common with the Kantian approach to ethics (see extract 5, above), since it lays stress on asking what moral maxims could be rationally chosen or willed to operate in society. It also makes use of the idea of a hypothetical contract, familiar from traditional political theory (see below, Part X, extracts 3 and 4). The central idea of 'justice as fairness', as Rawls calls his

theory, is that we are to imagine having to decide what principles we would choose to see adopted in society, from a hypothetical 'original position' in which each of us is ignorant of certain crucial facts about our personal characteristics and our actual situation in society. Requiring the choice

of principles to be made behind this ‘veil of ignorance’ is a way of ensuring that we make our decisions in an impartial and fair way. For example, if I already know I am a white male, I might favour arrangements which favour whites over blacks, or men over women; but from

1 An argument based merely on defects in the opponent’s position.

* J. Rawls, A Theory of Justice (Oxford: Oxford University Press, 1972), ch. 1, sections 3 and 4; with
omissions.



behind the 'veil of ignorance’ I will tend to avoid such unjust systems, since I might myself turn out to be a member of the disadvantaged group.

The problem of what is the rational choice under conditions of uncertainty is one that has much exercised both Rawls and his critics. Some have suggested that in Rawls’s original position it would be rational to vote for whatever system produces the greatest good for all - in which case the theory turns out to generate yet another version of utilitarianism (see extracts 6 and 7, above). But Rawls argues that it would be most rational for the parties to select two principles of justice: first, that there be maximum equality in the assignment of basic liberties and duties; and second, that economic inequalities be permitted only if on balance they benefit the least advantaged members of society. The second principle would no doubt require some sacrifices on the part of the better off or more fortunate; but for the supporters of Rawls it is a crucial part of the appeal of his theory that it requires us to choose

the principles of justice so as to counterbalance (at least in part) those accidents of natural endowment (intelligence, gender, race, etc.) that are, as Rawls puts it, ‘arbitrary from the moral point of view’.

In the final part of our extract, important questions of methodology are addressed. Rawls

does not claim to arrive at his conception of the original position out of nowhere: it is partly designed to generate results that accord with our pre-reflective intuitions about morality and justice. As Rawls envisages it, however, developing a moral theory may require us on the one hand to discard some of our intuitions, where these cannot be fitted into the constraints of the theory, and on the other hand to modify the theory when it conflicts with too many of our central intuitions. Such a process of mutual adjustment continues until we reach the state of ‘reflective equilibrium’ - the (adjusted) theory is in balance with our (corrected) intuitions. Irrespective of the merits or otherwise of Rawls’s account of justice, the notion of reflective equilibrium has stimulated considerable debate about the nature of moral theory: is it in the end just a descriptive endeavour, aimed merely at systematizing our existing intuitions, or can it aspire to lay down prescriptive rules about how human society should be regulated? The Rawlsian idea of pure rational choice under conditions of uncertainty also raises important questions about the extent to which moral theorizing can operate in abstraction from the particularities of our history and culture - a question that will be taken up in extract 11, below.

The main idea of the theory of justice

My aim is to present a conception of justice which generalizes and carries to a higher
level of abstraction the familiar theory of the social contract as found, say, in Locke,
Rousseau and Kant. In order to do this we are not to think of the original contract as
one to enter a particular society or to set up a particular form of government. Rather,
the guiding idea is that the principles of justice for the basic structure of society are
the object of the original agreement. They are the principles that free and rational
persons concerned to further their own interests would accept in an initial position of
equality as defining the fundamental terms of their association. These principles are to
regulate all further agreements; they specify the kinds of social cooperation that can be
entered into and the forms of government that can be established. This way of
regarding the principles of justice I shall call justice as fairness.

Thus we are to imagine that those who engage in social cooperation choose
together, in one joint act, the principles which are to assign basic right and duties
and to determine the division of social benefits. Men are to decide in advance how
they are to regulate their claims against one another and what is to be the foundation



charter of their society. Just as each person must decide by rational reflection what
constitutes his good, that is, the system of ends which it is rational for him to pursue,
so a group of persons must decide once and for all what is to count among them as

just and unjust. The choice which rational men would make in this hypothetical situation of equal liberty, assuming for the present that this choice problem has a solution, determines the principles of justice.

In justice as fairness the original position of equality corresponds to the state of nature in the traditional theory of the social contract. This original position is not, of course, thought of as an actual historical state of affairs, much less as a primitive condition of culture. It is understood as a purely hypothetical situation characterized so as to lead to a certain conception of justice. Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does any one know his fortune in the distribution of natural assets and abilities, his intelligence, strength and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance. This ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances. Since all are similarly situated and no one is able to design principles to favour his particular condition, the principles of justice are the result of a fair agreement or bargain. For given the circumstances of the original position, the symmetry of everyone's relations to each other, this initial situation is fair between individuals as moral persons, that is, as rational beings with their own ends and capable, I shall assume, of a sense of justice. The original position is, one might say, the appropriate initial status quo, and thus the fundamental agreements reached in it are fair. This explains the propriety of the name 'justice as fairness' - it conveys the idea that the principles of justice are agreed to in an initial situation that is fair. The name does not mean that the concepts of justice and

fairness
are the same, any more than the phrase ‘poetry as metaphor’ means that the concepts
of poetry and metaphor are the same.

Justice as fairness begins, as I have said, with one of the most general of all choices
which persons might make together, namely, with the choice of the first principles of a
conception of justice which is to regulate all subsequent criticism and reform of institutions. Then, having chosen a conception of justice, we can suppose that they are
to choose a constitution and a legislature to enact laws, and so on, all in accordance
with the principles of justice initially agreed upon. Our social situation is just if it is such that by this sequence of hypothetical agreements we would have contracted into
the general system of rules which defines it. Moreover, assuming that the original position does determine a set of principles (that is, that a particular conception of justice would be chosen), it will then be true that whenever social institutions satisfy
these principles those engaged in them can say to one another that they are cooper-
ating on terms to which they would agree if they were free and equal persons whose
relations with respect to one another were fair. 1 hey could all view their arrangements
as meeting the stipulations which they would acknowledge in an initial situation that
embodies widely accepted and reasonable constraints on the choice of principles. The
general recognition of this fact would provide the basis for a public acceptance of the
corresponding principles of justice. No society can, of course, be a scheme of cooperation which men enter voluntarily in a literal sense; each person finds himself

placed at birth in some particular position in some particular society, and the nature
of this position materially affects his life prospects. Yet a society satisfying the principles of justice as fairness comes as close as a society can to being a voluntary
scheme, for it meets the principles which free and equal persons would assent to under circumstances that are fair. In this sense its members are autonomous and the
obligations they recognize self-imposed.

One feature of justice as fairness is to think of the parties in the initial situation as rational and mutually disinterested. This does not mean that the parties are egoists,
that is, individuals with only certain kinds of interests, say in wealth, prestige and domination. But they are conceived as not taking an interest in one another's interests. They are to presume that even their spiritual aims may be opposed in the
way that the aims of those of different religions may be opposed. Moreover, the

concept of rationality must be interpreted as far as possible in the narrow sense,

standard in economic theory, of taking the most effective means to given ends . . .

In working out the conception of justice as fairness one main task clearly is to determine which principles of justice would be chosen in the original position. To do
this we must describe this situation in some detail and formulate with care the

problem of choice which it presents ... It may be observed, however, that once the

principles of justice are thought of as arising from an original agreement in a situation
of equality, it is an open question whether the principle of utility would be acknowledged. Offhand it hardly seems likely that persons who view themselves as equals,
entitled to press their claims upon one another, would agree to a principle which may
require lesser life prospects for some simply for the sake of a greater sum of advantages enjoyed by others. Since each desires to protect his interests, his

capacity
to advance his conception of the good, no one has a reason to acquiesce in an enduring loss for himself in order to bring about a greater net balance of satisfaction.
In the absence of strong and lasting benevolent impulses, a rational man would not
accept a basic structure merely because it maximized the algebraic sum of advantages
irrespective of its permanent effects on his own basic rights and interests. Thus it seems that the principle of utility is incompatible with the conception of social cooperation among equals for mutual advantage. It appears to be inconsistent with
the idea of reciprocity implicit in the notion of a well-ordered society. Or, at any rate,
so I shall argue.

I shall maintain instead that the persons in the initial situation would choose two rather different principles: the first requires equality in the assignment of basic rights
and duties, while the second holds that social and economic inequalities, for example
inequalities of wealth and authority, are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members of society.
These principles rule out justifying institutions on the grounds that the hardships of
some are offset by a greater good in the aggregate. It may be expedient but it is not just
that some should have less in order that others may prosper. But there is no injustice
in the greater benefits earned by a few provided that the situation of persons not so
fortunate is thereby improved. The intuitive idea is that since everyone's well-being
depends upon a scheme of cooperation without which no one could have a satisfac-
tory life, the division of advantages should be such as to draw forth the willing cooperation of everyone taking part in it, including those less well situated. Yet this
can be expected only it reasonable terms are proposed. The two principles mentioned

seem to be a fair agreement on the basis of which those better endowed, or more fortunate in their social position, neither of which we can be said to deserve, could expect the willing cooperation of others when some workable scheme is a necessary condition of the welfare of all. Once we decide to look for a conception of justice that nullifies the accidents of natural endowment and the contingencies of social circumstance as counters in quest for political and economic advantage, we are led to these principles. They express the result of leaving aside those aspects of the social world that seem arbitrary from a moral point of view . . .

## The original position and justification

I have said that the original position is the appropriate initial status quo which insures that the fundamental agreements reached in it are fair. This fact yields the name 'justice as fairness'. It is clear, then, that I want to say that one conception of justice is more reasonable than another, or justifiable with respect to it, if rational persons in the initial situation would choose its principles over those of the other for the role of justice. Conceptions of justice are to be ranked by their acceptability to persons so circumstanced. Understood in this way the question of justification is settled by working out a problem of deliberation: we have to ascertain which principles it would be rational to adopt given the contractual situation. This connects the theory of justice with the theory of rational choice.

If this view of the problem of justification is to succeed, we must, of course, describe in some detail the nature of this choice problem. A problem of rational decision has a definite answer only if we know the beliefs and interests of the parties,
their relations with respect to one another, the alternatives between which they are to
choose, the procedure whereby they make up their minds, and so on. As the circumstances are presented in different ways, correspondingly different principles
are accepted. The concept of the original position, as I shall refer to it, is that of the
most philosophically favoured interpretation of this initial choice situation for the purposes of a theory of justice.

But how are we to decide what is the most favoured interpretation? I assume, for one thing, that there is a broad measure of agreement that principles of justice should
be chosen under certain conditions. To justify a particular description of the initial situation one shows that it incorporates these commonly shared presumptions. One
argues from widely accepted but weak premises to more specific conclusions. Each of
the presumptions should by itself be natural and plausible; some of them may seem
innocuous or even trivial. The aim of the contract approach is to establish that taken
together they impose significant bounds on acceptable principles of justice. The ideal
outcome would be that these conditions determine a unique set of principles; but I shall be satisfied if they suffice to rank the main traditional conceptions of social justice.

One should not be misled, then, by the somewhat unusual conditions which characterize the original position. The idea here is simply to make vivid to ourselves
the restrictions that it seems reasonable to impose on arguments for principles of justice, and therefore on these principles themselves. Thus it seems reasonable and
generally acceptable that no one should be advantaged or disadvantaged by natural

fortune or social circumstances in the choice of principles. It also seems widely agreed
that it should be impossible to tailor principles to the circumstances of one's own case. We should insure further that particular inclinations and aspirations, and persons' conceptions of their good, do not affect the principles adopted. The aim is
to rule out those principles that it would be rational to propose for acceptance, however little the chance of success, only if one knew certain things that are irrelevant
from the standpoint of justice. For example, if a man knew that he was wealthy, he
might find it rational to advance the principle that various taxes for welfare measures
be counted unjust; if he knew that he was poor, he would most likely propose the contrary principle. To represent the desired restrictions one imagines a situation in
which everyone is deprived of this sort of information. One excludes the knowledge of
those contingencies which sets men at odds and allows them to be guided by their
prejudices. In this manner the veil of ignorance is arrived at in a natural way. This concept should cause no difficulty if we keep in mind the constraints on arguments
that it is meant to express. At any time we can enter the original position, so to speak,
simply by following a certain procedure, namely, by arguing for principles of justice in
accordance with these restrictions.

It seems reasonable to suppose that the parties in the original position are equal. That is, all have the same rights in the procedure for choosing principles; each can
make proposals, submit reasons for their acceptance, and so on. Obviously the purpose of these conditions is to represent equality between human beings as moral
persons, as creatures having a conception of their good and capable of a sense of

justice. The basis of equality is taken to be similarity in these two respects. Systems
of ends are not ranked in value; and each man is presumed to have the requisite ability
to understand and to act upon whatever principles are adopted. Together with the veil
of ignorance, these conditions define the principles of justice as those which rational
persons concerned to advance their interests would consent to as equals when none
are known to be advantaged or disadvantaged by social and natural contingencies.

There is, however, another side to justifying a particular description of the original position. I his is to see if the principles which would be chosen match our considered
convictions of justice or extend them in an acceptable way. We can note whether applying these principles would lead us to make the same judgements about the basic
structure of society which we now make intuitively and in which we have the greatest
confidence; or whether, in cases where our present judgements are in doubt and given
with hesitation, these principles offer a resolution which we can affirm on reflection.
There are questions which we feel sure must be answered in a certain way. For example, we are confident that religious intolerance and racial discrimination are unjust. We think that we have examined these things with care and have reached what
we believe is an impartial judgement not likely to be distorted by an excessive attention to our own interests. These convictions are provisional fixed points which
we presume any conception of justice must fit. But we have much less assurance as to
what is the correct distribution of wealth and authority. Flere we may be looking for a
way to remove our doubts. We can check an interpretation of the initial situation, then, by the capacity of its principles to accommodate our firmest convictions and to
provide guidance where guidance is needed.

In searching for the most favoured description of this situation we work from both ends. We begin by describing it so that it presents generally shared and preferably

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weak conditions. We then see if these conditions are strong enough to yield a significant set of principles. If not, we look for further premises equally reasonable.
But if so, and these principles match our considered convictions of justice, then so far
well and good. But presumably there will be discrepancies. In this case we have a
choice. We can either modify the account of the initial situation or we can revise our
existing judgements, for even the judgements we originally take as fixed are liable to
revision. By going back and forth, sometimes altering the conditions of the contract-
ual circumstances, at others withdrawing our judgements and conforming them to principle, I assume that eventually we shall find a description of the initial situation
that both expresses reasonable conditions and yields principles. This state of affairs
I refer to as reflective equilibrium. It is an equilibrium because at last our principles
and judgements coincide; and it is reflective since we know to what principles our judgements conform and the premises of their derivation. At the moment everything
is in order. But this equilibrium is not necessarily stable. It is liable to be upset by further examination of the conditions which should be imposed on the contractual situation and by particular cases which may lead us to revise our judgements. Yet for
the time being we have done what we can to render coherent and to justify our convictions of social justice. We have reached a conception of the original position

**1 1 Ethics as Rooted in History and Culture:**

**Alasdair MacIntyre, After Virtue ***

In the preceding extract, we found John Rawls constructing his theory of justice on a fairly 'thin' or minimal base of rational choice behind a veil of ignorance, abstracting from all the particularities of history and culture. Our next author, Alasdair MacIntyre, approaches moral theory from an almost diametrically opposed standpoint. MacIntyre would see Rawls, and indeed most contemporary moral theorists, as following a flawed model which he calls the 'Enlightenment project' - the mistaken attempt to provide an abstract justification for morality, wholly independent of social tradition, and appealing only to the rational assessments and individual preferences of supposedly independent autonomous agents.

Yet in reality, argues MacIntyre, we can have no identity as individuals except in the context of a narrative - a concrete story woven out of the history and culture that gives meaning to our lives. The idea that we could start from scratch,

acknowledging only some neutral and abstract value, such as 'happiness' (for the utilitarians), or 'rational choice' (for those influenced by Kant), is an illusion. The concept of happiness, MacIntyre suggests, has no clear content that could guide our lives (since there are so many diverse forms of human activity); and autonomous choice, cut adrift from any meaningful moral context, lacks any persuasive authority. The good life for human beings requires a sense of past and of future, and the idea of a quest, 01-search directed to some goal or purpose; in short, it presupposes what MacIntyre calls a 'living tradition'.

MacIntyre's work has been highly influential in the contemporary movement in moral philosophy known as 'virtue ethics'. In some respects, this is a revival of the Aristotelian conception (see extract 2 , above), which had stressed how the virtues necessary for a fulfilled life require training and habituation within a

* A. MacIntyre, After Virtue: A Study in Moral Theory (London: Duckworth, 1981; 2nd edn 1985),
extracts from ch. 6, pp. 62-8, and ch. 15, pp. 216-24.



particular moral culture. MacIntyre defines the virtues as qualities necessary to achieve the goods that are 'internal to practices'; these practices (he elsewhere explains) include arts, sciences, politics, family life and 'any coherent and complex form of socially established cooperative human activity' involving 'standards of excellence'. ' Some crucial features of this conception are underlined by MacIntyre in our extract. First, there is a stress on cooperation and 'social identity': in place of the widespread modern turn towards individualism and personal conceptions of the good, MacIntyre's virtues are 'those required to sustain . . . households and . . . communities in which men and women can seek for the good together. Second, MacIntyre's account of virtue is linked to the idea of a search that is to some extent open-ended, and always developing. It is not just a matter of perpetuating certain social practices, or pursuing a settled and already agreed objective (like digging for gold or oil); rather, we gradually come to understand our goals better, as we grow in self-knowledge and

learn to ‘overcome the harms . . . temptations and distractions we encounter’.

This last point offers the basis for a response to those critics of MacIntyre who have objected that his conception of the good life relies on an uncritical conservatism about inherited traditions. MacIntyre certainly insists that our moral identity is necessarily shaped by tradition: ‘I find myself part of a history, and . . . whether I like it or not, whether I recognize it or not, one of the

bearers of a tradition.’ But he also repudiates the ‘Burkean’ or hyper-conservative identification of tradition with resistance to change or avoidance of critical discussion. A living tradition will be shaped by continuing debate about the goals and purposes of the relevant practices; it is ‘an historically extended, socially embodied argument ... in part about the goods that constitute that tradition’.

The continuing stress, throughout our extract, on the need to find our moral identity within a social and historical narrative gives rise to a possible difficulty for MacIntyre, namely that our complex modern culture seems to be an amalgam of differing and often competing worldviews: locating ourselves within a Marxist story, for example, may give a very different account of virtue and of how we should live than locating ourselves within the narrative structures of Catholic Christianity. Whether there is a viable way of adjudicating between competing traditions is a problem that MacIntyre himself has addressed in his later writings, and which has continued to generate considerable debate. Whatever the outcome of that debate, most would concede that MacIntyre’s work has brought a valuable historical dimension to

the enterprise of ethical theory. Against the tendency of much analytic philosophy to render the subject ever more abstract and artificial, he has contributed to making it a more humane discipline, linked to the rest of our intellectual and moral culture.

The problems of modern moral theory emerge clearly as the failure of the Enlight- rr] T [ji
enment project. On the one hand the individual moral agent, freed from hierarchy and teleology, conceives of himself and is conceived of by moral philosophers as sovereign in his moral authority. On the other hand the inherited, if partially transformed, rules of morality have to be found some new status, deprived as they
have been of their older teleological character and their even more ancient categorical
character as expressions of a ultimately divine law. If such rules cannot be found a new
status which will make appeal to them rational, appeal to them will indeed appear as a
mere instrument of individual desire and will. Hence there is a pressure to vindicate
them either by devising some new teleology or by finding some new categorical status
for them. The first project is what lends its importance to utilitarianism; the second to
all those attempts to follow Kant in representing the authority of the appeal to moral
rules as grounded in the nature of practical reasons . 1 2 Both attempts . . . failed and fail . . .

1 After Virtue , pp. 187-8.

For utilitarian and Kantian ethics, see respectively extracts 6 and 5, above.

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John Stuart Mill was right in his contention that the Benthamite conception of

happiness stood in need of enlargement; in Utilitarianism he attempted to make a key
distinction between 'higher' and 'lower' pleasures 1 and in On Liberty and elsewhere he
connects increase in human happiness with the extension of human creative powers.
But the effect of these emendations is to suggest . . . that the notion of human happiness is not a unitary, simple notion and cannot provide us with a criterion for making our key choices. If someone suggests to us, in the spirit of Bentham and Mill,
that we should guide our own choices by the prospect of our own future pleasure or
happiness, the appropriate retort is to enquire: 'But which pleasure, which happiness
ought to guide me?' For there are too many different kinds of enjoyable activity, too
many different modes in which happiness is achieved. And pleasure or happiness are
not states of mind for the production of which these activities and modes are merely
alternative means . . .

To have understood the polymorphous character of pleasure and happiness is of course to have rendered those concepts useless for utilitarian purposes: if the prospect
of his or her own future pleasure or happiness cannot for the reasons I have suggested
provide criteria for solving the problems of action in the case of each individual, it follows that the notion of the greatest happiness of the greatest number is a notion
without any clear content at all. It is indeed a pseudo-concept available for a variety of
ideological uses, but no more than that . . .

Both the utilitarianism of the middle and late nineteenth century and the analytical moral philosophy of the middle and late twentieth century are alike unsuccessful attempts to rescue the autonomous moral agent from the predicament in which the
failure of the Enlightenment project of providing him with a secular, rational justification for his moral allegiances had left him . . . [T]he price paid for liberation from

what appeared to be the external authority of traditional morality was the loss of any
authoritative content from the would-be moral utterances of the newly autonomous
agent. Each moral agent now spoke unconstrained by the externalities of divine law,
natural teleology or hierarchical authority; but why would anyone else now listen to
him? . . .

[A]n action is always an episode in a possible history. ..Iam what I may justifiably be
taken by others to be in the course of living out a story that runs from my birth to my
death; I am the subject of a history that is my own and no one else's, that has its own
peculiar meaning . 2 When someone complains - as do some of those who attempt or
commit suicide - that his or her life is meaningless, he or she is often and perhaps
characteristically complaining that the narrative of their life has become unintelligible
to them, that it lacks any point, any movement towards a climax or a telos. Hence the
point of doing any one thing rather than another at crucial junctures in their lives
seems to such a person to have been lost . . .

The other aspect of narrative selfhood is correlative: I am not only accountable, I am one who can always ask others for an account, who can put others to the question.

I am part of their story as they are part of mine. The narrative of any one life is part of

1 See extract 6, above.

For more on the narrative conception of selfhood, compare Charles Taylor (Part V, extract 6, above),

whose outlook has much in common with MacIntyre's.

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an interlocking set of narratives. Moreover this asking for and giving of accounts itself
plays an important part in constituting narratives. Asking you what you did and why,
saying what I did and why, pondering the differences between your account of what
1 did and my account of what 1 did, and vice versa, these are essential constituents of
all but the very simplest and barest of narratives. Thus without the accountability of the self those trains of events that constitute all but the simplest and barest of narratives could not occur; and without that same accountability narratives would lack that continuity required to make both them and the actions that constitute them
intelligible . . .

It is now possible to return to the question from which this enquiry into the nature of human action and identity started: 'In what does the unity of an individual life consist?' The answer is that its unity is the unity of a narrative embodied in a single
life. To ask 'What is the good for me?' is to ask how best I might live out that unity and bring it to completion. To ask 'What is the good for man?' is to ask what all answers to the former question must have in common. But now it is important to emphasize that it is the systematic asking of these two questions and the attempt to
answer them in deed as well as in word which provide the moral life with its unity. The unity of a human life is the unity of a narrative quest. Quests sometimes fail, are
frustrated, abandoned or dissipated into distractions; and human lives may in all these ways also fail. But the only criteria for success or failure in a human life as a
whole are the criteria of success or failure in a narrated or to-be-narrated quest. A quest for what?

Two key features of the medieval conception of a quest need to be recalled. The first
is that without some at least partly determinate conception of the final telos there could not be any beginning to a quest. Some conception of the good for man is

required. Whence is such a conception to be drawn? Precisely from those questions
which led us to attempt to transcend that limited conception of the virtues which is
available in and through practices. It is in looking for a conception of the good which
will enable us to order other goods, for a conception of the good which will enable us
to extend our understanding of the purpose and content of the virtues, for a
conception of the good which will enable us to understand the place of integrity
and constancy in life, that we initially define the kind of life which is a quest for the
good. But secondly it is clear the medieval conception of a quest is not at all that of a
search for something already adequately characterized, as miners search for gold or
geologists for oil. It is in the course of the quest and only through encountering and
coping with the various particular harms, dangers, temptations and distractions
which provide any quest with its episodes and incidents that the goal of the quest is
finally to be understood. A quest is always an education both as to the character of
that which is sought and in self-knowledge.

The virtues therefore are to be understood as those dispositions which will not only
sustain practices and enable us to achieve the goods internal to practices, but which
will also sustain us in the relevant kind of quest for the good, by enabling us to
overcome the harms, dangers, temptations and distractions which we encounter, and
which will furnish us with increasing self-knowledge and increasing knowledge of the
good. The catalogue of the virtues will therefore include the virtues required to
sustain the kind of households and the kind of political communities in which men
and women can seek for the good together and the virtues necessary for
philosophical

enquiry about the character ot the good. We have then arrived at a provisional conclusion about the good life for man: the good life for man is the life spent in seeking for the good life for man, and the virtues necessary for the seeking are those
which will enable us to understand what more and what else the good life for man is.
We have also completed the second stage in our account of the virtues, by situating
them in relation to the good life for man and not only in relation to practices. But our
enquiry requires a third stage.

For I am never able to seek for the good or exercise the virtues only qua individual.
1 his is partly because what it is to live the good life concretely varies from circum-
stance to circumstance even when it is one and the same conception of the good life
and one and the same set of virtues which are being embodied in a human life. What
the good life is for a fifth-century Athenian general will not be the same as what it was
for a medieval nun or a seventeenth-century farmer. But it is not just that different individuals live in different social circumstances; it is also that we all approach our own circumstances as bearers of a particular social identity. I am someone's son or
daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member
of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence
what is good for me has to be the good for one who inhabits these roles. As such,
I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. These constitute the given of my
life, my moral starting point. This is in part what gives my life its own moral particularity.

This thought is likely to appear alien and even surprising from the standpoint of

modern individualism. From the standpoint of individualism 1 am what I myself choose to be. I can always, if 1 wish to, put in question what are taken to be the merely contingent social features of my existence. I may biologically be my father's son; but I cannot be held responsible for what he did unless I choose implicitly or explicitly to assume such responsibility. I may legally be a citizen of a certain country; but 1 cannot be held responsible for what my country does or has done unless I choose implicitly or explicitly to assume such responsibility. Such individualism is expressed by those modern Americans who deny any responsibility for the effects of slavery upon black Americans, saying 'I never owned any slaves'. It is more subtly the standpoint of those other modern Americans who accept a nicely calculated responsibility for such effects measured precisely by the benefits they themselves as individuals have indirectly received from slavery. In both cases 'being an American' is not in itself taken to be part of the moral identity of the individual. And of course there is nothing peculiar to modern Americans in this attitude: the Englishman who says, 'I never did any wrong to Ireland; why bring up that old history as though it had something to do with me', or the young German who believes that being born after 1945 means that what Nazis did to Jews has no moral relevance to his relationship to his Jewish contemporaries, exhibit the same attitude, that according to which the self is detachable from its social and historical roles and statuses . . . The contrast with the narrative view of the self is clear. For the story of my life is always embedded in the story of those communities from which I derive my identity. I am born with a past; and to try to cut myself off from that past, in the individualist mode, is to deform my present relationships. The

possession of an historical identity and the possession of a social identity coincide.
Notice that rebellion against my identity is always one possible mode of expressing it.

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Notice also that the fact that the self has to find its moral identity in and through its membership in communities such as those of the family, the neighbourhood, the city and the tribe does not entail that the self has to accept the moral limitations of the particularity of those forms of community. Without those moral particularities to begin from there would never be anywhere to begin; but it is in moving forward from such particularity that the search for the good, for the universal, consists. Yet particularity can never be simply left behind or obliterated. The notion of escaping from it into a realm of entirely universal maxims which belong to man as such, whether in its eighteenth-century Kantian form or in the presentation of some modern analytical moral philosophies, is an illusion and an illusion with painful consequences. When men and women identify what are in fact their partial and particular causes too easily and too completely with the cause of some universal principle, they usually behave worse than they would otherwise do. What I am, therefore, is in key part what I inherit, a specific past that is present to some degree in my present. I find myself part of a history and that is generally to say, whether I like it or not, whether 1 recognize it or not, one of the bearers of a tradition. It was important when I characterized the concept of a practice to notice that practices always have histories and that at any given moment what a practice is depends on a mode of understanding it which has been transmitted often through many generations. And thus, insofar as the virtues sustain the relationships required for practices, they have to sustain relationships to the past - and to the future as well as in the present. But the traditions through which particular practices are transmitted and reshaped never exist in isolation for larger social traditions. What constitutes such traditions? We are apt to be misled here by the ideological uses to which the

concept
ot a tradition has been put by conservative political theorists. Characteristically such
theorists have followed Burke 1 in contrasting tradition with reason and the stability of
tradition with conflict. Both contrasts obfuscate. For all reasoning takes place within
the context of some traditional mode of thought, transcending through criticism and
invention the limitations of what had hitherto been reasoned in that tradition; this is
as true of modern physics as of medieval logic. Moreover when a tradition is in good
order it is always partially constituted by an argument about the goods the pursuit of
which gives to that tradition its particular point and purpose.

So when an institution - a university, say, or a farm or a hospital - is the bearer of a
tradition of practice or practices, its common life will be partly, but in a centrally
important way, constituted by a continuous argument as to what a university is and
ought to be or what good farming is or what good medicine is. Traditions, when vital,
embody continuities of conflict. Indeed when a tradition becomes Burkean, it is
always dying or dead . . .

A living tradition then is an historically extended, socially embodied argument, and
an argument precisely in part about the goods which constitute that tradition. Within
a tradition the pursuit of goods extends through generations, sometimes through
many generations. Hence the individual's search for his or her good is generally and
characteristically conducted within a context defined by those traditions of which the
individual's life is a part, and this is true both of those goods which are internal to
practices and of the goods ot a single life. Once again the narrative phenomenon of

Edmund Burke (1729-97), British statesman and influential conservative thinker.

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embedding is crucial: the history of a practice in our time is generally and characteristically embedded in and made intelligible in terms of the larger and longer history of the tradition through which the practice in its present form was conveyed to us; the history of each of our own lives is generally and characteristically embedded in and made intelligible in terms of the larger and longer histories of a number of traditions.

I have to say ‘generally and characteristically’ rather than ‘always’, for traditions decay, disintegrate and disappear. What then sustains and strengthens traditions? What weakens and destroys them?

The answer in key part is: the exercise or the lack of exercise of the relevant virtues. The virtues find their point and purpose not only in sustaining those relationships necessary if the variety of goods internal to practices are to be achieved and not only in sustaining the form of an individual life in which that individual may seek out his or her good as the good of his or her whole life, but also in sustaining those traditions which provide both practices and individual lives with their necessary historical context. Lack of justice, lack of truthfulness, lack of courage, lack of the relevant intellectual virtues - these corrupt traditions, just as they do those institutions and practices which derive their life from the traditions of which they are the contemporary embodiments. To recognize this is of course also to recognize the existence of an additional virtue, one whose importance is perhaps most obvious when it is least present, the virtue of having an adequate sense of the traditions to which one belongs or which confront one. This virtue is not to be confused with any form of

conserva-
tive antiquarianism ... It is rather the case that an adequate sense of tradition mani-
fests itself in a grasp of those future possibilities which the past has made available to
the present. Living traditions, just because they continue a not-yet-completed narra-
tive, confront a future whose determinate and determinable character, so far as it possesses any, derives from the past.

## 12 Could Ethics be Objective?

### Bernard Williams, Ethics and the Limits of Philosophy*

We conclude this Part of the volume with a question that occurs to many people when they start to think seriously about ethics: do our ethical judgements aspire to reflect objective truths about right and wrong - as opposed, for example, to being merely expressions of our personal (or collective) preferences? In tackling this question, Bernard Williams, one of the most subtle and influential moral philosophers of the late twentieth century, claims there is a crucial

difference between ethical thought and scientific thought. The latter, he argues, ‘has some chance of being. . . [an] account of how the world really is, while ethical thought has no [such] chance’.

To elucidate this, Williams focuses on the idea of convergence. In science, though there may be differing theories of reality, we ideally hope for eventual convergence or agreement; this is because we suppose there must ultimately be a right answer determined by ‘how things

* Bernard Williams, Ethics and the Limits of Philosophy (London: Collins/Fontana, 1985), excerpts from ch. 8 (‘Knowledge, Science, Convergence’), pp. 135-55.



are’ - shaped by the way the real world actually is. But in the area of the ethical, Williams asserts, 'there is no such coherent hope’.

Before explaining why not, Williams examines two possible objections to his initial contrast between science and ethics. The first says that the notion of science describing the world as it really is is untenable, since we can make no sense of ‘how the world is’ independently of our human descriptions of it. To this Williams replies that science may be able to abstract from the peculiarities of the human perspective, so as to arrive at an 'absolute conception’ of reality - a conception that would be shared by any rational investigator, 'even if they were very different from us’. (Thus, beings from another galaxy, who had utterly different brains and sense-organs from ours, might, for example, have no colour perception as we understand it, but might agree with us on certain structural features of the cosmos, such as the inverse square law of gravity.) The second objection Williams considers against the ethics/science contrast is that convergence may be expected in ethics as well as in science. For there are agreed objective standards for the use of ‘thick’ ethical concepts - those which have a descriptive as well as an evaluative component, such as ‘cowardly’, ‘generous’, ‘truthful’, ‘brutal’ and so on. So will not the accepted rules for applying these concepts ensure genuinely objective ethical knowledge - for example about whether Smith is cowardly or

not? Williams replies that a detached observer, while fully understanding the rules, could always disagree with such judgements; for he might see ‘a whole segment of the local discourse ... as involving a mistake’. (For example, he might refuse to accept that someone was an ‘evil witch’, or ‘possessed by the devil’, even though these terms were correctly applied within the conventions and rules of that community.)

Williams proceeds to argue that standing back from a given society’s set of ethical concepts, and

reflecting critically on their use, could never be expected to lead to agreement among rational observers that some of them were objectively true. In the scientific case, we can expect eventual convergence or agreement, because we suppose that the scientific theories ‘track the truth’ - conform to how things really are; but in the ethical case, we can make no sense of this.

Though rejecting the idea of objective ethical truth in this sense, Williams concludes by suggesting we might still seek for a weaker though still objective foundation for our ethical beliefs - a foundation based on human nature, viz. the typical needs and desires of human beings. Might convergence be possible here? Williams leaves us with the perhaps somewhat pessimistic thought that the project of basing ethics on such agreed considerations regarding human nature is ‘not very likely to succeed’, given the wide variety in human societies and forms of life, and the ‘many and various forms of human excellence which will not fit together into a one harmonious whole’.

Williams’s arguments take us very far from the idea of an objective moral order, which we find

in many traditional religion-based systems of ethics. And his reminder that the detached critic can always stand back from a given socio-ethical framework - and hence that in the ethical sphere, ‘reflection can destroy knowledge’ - poses a tough challenge to theorists like MacIntyre (see preceding extract), who aspire to find moral value by aligning themselves with a tradition that encapsulates standards of human excellence. At all events, in his unfolding of the contrast between ethics and science, and in probing how far, if at all, moral judgement can aspire to truth and knowledge, Williams powerfully articulates fundamental questions about the nature of morality that seem likely to remain at the centre of moral philosophy for the foreseeable future.

I believe that . . . science has some chance of being more or less what it seems, a
systematized theoretical account of how the world really is, while ethical thought has
no chance of being everything it seems . . . The basic difference lies in . . . our reflective
understanding of the best hopes we could coherently entertain for eliminating disagreement in the two areas. It is a matter of what, under the most favourable conditions,
would be the best explanation of the end of disagreement: the explanation - as I shall
say from now on - of convergence.

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. . . The basic idea behind the distinction between the scientific and the ethical, expressed in terms of convergence, is very simple. In a scientific inquiry there should
ideally be convergence on an answer, where the best explanation of the convergence

involves the idea that the answer represents how things are; in the area of the ethical,
at least at a high level of generality, there is no such coherent hope. The distinction
does not turn on any difference in whether convergence will actually occur, and it is
important that this is not what the argument is about. It might well turn out that
there will be convergence in ethical outlook, at least among human beings. The point
of the contrast is that, even if this happens, it will not be correct to think it has come
about because convergence has been guided by how things actually are, whereas
convergence in the sciences might be explained in that way if it does happen. This
means, among other things, that we understand differently in the two cases the
existence of convergence or, alternatively, its failure to come about.

1 shall come back to ways in which we might understand ethical convergence. First,
however, we must face certain arguments suggesting that there is really nothing at all
in the distinction, expressed in those terms. There are two different directions from
which this objection can come. In one version, the notion of convergence that comes
about because of how things are is seen as an empty notion. According to the other,
the notion of such a convergence is not empty, but it is available as much in ethical
cases as in scientific . . .

[The first version of the objection argues that] no convergence of science, past or
future, could possible be explained in any meaningful way by reference to the way the
world is, because there is an insoluble difficulty with the notion of ‘the world’ as
something that can determine belief. There is a dilemma. On the one hand, ‘the
world’ may be characterized in terms of our current beliefs about what it contains; it is
a world of stars, people, grass or tables. When ‘the world’ is taken in this way, we can

of course say that our beliefs about the world are affected by the world, in the sense
that for instance our beliefs about grass are affected by grass, but there is nothing
illuminating or substantive in this - our conception of the world as the object of our
beliefs can do no better than repeat the beliefs we take to represent it. If, on the other
hand, we try to form some idea of a world that is prior to any description of it, the
world that all systems of belief and representation are trying to represent, then we
have an empty notion of something completely unspecified and unspecifiable. So
either way we fail to have a notion of ‘the world’ that will do what is required of it.

Each side of this dilemma takes all our representations of the world together, in the
one case putting them all in, and in the other leaving them out altogether. But there is
a third and more helpful possibility, that we should form a conception of the world
that is ‘already there’ in terms of some but not all of our beliefs and theories. In
reflecting on the world that is there anyway, independent of our experience, we must
concentrate not in the first instance on what our beliefs are about, but on how they
represent what they are about. We can select among our beliefs and features of our
world picture some that we can reasonably claim to represent the world in a way to
the maximum degree independent of our perspective and its peculiarities. The
resultant picture of things, if we can carry through this task, can be called the
‘absolute conception’ of the world. In terms of that conception, we may hope to
explain the possibility of our attaining that conception itself, and also the possibility
of other, perspectival, representations.

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This notion of an absolute conception can serve to make effective a distinction
between The world as it is independent of our experience’, and The world as it

seems
to us'. It does this by understanding The world as it seems to us' as The world as it
seems peculiarly to us'; the absolute conception will, correspondingly, be a conception
of the world that might be arrived at by any investigators, even if they were very different from us . . .

The opposite line of objection urges that the idea of 'converging on how things are'
is available, to some adequate degree, in the ethical case as well. The place where this is
to be seen is above all with those substantive or thick ethical concepts I have often
mentioned. Many exotic examples of these can be drawn from other cultures, but there are enough left in our own: Coward, lie, brutality, gratitude and so forth. They
are characteristically related to ... a reason for action, though that reason need not be
a decisive one, and may be outweighed by other reasons . . . We may say, summarily,
that such concepts are 'action-guiding'.

At the same time, their application is guided by the world. A concept of this sort may be rightly or wrongly applied, and people who have acquired it can agree that it
applied or fails to apply to some new situation. In many cases the agreement will be
spontaneous, while in other cases there is room for judgement and comparison. Some
disagreement at the margin may be irresoluble, but this does not mean that the use of
the concepts is not controlled by the facts or by the users' perception of the world. (As
with other concepts that are not totally precise, marginal disagreements can indeed
help to show how their use is controlled by the facts.) We can say, then, that the application of these concepts is at the same time world-guided and action-guiding.
How can it be both at once?

... An insightful observer can . . . come to understand and anticipate the use of [a thick] concept without actually sharing the values of the people who use it . . . But in imaginatively anticipating the use of the concept, the observer also has to grasp imaginatively its evaluative point. He cannot stand quite outside the evaluative interests of the community he is observing, and pick up the concept simply as a device for dividing up in a rather strange way certain neutral features of the world . . .

The sympathetic observer can follow the practice of the people he is observing; he can report, anticipate and even take part in discussion of the use they make of their concept. But, as with some other concepts of theirs, relating to religion, for instance, or to witchcraft, he may not be ultimately identified with the use of the concept: it may not really be his. This possibility, of the insightful but not totally identified observer, bears on an important question whether those who properly apply ethical concepts of this kind can be said to have ethical knowledge.

Let us assume, artificially, that we are dealing with a society that is maximally homogeneous and minimally given to general reflection; its members simply, all of them, use certain ethical concepts of this sort. (We may call it the 'hypertraditional' society.) What would be involved in their having ethical knowledge?

. . . The members of the hypertraditional society apply their thick concepts, and in doing so they make various judgements. If any of those judgements can ever properly be said to be true, then their beliefs can be said to track the truth, since they can withdraw judgements if the circumstances turn out not to be what was supposed, can make an alternative judgement if it would be more appropriate, and so on. They have, each, mastered these concepts, and they can perceive the personal and social

happenings to which the concepts apply. If there is truth here, their beliefs can track it.
The question left is whether any of these judgements can be true . . .

[An argument for saying these judgements cannot be true is] that an entire segment
of the local discourse may be seen from the outside as involving a mistake. This possibility has been much discussed by theorists. Social anthropologists have asked
whether ritual and magical conceptions should be seen as mistaken in our terms, or
rather as operating at a different level, not commensurable with our scientific ideas ... It is hard to deny that magic, at least, is a causal conception, with implica-
tions that overlap with scientific conceptions of causality. To the extent this is so, magical conceptions can be seen from the outside as false, and then no one will have
known to be true any statement claiming magical influence, even though he may have
correctly used all the local criteria for claiming a given piece of magical influence ... If
we accept the obvious truth that reflection characteristically disturbs, unseats or replaces those traditional concepts . . . then we reach the notably un-Socratic conclu-
sion that in ethics, reflection can destroy knowledge . . .

[But could standing back and reflecting on the ethical concepts of a given society generate some kind of justification for those concepts, thereby providing ethical knowledge?] The reflective considerations will have to take up the job of justifying the local concepts once those have come to be questioned ... If a wider objectivity
were to come from all this, then the reflective ethical considerations would themselves
have to be objective. This brings us back to the question whether the reflective level
might generate its own ethical knowledge. If this is understood as our coming to have
propositional knowledge of ethical truths, then we need some account of what ‘tracking the truth’ will be. The idea that our beliefs can track the truth at this level must at least imply that a range of investigators could rationally, reasonably and

unconstrainedly come to converge on a determinate set of ethical conclusions. What
are the hopes for such a process? I do not mean of its actually happening, but rather of
our forming a coherent picture of how it might happen. If it is construed as
convergence on a body of ethical truths which is brought about and explained by
the fact that they are truths - this would be the strict analogy to scientific objectivity,
then I see no hope for it ... I cannot see any convincing theory of knowledge for the
convergence of reflective ethical thought on ethical reality in even a distant analogy to
the scientific case. Nor is there a convincing analogy with mathematics, a case in
which the notion of an independent reality is at least problematical . . .

We must reject the objectivist view of ethical life as ... a pursuit of ethical truth. But
this does not rule out all forms of objectivism. There is still the project of trying to
give an objecting grounding or foundation to ethical life. For this, we should look in
the direction of. . . ideas about human nature. . . Granted that human beings need to
share a social world, is there anything to be known about their needs and their basic
motivations that will show us what this world would best be?

I doubt that there will turn out to be a very satisfying answer. It is probable that any
such considerations will radically underdetermine the ethical options even in a given
social situation . . . Any ethical life is going to contain restraints on such things as
killing, injury and lying, but those restraints can take very different forms. Again, with
respect to the virtues, which is the most natural and promising field for this kind of
inquiry, we only have to compare Aristotle’s catalogue of the virtues with any that
might be produced now to see how pictures of an appropriate human life may differ

in spirit and in the actions and institutions they call for. We also have the idea that there are many and various forms of human excellence which will not all fit together
into a one harmonious whole, so any determinate ethical outlook is going to represent
some kind of specialization of human possibilities . . .

The project of giving to ethical life an objective and determinate grounding in considerations about human nature is not, in my view, very likely to succeed. But it is
at any rate a comprehensible project, and I believe it represents the only intelligible
form of ethical objectivity at the reflective level . . .

The convergence that signalled the success of this project would be a convergence of
practical reason, by which people came to lead the best kind of life and to have the
desires that belong to that life; convergence in ethical belief would largely be a part
and consequence of that process. One very general ethical belief [that a certain kind of
life was best for human beings] would, indeed, be an object of knowledge at that level.
Many particular ethical judgements, involving the favoured thick concepts, could be known to be true, but then judgements of this sort (1 have argued) are very often
known to be true anyway, even when they occur, as they always have, in a life that is
not grounded at the objective level. The objective grounding would not bring it about
that judgements using those concepts were true or could be known; this was so already. But it would enable us to recognize that certain of them were the best or most appropriate thick concepts to use. Between the two extremes of the one very
general proposition and the many concrete ones, other ethical beliefs would be true
only in the oblique sense that they were the beliefs that would help us to find our way

around in a social world which - on this optimistic program - was shown to be the best social world for human beings.

This would be a structure very different from that of the objectivity of science. There would be a radical difference between ethics and science even if ethics were
objective in the only way in which it intelligibly could be.

Specimen Questions

1 Explain the philosophical point of Plato's story of Gyges and the magic ring.

2 What is the importance of Aristotle's account of ethical virtue as a disposition of character?

3 Why do the passions make us 'slaves', according to Spinoza, and how can human beings achieve freedom?

4 'There is some benevolence, however small, infused into our bosom; some spark of friendship for human kind; some particle of the dove kneaded into our frame, along with the elements of the wolf and the serpent' (David Hume). Explain and discuss the importance of natural sentiments of benevolence in Hume's moral theory.

5 Critically evaluate Kant's claim that a good will is the only thing that is unconditionally good, or good in itself.

6 Does Mill satisfactorily counter the objection against utilitarianism that it is a 'doctrine worthy of swine'?

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7 Explain why Sidgwick thinks a conscientious utilitarian could only rarely justify violating a widely accepted rule whose observance is generally beneficial. Do you find his arguments convincing?

8 Expound and evaluate Nietzsche's attack on conventional morality.

9 Explain Ross's concept of a prirna facie duty. Is he right in resisting the attempt to i educe the idea of what is right to whatever produces the greatest amount of good?

10 Does Rawls s notion of rational choice behind a veil of ignorance provide a plausible mechanism for determining the right principles to adopt in society?

1 1 Explain and critically discuss the notion of a 'living tradition' in MacIntyre's account of the virtues and the good life.

12 Why does Williams maintain that 'we must reject the objectivist view of ethical life as ... a pursuit of ethical truth', and is he right?

## Suggestions for Further Reading

### Plato

Plato, Republic. See readings at the end of Part I for texts and general introductions to Plato.

For discussion of the relation between justice and happiness in Plato, see J. Annas, An Introduction to Plato's Republic (Oxford: Clarendon, 1981), ch. 12.

See also T. Irwin, Plato's Ethics (Oxford: Oxford University Press, 1995), chs 11 and 12, and G. Vlastos (ed.), Platonic Studies (Princeton: Princeton University Press, 1981), ch. 5.

For a stimulating and wide-ranging study of ancient Greek approaches to ethics, see J. Annas, The Morality of Happiness (Oxford: Oxford University Press, 1993).

For the general question of why one should be moral, see K. Baier, The Moral Point of View (Ithaca, NY: Cornell University Press, 1978),

and B. Williams, Ethics and the Limits of Philosophy (Cambridge, Mass.: Harvard University Press, 1985).

Aristotle

Aristotle, Nicomachean Ethics. Translations available in paperback include T. Irwin (Indianapolis: Hackett, 1985), and J. A. K. Thomson, revised translation of Tredennick (Harmondsworth: Penguin, 1976).

A very clear introduction is J. O. Urmson, Aristotle's Ethics (Oxford: Blackwell, 1992).

An excellent comprehensive study of Aristotle's ethics is S. Broadie, Ethics with Aristotle (Oxford: Oxford University Press, 1991): see esp. chs 1 and 2.

See also W. F. R. Hardie, Aristotle's Ethical Theory (2nd edn, Oxford: Clarendon, 1980).

A valuable collection of papers on various aspects of Aristotle's ethical theory is A. R. Rorty (ed.), Essays on Aristotle's Ethics (Berkeley: University of California Press, 1980).

See also the papers in J. Barnes, M. Schofield and R. Sorabji (eds), Articles on Aristotle, vols. 2 and 4 (London: Duckworth, 1977).

Spinoza

The complete text of the Ethics is translated, with an introduction for students, by G. H. R. Parkinson (Oxford: Oxford University Press, 2000 ).

For general introductions to Spinoza, see the

readings listed at the end of Part IV, above. For discussion of some of the ethical themes in Spinoza, see esp. the books listed there by Curley, Delahunty and Donagan.

See also E. E. Harris, Salvation from Despair: A Reappraisal of Spinoza's Philosophy (The Hague: Nijhoff, 1973).

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Hume

For general introductions to Hume, see the readings at the end of Part 1, above.

More specially related to Humean ethics is J. Mackie, Hume's Moral Theory (London: Routledge, 1988).

See also N. Capaldi, Hume's Place in Moral Philosophy (New York: Lang, 1989); J. Harrison, Hume's Moral Epistemology (Cambridge: Cambridge University Press, 1976).

See also A. C. Baier, Moral Prejudices (Cambridge, Mass.: Harvard University Press, 1994), chs 4 and 5.

Kant

For general introductions to Kant, see readings at the end of Part I.

On Kantian ethics, a stimulating collection of essays is O. O'Neill, Constructions of Reason (Cambridge: Cambridge University Press, 1989).

See also H. Paton, The Categorical Imperative: A Study in Kant's Moral Philosophy (London: Hutcheson, 1947); R. O'Sullivan, An Introduction to Kant's Ethics (Cambridge: Cambridge University Press, 1995); B. Herman, The Practice of Moral Judgement (Cambridge, Mass.: Harvard University Press, 1991); T. Hill, Autonomy and Self-Respect (Cambridge: Cambridge University Press, 1991); R. P. Wolff, The Autonomy of Reason (New York: Harper & Row, 1973).

See also the essays by Onora O'Neill and J. B. Schneewind in P. Guyer (ed.). The Cambridge Companion to Kant (Cambridge: Cambridge University Press, 1992).

Mill

A good introduction to Mill's ethics is A. Ryan, /. S. Mill (London: Routledge, 1974), ch. 4.

For a stimulating discussion of Mill's utilitarianism, see 1. Skorupski, Mill (London: Routledge, 1989), ch. 9.

A comprehensive study of Mill's moral theory is R. Berger, Happiness, Justice and Freedom (Berkeley: University of California Press, 1984).

For lively debate on utilitarian ethics, see I. J. C. Smart and B. Williams, Utilitarianism: For and Against (Cambridge: Cambridge University Press, 1973).

Nietzsche

The following critical studies may be recommended: R. J. Hollingdale, Nietzsche: The

Man and his Philosophy (London: Routledge, 1965); W. Kaufmann, Nietzsche: Philosopher, Psychologist, Antichrist (Princeton: Princeton University Press, 1975); A. Nehamas, Nietzsche: Life as Literature (Cambridge, Mass.: Harvard University Press, 1985).

A useful collection of essays on Nietzsche's thought is B. Magnus (ed.), The Cambridge Companion to Nietzsche (Cambridge: Cambridge University Press, 1984).

Sidgwick

A first-rate account of Sidgwick's ideas is J. B. Schneewind, Sidgwick's Ethics and Victorian Moral Philosophy (Oxford: Clarendon, 1977).

See also the article by Marcus Singer in L. C. Becker (ed.), Encyclopedia of Ethics (New York: Garland, 1992).

Ross

An excellent survey of intuitionism may be found in the Introduction by Philip Stratton-Lake to his Ethical Intuitionism (Oxford: Clarendon, 2002). Several of the essays included in the volume also contains discussions of Ross.

See also the article by J. Dancy in P. Singer (ed.), A Companion to Ethics (Oxford: Blackwell, repr. 1993), ch. 36; J. Mackie, Ethics (Harmondsworth: Penguin, 1977), ch. 1; and G. J. Warnock, Contemporary Moral Philosophy (London: Macmillan, 1967), ch. 2.

Rawls

For critical discussion of Rawls's views, see B. Barry, The Liberal Theory of Justice (Oxford:

Clarendon, 1973); N. Daniels (ed.), Reading Rawls (Oxford: Blackwell, 1975); R. Nozick, Anarchy, State and Utopia (Oxford: Blackwell, 1974), ch. 7. (See also Part X, extract 10, below. )

See also the article by C. Korsgaard in L. C. Becker (ed.), Encyclopedia of Ethics (New York: Garland, 1992).

MacIntyre

A valuable collection of essays on MacIntyre is 1. Horton and S. Mendus S. (eds), After MacIntyre (Oxford: Polity, 1994).

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Interesting general collections on virtue ethics are D. Statman (ed.), Virtue Ethics (Edinburgh: Edinburgh University Press, 1997), and S. Darwall (ed.), Virtue Ethics (Oxford: Blackwell, 2003).

A handy selection of MacIntyre's writings with a helpful introduction is K. Knight (ed.), The MacIntyre Reader (Oxford: Blackwell, 1998).

Williams

For some interesting discussions of Williams's work, see J. E. J. Altham and R. Harrison (eds), World, Mind and Ethics: Essays on the Ethical Philosophy of Bernard Williams (Cambridge: Cambridge University Press, 1995): see esp. the essays by Jardine and by Hookway on the objectivity issue and the ethics-science contrast, and Williams's own replies.

Other stimulating work by Williams, with a useful introduction by A. W. Moore, is contained in his posthumously published collection Philosophy as a Humanistic Discipline (Princeton: Princeton University Press, 2006).

For an informative general survey of Williams's philosophy (including bibliography), see the entry on him by T. D. J. Chappell, in the Stanford Encyclopedia of Philosophy <http://plato.stanford.edu/entries/williams-bernard/>

An excellent introduction to Williams's thought is M. P. Jenkins, Bernard Williams (Chesham: Acumen, 2006).

For a stimulating exploration of a modest kind of objectivity in ethics, which has some affinities with the picture reached at the end of Williams's argument, see D. Wiggins, Ethics: Twelve Lectures on the Philosophy of Morality (London: Penguin, 2006), ch. 11.

# PART IX
# Problems in Ethics

## Problems in Ethics
## Introduction

Much traditional moral philosophy is of a fairly general and abstract nature, and addresses the task of formulating fundamental principles for the guidance and evaluation of human conduct. Some of the most influential examples of this kind of moral philosophy are included in Part VIII, above. But moral philosophers have also been

concerned to apply their principles to particular problems, with a view to deciding on the rightness or wrongness of specific human institutions, policies and practices. This branch of moral philosophy, often called ‘Applied Ethics’, forms the subject matter of the present Part of the volume. Readers will notice that it follows a rather different pattern from that found elsewhere in the book. Instead of a continuous fabric woven out of overlapping threads, what follows is more like a patchwork quilt. Some of the issues relate to social arrangements (Aristotle discussing the justification for hierarchies such as slavery; Wollstonecraft on the liberation of women; Bentham on the institution of punishment); some relate to humanity’s ethical relationship with other parts of creation - the animal world (Kant), and the wider environment (Leopold); some concern our responsibility for our own lives (Hume on suicide), the welfare of those nearest to us (Godwin on partiality) and the lives of others (Thomson on abortion; Rachels on euthanasia; Kass on reproduction); and some concern the ethics of how we relate to those from different societies (Aquinas on war; Singer on our attitudes to the ‘third world’). Heterogeneity, it has aptly been said, is the hallmark of Applied Ethics, and the materials included below exemplify widely differing approaches to very dis-parate problems. Nevertheless, the extracts, as always, are presented in chronological order, most predate the twentieth century, and all bear the stamp of the era to which they belong. All reveal something of the philosopher’s continuing struggle to stand back from prevailing institutions and practices, and use the tools of reason and argument to examine what can be justified and what needs to be changed. In the terms of a famous simile, they could be said to be among the fruits that can be gathered from the outermost branches of the tree of philosophy , 1 showing how philosophical argument can

be
applied to practical questions about how human beings should conduct their lives.

1 The image appears in the 1647 Preface to Descartes's Principles of Philosophy.

## 1 Inequality, Freedom and Slavery: Aristotle, Politics *

The Kantian principle of respect for persons (see Part VIII, extract 5, above) implies that all rational human beings should be treated with the dignity due to free and autonomous agents. But for the overwhelming bulk of our history, human societies have been structured in terms of hierarchies involving massive distinctions of rank and esteem, where those lower in the pecking order have often been denied the most elementary personal rights. The most extreme example of such social inequality is the institution of slavery, which was an entrenched feature of the ancient Greek world. In the following extract, Aristotle resolutely defends slavery as a normal, indeed integral, feature of the ordinary household. The slave is characterized as a 'living tool', quite literally owned by the master, and used as a means to furthering his own purposes. The attempted justification Aristotle offers for such a system is threefold. First, he claims slaves are necessary for the good life - they form part of the support structure of 'necessaries' without which 'no man can live well' (though the mention of mythical self-moving tools like the 'tripods of Hephaestus' suggests that Aristotle

might have revised this part of his argument had he lived in our modern world of automated

labour-saving devices). Second, Aristotle clearly believes in a 'natural' or genetically based hierarchy: there are 'slaves by nature' whose intelligence and reasoning power is such that they can recognize the authority of their superiors, but are not fitted to take decisions themselves. Finally, Aristotle invokes human conventions which seem to underpin slavery (for example the rule that those conquered in war become slaves of the victors); here, however, he resists the argument that sheer superior force justifies domination, and seems in the course of the discussion to move back to relying on supposed differences in birth. The vital questions to be asked about Aristotle's position are whether in the first place it is true that there are such radical differences of ability between human beings, and second, even if it were true, how this could even begin to justify one class being kept in servitude by the other. Aristotle's discussion is a salutary reminder of the extent to which the seemingly objective 'voice of reason' may speak in accents that betray the prevailing prejudices of a society.

Seeing then that the state is made up of households, before speaking of the state we must speak of the management of the household. The parts of household management correspond to the persons who compose the household, and a complete household consists of slaves and freemen. Now we should begin by examining everything in its fewest possible elements; and the first and fewest possible parts of a family are master and slave, husband and wife, father and children. We have therefore to consider what each of these three relations is and ought to be . . .

Let us first speak of master and slave, looking to the needs of practical life and also seeking to attain some better theory of their relation than exists at present. For some are of the opinion that the rule of a master is a science, and that the

management of a
household, and the mastership of slaves, and the political and royal rule . . . are all the
same. Others affirm that the rule of a master over slaves is contrary to nature and that
the distinction between slave and free man exists by law only, and not by nature; and
being an interference with nature is therefore unjust.

Aristotle, Politics [ Politika , c.330 bc], Bk I, chs 3-7 ( 1253b 1-1 255b40). Trans. B. Jowett, in The Works of
Aristotle, ed. W. D. Ross, vol. X (Oxford: Clarendon, 1921); with omissions.

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Property is a part of the household, and the art of acquiring property is a part of the art of managing the household; for no man can live well, or indeed live at all, unless he be provided with necessaries. And as in the arts which have a definite sphere
the workers must have their own proper instruments for the accomplishment of their
work, so it is in the management of a household. Now instruments are of various sorts; some are living, others lifeless; in the rudder, the pilot of a ship has a lifeless
instrument, in the look-out man, a living instrument; for in the arts the servant is a kind of instrument. Thus, too, a possession is an instrument for maintaining life. And
so, in the arrangement of the family, a slave is a living possession, and property a number of such instruments; and the servant is himself an instrument which takes
precedence over all other instruments. For if every instrument could accomplish its
own work, obeying or anticipating the will of others, like the statues of Daedalus, or
the tripods of Hephaestus, which, says the poet, ‘of their own accord entered the assembly of the Gods ’; 1 if, in like manner, the shuttle would weave and the plectrum

touch the lyre without a hand to guide them, chief workmen would not want servants,
nor masters slaves.

Here, however, another distinction must be drawn: the instruments commonly so called are instruments of production, whilst a possession is an instrument of action.
The shuttle, for example, is not only of use, but something else is made by it; whereas
of a garment or of a bed there is only the use. Further, as production and action are
different in kind, and both require instruments, the instruments which they employ must likewise differ in kind. But life is action and not production, and therefore the slave is the minister of action. Again, a possession is spoken of as a part is spoken of;
for the part is not only a part of something else, but wholly belongs to it; and this is
also true of a possession. The master is only the master of the slave; he does not belong
to him, whereas the slave is not only the slave of his master but wholly belongs to him.
Hence we see what is the nature and office of a slave; he who is by nature not his own
but another's man, is by nature a slave; and he may be said to be another's man who,
being a human being, is also a possession. And a possession may be defined as an
instrument of action, separable from the possessor.

But is there any one thus intended by nature to be a slave, and for whom such a condition is expedient and right, or rather is not all slavery a violation of nature?

There is no difficulty in answering this question, on grounds both of reason and of fact. For that some should rule and others be ruled is a thing not only necessary, but
expedient; from the hour of their birth, some are marked out for subjection, others for rule.

And there are many kinds both of rulers and subjects (and that rule is the better which is exercised over better subjects - for example, to rule over men is better than to

rule over wild beasts; for the work is better which is executed by better workmen, and
where one man rules and another is ruled, they may be said to have a work); for in all
things which form a composite whole and which are made up of parts, whether
continuous or discrete, a distinction between the ruling and the subject element
comes to light. Such a duality exists in living creatures, but not in them only; it

Hephaestus was the Greek God of fire and the arts of the smith (his tripods, fitted with wheels, are
described in Homer, Iliad, XVIII, 367); Daedalus, the legendary Athenian craftsman, made statues said
to be able to move themselves.

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originates in the constitution of the universe; even in things which have no life there is
a ruling principle, as in a musical mode. But we are wandering from the subject. We
will therefore restrict ourselves to the living creature, which, in the first place, consists
of soul and body: and of these two, the one is by nature the ruler, and the other the
subject. But then we must look for the intentions of nature in things which retain
their nature, and not in things which are corrupted. And therefore we must study the
man who is in the most perfect state both of body and soul, for in him we see the true
relation of the two; although in bad or corrupted natures the body will often appear to
rule over the soul, because they are in an evil and unnatural condition.

At all events we may firstly observe in living creatures both a despotical and a
constitutional rule; for the soul rules the body with a despotical rule, whereas the
intellect rules the appetites with a constitutional and royal rule. And it is clear that
the rule of the soul over the body, and of the mind and the rational element over the

passionate, is natural and expedient: whereas the equality of the two or the rule of
the inferior is always hurtful. The same holds good of animals in relation to men; for
tame animals have a better nature than wild, and all tame animals are better off when
they are ruled by man; for then they are preserved. Again, the male is by nature
superior, and the female inferior; and the one rules, and the other is ruled; this
principle, of necessity, extends to all mankind. Where then there is such a difference as
that between soul and body, or between men and animals (as in the case of those
whose business is to use their body, and who can do nothing better), the lower sort are
by nature slaves, and it is better for them as for all inferiors that they should be under
the rule of a master. For he who can be, and therefore is, another's, and he who
participates in rational principle enough to apprehend, but not to have, such a
principle, is a slave by nature. Whereas the lower animals cannot even apprehend
a principle; they obey their instincts. And indeed the use made of slaves and of tame
animals is not very different; for both with their bodies minister to the needs of life.
Nature would like to distinguish between the bodies of freemen and slaves, making
the one strong for servile labour, the other upright, and although useless for such
services, useful for political life in the arts both of war and peace. But the opposite
often happens - that some have the souls and others have the bodies of freemen. And
doubtless if men differed from one another in the mere forms of their bodies as much
as the statues of the Gods do from men, all would acknowledge that the inferior class
should be slaves of the superior. And if this is true of the body, how much more just
that a similar distinction should exist in the soul? But the beauty of the body is seen,
whereas the beauty of the soul is not seen. It is clear, then, that some men are by
nature free, and others slaves, and that for these latter slavery is both expedient

and
right.

But that those who take the opposite view have in a certain way right on their side,
may be easily seen. For the words ‘slavery’ and ‘slave’ are used in two senses. There is a
slave or slavery by law as well as by nature. The law of which I speak is a sort of convention - the law by which whatever is taken in war is supposed to belong to the
victors. But this right many jurists impeach, as they would an orator who brought forward an unconstitutional measure: they detest the notion that, because one man
has the power of doing violence and is superior in brute strength, another shall be his
slave and subject. Even among philosophers there is a difference of opinion. The origin of the dispute, and what makes the views invade each other’s territory, is as

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follows: in some sense virtue, when furnished with means, has actually the greatest
power of exercising force: and as superior power is only found where there is superior
excellence of some kind, power seems to imply virtue, and the dispute to be simply
one about justice (for it is due to one party identifying justice with goodwill, while the
other identifies it with the mere rule of the stronger). If these views are thus set out
separately, the other views have no force or plausibility against the view that the superior in virtue ought to rule, or be master. Others, clinging, as they think, simply
to a principle of justice (for law and custom are a sort of justice), assume that slavery
in accoi dance with the custom of war is justified by law, but at the same moment they
deny this. For what if the cause of the war be unjust? And again, no one would

ever
say that he is a slave who is unworthy to be a slave. Were this the case, men of the
highest rank would be slaves and the children of slaves if they or their parents chance
to have been taken captive and sold. Wherefore Hellenes do not like to call Hellenes
slaves, but confine the term to barbarians. Yet in using this language, they really mean
the natural slave of whom we spoke at first; for it must be admitted that some are
slaves everywhere, others nowhere. The same principle applies to nobility. Hellenes
regard themselves as noble everywhere, and not only in their own country, but they
deem the barbarians noble only when at home, thereby implying that there are two
sorts of nobility and freedom, the one absolute, the other relative. The Helen of
Theodectes says: ‘Who would presume to call me servant who am among both sides
sprung from the stem of the Gods?’ What does this mean but that they distinguish
freedom and slavery, noble and humble birth, by the two principles of good and evil?
They think that as men and animals beget men and animals, so from good men a
good man springs. But this is what nature, though she may intend it, cannot always
accomplish.

We see then that there is some foundation for this difference of opinion, and that
all are not either slaves by nature or free by nature, and also that there is in some cases
a marked distinction between the two classes, rendering it expedient and right for the
one to be slaves and the others to be masters: the one practising obedience, the others
exercising the authority and lordship which nature intended them to have. The abuse
of this authority is injurious to both; for the interests of part and whole of body and
soul, are the same, and the slave is a part of the master, a living but separated part of

his bodily frame. Hence, where the relation of master and slave between them is natural they are friends and have a common interest, but where it rests merely on law
and force the reverse is true.

The previous remarks are quite enough to show that the rule of a master is not a constitutional rule, and that all the different kinds of rule are not, as some affirm, the
same as each other. For there is one rule exercised over subjects who are by nature free,
another over subjects who are by nature slaves. The rule of a household is a monarchy,
for every house is under one head: whereas constitutional rule is a government of
freedom and equals. The master is not called a master because he has science, but
because he is of a certain character, and the same remark applies to the slave and the
freeman. Still there may be a science for the master and a science for the slave. The
science of the slave would be such as the man of Syracuse taught, who made money by
instructing slaves in their ordinary duties. And such a knowledge may be carried further, so as to include cookery and similar menial arts. For some duties are of the
more necessary, others of the more honourable sort; as the proverb says, ‘slave before



slave, master before master’. But all such branches of knowledge are servile. There is
likewise a science of the master, which teaches the use of slaves; for the master as such
is concerned, not with the acquisition, but with the use of them. Yet this so-called science is not anything great or wonderful; for the master need only know how to order that which the slave must know how to execute. Hence those who are in a position which places them above toil have stewards who attend to their households

while they occupy themselves with philosophy or with politics. But the art of acquiring slaves, I mean of justly acquiring them, differs both from the art of the master and the art of the slave being a species of hunting or war.

## 2 War and Justice: Thomas Aquinas, Summa Theologiae *

The connection which Aristotle makes in the preceding extract between the institution of war and that of slavery is perhaps not surprising, given that the making of war and the taking of slaves both go back to the earliest recorded history of the human race. But while all forms of slavery are now universally condemned, the ethical status of warfare is less clear. The extreme pacifist position is that engaging in warfare is never ethically justifiable. Others take a more pragmatic stance, believing that war is often inevitable, and that its conduct must be determined by considerations of pure expediency and self-interest. But there is an ancient tradition which considers that the conduct of warfare, or at least certain aspects of it, can be brought within the ambit of morality, and that certain kinds of war (for example those fought in self-defence) can be morally justified. The cluster of doctrines emerging from this tradition has come to be known as the ‘just war theory’, and our second extract comes from its chief originator, Thomas Aquinas.

Aquinas lays down three conditions for a war to be just. First, it must be duly ‘authorized by the ruler’; this corresponds to the modern notion that hostilities must be preceded by a declaration of war’ by the government. Second, and crucially, it must be undertaken for a ‘just cause’: there must be wrongdoing on the part of the other side. Finally, the intention of those

making war must be good. The last condition is of great importance, since it focuses attention on the moral character of the acts performed by the belligerents. If one's aim in fighting is a morally worthy one (for example protecting people from uniust aggression), and one's acts are directed towards that end, then they are justified. But if (as often happens once violence is let loose) savagery and cruelty take over, so that the intention is to gratify blood-lust, or exact a cruel revenge on the enemy, then the justification collapses. It is important to note (as Aquinas himself does) that this third requirement concerning intention operates in addition to the second one: even if the initial cause of the war was a just one, this does not absolve those fighting it from ensuring that whatever they go on to do in the war is done with a morally worthy intention.

In the second section excerpted below, Aquinas discusses the question of self-defence, and introduces a controversial idea known as the doctrine of 'double effect'. Suppose you fire at an assailant who is trying to kill you. According to the doctrine, the act may be regarded as having two effects, one (protecting your own life) directly intended, the other (killing the aggressor) foreseen, but not intended as such. The claim that the death is not directly intended may seem sophistical in cases where it is an inevitable consequence of your action (e.g. where you can only stop your

Thomas Aquinas, Summa Theologiae [1266-73], Part II, 2, qu. 40, art. 1 and qu. 64, art. 7. Translation
by John Cottingham.

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attacker by firing an artillery shell straight at
him); nevertheless, Aquinas's account draws
attention to what has to be shown about the
act - that you are doing it precisely in order to
save your life - in order for it to be justified.
Aquinas goes on to mention a connected proviso,

that the force used must not exceed due limits;
this raises an issue of enormous importance with
the advent of weapons of mass destruction, where
innocent civilians are killed as a result of a bomb-
ing raid intended (for example) to destroy enemy
material, or to bring the war to an early end.

Is making war always a sin?

In answer 1 declare that there are three requirements for a war to be just. First, the
authority of the ruler by whose command the war is to be waged. For it is not appropriate for a private person to declare war, since he is able to pursue his rights
by recourse to the judgement of someone of higher rank. Similarly, it is not appropriate for a private person to call the people to arms, as has to be done in wars. Looking after the state is something entrusted to rulers, and hence it belongs to them
to watch over the welfare of the city or kingdom or province which is in their charge.
It is within their powers to defend the state by using the sword of retribution against
internal disturbers of the peace, as they do when they punish criminals, as St Paul says
in his Epistle to the Romans, 13: 4, 'He beareth not the sword in vain. For he is God's
minister, an avenger to execute wrath upon him that doeth evil.' And in the same way
they may defend the state against external enemies by using the sword of war; this is
why rulers are told in Psalm 71, 'Rescue the poor, and deliver the needy from the

hand
of the sinner.' And Augustine says in the Contra Faustum (Book 23, ch. 73): 'The natural order of mortals is accommodated to peace, and hence it requires that the
authority and decision to undertake a war be in the power of the rulers.'

The second requirement is a just cause. Those who are attacked must deserve to be
attacked in virtue of some culpability. Hence Augustine says in Book 83 ( super Josue ,
qu. 10): 'Wars are generally defined as just if they avenge wrongdoing, as when a
nation or a state is to be punished either for failing to make amends for some wicked
act which its subjects have committed, or for failing to restore something that has been unjustly seized.'

The third requirement is that the intention of those making war must be good. This
means that the intention must be to promote some good or avoid some evil. Thus Augustine says in his book De verbis Domini : 'Among true followers of God, even wars
are peaceful: they are waged not in lust or cruelty, but out of a desire for peace, and
with the purpose of restraining the wicked and helping the good.' It can happen that
even if the authority of those who declare war is legitimate, and the cause is a just one,
the war is still made impermissible because of the evil intention. For Augustine says in
Contra Faustum, chapter 74: 'the desire to hurt, the cruel wish for revenge, anger that
is harsh and implacable, savagery in conquest, lust for domination, and anything of
this kind, are all justly condemned in war'.

Is it permissible to kill a human being in self-defence?

One and the same act can have two effects, only one of which is intended, while the

other is outside the intention. Now moral acts are categorized in accordance with

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what is intended, not what happens outside the intention, since this is incidental . . .
The act of defending oneself may have two effects - saving one's own life and killing the aggressor. This kind of act, since the intention is to save one's own life, is not impermissible, since it is natural for everything to maintain itself in existence, as far as it can.

Yet even if it proceeds from a good intention, an act can become impermissible if it is out of proportion to the end at which it aims. Hence it is impermissible to use more than necessary force to defend one's own life. But if one uses moderation in resisting violence, this is permissible self-defence, for according to the papal decrees 'It is lawful to resist force with force, provided it is an act of innocent self-defence and does not exceed due limits.' Now it is not necessary for salvation that a person should forbear to perform an act of moderate self-defence so as to avoid killing another person, since we are obliged to take more care of our own lives than those of others. But ... it is not allowed for someone to intend to kill another when acting in self-defence, except where this is a justified act of self-defence done in virtue of public authority by reference to the public good. This latter type of case includes the case of a soldier fighting the enemy or a law-enforcement officer struggling with robbers; even in these cases, however, the agents would be committing a sin if they were motivated by private animosity.

# 3 Taking One's Own Life: David Hume, On Suicide *

While the killing of one human being by another (see previous extract) is evidently something problematic from the moral point of view, one might initially suppose that the ethical status of someone's deciding to end their own life was more straightforward: if my life is 'my own', is it not simply up to me to decide when to end it? In fact, however, the issue of suicide has always called forth widely differing responses from moral philosophers. Some ancient Greek thinkers considered suicide to be rarely, if ever, justified; but by the time of the Roman empire there was widespread acceptance of the Stoic viewpoint which regarded suicide, in certain circumstances, as a defensible and even noble act. The prevailing Christian attitude, however, at any rate from the time of Aquinas onwards, was strongly condemnatory of suicide.

The following extract, from a celebrated essay by the eighteenth-century philosopher David Hume, begins by extolling the value of philosophy as an antidote to 'superstition and false religion'. A leading thinker of the so-called 'Enlightenment', Hume aimed to provide a non-religious basis for deciding moral issues. 1 - The early part of his essay is concerned to undermine some traditional religious arguments against suicide. These traditional arguments (stemming from Aquinas) had laid great stress on suicide's being 'unnatural' - a violation of the divinely implanted instinct for the preservation of life. Hume replies that our situation in the

* D. Hume, ‘On Suicide’; typeset in 1757, but withdrawn; published posthumously in Essays Moral,
Political and Literary [1777]; abridged, with modified spelling and punctuation. The complete text is
reprinted in Essays Moral, Political and Literary by David Hume, ed. T. H. Green and T. H. Grose
(London: Longmans Green, 1875), vol. II, pp. 406ff.

Hume’s general attitude to theism was strongly negative, though he often expressed himself in a
cautious and even seemingly ambivalent way. Cf. Part VI, extracts 6 and 7.

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natural world is such that each person has the power freely to dispose of his own life: ‘may he not lawfully employ that power with which nature has endowed him?’ If anything which disturbs the ‘natural order’ is to be condemned, then it would presumably be wrong to ‘build houses, cultivate the ground, or sail upon the ocean’. Turning to non-religious arguments, Hume then suggests that suicide cannot be a violation of any duty 1 owe to my fellow men: ‘I am not obliged to do a small good to society at the expense of a real harm to myself: why then should 1 prolong a miserable existence, because of some frivolous advantage which the public may perhaps receive from me?’ Finally, as far as

duty to self is concerned, ‘both prudence and courage should engage us to rid ourselves at once of existence when it becomes a burden’.

Hume’s writing here, as often, is an engaging mixture of careful philosophical arguments and rhetorical flourishes. But many of the issues he raises remain important, particularly in the light

ot renewed current debate on the moral defensibility or otherwise of euthanasia and ‘assisted suicide’ for the terminally ill (compare extract 11, below). If Hume is correct, then there are situations where the voluntary decision to end life is justified by considerations both of individual autonomy and also of utility (the overall balance of happiness for all concerned).

One considerable advantage that arises from Philosophy consists in the sovereign
antidote which it affords to superstition and false religion ... It will here be superflu-

ous to magnify the merits of Philosophy by displaying the pernicious tendency of that
vice of which it cures the human mind. The superstitious man, says Cicero, is miserable in every scene, in every incident of life. Even sleep itself, which banishes
all other cares of unhappy mortals, affords to him matter of new terror, while he examines his dreams, and finds in those visions of the night prognostications of future
calamities. I may add, that though death alone can put a full period to his misery, he
dares not fly to this refuge, but still prolongs a miserable existence, from a vain fear
lest he offend his maker, by using the power with which that beneficent being has endowed him. The presents of God and Nature are ravished from us by this cruel enemy; and notwithstanding that one step would remove us from the regions of pain
and sorrow, her menaces still chain us down to a hated being, which she herself chiefly
contributes to render miserable.

It is observed by such as have been reduced by the calamities of life to the necessity
of employing this fatal remedy, that if the unseasonable care of their friends deprive
them of that species of death which they proposed to themselves, they seldom

venture
upon any other, or can summon up so much resolution a second time, as to execute
their purpose. So great is our horror of death, that when it presents itself under any
form besides that to which a man has endeavoured to reconcile his imagination, it
acquires new terrors, and overcomes his feeble courage; but when the menaces of
superstition are joined to this natural timidity, no wonder it quite deprives men of all
power over their lives, since even many pleasures and enjoyments, to which we are
carried by a strong propensity, are torn from us by this inhuman tyrant. Let us here
endeavour to restore men to their native liberty, by examining all the common arguments against suicide, and showing that that action may be free from every imputation of guilt or blame, according to the sentiments of all the ancient philosophers.

If suicide be criminal, it must be a transgression of our duty either to God, our neighbour, or ourselves.

To prove that suicide is no transgression of our duty to God, the following considerations may perhaps suffice . . . The providence of the deity appears not



immediately in any operation, but governs every thing by those general and immut-
able laws which have been established from the beginning of time. All events, in one
sense, may be pronounced the action of the almighty; they all proceed from those
powers with which he has endowed his creatures. A house which falls by its own weight is not brought to ruin by his providence, more than one destroyed by the hands of men; nor are the human faculties less his workmanship than the laws of motion and gravitation. When the passions play, when the judgement dictates, when

the limbs obey — this is all the operation of God; and upon these animate principles, as
well as upon the inanimate, has he established the government of the universe.

Every event is alike important in the eyes of that infinite Being, who takes in at one
glance the most distant regions of space, and remotest periods of time. There is no
event, however important to us, which he has exempted from the general laws that
govern the universe, or which he has peculiarly reserved for his own immediate action
and operation. The revolution of states and empires depends upon the smallest caprice or passion of single men; and the lives of men are shortened or extended by
the smallest accident of air or diet, sunshine or tempest. Nature still continues her
progress and operation; and if general laws be ever broke by particular volitions of the
deity, it is after a manner which entirely escapes human observation . 1 As, on the one
hand, the elements and other inanimate parts of the creation carry on their action without regard to the particular interest and situation of men; so men are entrusted to
their own judgement and discretion in the various shocks of matter, and may employ
every faculty with which they are endowed, in order to provide for their ease, happiness or preservation.

What is the meaning then of that principle, that a man, who, tired of life, and hunted by pain and misery, bravely overcomes all the natural terrors of death, and makes his escape from this cruel scene; that such a man, I say, has incurred the
indignation of his creator, by encroaching on the office ot divine providence, and disturbing the order of the universe? Shall we assert that the Almighty has reserved to
himself, in any peculiar manner, the disposal of the lives of men, and has not submitted that event, in common with others, to the general laws by which the universe is governed? I his is plainly false: the lives of men depend upon the same
laws as the lives of all other animals; and these are subjected to the general laws

of
matter and motion. The fall off a tower, or the infusion of a poison, will destroy a man
equally with the meanest creature; an inundation sweeps away every thing without
distinction that comes within the reach of its fury. Since therefore the lives of men are
for ever dependent on the general laws of matter and motion, is a man's disposing of
his life criminal, because in every case it is criminal to encroach upon these laws, or
disturb their operation? But this seems absurd: all animals are entrusted to their own
prudence and skill for their conduct in the world; and have full authority, as far as
their power extends, to alter all the operations of nature. Without the exercise of this
authority, they could not subsist a moment; every action, every motion of a man,
innovates on the order of some parts of matter, and diverts from their ordinary course
the general laws of motion. Putting together therefore these conclusions, we find that
human life depends upon the general laws of matter and motion, and that it is
no encroachment on the office of providence to disturb or alter these general
laws.

For Hume's view of miracles, see Part VI, extract 7, above.

566 PROBLEMS IN ETHICS

Has not every one of consequence the free disposal of his own life? And may he not
lawfully employ that power with which nature has endowed him?

In order to destroy the evidence of this conclusion, we must show a reason why this
particular case is excepted. Is it because human life is of such great importance, that it
is a presumption for human prudence to dispose of it? But the life of a man is of

no
greater importance to the universe than that of an oyster; and were it of ever so great
importance, the order of human nature has actually submitted it to human prudence,
and reduced us to a necessity, in every incident, of determining concerning it.

Were the disposal of human life so much reserved as the peculiar province of the Almighty that it were an encroachment on his right for men to dispose of their own
lives, it would be equally criminal to act for the preservation of life as for its destruction. If I turn aside a stone which is falling upon my head, I disturb the course
of nature; and I invade the peculiar province of the Almighty, by lengthening out my
life beyond the period which, by the general laws of matter and motion, he has assigned it.

A hair, a fly, an insect, is able to destroy this mighty being whose life is of such importance. Is it an absurdity to suppose that human prudence may lawfully dispose
of what depends on such insignificant causes?

It would be no crime in me to divert the Nile or Danube from its course, were I able
to effect such purposes. Where then is the crime of turning a few ounces of blood from their natural channels!

Do you imagine that I repine at Providence, or curse my creation, because I go out
of life, and put a period to a being which, were it to continue, would render me miserable? Far be such sentiments from me. I am only convinced of a matter of fact
which you yourself acknowledge possible, that human life may be unhappy; and that
my existence, if further prolonged, would become ineligible: but I thank providence,
both for the good which I have already enjoyed, and for the power with which 1 am
endowed of escaping the ills that threaten me. To you it belongs to repine at providence, who foolishly imagine that you have no such power; and who must

still
prolong a hated life, though loaded with pain and sickness, with shame and poverty.

Do not you teach that when any ill befalls me, though by the malice of my enemies,
I ought to be resigned to providence; and that the actions of men are the operations of
the Almighty, as much as the actions of inanimate beings? When I fall upon my own
sword, therefore, I receive my death equally from the hands of the deity as if it had
proceeded from a lion, a precipice, or a fever.

I he submission which you require to providence, in every calamity that befalls me,
excludes not human skill and industry, if possibly by their means I can avoid or escape
the calamity. And why may I not employ one remedy as well as another?

If my life be not my own, it were criminal for me to put it in danger, as well as to dispose of it; nor could one man deserve the appellation of hero, whom glory or friendship transports into the greatest dangers; and another merit the reproach of wretch or miscreant, who puts a period to his life from the same or like motives.

There is no being which possesses any power or faculty that it receives not from its
creator; nor is there any one, which, by ever so irregular an action, can encroach upon
the plan of his providence, or disorder the universe. Its operations are his works equally with that chain of events which it invades; and whichever principle prevails,



we may for that very reason conclude it to be most favoured by him. Be it animate
or inanimate; rational or irrational, it is all the same case: its power is still derived from the supreme creator, and is alike comprehended in the order of his

providence.
When the horror of pain prevails over the love of life; when a voluntary action anticipates the effects of blind causes; it is only in consequence of those powers and
principles which he has implanted in his creatures. Divine providence is still inviolate,
and placed far beyond the reach of human injuries.

It is impious, says the old Roman superstition, to divert rivers from their course, or
invade the prerogatives of nature. It is impious, says the French superstition, to inoculate for the smallpox, or usurp the business of providence by voluntarily producing distempers and maladies. It is impious, says the modern European super-
stition, to put a period to our own life, and thereby rebel against our creator: and why not impious, say I, to build houses, cultivate the ground, or sail upon the ocean?
In all these actions we employ our powers of mind and body to produce some innovation in the course of nature; and in none of them do we any more. They are
all of them therefore equally innocent, or equally criminal.

But you are placed by providence, like a sentinel, in a particular station; and when you
desert it without being recalled, you are equally guilty of rebellion against your Almighty
Sovereign, and have incurred his displeasure. I ask, Why do you conclude that Provi-
dence has placed me in this station? For my part, I find that I owe my birth to a long
chain of causes, of which many depended upon voluntary actions of men. But Providence guided all these causes, and nothing happens in the universe without its
consent and cooperation. If so, then neither does my death, however voluntary, happen
without its consent; and whenever pain or sorrow so far overcome my patience as to
make me tired of life, I may conclude that I am recalled from my station in the clearest
and most express terms.

It is providence surely that has placed me at this present moment in this chamber;
but may I not leave it when I think proper, without being liable to the imputation of having deserted my post or station? When I shall be dead, the principles of which
I am composed will still perform their part in the universe, and will be equally useful
in the grand fabric, as when they composed this individual creature. The difference
to the whole will be no greater than betwixt my being in a chamber and in the open
air. The one change is of more importance to me than the other; but not more so to
the universe.

It is a kind of blasphemy to imagine that any created being can disturb the order of
the world, or invade the business of providence! It supposes, that that being possesses
powers and faculties which it received not from its creator, and which are not subordinate to his government and authority. A man may disturb society, no doubt, and thereby incur the displeasure of the Almighty: but the government of the world is placed far beyond his reach and violence. And how does it appear that the
Almighty is displeased with those actions that disturb society? By the principles which
he has implanted in human nature, and which inspire us with a sentiment of remorse
if we ourselves have been guilty of such actions, and with that of blame and disapprobation, if we ever observe them in others. Let us now examine, according
to the method proposed, whether Suicide be of this kind of actions, and be a breach of
our duty to our neighbour and to society.

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A man who retires from life does no harm to society: he only ceases to do good; which, if it is an injury, is of the lowest kind.

All our obligations to do good to society seem to imply something reciprocal. I receive the benefits of society, and therefore ought to promote its interests; but when I withdraw myself altogether from society, can I be bound any longer?

But allowing that our obligations to do good were perpetual, they have certainly some bounds, I am not obliged to do a small good to society at the expense of a real harm to myself: why then should I prolong a miserable existence, because of some frivolous advantage which the public may perhaps receive from me? If upon account of age and infirmities, I may lawfully resign any office, and employ my time altogether in fencing against these calamities, and alleviating as much as possible the miseries of my future life, why may I not cut short these miseries at once by an action which is no more prejudicial to society?

But suppose that it is no longer in my power to promote the interest of the public; suppose that I am a burden to it; suppose that my life hinders some person from being much more useful to the public: in such cases, my resignation of life must not only be innocent, but laudable. And most people who lie under any temptation to abandon existence are in some such situation; those who have health, or power, or authority, have commonly better reason to be in humour with the world.

A man is engaged in a conspiracy for the public interest; is seized upon suspicion; is threatened with the rack; and knows from his own weakness that the secret will be extorted from him: could such a one consult the public interest better than by putting a quick period to a miserable life? This was the case of the famous and brave Strozzi of Florence.

Again, suppose a malefactor is justly condemned to a shameful death; can any reason be imagined why he may not anticipate his punishment, and save himself all
the anguish of thinking on its dreadful approaches? He invades the business of Providence no more than the magistrate did who ordered his execution; and his voluntary death is equally advantageous to society, by ridding it of a pernicious member.

That suicide may often be consistent with interest and with our duty to ourselves, no one can question, who allows that age, sickness or misfortune, may render life a
burden and make it worse even than annihilation. I believe that no man ever threw
away life while it was worth keeping. For such is our natural horror of death, that small motives will never be able to reconcile us to it; and though perhaps the situation
of a mans health or fortune did not seem to require this remedy, we may at least be
assured, that anyone who, without apparent reason, has had recourse to it, was cursed
with such an incurable depravity or gloominess of temper as must poison all enjoyment, and render him equally miserable as if he had been loaded with the most grievous misfortune.

If suicide be supposed a crime, it is only cowardice can impel us to it. If it be no crime, both prudence and courage should engage us to rid ourselves at once of existence when it becomes a burden. It is the only way that we can then be useful
to society, by setting an example, which, if imitated, would preserve to every one his chance for happiness in life, and would effectually free him from all danger or misery.

GENDER, LIBERTY AND EQUALITY: WO LLSTON ECR A FT 569

4 Gender, Liberty and Equality: Mary

Wollstonecraft, A Vindication of the Rights
of Women *

The institution of slavery, defended by Aristotle in our first extract, was still widespread in the eighteenth century, though increasingly under attack as inhuman and degrading. But towards the end of that century, Mary Wollstonecraft, aptly regarded as a herald of what was to become the feminist movement, mounted a courageous attack on another kind of subordination - that created by the prevailing social ethos which denied to women basic educational and other rights needed for equality of status. In the following extract Wollstonecraft speaks in uncompromising terms of the ‘tyranny of men’, and calls for nothing less than a ‘revolution’ in social attitudes. Some of her arguments are prudently deferential to masculine interests; thus, she appears to plead that women be allowed to be educated not so much for their own sakes but in order to become fitter and more elevated companions for their husbands. But she goes on to warn of the limitations of merely educational measures, and to raise more fundamental questions about what we now call ‘sexual politics’. Attitudes and habits of feeling which encourage women to appeal to the protective instinct of men, by ‘feigning a sickly delicacy’, she condemns as ultimately insulting: ‘fondness’, she acidly observes, ‘is a poor substitute for friendship’. And she voices the ‘wild wish’ for a society

to evolve in which ‘the distinctions of sex are confounded’ - that is to say, in which they are mixed up, or in other words ignored. Prefigured here is the ideal, now widely accepted in aspiration, if not always in practice, of a society which treats its citizens on their individual merits, and is ‘blind’ to their gender (as indeed to their class, race, religion and all similar

features unfairly used in the past as a basis for discrimination).

Towards the end of our extract, Wollstonecraft raises even subtler and more profound issues about sexual psychology and its social determinants. She comments acutely on the separation of sexuality from love (as much a feature of today's society as it was in hers, as the success of our modern mass pornography industry clearly shows); the 'libertine', who pursues women purely as sexual objects, generally turns out to have the 'meanest' opinion of them as people. As long as our sexuality is cultivated in a way which encourages 'selfish gratification', which men 'learn to separate from esteem and affection', there can be no true friendship between the sexes. Many complex ethical issues arise here and elsewhere in Wollstonecraft's groundbreaking essay, some of which have still to be resolved in current philosophical debates on the nature and direction of feminist ethics.

Contending for the rights of woman, my main argument is built on this simple principle, that if she be not prepared by education to become the companion of man,
she will stop the progress of knowledge and virtue; for truth must be common to all,
or it will be inefficacious with respect to its influence on general practice. And how can woman be expected to cooperate unless she know why she ought to be virtuous?
Unless freedom strengthen her reason till she comprehend her duty, and see in what
manner it is connected with her real good? If children are to be educated to understand the true principle of patriotism, their mother must be a patriot; and the love of mankind, from which an orderly train of virtues spring, can only be produced

* M. Wollstonecraft, A Vindication of the Rights of Women [1792], extracts from Introduction, and chs 2, 4
and 13, section vi; with minor changes in spelling and punctuation.



by considering the moral and civil interest of mankind; but the education and situation of woman, at present, shuts her out from such investigations . . .

To account for and excuse the tyranny of man, many ingenious arguments have been brought forward to prove that the two sexes, in the acquirement of virtue, ought
to aim at attaining a very different character; or, to speak explicitly, women are not
allowed to have sufficient strength of mind to acquire what really deserves the name of
virtue. Yet it should seem, allowing them to have souls, that there is but one way appointed by Providence to lead mankind to either virtue or happiness.

If then women are not a swarm of ephemeron triflers, why should they be kept in ignorance under the specious name of innocence? Men complain, and with reason, of
the follies and caprices of our sex, when they do not keenly satirize our headstrong
passions and grovelling vices. Behold, I should answer, the natural effect of ignorance!
The mind will ever be unstable that has only prejudices to rest on, and the current will
run with destructive fury when there are no barriers to break its force. Women are told from their infancy, and taught by the example of their mothers, that a little knowledge of human weakness, justly termed cunning, softness of temper, outward
obedience, and a scrupulous attention to a puerile kind of propriety, will obtain for them the protection of man; and should they be beautiful, everything else is needless,
for, at least, twenty years of their lives.

Thus Milton describes our first frail mother; though when he tells us that women

are formed for softness and sweet attractive grace, 1 I cannot comprehend his meaning,
unless, in the true Mahometan strain, he meant to deprive us of our souls, and insinuate that we were beings only designed by sweet attractive grace, and docile blind
obedience, to gratify the senses of man when he can no longer soar on the wings of
contemplation.

How grossly do they insult us who thus advise us only to render ourselves gentle, domestic brutes! For instance, the winning softness so warmly, and frequently, recommended, that governs by obeying. What childish expression, and how insignifi-
cant is the being - can it be an immortal one? - who will condescend to govern by such sinister methods. Certainly, says Lord Bacon, ‘man is of kin to the beasts by his
body; and if he be not of kin to God by his spirit, he is a base and ignoble creature!’ 2
Men indeed appear to me to act in a very unphilosophical manner when they try to
secure the good conduct of women by attempting to keep them always in a state of
childhood. Rousseau was more consistent when he wished to stop the progress of
reason in both sexes, for if men eat of the tree of knowledge, women will come in for a
taste; but from the imperfect cultivation which their understanding now receives, they
only attain a knowledge of evil.

Children, I grant, should be innocent; but when the epithet is applied to men, or women, it is but a civil term for weakness. For if it be allowed that women were destined by Providence to acquire human virtues, and, by the exercise of their understandings, that stability of character which is the firmest ground to rest our future hopes upon, they must be permitted to turn to the fountain of light, and not

1 From John Milton’s description of Adam and Eve: ‘For contemplation he and valour formed / For
softness she and sweet attractive grace, / He for God only, she for God in him’ ( Paradise Lost [1667], IV,

279ff).

2 From Francis Bacon, ‘Of Atheism’, in Essays or Counsels Civil and Moral [1625].



forced to shape their course by the twinkling of a mere satellite. Milton, I grant, was of
a very different opinion; for he only bends to the indefeasible right of beauty, though
it would be difficult to render two passages which I now mean to contrast, consistent.
But into similar inconsistencies are great men often led by their senses.

To whom thus Eve, with perfect beauty adornd.

My Author and Disposer, what thou bidst
Unargud I obey; so God ordains,

God is thy Law, thou mine: to know no more
Is Woman’s happiest knowledge and her praise.'

These are exactly the arguments that I have used to children; but 1 have added, your
reason is now gaining strength, and, till it arrives at some degree of maturity, you must look up to me for advice - then you ought to think, and only rely on God.

Yet in the following lines Milton seems to coincide with me, when he makes Adam
thus expostulate with his Maker:

Hast thou not made me here thy substitute,

And these inferior far beneath me set?

Among unequals what society

Can sort, what harmony or true delight?

Which must be mutual, in proportion due
Giv'n and receiv'd; but in disparity
The one intense, the other still remiss,

Cannot well suit with either, but soon prove
Tedious alike: of fellowship I speak
Such as I see, fit to participate
All rational delight ... 2

In treating, therefore, of the manners of women, let us, disregarding sensual arguments, trace what we should endeavour to make them in order to cooperate, if
the expression be not too bold, with the supreme Being.

By individual education, 1 mean, for the sense of the word is not precisely defined,
such an attention to the child as will slowly sharpen the senses, form the temper, regulate the passions as they begin to ferment, and set the understanding to work
before the body arrives at maturity; so that the man may only have to proceed, not to
begin, the important task of learning to think and reason.

To prevent any misconstruction, I must add that I do not believe that a private education can work the wonders which some sanguine writers have attributed to it.
Men and women must be educated, in a great degree, by the opinions and manners of
the society they live in. In every age there has been a stream of popular opinion that
has carried all before it, and given a family character, as it were, to the century. It may
then fairly be inferred that, till society be differently constituted, much cannot be expected from education . . .

Paradise Lost, IV, 634-8; italics are Wollstonecraft's.
Paradise Lost, VIII, 389-91; italics are Wollstonecraft's.

Women ought to endeavour to purify their heart; but can they do so when their uncultivated understanding makes them entirely dependent on their senses for em-
ployment and amusement, when no noble pursuit sets them above the little vanities of
the day, or enables them to curb the wild emotions that agitate a reed over which every passing breeze has power? To gain the affections of a virtuous man, is affectation
necessary? Nature has given woman a weaker frame than man; but to ensure her
husband's affections, must a wife, who by the exercise of her mind and body whilst she
was discharging the duties of a daughter, wife and mother, has allowed her constitu-
tion to retain its natural strength, and her nerves a healthy tone - is she, I say, to condescend to use art and feign a sickly delicacy in order to secure her husband's
affection? Weakness may excite tenderness, and gratify the arrogant pride of man; but
the lordly caresses of a protector will not gratify a noble mind that pants for, and deserves to be respected. Fondness is a poor substitute for friendship . . .

I lament that women are systematically degraded by receiving the trivial attentions
which men think it manly to pay to the sex, when in fact they are insultingly supporting their own superiority. It is not condescension to bow to an inferior. So ludicrous, in fact, do these ceremonies appear to me that 1 scarcely am able to govern
my muscles when I see a man start with eager and serious solicitude to lift a handkerchief, or shut a door, when the lady could have done it herself, had she only
moved a pace or two.

A wild wish has just flown from my heart to my head, and I will not stifle it though it may excite a horse-laugh. I do earnestly wish to see the distinction of sex con-
founded in society, unless where love animates the behaviour. For this distinction is, I
am firmly persuaded, the foundation of the weakness of character ascribed to

women;
is the cause why the understanding is neglected, whilst accomplishments are acquired
with sedulous care; and the same cause accounts for their preferring the graceful before the heroic virtues . . .

Moralists have unanimously agreed that unless virtue be nursed by liberty, it will never attain due strength - and what they say of man I extend to mankind, insisting
that in all cases morals must be fixed on immutable principles; and that the being cannot be termed rational or virtuous who obeys any authority but that of reason.

To render women truly useful members of society, I argue that they should be led, by having their understandings cultivated on a large scale, to acquire a rational affection for their country, founded on knowledge, because it is obvious that we are
little interested in what we do not understand. And to render this general knowledge
of due importance, I have endeavoured to show that private duties are never properly
fulfilled unless the understanding enlarges the heart; and the public virtue is only an
aggregate of the private. But the distinctions established in society undermine both,
by beating out the solid gold of virtue, till it becomes only the tinsel-covering of vice.
For whilst wealth renders a man more respectable than virtue, wealth will be sought
before virtue; and whilst women’s persons are caressed, when a childish simper shows
an absence of mind, the mind will lie fallow. Yet true voluptuousness must proceed
from the mind - for what can equal the sensations produced by mutual affection, supported by mutual respect? What are the cold or feverish caresses of appetite but sin
embracing death, compared with the modes overflowing of a pure heart and exalted
imagination? Yes, let me tell the libertine of fancy, when he despises understanding in
woman, that the mind, which he disregards, gives life to the enthusiastic affection

from which rapture, short-lived as it is, alone can flow! And that, without virtue, a sexual attachment must expire, like a tallow candle in the socket, creating intolerable
disgust. To prove this, I need only observe that men who have wasted a great part of
their lives with women, and with whom they have sought for pleasure with eager thirst, entertain the meanest opinion of the sex. Virtue, true refiner of joy! If foolish men were to fright thee from earth, in order to give loose to all their appetites without
a check, some sensual wight of taste would scale the heavens to invite thee back, to
give a zest to pleasure!

That women at present are by ignorance rendered foolish or vicious is, I think, not
to be disputed; and that the most salutary effects tending to improve mankind might be expected from a revolution in female manners, appears, at least with a face of probability, to rise out of the observation. For as marriage has been termed the
parent of those endearing charities which draw man from the brutal herd, the corrupting intercourse that wealth, idleness and folly produce between the sexes is
more universally injurious to morality than all the other vices of mankind collectively
considered. To adulterous lust the most sacred duties are sacrificed, because before
marriage men, by a promiscuous intimacy with women, learned to consider love as a
selfish gratification - learned to separate it not only from esteem, but from the affection merely built on habit, which mixes a little humanity with it. Justice and friendship are also set at defiance, and that purity of taste is vitiated which would naturally lead a man to relish an artless display of affection rather than affected airs.
But that noble simplicity of affection, which dares to appear unadorned, has few attractions for the libertine, though it be the charm, which by cementing the matrimonial tie, secures to the pledges of a warmer passion the necessary parental atten-

tion; for children will never be properly educated till friendship subsists between parents. Virtue flies from a house divided against itself - and a whole legion of devils
take up their residence there.

The affection of husbands and wives cannot be pure when they have so few sentiments in common, and when so little confidence is established at home, as must be the case when their pursuits are so different. That intimacy from which tenderness should flow will not, cannot, subsist between the vicious.

Contending therefore that the sexual distinction which men have so warmly insisted upon is arbitrary, I have dwelt on an observation that several sensible men
with whom I have conversed on the subject allowed to be well-founded; and it is simply this, that the little chastity to be found amongst men, and consequent disregard of modesty, tend to degrade both sexes; and further, that the modesty of
women, characterized as such, will often be only the artful veil of wantonness, instead
of being the natural reflection of purity, till modesty be universally respected.

From the tyranny of man, 1 firmly believe, the greater number of female follies proceed; and the cunning, which I allow makes at present a part of their character,
1 likewise have repeatedly endeavoured to prove, is produced by oppression . . .

Asserting the rights which women in common with men ought to contend for,
I have not attempted to extenuate their faults; but to prove them to be the natural consequence of their education and station in society. If so, it is reasonable to suppose
that they will change their character, and correct their vices and follies, when they are
allowed to be free in a physical, moral and civil sense.

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5 Partiality and Favouritism: William Godwin,
Enquiry concerning Political Justice *

In the preceding extract, we can observe Wollstonecraft's interest both in wider social questions of rights and fairness ( in the treatment of women) and also in more intimate aspects of individual relationships (the nature of love and sexuality within a marriage). This contrast connects up with an important distinction between on the one hand universal ethical demands like those of justice and philanthropy, and on the other hand the particular ties of love, friendship and personal commitment. Most of us on reflection would probably acknowledge the ethical pull of both types of concern in our lives, and this accords with much mainstream moral philosophy (Aristotle, for instance, finds space in his ethics for both the impartial virtue of justice and the more partialistic virtue of love or affection). Our next extract, by the prolific eighteenth-century philosopher William Godwin, is remarkable for its attempt to exclude from ethical consideration all feelings arising from the ties of personal commitment. Partialism, any favoured treatment for oneself or those to whom one is specially related, is for Godwin ethically improper. Godwin produces what has become a famous example to illustrate his point: if two people (a philanthropic archbishop and a chambermaid) are trapped in a burning building, and I can rescue only one, then I should

rescue the one who can do most good for mankind as a whole. Given that this is the archbishop, then it is he who should be rescued; 1 should resolutely set aside the fact that the chambermaid happens to be my mother, for 'What magic is in the pronoun "my" to overturn the decisions of everlasting truth?'

Few of us would be capable of living in this

impartialistic way; but can our preferential attitudes to those we are close to be justified from the moral point of view? One possible justification is that by looking after our own we do our bit to promote the general good. In the last paragraph of our extract Godwin considers the argument that a system of mutual ties of affection - a ‘mutual commerce of benefits’ - itself increases general happiness, and so can be justified from an impersonal standpoint. He firmly rejects this line, however, in favour of a more radical stance which recommends revising our existing commitments and ways of thinking: each case should be examined on its merits, and in strictly impartial terms, irrespective of any personal ties of affection or gratitude. Godwin’s work has the merit of highlighting fundamental questions about the ethical status of partiality and self-preference, and the issues he raises are the subject of continuing debate among moral philosophers today.

By justice 1 understand that impartial treatment of every man in matters that relate to his happiness, which is measured solely by a consideration of the properties of the leceiver, and the capacity of him that bestows. Its principle, therefore is, according to a well-known phrase, to be ‘no respecter of persons’.

Considerable light will probably be thrown upon our investigation if, quitting for the present the political view, we examine justice merely as it exists among individuals. Justice is a rule of conduct originating in the connection of one percipient being with another. A comprehensive maxim which has been laid down upon the subject is ‘that we should love our neighbour as ourselves’. But this maxim, though possessing considerable merit as a popular principle, is not modelled with the strictness of

philosophical accuracy.

* w - Godwin, An Inquiry concerning Political Justice [1793], from Bk II, ch. 2; with minor modifications,
and some additions from the 2nd edn of 1796.

PARTIALITY AND FAVOURITISM: GODWIN 575

In a loose and general view I and my neighbour are both of us men, and of consequence entitled to equal attention. But in reality it is probable that one of us is a being of more worth and importance than the other. A man is of more worth than
a beast, because, being possessed of higher faculties, he is capable of a more refined
and genuine happiness. In the same manner the illustrious archbishop of Cambrai 1
was of more worth than his chambermaid, and there are few of us that would hesitate
to pronounce, if his palace were in flames and the life of only one of them could be
preserved, which of the two ought to be preferred.

But there is another ground of preference beside the private consideration of one of
them being farther removed from the state of a mere animal. We are not connected
with one or two percipient beings, but with a society, a nation, and in some sense with
the whole family of mankind. Of consequence, that life ought to be preferred which
will be most conducive to the general good. In saving the life of Fenelon, suppose at
the moment when he conceived the project of his immortal Telemachus, I should be
promoting the benefit of thousands who have been cured by the perusal of it of some
error, vice and consequent unhappiness. Nay, my benefit would extend farther than

this, for every individual thus cured has become a better member of society and has
contributed in his turn to the happiness, the information and improvement of others.

Supposing I had been myself the chambermaid, I ought to have chosen to die rather
than that Fenelon should have died. The life of Fenelon was really preferable to that of
the chambermaid. But understanding is the faculty that perceives the truth of this and
similar propositions; and justice is the principle that regulates my conduct accordi-
ngly. It would have been just in the chambermaid to have preferred the archbishop to
herself. To have done otherwise would have been a breach of justice.

Suppose the chambermaid had been my wife, my mother or my benefactor . 2 This
would not alter the truth of the proposition. The life of Fenelon would still be more valuable than that of the chambermaid; and justice - pure, unadulterated justice - would still have preferred that which was most valuable. Justice would have taught me
to save the life of Fenelon at the expense of the other. What magic is there in the pronoun ‘my’ to overturn the decisions of everlasting truth? My wife or my mother may be a fool or a prostitute, malicious, lying or dishonest. If they be, of what consequence is it that they are mine?

‘But my mother endured for me the pains of child bearing, and nourished me in the helplessness of infancy.’ When she first subjected herself to the necessity of these
cares, she was probably influenced by no particular motives of benevolence to her
future offspring. Every voluntary benefit however entitles the bestower to some kindness and retribution. But why so? Because a voluntary benefit is an evidence of
benevolent intention; that is, of virtue. It is the disposition of the mind, not the external action, that entitles to respect. But the merit of this disposition is equal whether the benefit was conferred upon me or upon another. I and another man cannot both be right in preferring our own individual benefactor, for no man can be

at the same time both better and worse than his neighbour. My benefactor ought to

1 ‘Fenelon’ (Francois de la Motte), author of Telemachus [1699], a biting satire on the reign of Louis XIV.
Godwin takes him to be a paradigm of someone who has benefited mankind.

In the 1796 edition, the example of the chambermaid is replaced with that of a valet who might be my
brother or my father.

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be esteemed, not because he bestowed a benefit upon me, but because he bestowed it
upon a human being. His desert will be in exact proportion to the degree in which that human being was worthy of the distinction conferred.

Thus every view of the subject brings us back to the consideration of my neighbour’s moral worth and his importance to the general weal as the only standard to
determine the treatment to which he is entitled. Gratitude therefore, a principle which
has so often been the theme of the moralist and the poet, is no part either of justice or
virtue.

It may be objected ‘that my relation, my companion, or my benefactor, will of course in many instances obtain an uncommon portion of my regard; for not being
universally capable of discriminating the comparative worth of different men, I shall
inevitably judge most favourably of him of whose virtues I have received the most unquestionable proofs; and thus shall be compelled to prefer the man of moral worth
whom I know to another who may possess, unknown to me, an essential superiority.’
This compulsion, however, is founded only in the imperfection of human nature. It

may serve as an apology for my error, but can never change error into truth. It will
always remain contrary to the strict and universal decisions of justice . . .

It may in the second place be objected that a mutual commerce of benefits tends to
increase the mass of benevolent action, and that to increase the mass of benevolent
action is to contribute to the general good. Indeed! Is the general good promoted by
falsehood, by treating a man of one degree of worth as if he had ten times that worth? or
as if he were in any degree different from what he really is? Would not the most beneficial
consequences result from a different plan: from my constantly and carefully enquiring
into the deserts ol all those with whom I am connected, and from their being sure, after a
certain allowance for the fallibility of human judgement, of being treated by me exactly
as they deserved? Who can describe the benefits that would result from such a plan of
conduct, it universally adopted? . . . The soundest criterion of virtue is to put ourselves
in the place of an impartial spectator, of an angelic nature, suppose, beholding us from
an elevated station, and uninfluenced by our prejudices, conceiving what would be his
estimate of the intrinsic circumstances of our neighbour, and acting accordingly.

## 6 The Status of Non-human Animals:
## Immanuel Kant, Lectures on Ethics *

Most applied ethics concerns how human beings
should treat each other. But the radical reform-
ing philosopher Jeremy Bentham (author of
extract 7, below), taking the greatest happiness

principle as the foundation of ethics, 1 argued that there was no good reason for excluding the pleasures and pains of animals from the ethical calculus. What matters, he famously declared, is

* Immanuel Kant, Einer Vorlesung iiber Ethik [1775-80], ed. G. Gerhardt (Frankfurt: Fischer, 1990), Part B, section IX. Translation by John Cottingham. The German text is a compilation from notes of Kant's lectures taken by T. F. Brauer, G. Kutzner and C. Mongrovius. The complete work is available in English as Lectures on Ethics , trans. L. Infield (London: Methuen, 1930).

For the principle of utility, or the greatest happiness of the greatest number, see above, Part VIII, extract 6.



not whether they can reason or talk, but whether they can suffer. 1 A very different line was taken by the great German philosopher Immanuel Kant, writing about the same time as Bentham. Basing his ethics on the principle of 'respect for persons', Kant argued that only rational and autonomous agents could be bearers of moral worth - only they had the status of 'ends in themselves' (see Part VIII, extract 5, above). In the following extract, Kant applies this principle to the question of whether we have duties to non-human animals. Since animals are not self-conscious, Kant suggests, they cannot qualify as self-determining agents, and hence cannot be 'ends in themselves'. So while it is utterly impermissible to use a human being merely as a means to an end, this is precisely what we may do when dealing with animals: 'they are there only as a means to an end'.

Kant goes on to argue that such duties as we have to animals are ‘indirect’: since animals are ‘analogues’ of human beings, our dealings with them provide a kind of shadowy image of our (morally significant) dealings with our fellow humans. Thus a man who acts with cruelty towards animals ‘thereby becomes hardened even in his dealings with human beings’. Kant illustrates his point by referring to an old story concerning the ‘bell of ingratitude’. The details (which Kant does not supply) are as follows. Those complaining of some act of ingratitude could ring the bell to summon a court of inquiry. A weak old ass, turned out by its owner, strayed into the bell tower and began nibbling some

leaves twined round the bell-rope, thus ringing the bell. Kant’s stressing that the bell was rung ‘by accident’ is important. The ass does not feel a sense of injustice (it is not a self-conscious being) nor, according to Kant, does the owner have a direct duty towards it (since it is a mere ‘means’ not an ‘end in itself). But the accidental ringing of the bell serves to remind us of the ‘analogy’ between ingratitude towards animals and ingratitude towards fellow humans (towards whom we do have direct duties).

Critics of Kant’s position have asked why the fact that animals are not autonomous agents should mean they are not entitled to moral consideration and even respect. Defenders of Kant can point out that his concept of ‘indirect duty’ does put considerable constraints on what we may do to animals; wanton cruelty (that inflicted for sport, for example) is firmly condemned in the passage below. The regarding of animals purely as a means does, however, permit vivisection for scientific purposes, and would presumably allow

many of the practices associated with modern farming which are strongly condemned by animal liberationists. Yet not all problems are solved by following Bentham, and allowing animal pains and pleasure into the ethical calculus, since a sufficient amount of human pleasure could, presumably, be held to counterbalance widespread animal suffering. Hence some modern ethicists have argued that our thinking in these matters needs to be supplemented by introducing the idea of animal rights - itself a highly complex and problematic concept. The debate continues.

Baumgarten 2 speaks of duties towards beings which are below us and those which are above us. Yet animals are there only as a means to an end, since they are not conscious of themselves; a human being, by contrast, is an end. So I cannot ask 'Why is man there?', in the way I can in the case of the animals. Hence we have no immediate duties towards animals; our duties towards animals are merely indirect duties towards humanity.

Animals are an analogue of humanity, and so we observe duties towards humanity when we observe the corresponding duties towards the analogues; in so doing we further our duties towards humanity. For example, when a dog has served its master faithfully for a long time, this is an analogue of merit, and accordingly I must give the

1 J. Bentham, Principles of Morals and Legislation [1789], ch. xvii, section 1.

2 Kant refers to the Ethica philosophica (1740) of Alexander Baumgarten (1714-1762).

appropriate reward, and look after the dog, when he is incapable of serving me any longer, till he ends his days. In so doing I further my duty toward humanity, where the corresponding action is something I am obliged to do.

So when the behaviour of animals arises from the same principle from which the behaviour of human beings arises, and is the animal analogue of the corresponding human behaviour, we have duties towards animals in so far as we thereby promote our duties to humanity. Thus when someone has his dog shot, because it can no longer earn its keep, he certainly does not contravene his duty towards the dog, since the dog is incapable of passing judgement; yet he does damage the kindness and humanity in himself - that humanity which he ought to exercise in observing the duties relating to mankind.

If a human being is not to destroy this kindness and humanity in himself, he must be kind-hearted to the animals; for a man who acts with cruelty towards animals thereby becomes hardened even in his dealings with human beings. It is easy to judge the heart of a man from how he treats animals. Hogarth shows this in his engravings: the ‘beginning of cruelty’ is portrayed in children’s behaviour towards animals, e.g. when they pinch the dog’s or cat’s tail; next comes the ‘progress in cruelty’, as the adult runs over a child; and finally the ‘end of cruelty’, depicted in a murder, where the final requital for cruelty appears in all its terrible colours.' This is a good lesson for children.

The more involved we are in observing animals and their behaviour, the more we love them, seeing how much they care for their young. Then it becomes impossible to entertain cruel thoughts even towards a wolf. Leibniz, after observing a little worm, put it back with its leaf on the tree, so it should come to no harm through any fault of

his. A human being finds it distressing to destroy such a creature for no reason. And
tender feelings of this kind flow over into our dealings with mankind.

In England no butcher or surgeon or doctor may serve as one of the twelve jurors in
a law court, since their frequent contact with death has hardened them.

When anatomists use living animals for their experiments, it is certainly cruel, even
though it is done for a good purpose. Since animals are regarded as instruments of
human beings, it is acceptable, but this is certainly not the case when it is done for
sport. When a master turns out his donkey or his dog because it cannot earn its keep
any more, such an action is always a sign of extreme small-mindedness on the part of
the master. The Greeks had a noble attitude in such matters, as is shown in the fable of
the ass, who pulled the bell of ingratitude by accident . 2

Our duties towards animals, then, are indirect duties towards mankind.

William Hogarth (1697-1764), English painter and engraver; his ‘The Stages of Cruelty’ appeared in
1751.

For details of the story, see introduction to this extract. The story appears to be of southern Italian
rather than Greek origin.



## 7 The Purpose of Punishment: Jeremy Bentham, Principles of Morals and Legislation *

One of the most important applications of moral philosophy to practical issues has to do with the way society deals, or ought to deal, with those who do not conform to its rules. There is, first of all, the question of how much of the prevailing moral code may legitimately be enforced - an issue which concerns the proper limits of the law and belongs in the domain of political theory (see below. Part X, extract 9). But aside from this, there is the more immediate issue of how we treat offenders, and what morally justifiable aims (if any) we are pursuing through the operation of the penal system. Our next extract, by the utilitarian philosopher Jeremy Bentham, 1 begins by setting out the fundamental object of the law as that of augmenting 'the total happiness of the community'. But if the production of general happiness is the fundamental test in ethics, then it is immediately clear that punishment, at least as far as the offender is concerned, hardly increases happiness; and this leads Bentham to take as his initial premise the proposition that 'all punishment in itself is evil'. Punishment thus calls (on Bentham's view) for justification in terms of some counterbalancing good it produces. The main justification he famously produces is deterrence - offering the potential offender an inducement not to offend. The institution of punishment is designed to 'prevent, in as far as is possible and worthwhile, all sorts of offences whatsoever'.

Bentham aims to derive from his general utilitarian stance several principles governing the operation of punishment. Since the aim is to maximize welfare, the system should be as 'cheap' to operate as possible - that is, it should

buy the greatest amount of happiness in

exchange for the smallest amount of pain. ‘A lot of punishment is a lot of pain’, but ‘the profit of an offence is a lot of pleasure’. So we need to give as much (but no more) punishment as is necessary to counteract the advantage a criminal would get from offending. But since the chances of being caught may vary, and the threat of possible punishment is in any case a long way off when the offender is contemplating the crime, the penalty may need to be further increased ‘in proportion to that whereby it falls short in certainty or proximity.

The Benthamite approach to punishment has been heavily criticized by those philosophers who see punishment as designed to exact moral retribution for wrongdoing. Punishment, on this alternative view, is something the offender deserves to suffer, and therefore retributivists would take issue with Bentham’s basic premise that punishment is in itself inherently evil. Furthermore, the amount of punishment which seems fitting on retributivist grounds will depend on the moral gravity of the offence, and this may not at all correspond with the amount determined by Bentham’s utilitarian cost - benefit calculation (consider, for example, illegal parking, which is not regarded as morally wicked, but is an enormous nuisance which might be effectively reduced by savage penalties). There is also the question of whom we should punish; here Bentham’s rationale for excluding from punishment classes of offender such as the insane differs radically from what a retributivist would say (Bentham’s arguments turn on effica-ciousness. , not desert). Finally, at the end of our

* Jeremy Bentham, An Introduction to the Principles of Morals and Legislation [printed in 1780 and first
published 1789; rev. edn 1823]. Extracts from chs 13 (‘Cases Unmeet for

Punishment'), 14 ('The
Proportion between Punishments and Offences') and 15 ('Properties to be given to a Lot of Punish-
ment'); some modifications of punctuation and layout. The complete text may be found in A Fragment
on Government and Introduction to the Principles of Morals and Legislation by Jeremy Bentham, ed.
W. Harrison (Oxford: Blackwell, 1948; repr. 1967).

1 For utilitarianism, compare Part VIII, extract 6, above.



extract, Bentham rules out capital punishment on the ground that judicial mistakes could not be compensated for after execution. But suppose (though this is a disputed matter) that capital punishment can be shown to be a strongly effective deterrent: would worries about com-

pensating possible injustices really be decisive on Bentham's cost/benefit principles? Though it is far from free of problems, Bentham's account of the justification, distribution and appropriate amount of punishment has been a benchmark for much subsequent philosophical discussion.

The immediate principal end of punishment is to control action. This action is either
that of the offender, or of others. That of the offender it controls by its influence, either on his will, in which case it is said to operate in the way of reformation ; or on his
physical power, in which case it is said to operate in the way of disablement. That of
others it can influence no otherwise than by its influence over their wills; in which case it is said to operate in the way of example. A kind of collateral end, which it has a

natural tendency to answer, is that of affording a pleasure or satisfaction to the party injured, where there is one, and in general, to parties whose ill-will, whether on a self-regarding account, or on the account of sympathy or antipathy, has been excited by the offence. This purpose, as far as it can be answered gratis, is a beneficial one. But no punishment ought to be alloted merely to this purpose, because (setting aside its effects in the way of control) no such pleasure is ever produced by punishment as can be equivalent to the pain . . .

The general object which all laws have, or ought to have, in common, is to augment the total happiness of the community; and therefore, in the first place, to exclude, as far as may be, everything that tends to subtract from that happiness: in other words, to exclude mischief.

But all punishment is mischief: all punishment in itself is evil. Upon the principle of utility, if it ought at all to be admitted, it ought only to be admitted in as far as it promises to exclude some greater evil.

It is plain, therefore, that in the following cases punishment ought not to be inflicted.

1. Where it is groundless. Where there is no mischief for it to prevent; the act not being mischievous upon the whole.

2. Where it must be inefficacious. Where it cannot act so as to prevent the mischief. .. Where the penal provision, though it were conveyed to a man's notice, could produce no effect on him, with respect to the preventing him from engaging in any act of the sort in question. Such is the case ( 1 ) in extreme infancy, where a man has not yet attained that state or disposition of mind in which the prospect of evils so

distant as those which are held forth by the law has the effect of influencing his conduct. (2) In insanity, where the person, if he has attained to that disposition, has
since been deprived of it through the influence of some permanent though unseen
cause. (3) In intoxication-, where he has been deprived of it by the transient influence
of a visible cause, such as the use of wine, or opium, or other drugs, that act in this
manner on the nervous system; which condition is indeed neither more nor less than
a temporary insanity produced by an assignable cause.

3. Where it is unprofitable, or too expensive: where the mischief it would produce would be greater than what it prevented.

4. Where it is needless: where the mischief may be prevented, or cease of itself, without it: that is, at a cheaper rate . . .

## THE PURPOSE OF PUNISHMENT: BENTHAM 581

We have seen that the general object of all law is to prevent mischief; that is to say,
when it is worthwhile; but that, where there are no other means of doing this than punishment, there are four cases in which it is not worthwhile.

When it is worthwhile, there are four subordinate designs or objects, which, in the course of his endeavours to compass, as far as may be, that one general object, a
legislator, whose views are governed by the principle of utility, comes naturally to propose to himself.

His first, most extensive, and most eligible object, is to prevent, in as far as it is possible, and worthwhile, all sorts of offences whatsoever; in other words, so to manage, that no offence whatsoever may be committed.

But if a man must needs commit an offence of some kind or other, the next object is

to induce him to commit an offence less mischievous, rather than one more mischievous: in other words, to choose always the least mischievous, of two offences that will either of them suit his purpose.

When a man has resolved upon a particular offence, the next object is to dispose him to do no more mischief than is necessary to his purpose: in other words, to do as little mischief as is consistent with the benefit he has in view.

The last object is, whatever the mischief be, which it is proposed to prevent, to prevent it at as cheap a rate as possible.

Subservient to these four objects, or purposes, must be the rules or canons by which the proportion of punishments to offences is to be governed.

Rule 1 . The first object, it has been seen, is to prevent, in as far as it is worthwhile, all sorts of offences; therefore, The value of the punishment must not be less in any case than what is sufficient to outweigh that of the profit of the offence. If... the offence (unless some other considerations, independent of the punishment, should intervene . . . ) will be sure to be committed notwithstanding: the whole lot of punishment will be thrown away: it will be altogether inefficacious.

The above rule has been often objected to, on account of its seeming harshness: but this can only have happened for want of its being properly understood. The strength of the temptation, ceteris paribus, 1 is as the profit of the offence: the quantum of the punishment must rise with the profit of the offence; ceteris paribus, it must therefore rise with the strength of the temptation. This there is no disputing. True it is that the stronger the temptation, the less conclusive is the indication which the act of delinquency affords of the depravity of the offender’s disposition. So far then as the

absence of any aggravation, arising from extraordinary depravity of disposition, may
operate (or at the utmost, so far as the presence of a ground of extenuation, resulting
from the innocence or beneficence of the offender's disposition, can operate), the strength of the temptation may operate in abatement of the demand for punishment.
But it can never operate so far as to indicate the propriety of making the punishment
ineffectual, which it is sure to be when brought below the level of the apparent profit
of the offence.

The partial benevolence which should prevail for the reduction of it below this level, would counteract those purposes which such a motive would actually have in
view, as well as those more extensive purposes which extensive benevolence ought to

Ceteris paribus: other things being equal.

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have in view; it would be cruelty not only to the public, but to the very persons in whose behalf it pleads - in its effects, I mean, however opposite in its intention.
Cruelty to the public, that is cruelty to the innocent, by suffering them, for want of an
adequate protection, to lie exposed to the mischief of the offence; cruelty even to the
offender himself, by punishing him to no purpose, and without the chance of compassing that beneficial end, by which alone the introduction of the evil of punishment is to be justified.

Rule 2. But whether a given offence shall be prevented in a given degree, by a given
quantity of punishment, is never anything better than a chance; for the purchasing of
which, whatever punishment is employed, is so much expended in advance.

However,
for the sake of giving it the better chance of outweighing the profit of the offence, The
greater the mischief of the offence, the greater is the expense, which it may be worthwhile
to be at, in the way of punishment.

Rule 3. The next object is, to induce a man to choose always the least mischievous
of two offences; therefore, Where two offences come in competition, the punishment for
the greater offence must be sufficient to induce a man to prefer the less.

Rule 4. When a man has resolved upon a particular offence, the next object is to induce him to do no more mischief than what is necessary for his purpose: therefore,
The punishment should be adjusted in such manner to each particular offence, that for
every part of the mischief there may be a motive to restrain the offender from giving birth
to it.

Rule 5. The last object is, whatever mischief is guarded against, to guard against it at
as cheap a rate as possible: therefore The punishment ought in no case to be more than
what is necessary to bring it into conformity with the rides here given.

Rule 6. It is further to be observed, that owing to the different manners and degrees
in which persons under different circumstances are affected by the same exciting cause, a punishment which is the same in name will not always either really produce,
or even so much as appear to others to produce, in two different persons the same
degree of pain: therefore, That the quantity actually inflicted on each individual offender may correspond to the quantity intended for similar offenders in general, the
several circumstances influencing sensibility ought always to be taken into account.

Of the above rules of proportion, the four first, we may perceive, serve to mark out
the limits on the side of diminution; the limits below which a punishment ought not
to be diminished: the fifth, the limits on the side of increase; the limits above which it
ought not to be increased. The five first are calculated to serve as guides to the legislator: the sixth is calculated, in some measure, indeed, for the same purpose;
but principally for guiding the judge in his endeavours to conform, on both sides, to
the intentions of the legislator.

Let us look back a little. The first rule, in order to render it more conveniently applicable to practice, may need perhaps to be a little more particularly unfolded. It is
to be observed, then, that for the sake of accuracy, it was necessary, instead of the
word quantity to make use of the less perspicuous term value. For the word quantity
will not properly include the circumstances either of certainty or proximity: circumstances which, in estimating the value of a lot of pain or pleasure, must always be
taken into the account. Now, on the one hand, a lot of punishment is a lot of pain; on
the other hand, the profit of an offence is a lot of pleasure, or what is equivalent to it.
But the profit of the offence is commonly more certain than the punishment, or, what



comes to the same thing, appears so at least to the offender. It is at any rate commonly
more immediate. It follows, therefore, that, in order to maintain its superiority over the profit of the offence, the punishment must have its value made up in some other
way, in proportion to that whereby it falls short in the two points of certainty and proximity. Now there is no other way in which it can receive any addition to its

value, but by receiving an addition in point of magnitude. Wherever then the value
of the punishment falls short, either in point of certainty, or of proximity, of that of the profit of the offence, it must receive a proportionable addition in point of magnitude .*

Yet farther. To make sure of giving the value of the punishment the superiority over that of the offence, it may be necessary, in some cases, to take into the account
the profit not only of the individual offence to which the punishment is to be annexed, but also of such other offences of the same sort as the offender is likely to
have already committed without detection. This random mode of calculation, severe
as it is, it will be impossible to avoid having recourse to, in certain cases: in such, to
wit, in which the profit is pecuniary, the chance of detection very small, and the obnoxious act of such a nature as indicates a habit: for example, in the case of frauds
against the coin. If it be not recurred to, the practice of committing the offence will be sure to be, upon the balance of the account, a gainful practice. That being the case, the legislator will be absolutely sure of not being able to suppress it, and the
whole punishment that is bestowed upon it will be thrown away. In a word (to keep
to the same expressions we set out with) that whole quantity of punishment will be
inefficacious.

These things being considered, the three following rules may be laid down by way
of supplement and explanation to Rule 1.

Rule 7. To enable the value of the punishment to outweigh that of the profit of the offence, it must be increased, in point of magnitude, in proportion as it falls short in point
of certainty.

Rule 8. Punishment must be further increased in point of magnitude, in proportion as
it falls short in point of proximity.

Rule 9. Where the act is conclusively indicative of a habit, such an increase must be
given to the punishment as may enable it to outweigh the profit not only of the individual
offence, but of such other like offences as are likely to have been committed with impunity
by the same offender.

There may be a few other circumstances or considerations which may influence, in
some small degree, the demand for punishment: but as the propriety of these is either
not so demonstrable, or not so constant, or the application of them not so determin-
ate, as that of the foregoing, it may be doubted whether they be worth putting on a
level with the others.

Rule 10. When a punishment, which in point of quality is particularly well calculated
to answer its intention, cannot exist in less than a certain quantity, it may sometimes be
of use, for the sake of employing it, to stretch a little beyond that quantity which, on other
accounts, would be strictly necessary.

*It is for this reason, for example, that simple compensation is never looked on as sufficient punishment
for theft or robbery.

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Rule 11. In particular, this may sometimes be the case, where the punishment proposed
is of such a nature as to be particularly well calculated to answer the purpose of a moral
lesson.

Rule 12. The tendency of the above considerations is to dictate an augmentation in
the punishment: the following rule operates in the way of diminution. There are certain cases (it has been seen) in which, by the influence of accidental circumstances,
punishment may be rendered unprofitable in the whole: in the same cases it may chance to be rendered unprofitable as to a part only. Accordingly, In adjusting the quantum of punishment, the circumstances, by which all punishment may be rendered
unprofitable, ought to be attended to.

Rule 13. It is to be observed, that the more various and minute any set of provisions
are, the greater the chance is that any given article in them will not be borne in mind,
without which no benefit can ensure from it. Distinctions which are more complex than what the conception of those whose conduct it is designed to influence can take
in, will even be worse than useless. The whole system will present a confused appearance, and thus the effect, not only of the proportions established by the articles
in question, but of whatever is connected with them, will be destroyed. To draw a precise line of direction in such cases seems impossible. However, by way of memento,
it may be of some use to subjoin the following rule: Among provisions designed to
perfect the proportion between punishments and offences, if any occur which by their own
particular good effect would not make up for the harm they would do by adding to the
intricacy of the Code, they should be omitted. . .

[Bentham proceeds to list a number of properties which punishment should have; one
of these is that it should be capable of being remitted.]

It may happen that punishment shall have been inflicted where, according to the intention of the law itself, it ought not to have been inflicted; that is, where the sufferer is innocent of the offence. At the time of the sentence passed he appeared

guilty; but since then, accident has brought his innocence to light. This being the case,
so much of the destined punishment as he has suffered already, there is no help for.
The business is then to free him from as much as is yet to come. But is there any yet to
come? There is very little chance of there being any, unless it be so much as consists of
chronical punishment, such as imprisonment, banishment, penal labour and the like.
So much consists of acute punishment, to whit where the penal process itself is over
presently, however permanent the punishment may be in its effects, may be consid-
ered as irremissible. That is the case, for example, with whipping, branding, mutilation
and capital punishment. The most perfectly irremissible of any is capital punishment.
For though other punishments cannot, when they are over, be remitted, they may be
compensated for; and although the unfortunate victim cannot be put into the same
condition, yet possibly means may be found of putting him to as good a condition as
he would have been if he had never suffered . . .

OUR RELATIONSHIP TO THE ENVIRONMENT: LEOPOLD 585

## 8 Our Relationship to the Environment: Aldo Leopold, The Land Ethic *

We have already drawn attention to the philo-
sophical debate over whether the sphere of ethics
should be extended beyond the human domain
to include the interests of non-rational animals
(see introduction to extract 6, above). In the
following extract, Aldo Leopold, often called
the prophet of the conservation movement,

argues for a still wider extension, to cover the entire ecosystem: ‘the land ethic enlarges the boundaries of the community to include soils, water, plants, animals, or collectively: the land’. Though Leopold’s was a relatively lone voice when The Land Ethic’ appeared (in the 1940s), we have all now become familiar with the idea of our responsibility to conserve the environment. But what is the ethical basis of such responsibility? In the passage that follows, Leopold sometimes appears to argue that conserving the ecosystem is important because of our human dependence on it, which might suggest the relevant obligations are ultimately derivative from human interests. But a deeper reading of the text reveals that Leopold is proposing a fundamental shift in our ethical outlook. Instead of considering everything in terms of human use and human values, we should aim at a more harmonious relationship with our environment: the land ethic ‘changes the role of homo sapiens from conqueror of the land-community to plain member and citizen of it’.

Man, then, is but one member of the ‘biotic community’, and Leopold proceeds to give a

general criterion of rightness which makes explicit reference to this: ‘a thing is right when it tends to preserve the integrity, stability and beauty of the biotic community; it is wrong when it tends otherwise’. As some academic critics have been eager to point out, there is something very simplistic about this proposal, and it would no doubt need very careful qualification before it could be used as an ultimate test for right action. Other critics have raised doubts about whether something like an ecosystem (a non-rational, and not even sentient, entity) can be a bearer of ethical value in itself; can there

be an ethical relationship with something which is not aware, has no plans or projects, and cannot even feel pleasure or pain? For defenders of ‘ecological ethics’, however, this criticism is based on a narrowly anthropocentric conception of value - the idea that only human beings, and by extension perhaps the ‘higher’ animals, matter from the moral point of view. Certainly the language Leopold uses is that of a genuine relationship with the environment - a relationship which he says cannot exist without ‘love, respect and admiration’ for the land. This is a resonant and moving idea; part of the task of philosophers working in the rapidly growing discipline of environmental ethics is to examine whether it can be made coherent; if so, what are its implications; and if not, whether there are any better ways of evaluating our conduct with respect to the environment.

When god-like Odysseus returned from the wars in Troy, he hanged all on one rope a
dozen slave-girls of his household whom he suspected of misbehaviour during his
absence.

This hanging involved no question of propriety. The girls were property. The disposal of property was then, as now, a matter of expediency, not of right and wrong.

Concepts of right and wrong were not lacking from Odysseus’s Greece: witness the
fidelity of his wife through the long years before at last his black-prowed galleys clove
the wine-dark seas for home. The ethical structure of that day covered wives, but had

From Aldo Leopold, A Sand County Almanac: And Sketches Here and There (Oxford: Oxford University

Press, 1949; repr. 1977), pp. 201-26; abridged. The full essay is reprinted in M. Zimmerman (ed.),
Environmental Philosophy (Englewood Cliffs, NJ: Prentice-Hall, 1993).

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not yet been extended to human chattels. During the three thousand years which have
since elapsed, ethical criteria have been extended to many fields of conduct, with corresponding shrinkages in those judged by expediency only. . .

This extension of ethics, so far studied only by philosophers, is actually a process in
ecological evolution. Its sequences may be described in ecological as well as philo-
sophical terms. An ethic, ecologically, is a limitation on freedom of action in the struggle for existence. An ethic, philosophically, is a differentiation of social from anti-
social conduct. These are two definitions of one thing. The thing has its origin in the
tendency of interdependent individuals or groups to evolve modes of cooperation.
The ecologist calls these symbioses. Politics and economics are advanced symbioses in
which the original free-for-all competition has been replaced, in part, by cooperative
mechanisms with an ethical content.

The complexity of cooperative mechanisms has increased with population density,
and with the efficiency of tools. It was simpler, for example, to define the anti-social
uses of sticks and stones in the days of the mastodons than of bullets and billboards in
the age of motors.

The first ethics dealt with the relation between individuals; the Mosaic Decalogue is
an example. Later accretions dealt with the relation between the individual and

society. The Golden Rule tries to integrate the individual to society; democracy to integrate social organization to the individual.

There is as yet no ethic dealing with man's relation to land and the animals and plants which grow upon it. Land, like Odysseus's slave-girls, is still property. The land-
relation is still strictly economic, entailing privileges but not obligations.

The extension of ethics to this third element in human environment is, if I read the evidence correctly, an evolutionary possibility and an ecological necessity. It is the
third step in a sequence. The first we have already taken. Individual thinkers since
the days of Ezekiel and Isaiah have asserted that the despoliation of land is not only
inexpedient but wrong. Society, however, has not yet affirmed their belief. I regard the
present conservation movement as the embryo of such an affirmation.

An ethic may be regarded as a mode of guidance for meeting ecological situations
so new or intricate, or involving such deferred reactions, that the path of social expediency is not discernible to the average individual. Animal instincts are modes
of guidance for the individual in meeting such situations. Ethics are possibly a kind of
community instinct in-the-making . . .

All ethics so far evolved rest upon a single premise: that the individual is a member of
a community of interdependent parts. His instincts prompt him to compete for his place in that community, but his ethics prompt him also to cooperate (perhaps in order that there may be a place to compete for).

The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively: the land.

This sounds simple: do we not already sing our love for and obligation to the land of the free and the home of the brave? Yes, but just what and whom do we love? Certainly not the soil, which we are sending helter-skelter downriver. Certainly not

the waters, which we assume have no function except to turn turbines, float barges
and carry off sewage. Certainly not the plants, of which we exterminate whole communities without batting an eye. Certainly not the animals, of which we have



already extirpated many of the largest and most beautiful species. A land ethic of course cannot prevent the alteration, management and use of these ‘resources’, but it
does affirm their right to continued existence in a natural state.

In short, a land ethic changes the role of Homo sapiens from conqueror of the land-
community to plain member and citizen of it. It implies respect for his fellow members, and also respect for the community as such.

In human history we have learned (I hope) that the conqueror role is eventually self-defeating. Why? Because it is implicit in such a role that the conqueror knows,
ex cathedra , just what makes the community clock tick, and just what and who is valuable, and what and who is worthless, in community life. It always turns out that
he knows neither, and this is why his conquests eventually defeat themselves.

In the biotic community, a parallel situation exists. Abraham knew exactly what the
land was for: it was to drip milk and honey into Abraham’s mouth. At the present moment, the assurance with which we regard this assumption is inverse to the degree
of our education.

The ordinary citizen today assumes that science knows what makes the community
clock tick; the scientist is equally sure that he does not. He knows that the biotic mechanism is so complex that its working may never be fully understood.

That man is, in fact, only a member of a biotic team is shown by an ecological interpretation of history. Many historical events, hitherto explained solely in terms

of
human enterprise, were actually biotic interactions between people and land. The characteristic of the land determined the facts quite as potently as the characteristics
of the men who lived on it.

Consider for example the settlement of the Mississippi valley. In the years following
the Revolution, three groups were contending for its control: the native Indian, the
French and English traders, and the American settlers. Historians wonder what would
have happened if the English at Detroit had thrown a little more weight into the Indian side of those tipsy scales which decided the outcome of the colonial migration
into the cane-lands of Kentucky. It is time now to ponder the fact that the cane-lands,
when subjected to the particular mixture of forces represented by the cow, plough, fire
and axe of the pioneer, became bluegrass. What if the plant succession inherent in this
dark and bloody ground had, under the impact of these forces, given us some worthless sedge, shrub or weed? Would Boone and Kenton have held out? Would
there have been any overflow into Ohio, Indiana, Illinois and Missouri? Any Louisiana
Purchase? Any transcontinental union of new states? Any civil war? . . .

In short, the plant succession steered the course of history; the pioneer simply demonstrated, for good or ill, what successions entered in the land. Is history taught
in this spirit? It will be, once the concept of land as a community really penetrates our
intellectual life . . .

Conservation is a state ot harmony between men and land. Despite nearly a century of
propaganda, conservation still proceeds at a snail’s pace; progress still consists largely
of letterhead pieties and convention oratory. On the back forty we still slip two steps

backward for each forward stride . . .

When the private landowner is asked to perform some unprofitable act for the good of the community, he today assents only with outstretched palm. If the act costs
him cash this is fair and proper, but when it costs only forethought, open-mindedness

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or time, the issue is at least debatable. The overwhelming growth of land -use subsidies
in recent years must be ascribed, in large part, to the government's own agencies of
conservation education: the land bureaus, the agricultural colleges and the extension
services. As far as I can detect, no ethical obligation toward land is taught in these
institutions . . .

To sum up: a system of conservation based solely on economic self-interest is hopelessly lopsided. It tends to ignore, and thus eventually to eliminate, many elements in the land community that lack commercial value, but that are (as far as
we know) essential to its healthy functioning. It assumes, falsely, I think, that the economic parts of the biotic clock will function without the uneconomic parts. It tends to relegate to government many functions eventually too large, too complex or
too widely dispersed to be performed by government.

An ethical obligation on the part of the private owner is the only visible remedy for these situations . . .

An ethic to supplement and guide the economic relation to land presupposes the existence of some mental image of land as a biotic mechanism. We can be ethical only
in relation to something we can see, feel, understand, love, or otherwise have faith in.

The image commonly employed in conservation education is ‘the balance of nature’. For reasons too lengthy to detail here, this figure of speech fails to describe
accurately what little we know about the land mechanism. A much truer image is the
one employed in ecology: the biotic pyramid . . .

In the beginning, the pyramid of life was low and squat; the food chains short and simple. Evolution has added layer after layer, link after link. Man is one of thousands
of accretions to the height and complexity of the pyramid. Science has given us many
doubts, but it has given us at least one certainty: the trend of evolution is to elaborate
and diversify the biota.

Land, then, is not merely soil; it is a fountain of energy flowing through a circuit of soils, plants and animals. Food chains are the living channels which conduct energy
upwards; death and decay return it to the soil. The circuit is not closed; some energy is
dissipated in decay, some is added by absorption from the air, some is stored in soils,
peats and long-lived forests; but it is a sustained circuit, like a slowly augmented revolving fund of life. There is always a net loss by downhill wash, but this is normally
small and offset by the decay of rocks. It is deposited in the ocean, and, in the course
of geological time, raised to form new lands and new pyramids . . .

When a change occurs in one part of the circuit, many other parts must adjust themselves to it. Change does not necessarily obstruct or divert the flow of energy;
evolution is a long series of self-induced changes, the net result of which has been to
elaborate the flow mechanism and to lengthen the circuit. Evolutionary changes, however, are usually slow and local. Man’s invention of tools has enabled him to make changes of unprecedented violence, rapidity and scope . . .

The combined evidence of history and ecology seems to support one general deduction: the less violent the man-made changes, the greater the probability of

successful readjustment to the pyramid . . .

A land ethic, then, reflects the existence of an ecological conscience, and this in turn
reflects a conviction of individual responsibility for the health of the land. Health is



the capacity of the land for self-renewal. Conservation is our effort to understand and
preserve this capacity.

Conservationists are notorious for their dissensions. Superficially these seem to add
up to mere confusion, but a more careful scrutiny reveals a single plane of cleavage
common to many specialized fields. In each field, one group (A) regards the land as
soil, and its function as commodity-production; another group (B) regards the land
as a biota, and its function as something broader. How much broader is admittedly in
a state of doubt and confusion . . .

In all these cleavages we see repeated the same basic paradoxes: man the conqueror
versus man the biotic citizen; science the sharpener of his sword versus science the
search-light on his universe; land the slave and servant versus land the collective
organism. Robinson's injunction to Tristram may well be applied at this juncture to
Homo sapiens as a species in geological time:

Whether you will or not

You are King, Tristram, for you are one

Of the time-tested few that leave the world,

When they are gone, not the same place it was.

Mark what you leave.

It is inconceivable to me that an ethical relation to land can exist without love, respect
and admiration for land, and a high regard for its value. By value, I of course mean
something far broader than mere economic value. I mean value in the philosophical
sense.

Perhaps the most serious obstacle impeding the evolution of a land ethic is the fact
that our educational and economic system is headed away from, rather than towards,
an intense consciousness of land. Your true modern is separated from the land by
many middlemen, and by innumerable physical gadgets. He has no vital reaction to it;
to him it is the space between cities on which crops grow. Turn him loose for a day on
the land, and if the spot does not happen to be a golf links or a ‘scenic’ area, he is
bored stiff. If crops could be raised by hydroponics instead of farming, it would suit
him very well. Synthetic substitutes for wood, leather, wool and other natural land
products suit him better than the originals. In short, land is something he has
outgrown.

Almost equally serious as an obstacle to a land ethic is the attitude of the farmer for
whom the land is still an adversary, or a taskmaster that keeps him in slavery.
Theoretically, the mechanization of farming ought to cut the farmer’s chains, but
whether it really does is debatable.

One of the prerequisites for an ecological comprehension of land is an understand-
ing of ecology, and this is by no means coextensive with ecological concepts. An
understanding of ecology does not necessarily originate in courses bearing
ecological

labels; it is quite as likely to be labelled geography, botany, agronomy, history or economics. This is as it should be, but whatever the label, ecological training is scarce.

The case for a land ethic would appear hopeless but for the minority which is in obvious revolt against these ‘modern’ trends.

The ‘key-log’ which must be moved to release the evolutionary process for an ethic
is simply this: quit thinking about decent land use as solely an economic problem.

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Examine each question in terms of what is ethically and aesthetically right, as well as
what is economically expedient. A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise.

It of course goes without saying that economic feasibility limits the tether of what can or cannot be done for land. It always has and it always will. The fallacy the economic determinists have tied around our collective neck, and which we now need
to cast off, is the belief that economics determines all land use. This is simply not true.
An innumerable host of actions and attitudes, comprising perhaps the bulk of all land
relations, is determined by the land-user’s tastes and predilections, rather than by his
purse. The bulk of all land relations hinges on investments of time, forethought, skill
and faith rather than on investments of cash. As a land-user thinketh, so is he.

I have purposely presented the land ethic as a product of social evolution because
nothing so important as an ethic is ever ‘written’. Only the most superficial students of
history suppose that Moses ‘wrote’ the Decalogue: it evolved in the minds of a thinking community, and Moses wrote a tentative summary of it for a ‘seminar’.

I say tentative because evolution never stops.

The evolution of a land ethic is an intellectual as well as emotional process. Conservation is paved with good intentions which prove to be futile or even danger-
ous, because they are devoid of critical understanding either of the land, or of economic land use. I think it is a truism that as the ethical frontier advances from the individual to the community, its intellectual content increases.

The mechanism of operation is the same for any ethic: social approbation for right
actions, social disapproval for wrong actions.

By and large, our present problem is one of attitudes and implements. We are remodelling the Alhambra with a steam-shovel, and we are proud of our yardage. We
shall hardly relinquish the shovel, which after all has many good points, but we are in
need of gentler and more objective criteria for its successful use.

## 9 Abortion and Rights: Judith Jarvis Thomson, A Defense of Abortion*

The Kantian principle of respect for persons
requires us not to infringe the rights of free
and autonomous agents (see above, extract 6,
and Part VIII, extract 5). But how does this affect
the ethical status of the unborn? One may argue
that a foetus is not a person in Kant's sense, since
it is not yet a rational, self-determining being.
On the other hand, just like an already born
infant, it will, in the natural course of events
become a full person, and for this reason many
people feel strongly that it has a right to life.

Modern medical science, however, possesses the
technology to enable a woman safely to end her
pregnancy, should she choose to do so, thus

ending the life of the foetus. This has given rise to an intense debate over the morality of abortion, which pits the ‘right to choice’ of the pregnant woman against the ‘right to life’ of the unborn child, foetus or embryo.

The extract that follows, by the contemporary American philosopher Judith Jarvis Thomson, represents an unusual contribution to the

* ludith Jarvis Thomson, ‘A Defense of Abortion’, Philosophy and Public Affairs (Fall 1971); abridged.

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debate, precisely because it sidesteps the question of whether or not the foetus has a right to life. Thomson’s defence of abortion begins by conceding, for the sake of argument, that the foetus is ‘a person from the moment of conception’ and that it therefore has the right to life. She then proceeds to deploy what has become a celebrated analogy - that of a famous violinist hooked up to your circulatory system against your will, whose survival depends on your granting permission for him to remain so hooked up for a specified period. Thomson argues that even though the violinist has a right to life, you are within your rights to unplug him from your circulatory system. For his right to life does not entail a right to live at your expense.

Thomson’s example is vividly and clearly presented, and needs no further expounding here. Philosophical debate over the implications of her argument has centred around three main issues. First, can the analogy, which seems best to fit the case of involuntary pregnancy due to rape, be

extended to other cases? Thomson, as the extract

makes clear, aims to make just this extension, by modifying the analogy in various ways. Second, can the claim that you are ‘within your rights’ to unplug be extended to the case where the being who is dependent on you is entirely innocent of wrongdoing? Here Thomson argues that the issue turns on whether, and if so how, that innocent being can be said to have acquired a right to the use of the mother’s body. Finally, the questions arise of whether the mother ought to allow the foetus continued use of her body, irrespective of the issue of what rights it has, and if so, whether the law ought to enforce that obligation (by prohibiting abortion). Here Thomson points out that the law does not normally require people to be ‘good Samaritans’ - to make great personal sacrifices to help others, or to save their lives. The issues here are complex enough to defy a summary verdict, but both philosophical critics and opponents of Thomson have agreed that her thought-provoking analogy throws much light on what is one of the most difficult problems in applied ethics.

Most opposition to abortion relies on the premise that the foetus is a human being, a
person, from the moment of conception ... I think that the premise is false ... A newly

fertilized ovum, a newly implanted clump of cells, is no more a person than an acorn
is an oak tree. But I shall not discuss any of this. For it seems to me to be of great
interest to ask what happens if, for the sake of argument, we allow the premise . . .

I propose, then, that we grant that the foetus is a person from the moment of conception. How does the argument go from here? Something like this, I take it. Every person has a right to life. So the foetus has a right to life. No doubt the mother
has a right to decide what shall happen in and to her body; everyone would grant that.
But surely a person's right to life is stronger and more stringent than the mother's right to decide what happens in and to her body, and so outweighs it. So the foetus
may not be killed; an abortion may not be performed.

It sounds plausible. But now let me ask you to imagine this. You wake up in the morning and find yourself back to back in bed with an unconscious violinist. A famous unconscious violinist. He has been found to have a fatal kidney ailment, and
the Society of Music Lovers has canvassed all the available medical records and found
that you alone have the right blood type to help. They have therefore kidnapped you,
and last night the violinist's circulatory system was plugged into yours, so that your
kidneys can be used to extract poisons from his blood as well as your own. The director of the hospital now tells you, 'Look, we're sorry the Society of Music Lovers
did this to you - we would never have permitted it if we had known. But still, they did
it, and the violinist now is plugged into you. To unplug you would be to kill him. But
never mind, it's only for nine months. By then he will have recovered from his ailment, and can safely be unplugged from you.' Is it morally incumbent on you to



accede to this situation? No doubt it would be very nice of you if you did, a great kindness. But do you have to accede to it? What if it were not nine months, but nine
years? Or longer still? What if the director of the hospital says, 'Tough luck, I agree,
but you've now got to stay in bed, with the violinist plugged into you, for the rest

of your life. Because remember this. All persons have a right to life, and violinists are persons. Granted you have a right to decide what happens in and to your body,
but a person's right to life outweighs your right to decide what happens in and to your
body. So you cannot ever be unplugged from him.' I imagine you would regard this
as outrageous, which suggests that something really is wrong with that plausible-sounding argument I mentioned a moment ago.

In this case, of course, you were kidnapped; you didn't volunteer for the operation
that plugged the violinist into your kidneys. Can those who oppose abortion on the
ground I mentioned make an exception for a pregnancy due to rape? Certainly. They
can say that persons have a right to life only if they didn't come into existence because
of rape; or they can say that all persons have a right to life, but that some have less of a
right to life than others, in particular, that those who came into existence because of
rape have less. But these statements have a rather unpleasant sound. Surely the question of whether you have a right to life at all, or how much of it you have, shouldn t turn on the question of whether or not you are the product of a rape. And
in fact the people who oppose abortion on the ground 1 mentioned do not make this
distinction, and hence do not make an exception in case of rape.

Nor do they make an exception for a case in which the mother has to spend the nine months of her pregnancy in bed. They would agree that would be a great pity,
and hard on the mother, but all the same, all persons have a right to life, the foetus is a
person, and so on. I suspect, in fact, that they would not make an exception for a case
in which, miraculously enough, the pregnancy went on for nine years, or even the rest
of the mother's life.

Some won't even make an exception for a case in which continuation of the pregnancy is likely to shorten the mother's life; they regard abortion as impermissible
even to save the mother's life. Such cases are nowadays very rare, and many opponents
of abortion do not accept this extreme view. All the same, it is a good place to begin: a
number of points of interest come out in respect to it.

Let us call the view that abortion is impermissible even to save the mother's life 'the
extreme view'. I want to suggest first that it does not issue from the argument I mentioned earlier without the addition of some fairly powerful premises. Suppose a
woman has become pregnant, and now learns that she has a cardiac condition such
that she will die if she carries the baby to term. What may be done for her? The foetus,
being a person, has a right to life, but as the mother is a person too, so has she a right
to life. Presumably they have an equal right to life. How is it supposed to come out
that an abortion may not be performed? If mother and child have an equal right to life, shouldn't we perhaps flip a coin? Or should we add to the mother's right to life
her right to decide what happens in and to her body, which everybody seems to be
ready to grant - the sum of her rights now outweighing the foetus's right to life?

... If directly killing an innocent person is murder, and thus impermissible, then the mother's directly killing the innocent person inside her is murder, and thus is impermissible. But it cannot seriously be thought to be murder if the mother performs an abortion on herself to save her life. It cannot seriously be said that she



must refrain, that she must sit passively by and wait for her death. Let us look again at

the case of you and the violinist. There you are, in bed with the violinist, and the director of the hospital says to you, ‘It’s all most distressing, and I deeply sympathize,
but you see this is putting an additional strain on your kidneys, and you’ll be dead within the month. But you have to stay where you are all the same. Because unplugging you would be directly killing an innocent violinist, and that’s murder, and that’s impermissible.’ If anything in the world is true, it is that you do not commit
murder, you do not do what is impermissible, if you reach around to your back and
unplug yourself from that violinist to save your life . . .

I should perhaps stop to say explicitly that I am not claiming that people have a right to do anything whatever to save their lives. I think, rather, that there are drastic
limits to the right of self-defence. If someone threatens you with death unless you torture someone else to death, I think you have not the right, even to save your life, to
do so. But the case under consideration here is very different. In our case there are
only two people involved, one whose life is threatened, and one who threatens it. Both
are innocent: the one who is threatened is not threatened because of any fault, the one
who threatens does not threaten because of any fault. For this reason we may feel that
we bystanders cannot intervene. But the person threatened can.

In sum, a woman surely can defend her life against the threat to it posed by the unborn child, even if doing so involves its death . . .

Where the mother’s life is not at stake, the argument I mentioned at the outset seems to have a much stronger pull. ‘Everyone has a right to life, so the unborn person
has a right to life.’ And isn’t the child’s right to life weightier than anything other than
the mother’s own right to life, which she might put forward as ground for an abortion?

This argument treats the right to life as if it were unproblematic. It is not, and this seems to me to be precisely the source of the mistake.

For we should now. . . ask what it comes to, to have a right to life. In some views having a right to life includes having a right to be given at least the bare minimum one needs for continued life. But suppose that what in fact is the bare minimum a man needs for continued life is something he has no right at all to be given? If I am sick unto death, and the only thing that will save my life is the touch of Henry Fonda's cool hand on my fevered brow, then all the same, I have no right to be given the touch of Henry Fonda's cool hand on my fevered brow. It would be frightfully nice of him to fly in from the West Coast to provide it. It would be less nice, though no doubt well meant, if my friends flew out to the West Coast and carried Henry Fonda back with them. But I have no right at all against anybody that he should do this for me. Or again, to return to the story I told earlier, the fact that for continued life that violinist needs the continued use of your kidneys does not establish that he has a right to be given the continued use of your kidneys. He certainly has no right against you that you should give him continued use of your kidneys. For nobody has any right to use your kidneys unless you give him such a right; and nobody has the right against you that you shall give him this right - if you do allow him to go on using your kidneys, this is a kindness on your part, and not something he can claim from you as his due.

Nor has he any right against anybody else that they should give him continued use of your kidneys. Certainly he had no right against the Society of Music Lovers that they should plug him into you in the first place. And if you now start to unplug yourself,



having learned that you will otherwise have to spend nine years in bed with him,

there
is nobody in the world who must try to prevent you, in order to see to it that he is given something he has a right to be given . . .

I suppose we may take it as a datum that in a case of pregnancy due to rape the mother has not given the unborn person a right to the use of her body for food and
shelter. Indeed, in what pregnancy could it be supposed that the mother has given the
unborn person such a right? It is not as it there were unborn persons drifting about
the world, to whom a woman who wants a child says ‘I invite you in.’

But it might be argued that there are other ways one can have acquired a right to the use of another person s body than by having been invited to use it by that person.
Suppose a woman voluntarily indulges in intercourse, knowing of the chance it will
issue in pregnancy, and then she does become pregnant; is she not in part responsible
for the presence, in fact the very existence, of the unborn person inside her? No doubt
she did not invite it in. But doesn’t her partial responsibility for its being there itself
give it a right to the use of her body? . . .

And then, too, it might be asked whether or not she can kill it even to save her own
life: If she voluntarily called it into existence, how can she now kill it, even in self-defence?

... 1 his argument would give the unborn person a right to its mother’s body only if
her pregnancy resulted from a voluntary act, undertaken in full knowledge of the chance a pregnancy might result from it. It would leave out entirely the unborn person whose existence is due to rape. Pending the availability of some further argument, then, we would be left with the conclusion that unborn persons whose existence is due to rape have no right to the use of their mothers’ bodies, and thus that
aborting them is not depriving them of anything they have a right to and hence is not

unjust killing.

... It is not at all plain that this argument really does go even as tar as it purports to.
For there are cases and cases, and the details make a difference. If the room is stuffy,
and I therefore open a window to air it, and a burglar climbs in, it would be absurd to
say, ‘Ah, now he can stay, she’s given him a right to the use of her house - for she is
partially responsible for his presence there, having voluntarily done what enabled him
to get in, in full knowledge that there are such things as burglars, and that burglars
burgle.’ It would be still more absurd to say this if I had had bars installed outside my
windows, precisely to prevent burglars from getting in, and a burglar got in only
because of a defect in the bars. It remains equally absurd if we imagine it is not a
burglar who climbs in, but an innocent person who blunders or falls in. Again,
suppose it were like this: people-seeds drift about in the air like pollen, and if you
open your windows, one may drift in and take root in your carpets or upholstery. You
don t want children, so you fix up your windows with fine mesh screens, the very best
you can buy. As can happen, however, and on very, very rare occasions does happen,
one of the screens is defective; and a seed drifts in and takes root. Does the person-
plant who now develops have a right to the use of your house? Surely not - despite the
fact that you voluntarily opened your windows, you knowingly kept carpets and
upholstered furniture, and you knew that screens were sometimes defective. Someone
may argue that you are responsible for its rooting, that it does have a right to your
house, because after all you could have lived out your life with bare floors and
furniture, or with sealed windows and doors. But this won’t do — for by the same

token anyone can avoid a pregnancy due to rape by having a hysterectomy, or anyway
by never leaving home without a (reliable!) army.

It seems to me that the argument we are looking at can establish at most that there
are some cases in which the unborn person has a right to the use of its mother's body,
and therefore some cases in which abortion is unjust killing. There is room for much
discussion and argument as to precisely which, if any. But I think we should sidestep
this issue and leave it open, for at any rate the argument certainly does not establish
that all abortion is unjust killing.

There is room for yet another argument here, however. We surely must all grant that there may be cases in which it would be morally indecent to detach a person from
your body at the cost of his life. Suppose you learn that what the violinist needs is not
nine years of your life, but only one hour: all you need to do to save his life is to spend
one hour in that bed with him. Suppose also that letting him use your kidneys for that one hour would not affect your health in the slightest. Admittedly you were kidnapped. Admittedly you did not give anyone permission to plug him into you. Nevertheless it seems to me plain you ought to allow him to use your kidneys for that
hour - it would be indecent to refuse . . .

Again, suppose pregnancy lasted only an hour, and constituted no threat to life or health. And suppose that a woman becomes pregnant as a result of rape. Admittedly
she did not voluntarily do anything to bring about the existence of a child. Admittedly she did nothing at all which would give the unborn person a right to the use of
her body. All the same it might well be said, as in the newly emended violinist story,
that she ought to allow it to remain for that hour - that it would be indecent in her to

refuse.

. . . My own view is that even though you ought to let the violinist use your kidneys
for the hour he needs, we should not conclude that he has a right to do so . . . Simi-
larly, that even supposing a case in which a woman pregnant due to rape ought to
allow the unborn person to use her body for the hour he needs, we should not
conclude that he has a right to do so; we should conclude that she is self-centred,
callous, indecent, but not unjust, if she refuses. The complaints are no less grave; they
are just different. However, there is no need to insist on this point. If anyone does
wish to deduce 'he has a right' from 'you ought,' then all the same he must surely
grant that there are cases in which it is not morally required of you that you allow that
violinist to use your kidneys, and in which he does not have a right to use them,
and in which you do not do him an injustice if you refuse. And so also for mother and
unborn child. Except in such cases as the unborn person has a right to demand it -
and we were leaving open the possibility that there may be such cases - nobody is
morally required to make large sacrifices, of health, of all other interests and concerns,
of all other duties and commitments, for nine years, or even for nine months, in order
to keep another person alive.

We have in fact to distinguish between two kinds of Samaritan: the Good Samaritan
and what we might call the Minimally Decent Samaritan ... The Good Samaritan
1
went out of his way, at some cost to himself, to help one in need of it. [Thomson goes
on to point out that most legal systems do not even require citizens to be minimally
decent Samaritans; we are not legally required even to give minimal assistance, for

See Luke 10: 30-5.

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example to call the police when we see someone attacked] ... I should think, myself,
that Minimally Decent Samaritan laws would be one thing, Good Samaritan laws quite another, and in fact highly improper. But we are not here concerned with the law. What we should ask is not whether anybody should be compelled by law to be a
Good Samaritan, but whether we must accede to a situation in which somebody is
being compelled - by nature, perhaps - to be a Good Samaritan. We have, in other
words, to look now at third-party interventions. I have been arguing that no person is
morally required to make large sacrifices to sustain the life of another who has no right to demand them, and this even where the sacrifices do not include life itself; we
are not morally required to be Good Samaritans or anyway Very Good Samaritans to
one another. But what if a man cannot extricate himself from such a situation? What
it he appeals to us to extricate him? It seems to me plain that there are cases in which
we can, cases in which a Good Samaritan would extricate him. There you are, you
were kidnapped, and nine years in bed with that violinist lie ahead of you. You have
your own life to lead. You are sorry, but you simply cannot see giving up so much of your life to the sustaining of his. You cannot extricate yourself, and ask us to do so.
I should have thought that - in light of his having no right to the use of your body - it
was obvious that we do not have to accede to your being forced to give up so much.
We can do what you ask. There is no injustice to the violinist in our doing so . . .

# 10 The Relief of Global Suffering: Peter Singer, Famine , Affluence and Morality *

The argument presented by Godwin (extract 5, above) challenges us to defend the ethical credentials of our tendency to favour ourselves and our relatives over those who may be more worthy of our attention from an impartial standpoint. Our next extract effectively takes this challenge forward to the global arena, by arguing that our current attitudes and conduct in the face of the massive problem of world poverty are quite indefensible from the moral point of view. The well-known contemporary Australian philosopher Peter Singer begins his argument with an apparently straightforward principle that 'if it is in our power to prevent something bad from happening without thereby sacrificing anything of comparable moral importance, we ought morally to do it'. This seems clearly right: in the case, say, when I can save a child from drowning in a pond without suffering any

greater inconvenience than getting my shoes wet. But now Singer argues with great force first that proximity makes no difference to the principle (the fact that hungry people are dying thousands of miles away does not reduce my obligation from what it was in the child in pond case); and secondly that numbers make no difference (the fact that there are millions of others who could help the starving, while I was the only one near the pond when the child fell in, does not make a moral difference to my own obligation to help). From these premises Singer reaches the conclusion that our inaction in the face of world poverty is morally indefensible.

This is a result which many might pay lip-service to, but Singer's purpose is to show that it requires a radical shift in our moral outlook. In particular, the traditional distinction between charity and duty 'cannot be drawn, or at least

* Peter Singer, 'Famine, Affluence, and Morality', Philosophy and Public Affairs, 1: 3 (Spring 1972);
abridged.



not in the place we normally draw it'. Each of us who fails to give substantial amounts of money to famine victims, when all we would have to sacrifice is some of our relatively trivial luxuries - each of us who acts this way is not merely failing in 'charity' but guilty of serious moral wrongdoing. Singer's paper raises fundamental questions about the degree of moral complacency in our modern affluent societies; whether we are indeed as guilty as he suggests

turns in part on whether the rightness or wrongness of conduct has to be determined from an impartial and universal standpoint, or whether to give a considerable degree of priority to oneself, and those close at hand, can be morally justified. Singer's paper concludes with an apt reminder that there are many cases where philosophical argument can and should make a real difference not just to how we think, but to how we live.

As I write this, in November 1971, people are dying in East Bengal from lack of food,

shelter and medical care. The suffering and death that are occurring there now are not
inevitable, not unavoidable in any fatalistic sense of the term. Constant poverty, a cyclone and a civil war have turned at least nine million people into destitute refugees;
nevertheless, it is not beyond the capacity of the richer nations to give enough assistance to reduce any further suffering to very small proportions. The decisions
and actions of human beings can prevent this kind of suffering. Unfortunately, human
beings have not made the necessary decisions. At the individual level, people have,
with very few exceptions, not responded to the situation in any significant way. Generally speaking, people have not given large sums to relief funds; they have not
written to their parliamentary representatives demanding increased government assistance; they have not demonstrated in the streets, held symbolic fasts, or done
anything else directed toward providing the refugees with the means to satisfy their
essential needs . . .

The Bengal emergency is just the latest and most acute of a series of major emergencies in various parts of the world, arising both from natural and from man-
made causes. There are also many parts of the world in which people die from malnutrition and lack of food independent of any special emergency. I take Bengal
as my example only because it is the present concern, and because the size of the
problem has ensured that it has been given adequate publicity. Neither individuals
nor governments can claim to be unaware of what is happening there.

What are the moral implications of a situation like this? In what follows, I shall argue that the way people in relatively affluent countries react to a situation like that
in Bengal cannot be justified; indeed, the whole way we look at moral issues - our moral conceptual scheme - needs to be altered, and with it, the way of life that has
come to be taken for granted in our society.

In arguing for this conclusion 1 will not, of course, claim to be morally neutral. I shall, however, try to argue for the moral position that I take, so that anyone who accepts certain assumptions, to be made explicit, will, I hope, accept my conclusion.

I begin with the assumption that suffering and death from lack of food, shelter and
medical care are bad. I think most people will agree about this, although one may reach the same view by different routes. I shall not argue for this view. People can hold
all sorts of eccentric positions, and perhaps from some of them it would not follow that death by starvation is in itself bad. It is difficult, perhaps impossible, to refute such positions, and so for brevity I will henceforth take this assumption as accepted.
Those who disagree need read no further.

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My next point is this: if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it. By ‘without sacrificing anything of comparable moral importance’ I mean without causing anything else comparably bad to happen, or doing something that is wrong in itself, or failing to promote some moral good, comparable in significance to the bad thing that we can prevent. This principle seems
almost as uncontroversial as the last one. It requires us only to prevent what is bad,
and not to promote what is good, and it requires this of us only when we can do it without sacrificing anything that is, from the moral point of view, comparably important. I could even, as far as the application of my argument to the Bengal emergency is concerned, qualify the point so as to make it: if it is in our power to prevent something very bad from happening, without thereby sacrificing anything morally significant, we ought, morally, to do it. An application of this principle would
be as follows: if I am walking past a shallow pond and see a child drowning in it, I ought to wade in and pull the child out. This will mean getting my clothes muddy, but

this is insignificant, while the death of the child would presumably be a very bad thing.

The uncontroversial appearance of the principle just stated is deceptive. If it were acted upon, even in its qualified form, our lives, our society, and our world would be fundamentally changed. For the principle takes, first, no account of proximity or distance. It makes no moral difference whether the person I can help is a neighbour's child ten yards from me or a Bengali whose name I shall never know, ten thousand miles away. Secondly, the principle makes no distinction between cases in which I am the only person who could possibly do anything and cases in which I am just one among millions in the same position.

I do not think I need to say much in defence of the refusal to take proximity and distance into account. The fact that a person is physically near to us, so that we have personal contact with him, may make it more likely that we shall assist him, but this does not show that we ought to help him rather than another who happens to be further away. If we accept any principle of impartiality, universalizability, equality, or whatever, we cannot discriminate against someone merely because he is far away from us (or we are far away from him). Admittedly, it is possible that we are in a better position to judge what needs to be done to help a person near to us than one far away, and perhaps also to provide the assistance we judge to be necessary. If this were the case, it would be a reason for helping those near to us first. This may once have been a justification for being more concerned with the poor in one's town than with famine victims in India. Unfortunately for those who like to keep their moral responsibilities limited, instant communication and swift transportation have changed the situation.
From the moral point of view, the development of the world into a 'global village' has

made an important, though still unrecognized, difference to our moral situation. Expert observers and supervisors, sent out by famine relief organizations or perman-
ently stationed in famine-prone areas, can direct our aid to a refugee in Bengal almost
as effectively as we could get it to someone in our own block. There would seem therefore, to be no possible justification for discriminating on geographical grounds.

There may be a greater need to defend the second implication of my principle - that the fact that there are millions of other people in the same position, in respect to
the Bengali refugees, as I am, does not make the situation significantly different from a



situation in which I am the only person who can prevent something very bad from occurring. Again, of course, I admit that there is a psychological difference between
the cases; one feels less guilty about doing nothing if one can point to others, similarly
placed, who have also done nothing. Yet this can make no real difference to our moral obligations. Should I consider that I am less obliged to pull the drowning child
out of the pond if on looking around I see other people, no further away than I am,
who have also noticed the child but are doing nothing? One has only to ask this question to see the absurdity of the view that numbers lessen obligation. It is a view
that is an ideal excuse for inactivity; unfortunately most of the major evils - poverty,
over-population, pollution - are problems in which everyone is almost equally involved.

The view that numbers do make a difference can be made plausible if stated in this
way: if everyone in circumstances like mine gave £5 to the Bengal Relief Fund, there

would be enough to provide food, shelter and medical care for the refugees; there is
no reason why I should give more than anyone else in the same circumstances as I am;
therefore I have no obligation to give more than £5. Each premise in this argument is
true, and the argument looks sound. It may convince us, unless we notice that it is
based on a hypothetical premise, although the conclusion is not stated hypothetically.
The argument would be sound if the conclusion were: if everyone in circumstances
like mine were to give £5, I would have no obligation to give more than £5. If the conclusion were so stated, however, it would be obvious that the argument has no
bearing on a situation in which it is not the case that everyone else gives £5. This, of
course, is the actual situation. It is more or less certain that not everyone in circumstances like mine will give £5. So there will not be enough to provide the needed food, shelter and medical care. Therefore by giving more than £5 I will prevent
more suffering than I would if I gave just £5.

If my argument so far has been sound, neither our distance from a preventable evil
nor the number of other people who, in respect to that evil, are in the same situation
as we are, lessens our obligation to mitigate or prevent that evil. I shall therefore take
as established the principle I asserted earlier. As I have already said, I need to assert it
only in its qualified form: if it is in our power to prevent something very bad from happening, without thereby sacrificing anything else morally significant, we ought,
morally, to do it.

The outcome of this argument is that our traditional moral categories are upset. The traditional distinction between duty and charity cannot be drawn, or at least, not
in the place we normally draw it. Giving money to the Bengal Relief Fund is regarded

as an act of charity in our society. The bodies which collect money are known as ‘charities’. These organizations see themselves in this way - if you send them a cheque,
you will be thanked for your ‘generosity’. Because giving money is regarded as an act
of charity, it is not thought that there is anything wrong with not giving. The charitable man may be praised, but the man who is not charitable is not condemned.
People do not feel in any way ashamed or guilty about spending money on new clothes or a new car instead of giving it to famine relief. (Indeed, the alternative does
not occur to them.) This way of looking at the matter cannot be justified. When we
buy new clothes not to keep ourselves warm but to look ‘well-dressed’ we are not providing for any important need. We would not be sacrificing anything significant if
we were to continue to wear our old clothes, and give the money to famine relief.



By doing so, we would be preventing another person from starving. It follows from
what I have said earlier that we ought to give money away, rather than spend it on
clothes which we do not need to keep us warm. To do so is not charitable, or generous. Nor is it the kind of act which philosophers and theologians have called
supererogatory — an act which it would be good to do, but not wrong not to do. On
the contrary, we ought to give the money away, and it is wrong not to do so . . .

It may still be thought that my conclusions are so wildly out of line with what everyone else thinks and has always thought that there must be something wrong with
the argument somewhere. In order to show that my conclusions, while certainly contrary to contemporary Western moral standards, would not have seemed so extraordinaiy at other times and in other places, I would like to quote a passage from a writer not normally thought of as a way-out radical, Thomas Aquinas:

Now, according to the natural order instituted by divine providence, material goods are
provided for the satisfaction of human needs. Therefore the division and appropriation of
property, which proceeds from human law, must not hinder the satisfaction of man's
necessity from such goods. Equally, whatever a man has in superabundance is owed, of
natural right, to the poor for their sustenance. So Ambrosius says, and it is also to be found
in the Decretum Gratiani : 'The bread which you withhold belongs to the hungry; the
clothing you shut away, to the naked; and the money you bury in the earth is the
redemption and freedom of the penniless .' 1

A . . . point raised by the conclusion reached earlier relates to the question of just how much we all ought to be giving away. One possibility. . . is that we ought to give
until we reach the level of marginal utility — that is, the level at which, by giving more,
I would cause as much suffering to myself or my dependants as I would relieve by my
gift. This would mean, of course, that one would reduce oneself to very near the material circumstances of a Bengali refuge. It will be recalled that earlier I put forward
both a strong and a moderate version of the principle of preventing bad occurrences.
The strong version, which required us to prevent bad things from happening unless in
doing so we would be sacrificing something of comparable moral significance, does
seem to require reducing ourselves to the level of marginal utility. I should also say
that the strong version seems to me to be the correct one. I proposed the more moderate version - that we should prevent bad occurrences unless, to do so, we had to
sacrifice something morally significant — only in order to show that even on this surely
undeniable principle a great change in our way of life is required. On the more moderate principle, it may not follow that we ought to reduce ourselves to the level of

marginal utility, for one might hold that to reduce oneself and one's family to this level is to cause something significantly bad to happen. Whether this is so I shall not
discuss, since, as I have said, I can see no good reason for holding the moderate version of the principle rather than the strong version. Even if we accepted the principle only in its moderate form, however, it should be clear that we would have
to give away enough to ensure that the consumer society, dependent as it is on people
spending on trivia rather than giving to famine relief, would slow down and perhaps
disappear entirely. There are several reasons why this would be desirable in itself.
The value and necessity of economic growth are now being questioned not only by

*Summa Theologiae , II, 2, qu. 66, art. 7.



conservationists, but by economists as well. There is no doubt, too, that the consumer
society has had a distorting effect on the goals and purposes of its members. Yet looking at the matter purely from the point of view of overseas aid, there must be a
limit to the extent to which we should deliberately slow down our economy; for it might be the case that if we gave away, say, 40 per cent of our Gross National Product,
we would slow down the economy so much that in absolute terms we would be giving
less than if we gave 25 per cent of the much larger GNP that we would have if we
limited our contribution to this smaller percentage. I mention this only as an indication of the sort of factor that one would have to take into account in working out an ideal. Since Western societies generally consider 1 per cent of the GNP an
acceptable level for overseas aid, the matter is entirely academic. Nor does it affect the

question of how much an individual should give in a society in which very few are giving substantial amounts.

It is sometimes said, though less often now than it used to be, that philosophers have no special role to play in public affairs, since most public issues depend primarily on an assessment of facts. On questions of fact, it is said, philosophers as such have no special expertise, and so it has been possible to engage in philosophy without committing oneself to any position on major public issues. No doubt there are some issues of social policy and foreign policy about which it can truly be said that a really expert assessment of the facts is required before taking sides or acting, but the issue of famine is surely not one of these. The facts about the existence of suffering are beyond dispute. Nor, I think, is it disputed that we can do something about it, either through orthodox methods of famine relief or through population control or both. This is therefore an issue on which philosophers are competent to take a position. The issue is one which faces everyone who has more money than he needs to support himself and his dependants, or who is in a position to take some sort of political action. These categories must include practically every teacher and student of philosophy in the universities of the Western world. If philosophy is to deal with matters that are relevant to both teachers and students, this is an issue that philosophers should discuss.

Discussion, though, is not enough. What is the point of relating philosophy to public (and personal) affairs if we do not take our conclusions seriously? In this instance, taking our conclusion seriously means acting upon it. The philosopher will not find it any easier than anyone else to alter his attitudes and way of life to the extent that, if I am right, is involved in doing everything that we ought to be doing. At the very least, though, one can make a start. The philosopher who does so will have to sacrifice some of the benefits of the consumer society, but he can find

compensation
in the satisfaction of a way of life in which theory and practice, if not yet in harmony,
are at least coming together.

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## 1 1 Medical Ethics and the Termination of Life: James Rachels, Active and Passive Euthanasia *

Few problems in practical ethics raise more controversy than the issue of euthanasia, or so-called ‘mercy killing’, that is to say the ending of a life when doing so is taken to be in the best interests of the patient. If euthanasia is performed against someone’s will, it is clearly murder; and most countries also forbid deliberate euthanasia even for patients who wish to die (e.g. because they are terminally ill and in great pain or distress), and also for those who cannot express a wish (e.g. because they are very young, or senile or in a coma) but for whom, because of their condition, it is presumed that continued life is against their interests. Yet although actively killing someone is widely 1 prohibited in all these latter cases, many jurisdictions allow what is sometimes called ‘passive euthanasia’ - that is, deliberately withholding treatment (and perhaps even going so far as to stop nutrition and other life-support measures) in order to ‘allow’ the patient to die . 2

In our next extract, the American moral philosopher James Rachels mounts a powerful critique of the conventional doctrine that makes a moral distinction between active and passive euthanasia, forbidding the former but permitting the latter . 3 First, he argues that active euthanasia

may actually be more humane than passive: if one simply withholds treatment, death may take longer, and often be slow and painful. Second, he objects that the doctrine leads to medical decisions being taken on irrelevant grounds; thus a Down's syndrome baby may be 'allowed to die' if it happens to have a stomach obstruction -

though the obstruction could in fact be cured by a relatively simple operation. Either the lives of Down's syndrome children are worth preserving or they are not, Rachels argues; but either way this should not be decided in the light of some accidental factor such as whether they happen to have a minor stomach condition. In the third place, Rachels questions whether the underlying distinction between killing and letting die has any moral importance. If someone drowns a young cousin in order to inherit his money, is that any worse than deliberately letting the cousin drown when he happens to slip and fall into the water? Rachels's fourth and final argument is that it is unsound to rely on the idea that in the passive euthanasia case 'the doctor does nothing, and the patient dies of whatever ills already afflict him'. Deliberately allowing someone to die, Rachels argues, is 'doing something'; and 'the decision to let a patient die is subject to moral appraisal in the same way that a decision to kill him would be subject to moral appraisal'.

One interesting result of Rachels's position is that the moral significance of the distinction between killing and letting die diverges radically, on his view, from its legal significance. For from a legal point of view, I would be clearly guilty of murder if I drown someone in a pond; while if I merely fail to rescue them from the pond when I can easily do so, I would in most cases be guilty of no legal offence whatsoever. One could argue

that the law is simply misguided in making this distinction, and should be changed; but many

* James Rachels, ‘Active and Passive Euthanasia’, originally published in New England Journal of Medicine (1975), 78-80.

1 Though not universally; at the time of writing, Holland and Switzerland are exceptions.

2 See for example the legal judgments in the cases of Tony Bland (England, 1992) and Terri Schiavo (USA, 2005).

3 This doctrine is sometimes summarized in the slogan ‘Thou shalt not kill, but needst not strive / Officiously to keep alive’. However, the original poem from which these lines are taken (‘The Latest Decalogue’ by the nineteenth-century poet Arthur Hugh Clough) in fact bitterly satirizes the kind of morality implied by relying on such a distinction. Thus a later couplet reads: ‘Thou shalt not steal; an empty feat / When it’s so lucrative to cheat.'



share a powerful intuition that the law captures something important here, and that failing to rescue, even if maliciously motivated, still falls morally far short of deliberately initiating the sequence of events that causes death.

It is important to note that Rachels’s arguments do not themselves settle certain fundamental underlying questions such as whether euthanasia is wrong in itself - a question that has vital importance in, for example, the Down’s syndrome case, or in cases of so-called ‘persistent

vegetative state' comas. Those who believe it is

not wrong may welcome his attack on the present compromise that permits only passive euthanasia, and look forward to the time when active euthanasia too will be included as permissible, thus allowing doctors to terminate such lives more quickly and easily. Those who believe deliberate killing of the innocent and vulnerable is always wrong may worry that his attack on the present legal 'halfway house' (which allows passive but not active euthanasia) may help prepare the ground for further liberalization of the law. The debate continues.

The traditional distinction between active and passive euthanasia requires critical analysis. The conventional doctrine is that there is such an important moral difference between the two that, although the latter is sometimes permissible, the former is always forbidden. This doctrine may be challenged for several reasons. First of all, active euthanasia is in many cases more humane than passive euthanasia. Secondly, the conventional doctrine leads to decisions concerning life and death on irrelevant grounds. Thirdly, the doctrine rests on a distinction between killing and letting die that itself has no moral importance. Fourthly, the most common arguments in favour of the doctrine are invalid. I therefore suggest that the American Medical Association policy statement that endorses this doctrine is unsound.

The distinction between active and passive euthanasia is thought to be crucial for medical ethics. The idea is that it is permissible, at least in some cases, to withhold treatment and allow a patient to die, but it is never permissible to take any direct action designed to kill the patient. This doctrine seems to be accepted by most doctors, and it is endorsed in a statement adopted by the House of Delegates of the

American Medical Association on December 4, 1973.

The intentional termination of the life of one human being by another - mercy killing - is
contrary to that for which the medical profession stands and is contrary to the policy of the
American Medical Association.

The cessation of the employment of extraordinary means to prolong the life of the body
when there is irrefutable evidence that biological death is imminent is the decision of the
patient and/or his immediate family. The advice and judgment of the physician should be
freely available to the patient and/or his immediate family.

However, a strong case can be made against this doctrine. In what follows I will set out
some of the relevant arguments, and urge doctors to reconsider their views on this
matter.

To begin with a familiar type of situation, a patient who is dying of incurable cancer
of the throat is in terrible pain, which can no longer be satisfactorily alleviated. He is
certain to die within a few days, even if present treatment is continued, but he does
not want to go on living for those days, since the pain is unbearable. So he asks the
doctor for an end to it, and his family join in the request.

Suppose the doctor agrees to withhold treatment, as the conventional doctrine says
he may. The justification for his doing so is that the patient is in terrible agony, and
since he is going to die anyway, it would be wrong to prolong his suffering needlessly.
But now notice this. If one simply withholds treatment, it may take the patient

longer

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to die, and so he may suffer more than he would if more direct action were taken and a lethal injection given. This fact provides strong reason for thinking that, once the initial decision not to prolong his agony has been made, active euthanasia is actually preferable to passive euthanasia, rather than the reverse. To say otherwise is to endorse the option that leads to more suffering rather than less, and is contrary to the humanitarian impulse that prompts the decision not to prolong his life in the first place.

Part of my point is that the process of being 'allowed to die' can be relatively slow and painful, whereas being given a lethal injection is relatively quick and painless. Let me give a different sort of example. In the United States about one in 600 babies is born with Down's syndrome. Most of these babies are otherwise healthy - that is, with only the usual pediatric care, they will proceed to an otherwise normal infancy. Some, however, are born with congenital defects such as intestinal obstructions that require operations if they are to live. Sometimes, the parents and the doctor will decide not to operate, and let the infant die. Anthony Shaw describes what happens then:

When surgery is denied [the doctor] must try to keep the infant from suffering while natural forces sap the baby's life away. As a surgeon whose natural inclination is to use the scalpel to fight off death, standing by and watching a salvageable baby die is the most emotionally exhausting experience I know. It is easy at a conference, in a theoretical discussion, to decide that such infants should be allowed to die. It is altogether

different
to stand by in the nursery and watch as dehydration and infection wither a tiny being over
hours and days. This is a terrible ordeal for me and the hospital staff - much more so than
for the parents who never set foot in the nursery . 1

I can understand why some people are opposed to all euthanasia, and insist that such
infants must be allowed to live. I think I can also understand why some other people
favour destroying these babies quickly and painlessly. But why should anyone favour
letting ‘dehydration and infection wither a tiny being over hours and days’? The doctrine that says that a baby may be allowed to dehydrate and wither, but may not be
given an injection that would end its life without suffering, seems so patently cruel as
to require no further refutation. The strong language is not intended to offend, but only to put the point in the clearest possible way.

My second argument is that the conventional doctrine leads to decisions concern-
ing life and death made on irrelevant grounds.

Consider again the case of the infants with Down’s syndrome who need operations
for congenital defects unrelated to the syndrome to live. Sometimes there is no operation, and the baby dies, but when there is no such defect, the baby lives on. Now, an operation such as that to remove an intestinal obstruction is not prohibi-
tively difficult. The reason why such operations are not performed in these cases is,
clearly that the child has Down’s syndrome and the parents and doctor judge that because of that fact it is better for the child to die.

But notice that this situation is absurd, no matter what view one takes of the lives and potentials of such babies. If the life of such an infant is worth preserving, what
does it matter if it needs a simple operation? Or, if one thinks it better that such a baby should not live on, what difference does it make that it happens to have an

1 * A. Shaw, ‘Doctor, Do We Have a Choice?’, New York Times Magazine (30 January 1972), 54.



unobstructed intestinal tract? In either case, the matter of life and death is being decided on irrelevant grounds. It is the Down’s syndrome, and not the intestines, that is the issue. The matter should be decided, if at all, on that basis, and not be allowed to depend on the essentially irrelevant question of whether the intestinal tract is blocked.

What makes this situation possible, of course, is the idea that when there is an intestinal blockage, one can ‘let the baby die’, but that when there is no such blockage there is nothing that can be done, for one must not ‘kill’ it. The fact that this idea leads to such results as deciding life or death on irrelevant grounds is another good reason why the doctrine should be rejected.

One reason so many people think that there is an important difference between active and passive euthanasia is that they think killing someone is morally worse than letting someone die. But is it? Is killing, in itself, worse than letting die? To investigate that issue, two cases may be considered that are exactly alike except that one involves killing whereas the other involves letting someone die. Then it can be asked whether this difference makes any difference to the moral assessments. It is important that the cases be exactly alike, except for this one difference, since otherwise one cannot be confident that it is this difference and not some other that accounts for any variation in the assessments of the two cases. So let us consider this pair of cases.

In the first, Smith stands to gain a large inheritance if anything should happen to his six-year-old cousin. One evening, while the child is taking his bath, Smith sneaks into the bathroom and drowns the child, and then arranges things so that it will look like an accident.

In the second, Jones also stands to gain it anything should happen to his six-year-old cousin. Like Smith, Jones sneaks in planning to drown the child in his bath. However, just as he enters the bathroom, Jones sees the child slip and hit his head and tall face down in the water. Jones is delighted: he stands by, ready to push the child's head back under if it is necessary, but it is not. With only a little thrashing about, the child drowns all by himself, 'accidentally', as Jones watches and does nothing.

Now Smith killed the child, whereas Jones 'merely' let the child die. That is the only difference. Did either man behave better from a moral point of view? If the difference between killing and letting die were in itself a morally important matter, one should say that Jones's behaviour was less reprehensible than Smith's. But does one really want to say that? I think not. In the first place, both men acted from the same motive, personal gain, and both had exactly the same end in view when they acted. It may be inferred from Smiths conduct that he is a bad man, although that judgement may be withdrawn or modified if certain further facts are learned about him - for example, that he is mentally deranged. But would not the very same thing be inferred about Jones from his conduct? And would not the same further considerations also be relevant to any modification of this judgement? Moreover, suppose Jones pleaded, in his own defence, 'After all, I didn't do anything except just stand there and watch the child drown. I didn t kill him: I only let him die.' Again, if letting die were in itself

any
less bad than killing, this defence should have at least some weight. But it does not.
Such a ‘defence’ can only be regarded as a grotesque perversion of moral reasoning.
Morally speaking, it is no defence at all.

Now, it may be pointed out, quite properly, that the cases of euthanasia with which
doctors are concerned are not like this at all. They do not involve personal gain or the



destruction of normal healthy children. Doctors are concerned only with cases where
the patient’s life is of no further use to him, or in which the patient’s life has become
or will soon become a terrible burden. However, the point is the same in these cases:
the bare difference between killing and letting die does not, in itself, make a moral
difference. If a doctor lets a patient die, for humane reasons, he is in the same moral
position as if he had given the patient a lethal injection for humane reasons. If his decision was wrong - if, for example, the patient’s illness was in fact curable - the decision would be equally regrettable no matter which method was used to carry it out. And if the doctor’s decision was the right one, the method used is not in itself important.

The AMA policy statement isolates the crucial issue very well: the crucial issue is ’the intentional termination of the life of one human being by another’. But after identifying this issue, and forbidding ‘mercy killing’, the statement goes on to deny
that the cessation of treatment is the intentional termination of a life. This is where
the mistake comes in, for what is the cessation of treatment, in these circumstances, if
it is not ‘the intentional termination of the life of one human being by another’? Of

course it is exactly that, and if it were not, there would be no point to it.

Many people will find this judgement hard to accept. One reason, I think, is that it is very easy to conflate the question of whether killing is, in itself, worse than letting die, with the very different question of whether most actual cases of killing are more reprehensible than most actual cases of letting die. Most actual cases of killing are clearly terrible (think, for example, of all the murders reported in the newspapers), and one hears of such cases every day. On the other hand, one hardly ever hears of a case of letting die, except for the actions of doctors who are motivated by humanitarian reasons. So one learns to think of killing in a much worse light than of letting die. But this does not mean that there is something about killing that makes it in itself worse than letting die, for it is not the bare difference between killing and letting die that makes the difference in these cases. Rather, the other factors - the murderer's motive of personal gain, for example, contrasted with the doctor's humanitarian motivation - account for different reactions to the different cases.

I have argued that killing is not in itself any worse than letting die: if my contention is right, it follows that active euthanasia is not any worse than passive euthanasia.
What arguments can be given on the other side? The most common, I believe, is the following:

The important difference between active and passive euthanasia is that, in passive euthanasia, the doctor does not do anything to bring about the patient's death. The doctor does nothing, and the patient dies of whatever ills already afflict him. In active euthanasia, however, the doctor does something to bring about the patient's

death: he
kills him. The doctor who gives the patient with cancer a lethal injection has himself
caused his patient's death: whereas if he merely ceases treatment, the cancer is the
cause of the death.'

A number of points need to be made here. The first is that it is not exactly correct to
say that in passive euthanasia the doctor does nothing, for he does do one thing that is
very important: he lets the patient die. 'Letting someone die' is certainly different, in
some respects, from other types of action - mainly in that it is the kind of action that
one may perform by way ot not performing certain other actions. For example, one
may let a patient die by way of not giving medication, just as one may insult someone



by not shaking his hand. But for any purpose of moral assessment, it is a type of action nonetheless. The decision to let a patient die is subject to moral appraisal in the
same way that a decision to kill him would be subject to moral appraisal: it may be
assessed as wise or unwise, compassionate or sadistic, right or wrong. If a doctor
deliberately let a patient die who was suffering from a routinely curable illness, the
doctor would certainly be to blame for what he had done, just as he would be to blame if he had needlessly killed the patient. Charges against him would then be appropriate. If so, it would be no defence at all for him to insist that he didn't 'do anything'. He would have done something very serious indeed, for he let
his patient die.

Fixing the cause of death may be very important from a legal point of view, for it

may determine whether criminal charges are brought against the doctor. But I do not think that this notion can be used to show a moral difference between active and passive euthanasia. The reason why it is considered bad to be the cause of someone's death is that death is regarded as a great evil - and so it is. However, if it has been decided that euthanasia - even passive euthanasia - is desirable in a given case, it has also been decided that in this instance death is no greater an evil than the patient's continued existence. And if this is true, the usual reason for not wanting to be the cause of someone's death simply does not apply.

Finally, doctors may think that all of this is only of academic interest - the sort of thing that philosophers may worry about but that has no practical bearing on their own work. After all, doctors must be concerned about the legal consequences of what they do, and active euthanasia is forbidden by the law. But even so, doctors should also be concerned with the fact that the law is forcing upon them a moral doctrine that may well be indefensible, and has a considerable effect on their practices. Of course, most doctors are not now in the position of being coerced in this matter, for they do not regard themselves as merely going along with what the law requires. Rather, in statements such as the AMA policy statement that I have quoted, they are endorsing this doctrine as a central point of medical ethics. In that statement, active euthanasia is condemned not merely as illegal, but as 'contrary to that for which the medical profession stands', whereas passive euthanasia is approved. However, the preceding considerations suggest that there is really no moral difference between the two, considered in themselves (there may be important moral differences in some cases in their consequences , but, as I pointed out, these differences may make active euthanasia, and not passive euthanasia, the morally preferable option). So, whereas doctors may have to discriminate between active and passive euthanasia to satisfy the law, they should not do any more than that. In particular, they should

not
give the distinction any added authority and weight by writing it into official statements of medical ethics.

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## 12 Cloning, Sexual Reproduction and Genetic Engineering: Leon R. Kass, The Wisdom of Repugnance*

Our final extract deals with the problems of cloning, which are among the many ethical issues raised by humankind's rapidly increasing technological power over the natural world. The technique of producing a new living creature artificially and asexually, by manipulating a single parent cell, is already established in the case of non-human animals, and it seems only a matter of time before it will be transferred to humans. In his article, Leon Kass mounts an impassioned attack on these developing 'new technologies of human reproduction'. He begins by pointing to a natural and widespread repugnance that is felt about the advent of human cloning. People are 'repelled' by ideas such as the mass reproduction of human beings, the 'bizarre' prospect of a woman giving birth to and rearing a genetic copy of herself, and the 'grotesqueness' of conceiving a child as an exact replacement for another who has died, and so on.

Revulsion, Kass admits, is not an argument; but he suggests that the natural human feelings that make us 'shudder' can nonetheless be valuable pointers to aspects of cloning that are indeed morally indefensible. The drive towards human cloning gets its impetus, he argues, from three perspectives: the technological, which

treats reproduction as a ‘neutral technique with no inherent meaning of goodness’; the liberal, or libertarian, which puts the highest value on ‘personal empowerment’; and the tneliorist, which sees all ethical decisions as subordinate to the end of producing improvements to and for the human race.

Although these approaches can be ‘fine in themselves’, according to Kass they ignore the deeper meanings of bringing forth life. Sexual reproduction is not something established by human decision or tradition - it is a natural

process. Moreover, the biological facts involved ‘foretell deep truths about our identity and our human condition’. Our very individuality as humans involves our being caught up in a natural web of family relationships - the social structures, rooted in biology, that make us who we are. A critic might object here that there is no reason why our social arrangements (e.g. for producing and rearing children) have to follow the ancient lines laid down by nature and biology - since with modern science we now have the power to forge alternative, and perhaps better, systems. To this, Kass responds that the natural reproductive structures, ultimately based on sexual intercourse between two people, ‘have a soul-elevating power’ - in other words, a deep moral significance. Sex makes us reach out towards another being with special interest and intensity; it is mysteriously linked to our own mortality, since we reproduce ourselves in the knowledge that our offspring will take our place when we die; and it fosters love and unification, as the parents share an outgoing love for the ‘third being’ who is flesh of their flesh.
In short, our human biology and our deepest moral destiny are inextricably linked; and hence

‘the severing of procreation from sex, love and intimacy is inherently dehumanizing’.

Kass concludes by raising four specific further objections to cloning. First, by manipulating of genetic material, it involves an ‘unethical experiment’ on the resulting child to be . 1 Second, it ‘creates serious issues of identity and individuality’ (for example, a cloned baby may be the identical twin of his father). Third, cloning turns procreation into ‘manufacture’, moving us towards a world where all of nature is simply treated as a mechanism to further our own preconceptions of what we want and need. And

* From The New Republic (2 June 1997), 17-26; abridged.

1 Genetic screening and prenatal diagnosis is quite different, Kass argues at the end of the extract, since ‘it
serves the medical goal ot healing existing individuals’.



fourth, it misses the true meaning of having children. In attempting directly to control and fashion the new life, we would be forgetting the natural meaning of parenthood, which involves a certain vulnerability and letting be, as we open ourselves to the arrival of a new individual - to ‘whatever this child turns out to be’. True parenting is ‘open and forward-looking’; cloning, with its aim of control and manipulation, is ‘inherently despotic’.

Though Kass’s rich armoury of arguments is laid out with powerful emotional flourishes,

they can all be subjected to scrutiny, and will no doubt be strongly criticized by those who see the technological and scientific revolution as something to be embraced, as a means of improving the human lot. Ultimately, however, the worldview that Kass implicitly advocates cannot, perhaps, be assessed by reason alone. As with much of philosophy, the intellectual analysis tells only part of the story, for it rides on the back of deep intuitions whose appeal can be made vivid, but not conclusively demonstrated.

. . . Cloning first came to public attention roughly thirty years ago, following the successful asexual production, in England, of a clutch of tadpole clones by the technique of nuclear transplantation . . . Much has happened in the intervening years. It has become harder, not easier, to discern the true meaning of human cloning. We have in some sense been softened up to the idea - through movies, cartoons, jokes and intermittent commentary in the mass media, some serious, most light-hearted. We have become accustomed to new practices in human reproduction: not just in vitro fertilization, but also embryo manipulation, embryo donation and surrogate pregnancy. Animal biotechnology has yielded transgenic animals and a burgeoning science of genetic engineering, easily and soon to be transferable to humans.

Even more important, changes in the broader culture make it now vastly more difficult to express a common and respectful understanding of sexuality, procreation, nascent life, family life, and the meaning of motherhood, fatherhood and the links between the generations. Twenty-five years ago, abortion was still largely illegal and thought to be immoral, the sexual revolution (made possible by the extramarital use of the pill) was still in its infancy, and few had yet heard about the reproductive rights of single women, homosexual men and lesbians . . . Then one could argue, without

embarrassment, that the new technologies of human reproduction - babies without sex - and their confounding of normal kin relations - who's the mother: the egg donor, the surrogate who carries and delivers, or the one who rears? - would
'undermine the justification and support that biological parenthood gives to the monogamous marriage'. Today, defenders of stable monogamous marriage risk charges of giving offence to those adults who are living in 'new family forms' or to those children who, even without the benefit of assisted reproduction, have acquired
either three or four parents or one or none at all ... In a world whose once-given natural boundaries are blurred by technological changes and whose moral boundaries
are seemingly up for grabs, it is much more difficult to make persuasive the still compelling case against cloning humans beings. As Raskolnikov put it , 1 'man gets
used to everything - the beast!'. . .

In Dostoevsky's novel Crime and Punishment (1866).

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The wisdom of repugnance

'Offensive.' 'Grotesque.' 'Revolting.' 'Repugnant.' 'Repulsive.' These are the words
most commonly heard regarding the prospect of human cloning. Such reactions come both from the man and woman in the street and from the intellectuals, from believers and atheists, from humanists and scientists. Even Dolly's creator 1 has said he
'would find it offensive' to clone a human being.

People are repelled by many aspects of human cloning. They recoil from the prospect of mass reproduction of human beings, with large clones of look-alikes compromised in their individuality; the idea of father-son or mother-daughter twins;
the bizarre prospects of a woman giving birth to and rearing a genetic copy of herself,
her spouse or even her deceased father or mother; the grotesqueness of

conceiving a
child as an exact replacement for another who has died; the utilitarian replacement of
embryonic genetic duplicates of oneself, to be frozen away or created when necessary,
in case of need for homologous tissues or organs for transplantation; the narcissism of
those who would clone themselves and the arrogance of others who think they know
who deserves to be cloned or which genotype any child-to-be should be thrilled to
receive; the Frankensteinian hubris to create human life and increasingly to control its
destiny; man playing God. Almost no one finds any of the suggested reasons for human cloning compelling; almost everyone anticipates its possible misuses and abuses. Moreover, many people feel oppressed by the sense that there is probably
nothing we can do to prevent it from happening. This makes the prospect of it all the
more revolting.

Revulsion is not an argument; and some of yesterday's repugnances are today calmly accepted - though, one must add, not always for the better. In crucial cases,
however, repugnance is the emotional expression of deep wisdom, beyond reason's
power fully to articulate it. Can anyone really give an argument fully adequate to the
horror which is father-daughter incest (even with consent), or having sex with animals, or mutilating a corpse, or eating human flesh, or even (just!) raping or murdering another human being? Would anybody's failure to give full rational justification for his or her revulsion at these practices make that revulsion ethically
suspect? Not at all. On the contrary, we are suspicious of those who think that they
can rationalize away our horror, say by trying to explain the enormity of incest with
arguments only about the genetic risks of inbreeding.

The repugnance of cloning belongs in this category. We are repelled by the prospect

of cloning human beings not because of the strangeness or novelty of the undertaking,
but because we intuit and feel, immediately and without argument, the violation of
things that we rightfully hold dear. Repugnance, here as elsewhere, revolts against the
excesses of human wilfulness, warning us not to transgress what is unspeakably profound. Indeed, in this age in which everything is held to be permissible so long as it is freely done, in which our given human nature no longer commands respect, in
which our bodies are regarded as mere instruments of our autonomous rational wills,
repugnance may be the only voice left that speaks up to defend the central core of our
humanity. Shallow are the souls that have forgotten how to shudder.

Dolly the sheep, born in Edinburgh in 1997, was the first mammal to be cloned from an adult cell. She
died, of progressive lung disease, in 2003.

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The goods protected by our repugnance are generally overlooked by our customary
ways of approaching all new biomedical technologies. The way we evaluate cloning
ethically will in fact be shaped by how we characterize it descriptively, by the context
into which we place it, and by the perspective from which we view it. The first task for
ethics is proper description. And here is where our failure begins.

Typically, cloning is discussed in one or more of three familiar contexts, which one
might call the technological, the liberal and the meliorist. Under the first, cloning will
be seen as an extension of existing techniques for assisting reproduction and deter-

mining the genetic makeup of children. Like them cloning is to be regarded as a neutral technique, with no inherent meaning of goodness, but subject to multiple uses, some good, some bad. The morality of cloning thus depends absolutely on the goodness or badness of the motives and intentions of the doners: as one bioethicist puts it, the ethics must be judged only by the way the parents nurture and rear their resulting child and whether they bestow the same love and affection on a child brought into existence by a technique of assisted reproduction as they would on a child born in the usual way.'

The liberal (or libertarian or liberationist) perspective sets cloning in the context of rights, freedoms and personal empowerment. Cloning is just a new option for exercising an individual's right to reproduce or to have the kind of child that he or she wants. Alternatively, cloning enhances our liberation (especially women's liber-ation) from the confines of nature, the vagaries of chance, or the necessity for sexual mating . . . For those who hold this outlook, the only moral restraints on cloning are adequately informed consent and the avoidance of bodily harm . . .

The meliorist 1 perspective embraces valetudinarians and also eugenicists ... These people see in cloning a new prospect for improving human beings - minimally, by ensuring the perpetuation of healthy individuals by avoiding the risks of genetic disease inherent in the lottery of sex, and maximally, by producing 'optimum babies', preserving outstanding genetic material and (with the help of soon-to-come tech-niques for precise genetic engineering) enhancing inborn human capacities on many fronts. Here the morality of cloning as a means is justified solely by the excellence of the end, that is, by the outstanding traits of the individuals cloned — beauty or brawn or brains . . .

These three approaches . . . all perfectly fine in their places, are sorely wanting as

approaches to human procreation . . . The technical, liberal and meliorist approaches
all ignore the deeper anthropological, social and indeed ontological meanings of bringing forth new life. To this more fitting and more profound point of view, cloning
shows itself to be a major alteration, indeed a major violation, of our given nature as
embodied, gendered and engendering beings - and of the social relations built on this
natural ground. Once this perspective is recognized, the ethical judgement on cloning
can no longer be reduced to a matter of motives and intentions, rights and freedoms,
benefits and harms, or even means and ends. It must be regarded primarily as a matter
of meaning: Is cloning a fulfilment of human begetting and belonging? Or is cloning
lather, as I contend, their pollution and perversion? To pollution and perversion, the
fitting response can only be horror and revulsion; and conversely, generalized horror
and revulsion are prinra facie evidence of foulness and violation. The burden of moral

Aimed at improvement; from the Latin word melior (better).

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argument must tall entirely on those who want to declare the widespread repugnances
of mankind to be merely timidity or superstition.

Yet repugnance need not stand naked before the bar of reason. The wisdom of our
horror at human cloning can be partially articulated, even if this is finally one of those
instances about which the heart has its reason that reason cannot entirely know.'

## The profundity of sex

To see cloning in its proper context, we must begin, not as I did before, with laboratory technique, but with the anthropology - natural and social - of sexual reproduction.

Sexual reproduction, by which I mean the generation of new life from (exactly) two complementary elements, one female, one male (usually), through coitus - is established (if that is the right term) not by human decision, culture or tradition, but by nature; it is the natural way of all mammalian reproduction. By nature, each child has two complementary biological progenitors. Each child thus stems from and unites exactly two lineages. In natural generation, moreover, the precise genetic constitution of the resulting offspring is determined by a combination of nature and chance, not by human design: each human child shares the common natural human species genotype, each child is genetically equally kin to each (both) parent(s), yet each child is also genetically unique.

These biological truths about our origins foretell deep truths about our identity and about our human condition altogether. Every one of us is at once equally human, equally enmeshed in a particular familial nexus of origin, and equally individuated in our trajectory from birth to death - and, if all goes well, equally capable (despite our mortality) of participating, with a complementary other, in the very same renewal of such human possibility through procreation. Though less momentous than our common humanity, our genetic individuality is not humanly trivial. It shows itself forth in our distinctive appearance through which we are everywhere recognized: it is revealed in our ‘signature’ marks of fingerprints and our self-recognizing immune system: it symbolizes and foreshadows exactly the unique, never-to-be-repeated character of each human life.

Human societies virtually everywhere have structured child-rearing responsibilities and systems of identity and relationship on the bases of these deep natural facts of begetting. The mysterious yet ubiquitous ‘love of one’s own’ is everywhere culturally exploited, to make sure that children are not just produced but well cared for and to create for everyone clear ties of meaning. But it is wrong to treat such naturally rooted social practices as mere cultural constructs (like left- or right-driving, or like burying or cremating the dead) that we can alter with little human cost. What would kinship be without its clear natural grounding? And what would identity be without kinship?

We must resist those who have begun to refer to sexual reproduction as the ‘traditional method of reproduction’, who would have us regard as merely traditional, and by implication arbitrary, what is in truth not only natural but most certainly profound.

‘The heart has its reasons that reason does not know’ (Blaise Pascal, Pensees (1670)).

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Asexual reproduction, which produces ‘single-parent’ offspring, is a radical departure from the natural human way, confounding all normal human understandings of father, mother, sibling, grandparent, etc., and all moral relations tied thereto. It becomes even more of a radical departure when the resulting offspring is a clone derived not from an embryo, but from a mature adult to whom the clone would be an identical twin: and when the process occurs not by natural accident (as in natural twinning) but by deliberate human design and manipulation: and when the child’s

(or
children's) genetic constitution is pre-selected by the parent(s) (or scientists) . . .

Let me test my claim of the profundity of the natural way by taking up a challenge recently posed by a friend. What if the given natural human way of reproduction were
asexual, and we now had to deal with a new technological innovation - artificially induced sexual dimorphism and the fusing of complementary gametes - whose inventors argued that sexual reproduction promised all sorts of advantages, including
hybrid vigour and the creation of greatly increased individuality? Would one then be
forced to defend natural asexuality because it was natural? Could one claim that it
carried deep human meaning?

The response to this challenge broaches the ontological meaning of sexual repro-
duction. For it is impossible, I submit, for there to have been human life - or even higher forms of animal life - in the absence of sexuality and sexual reproduction. We
find asexual reproduction only in the lowest forms of life: bacteria, algae, fungi, some
lower invertebrates. Sexuality brings with it a new and enriched relationship to the
world. Only sexual animals can seek and find complementary others with whom to
pursue a goal that transcends their own existence. For a sexual being, the world is no
longer an indifferent and largely homogeneous otherness, in part edible, in part dangerous. It also contains some very special and related and complementary beings,
of the same kind but of opposite sex, toward whom one reaches out with special interest and intensity. In higher birds and mammals, the outward gaze keeps a lookout not only for food and predators, but also for prospective mates: the beholding
of the many-splendoured world is suffused with desire for union, the animal antece-
dent of human eras and the germ of sociality. Not by accident is the human animal
both the sexiest animal - whose females do not go into heat but are receptive

throughout the oestrous cycle and whose males must therefore have greater sexual
appetite and energy in order to reproduce successfully - and also the most aspiring,
the most social, the most open and the most intelligent animal.

The soul-elevating power of sexuality is, at bottom, rooted in its strange connection
to mortality, which it simultaneously accepts and tries to overcome. Asexual repro-
duction may be seen as a continuation of the activity of self-preservation. When one
organism buds or divides to become two, the original being is (doubly) preserved, and
nothing dies. Sexuality, by contrast, means perishability and serves replacement: the
two that come together to generate one soon will die. Sexual desire, in human beings
as in animals, serves an end that is partly hidden from, and finally at odds with, the
self-serving individual. Whether we know it or not, when we are sexually active we are
voting with our genitalia for our own demise. The salmon swimming upstream to
spawn and die tell the universal story: sex is bound up with death, to which it holds a
partial answer in procreation.

The salmon and the other animals evince this truth blindly. Only the human being
can understand what it means. As we learn so powerfully from the story of the Garden



of Eden, our humanization is coincident with sexual self-consciousness, with the
recognition of our sexual nakedness and all that it implies: shame at our needy
incompleteness, unruly self-division and finitude; awe before the eternal; hope in
the self-transcending possibilities of children and a relationship to the divine. In the
sexually self-conscious animal, sexual desire can become eros, lust can become

love.
Sexual desire humanly regarded is thus sublimated into erotic longing for wholeness,
completion and immortality, which drives us knowingly into the embrace and its generative fruit - as well as into all the higher human possibilities of deed, speech and song.

Through children, a good common to both husband and wife, male and female achieve some genuine unification (beyond the mere sexual union' which fails to do
so). 1 he two become one through sharing generous (not needy) love for this third
being as good. Flesh of their flesh, the child is the parents' own commingled being
externalized and given a separate and persisting existence. Unification is enhanced
also by the commingled work of rearing. Providing an opening to the future beyond
the grave, carrying not only our seed but also our names, our ways and our hopes that
they will surpass us in goodness and happiness, children are a testament to the possibility of transcendence. Gender duality and sexual desire, which first draws our
love upward and outside of ourselves, finally provide for the partial overcoming of the
confinement and limitation of perishable embodiment altogether.

Human procreation, in sum, is not simply an activity of our rational wills. It is a more complete activity precisely because it engages us bodily, erotically and spiritu-
ally, as well as rationally. There is wisdom in the mystery of nature that has joined the
pleasure of sex, the inarticulate longing for union, the communication of the loving
embrace and the deep-seated and only partially articulate desire for children in the
very activity by which we continue the chain of human existence and participate in
the renewal of human possibility. Whether or not we know it, the severing of procreation from sex, love and intimacy is inherently dehumanizing, no matter how

good the product.

We are now ready for the more specific objections to cloning.

## The perversities of cloning

First, an important if formal objection: any attempt to clone a human being would constitute an unethical experiment upon the resulting child to be. As the animal experiments (frog and sheep) indicate, there are grave risks of mishaps and deformities. Moreover, because of what cloning means, one cannot presume a future cloned child's consent to be a clone, even a healthy one. Thus, ethically speaking, we cannot even get to know whether or not human cloning is feasible.

I understand, of course, the philosophical difficulty of trying to compare a life with defects against non-existence. Several bioethicists, proud of their philosophical cleverness, use this conundrum to embarrass claims that one can injure a child in its conception, precisely because it is only thanks to that complained-of conception that the child is alive to complain. But common sense tells us that we have no need to fear such philosophisms. For we surely know that people can harm and even maim children in the very act of conceiving them, say, by paternal transmission of the



aids virus, maternal transmission of heroin dependence . . . And we believe that to do this intentionally, or even negligently, is inexcusable and clearly unethical . . .

Cloning creates serious issues of identity and individuality. The cloned person may experience concerns about his distinctive identity not only because he will be in genotype and appearance identical to another human being, but in this case, because

he may also be twin to the person who is his ‘father’ or ‘mother’, if one can still call them that. What would be the psychic burdens of being the ‘child’ or ‘parent’ of your twin? . . .

Human cloning would also represent a giant step towards turning begetting into making, procreation into manufacture (literally, something ‘handmade’), a process already begun with in vitro fertilization and genetic testing of embryos. With cloning, not only is the process in hand, but the total genetic blueprint of the cloned individual is selected and determined by the human artisans. To be sure, subsequent development will take place according to natural processes; and the resulting children will still be recognizably human. But we here would be taking a major step into making man himself simply another one of the man-made things. Human nature becomes merely the last part of nature to succumb to the technological project, which turns all of nature into raw material at human disposal, to be homogenized by our rationalized techniques according to the subjective prejudices of the day. . .

Finally and perhaps most important, the practice of human cloning by nuclear transfer - like other anticipated forms of genetic engineering of the next generation - would enshrine and aggravate a profound and mischievous misunderstanding of the meaning of having children and of the parent-child relationship. When a couple now chooses to procreate, the partners are saying yes to the emergence of new life in its novelty, saying yes not only to having a child but also, tacitly, to having whatever child this child turns out to be. In accepting our finitude and opening ourselves to our replacement, we are tacitly confessing the limits of our control. In this ubiquitous way of nature, embracing the future by procreating means precisely that we are relinquishing our grip, in the very activity of taking up our own share in what we hope will

be the immortality of human life and the human species. This means that our children are not our children: they are not our property, not our possessions. Neither
are they supposed to live our lives for us, or anyone else's life but their own. To be
sure, we seek to guide them on their way, imparting to them not just life but nurturing, love and a way of life; to be sure they bear our hopes that they will live fine and flourishing lives, enabling 11s in small measure to transcend our own limitations. Still, their genetic distinctiveness and independence are the natural fore-
shadowing of the deep truth that they have their own and never-before-enacted life to live. They are sprung from a past, but they take an uncharted course into the
future.

Much harm is already done by parents who try to live vicariously through their children. Children are sometimes compelled to fulfil the broken dreams of unhappy
parents: John Doe Ir or the III is under the burden of having to live up to his forebear's name. Still, if most parents have hopes for their children, cloning parents
will have expectations. In cloning, such overbearing parents take at the start a decisive
step which contradicts the entire meaning of the open and forward-looking nature of
parent-child relations. The child is given a genotype that has already lived, with full
expectation that this blueprint of a past life ought to be controlling of the life that is to



come. Cloning is inherently despotic, for it seeks to make one's children (or someone
else's children) after one's own image (or an image of one's choosing) and their future
according to one's will. In some cases the despotism may be mild and benevolent. In
other cases, it will be mischievous and downright tyrannical. But despotism - the

control of another through one's will - it inevitably will be . . .

We do indeed already practise negative eugenic selection, through genetic screening and prenatal diagnosis. Yet our practices are governed by a norm of health. We seek to prevent the birth of children who suffer from known (serious) genetic diseases. When and if gene therapy becomes possible, such diseases could then be treated in utero or even before implantation - I have no ethical objection in principle to such a practice (though 1 have some practical worries), precisely because it serves the medical goal of healing existing individuals. But therapy, to be therapy, implies not only an existing 'patient'. It also implies a norm of health. In this respect, even germline gene 'therapy', though practised not on a human being but on egg and sperm, is less radical than cloning, which is in no way therapeutic. But once one blurs the distinction between health promotion and genetic enhancement, between so-called negative and positive eugenics, one opens the door to all future eugenic designs . . .

Specimen Questions

1 Critically assess Aristotle's justification of slavery by reference to 'natural' inequalities between human beings.

2 Explain and evaluate Aquinas's doctrine of the just war.

3 Select any two of Hume's arguments in favour of the permissibility of suicide, and explain why you find them persuasive or unpersuasive, as the case may be.

4 What do you consider to be the most interesting of Wollstonecraft's criticisms of the way in which relationships between men and women operated in her day? Are her ideas still relevant today?

5 Can preferential treatment towards friends and family be justified from the moral point of view? Discuss with reference to Godwin's example of the archbishop and the chambermaid.

6 Critically assess Bentham's general account of the purposes and justification of punishment.

7 'Our duties towards animals are merely indirect duties towards humanity' (Kant). Explain and discuss.

8 Explain what Leopold means by the need to extend ethics so as to cover mans relationship to the land. Does the idea of a 'land ethic' depend simply on an appeal to our emotions, or can it also be made intellectually defensible?

9 Expound and evaluate the 'violinist analogy used by Thomson in defence of abortion.

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10 Explain and critically assess Singer's argument for our obligation to relieve suffering in the third world. Why does the argument erode the traditional distinction between duty and charity ?

1 1 Do Rachels's arguments succeed in establishing that there is no morally significant distinction between active and passive euthanasia?

12 Kass argues against cloning on the grounds that the 'severing of procreation from sex, love and intimacy is inherently dehumanizing'. Expound and critically evaluate his view.

Suggestions for Further Reading

Slavery and inequality

For a good account of the classical background, see M. I. Finley, Ancient Slavery and Modern Ideology (Cambridge: Cambridge University

Press, 1980).

For an influential view of the ethical issues involved, see the essay ‘What is Wrong with Slavery’, in R. M. Hare, Essays on Political Morality (Oxford: Oxford University Press, 1989).

For wider discussion of the concept of equality in moral and political theory, see V. Haksar, Equality, Liberty and Perfectionism (Oxford: Oxford University Press, 1979).

See also Bernard Williams’s famous essay ‘The Idea of Equality’, in P. Laslett and W. G. Runciman (eds). Philosophy, Politics and Society (Oxford: Blackwell, 1962).

For the question of whether a free agent should be allowed to sell himself into slavery, see J. S. Mill, On Liberty, ch. 5 (for details see Part X, extract 9).

War

A useful survey of just war theory may be found in R. L. Holmes, On War and Morality (Princeton: Princeton University Press,

1989). See also M. Walzer, Just and Unjust Wars (New York: Basic Books, 1977).

Fora detailed discussion of Aquinas’s position, see P. Ramsey, ‘War and the Christian Conscience’, in P. E. Sigmund (ed.), St Thomas Aquinas on Politics and Ethics (New York: Norton, 1988).

For a subtle discussion of the ethics of modern ‘deterrent’ weapons, see A. Kenny, The Logic of Deterrence (Chicago: University of Chicago Press, 1985).

A variety of stimulating essays on moral aspects of war may be found in R. A. Wasserstrom, War and Morality (Belmont, Calif.: Wadsworth, 1970).

For a critique of the doctrine of double effect, see P. Foot, Virtues and Vices and Other Essays in Moral Philosophy (Berkeley: University of California Press, 1978), pp. 19ff.

Taking one's own life

An excellent overview may be found in the entry on 'Suicide' in L. C. Becker (ed.), Encyclopedia of Ethics (New York: Garland, 1992).

A valuable collection of essays is M. P. Battin and D. J. Mayo, Suicide: The Philosophical Issues (New York: St Martin's, 1980). See also the essay by Battin in D. Van De Veer and T. Regan (eds), Health Care Ethics (Philadelphia: Temple University Press, 1987).

A famous argument against suicide, based on the 'categorical imperative' (see above. Part VIII, extract 5) is found in Immanuel Kant, Groundwork of the Metaphysic of Morals [1785], ch. 2, trans. H. J. Paton as The Moral La w (London: Hutchinson, 1948).

There is much illuminating discussion of some of the ethical issues involved in J. Glover, Causing Death and Saving Lives (Harmondsworth: Penguin, 1987). See also f. Rachels, The End of Life: Euthanasia and Morality (Oxford: Oxford University Press, 1986).

Wollstonecraft and feminist issues

Wollstonecraft, M., A Vindication of the Rights of Women, with Strictures on Moral and Political



Subjects [1792], ed. C. H. Poston (New York: Norton, 1988).

Wollstonecraft's ideas exerted a strong influence on a famous later work: J. S. Mill, The Subjection of Women [1869]. See further J. S. Mill and Harriet Taylor Mill, Essays on Sex Equality, ed. A. Rossi (Chicago: University of Chicago Press, 1970).

For an excellent survey of the main philosophical issues relating to feminism and the status of women, see A. M. Jaggar, 'Feminist Ethics', in L. C. Becker (ed.), Encyclopedia of Ethics (New York: Garland, 1992). See also C. Gilligan, 7n a Different Voice: Psychological Theory and Womens Development (Cambridge, Mass.: Harvard University Press, 1982); G. Lloyd, The Man of Reason: 'Male' and 'Female' in Western Philosophy (Minneapolis: University of Minnesota Press, 1984).

Partiality and favouritism

Godwin, W., An Inquiry concerning Political Justice [1793] ( Harmondsworth: Penguin, 1976). Text based on the 3rd edn of 1798.

For the connection between morality and impartiality, see F. Hutcheson, An Inquiry concerning Moral Good and Evil [1725], sections I and II, in Collected Works (Hildesheim: Olms, 1970).

For a modern defence of impartialism, see

S. Kagan, The Limits of Morality (Oxford: Clarendon, 1989). Compare also P. Singer, Practical Ethics (Cambridge: Cambridge University Press, 1979; 2nd edn 1993), chs 1 and 8.

For problems with the impartialist line, see B. Williams, Moral Luck (Cambridge: Cambridge University Press, 1981), ch. 1. See also L. Blum, Friendship, Altruism and Morality (London: Routledge, 1980).

The justification of punishment

Bentham, Jeremy, An Introduction to the Principles of Morals and Legislation [1789], ed. W. Harrison (Oxford: Blackwell, 1967).

For the alternative, retributivist view, see Immanuel Kant, The Metaphysical Elements of Justice [Rechtslehre, 1796], trans. J. Ladd (Indianapolis: Liberal Arts, 1979).

For a useful collection of papers representing a variety of views on punishment, see H. B. Acton (ed.), The Philosophy of Punishment (London: Macmillan, 1969).

For a stimulating and comprehensive treatment of the topic, see A. Duff, Trials and Punishments (Cambridge: Cambridge University Press, 1985). See also T. Honderich, Punishment: The Supposed Justifications (rev. edn, Harmondsworth: Penguin, 1984), and

J. Murphy, Retribution, Justice and Therapy (Dordrecht: Reidel, 1979).

Our treatment of animals

An excellent collection of readings is T. Regan

and P. Singer (eds), Animal Rights and Human Obligations (2nd edn, Englewood Cliffs, NJ: Prentice-Hall, 1989).

The ethical status of animals has aroused enormous philosophical interest in the late twentieth century. Among the many books worth reading are: S. Clark, The Moral Status of Animals (Oxford: Clarendon, 1977); M. Midgley, Animals and Why They Matter (Harmondsworth: Penguin, 1983); T. Regan, The Case for Animal Rights (Berkeley: University of California Press, 1982); R. G. Frey, Interests and Rights: The Case against Annuals (Oxford: Clarendon, 1980); P. Singer, Practical Ethics (Cambridge: Cambridge University Press, 1979).

Environmental ethics

A stimulating collection of papers is R. Elliot (ed.), Environmental Ethics (Oxford: Oxford University Press, 1993).

For a handy collection covering a wide range of topics in environmental ethics, see M. E. Zimmerman (ed.), Environmental Philosophy (Englewood Cliffs, NJ: Prentice-Hall, 1993).

See also H. Rolston, Environmental Ethics: Duties to and Values in the Natural World (Philadelphia: Temple University Press, 1988); R. Attfield, The Ethics of Environmental Concern (New York: Columbia University Press, 1983); J. B. Callicott, In Defense of the Land Ethic (Albany, NY: State University of New York Press, 1988); P. W. Taylor, Respect for Nature: A Theory of Environmental Ethics (Princeton: Princeton University Press, 1986).

Abortion

Useful collections of articles representing various viewpoints are R. M. Baird and S. E. Rosenbaum (eds), The Ethics of Abortion (Buffalo,



NY: Prometheus, 1989); ). Feinberg (ed.), The Problem of Abortion (2nd edn, Belmont, Calif.: Wadsworth, 1984). See also J. Mohr, Abortion in America (Oxford: Oxford University Press, 1978).

Arguments for and against abortion respectively may be found in M. Tooley, Abortion and Infanticide (Oxford: Oxford University Press, 1981 ), and B. Brody, Abortion and the Sanctity of Human Life (Cambridge, Mass.: MIT Press, 1975).

Affluence, poverty and the third world

The following are valuable collections of papers: W. Aiken and H. La Follette (eds), World Hunger and Moral Obligation (Englewood Cliffs, NJ: Prentice-Flail, 1977); G. R. Lucas (ed.). Lifeboat Ethics (New York: Harper & Row, 1976).

A stimulating discussion may be found in Onora O'Neill's 'The Moral Perplexities of Famine Relief', in T. Regan (ed.), Matters of Life and Death (2nd edn, New York: Random House, 1985). See also O. O'Neill, Faces of Hunger (London: Allen & Unwin, 1986).

A useful survey of some of the issues is N. Dower's essay 'World Poverty', in P. Singer (ed.), A Companion to Ethics (Oxford:

Blackwell, 1993). See also the readings under ‘Partiality and Favouritism’, above.

A clear discussion of the moral distinction between acting and omitting may be found in ). Glover, Causing Death and Saving Lives (Harmondsworth: Penguin, 1987).

Active and passive euthanasia

For the acting versus omitting distinction, see J. Glover, Causing Death and Saving Lives (see above).

A strong defence of voluntary active euthanasia may be found in D. Brock, Life and Death: Philosophical Essays in Biomedical Ethics (Cambridge: Cambridge University Press, 1993).

Reasons for opposing euthanasia are explored in R. Gula, Euthanasia: Moral and Pastoral Perspectives (New York: Paulist Press, 1994).

See also M. C. Murphy, Natural Law and Practical Rationality (Cambridge: Cambridge University Press, 2001).

A useful general collection on medical ethics is R. Munson (ed.), Intervention and Reflection (Belmont, Calif.: Wadsworth, 1988), which includes an essay on euthanasia by J. Gay-Williams.

See also J. Keown (ed.), Euthanasia Examined (Cambridge: Cambridge University Press, 1997), and J. McMahan, The Ethics of Killing (Oxford: Oxford University Press, 2002).

For some liberal arguments on euthanasia, see

R. Dworkin, Life's Dominion (New York: Knopf, 1993).

For a useful survey of the principle of 'double effect' (which makes a distinction between directly intended and merely foreseen consequences), see the article 'Doctrine of Double Effect', in the Stanford Encyclopedia of Philosophy <http://plato.stanford.edu/entries/double-effect/ >

Cloning

A useful study of the main issues may be found in M. Reiss and R. Straughan, Improving Nature ? The Science and Ethics of Genetic Engineering (Cambridge: Cambridge University Press, 1996).

An accessible introduction is B. Gert et ah, Morality and the New Genetics: A Guide for Students and Health Care Providers (Sudbury, Mass.: Jones & Bartlett, 1996).

See also R. Wachbroit, 'Genetic Encores: The Ethics of Human Cloning', Report from the Institute for Philosophy and Public Policy, 17, no. 21 (Fall 1997).

There are valuable survey articles in L. Becker and C. Becker (eds), Encyclopedia of Ethics (New York and London: Routledge; 2nd edn 2001 ): see index under 'cloning'.

Interesting collections of essays on the topic are C. S. Mazzoni (ed.), Ethics and Law in Biological Research (London: Nijhoff, 2002), and M. Nussbaum and C. Sunstein (eds), Clones and Cones: Facts and Fantasies about Human Cloning ( New York: Norton, 1999).